

# **MOUNTAIN LAKES SCHOOL DISTRICT**

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**Mountain Lakes School District**

# MOUNTAIN LAKES SCHOOL DISTRICT

## POLICY MANUAL

The online manual provides the board of education's policies and related regulations in a fully searchable, easy-to-use format.

### Navigation

Use the Table of Contents to the left to view all policies and related procedures within each section. Click on the closed book  or open book  icons beside each section heading to expand or collapse an item and view its subparts. Individual policies, exhibits and regulations are identified in the Table of Contents by the paper icon . You may also use the Next and Back buttons at top right to browse the policies  .

### Search

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### Recent Revisions

Click here to view recent modifications to board policies.

### Questions

If you have any questions or comments regarding this manual, please contact the local district office.

## POLICY MANUAL

The online manual provides the district's board of education policies, regulations, and related documents in a fully searchable, easy-to-use format.

### Navigation

- Access the Table of Contents (TOC) using the main menu at top left.
- Search with confidence using the search box atop every page.
- Share or print from your mobile device using the document-specific menu at top right of each document.

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**Mountain Lakes School District**

**Series 1000 - COMMUNITY**

**Mountain Lakes School District**

## **1000/1010 CONCEPTS AND ROLES IN COMMUNITY RELATIONS; GOALS AND OBJECTIVES**

The Board of Education believes that school district community relations is not solely an information program, but encompasses all aspects of the schools' relationship with the total community.

The Board of Education believes its school-community relations program should:

- A. Promote public interest and participation in the operation of the school system;
- B. Gather information about public attitudes toward the school system and its programs and report them to the Superintendent and the Board;
- C. Provide an honest, continuous, comprehensive flow of information about the policies, procedures, programs, problems and progress of the school system to the community and the staff;
- D. Develop the most effective means of communication with the school system's public and use available media as appropriate;
- E. Develop programs in the schools that will integrate home, school, and community in meeting the needs of district pupils;
- F. Develop and maintain the confidence of the community in the School Board and the school staff;
- G. Develop a climate that attracts good teachers and encourages staff to strive for excellence in the educational program;
- H. Anticipate and forestall problems that are brought about by lack of understanding;
- I. Evaluate past procedures in order to make improvements in future communications.

The Superintendent shall be responsible for developing programs, techniques and channels for implementing this policy.

### **Legal References:**

- N.J.S.A. 10:4-6 *et seq.* Open Public Meetings Act
- N.J.S.A. 47:1A-1 *et seq.* Examination and copies of public records ("Open Public Records Act")
- N.J.A.C. 6A:30-3.1 Comprehensive review of public school districts
- N.J.A.C. 6A:32-2.1 Definitions
- N.J.A.C. 6A:32-12.1 Reporting requirements
- N.J.A.C. 6A:32-12.2 School-level planning

Adopted: February 13, 2006

LR2011

Reviewed: December 7, 2009

## Mountain Lakes School District



## 1100 COMMUNICATING WITH THE PUBLIC

The Board will keep the community informed of the status of the schools through advertised public meetings, press releases and such other means as may be appropriate.

Communication regarding the public information program of the Board and the district shall be directed by the Superintendent, who shall arrange to keep the public and borough government informed regarding the policies, administrative operations, objectives, long range plans and programs, facilities, standardized test results, activities and successes or failures of the schools and shall provide interpretation and explanation of the schools' plans and programs.

The district's budget; audit; annual goals and progress toward achievement of them; special education plans; bilingual/ESL program; pupil progress toward achievement of the Core Curriculum Content Standards; graduation statistics and any other information shall be communicated to the public as required by law.

The Board's meetings and records shall be a matter of public information except as such meetings and records pertain to individual personnel and other classified matters.

Each year by September 30 the Superintendent shall oversee the compilation of a report card of each school in the district that includes all statistical information specified by the State Department of Education and any additional information required by federal law. The report card shall be disseminated to staff and parents/guardians and made available to the media, school district, residents, and members of the school community.

The homepage of each school and the district website will include the grade received from the Commissioner of Education on the effort of each school and the district to implement policies and programs consistent with the laws on harassment, intimidation or bullying. The Superintendent or designee shall oversee the postings. The grade shall be posted within 10 days of its receipt. In addition, the district shall provide a link to the twice-yearly report prepared by the Superintendent detailing the number and nature of violence vandalism, and harassment, intimidation or bullying reports in the schools.

Distribution of pictures of school Board members is prohibited within 90 days of any district election.

### **Avoiding Excessive Expenditures when Communicating with the Public**

District communication will be produced and distributed in a cost-efficient manner, for example:

- A. The use of expensive materials or production techniques is prohibited where lower cost methods are available, such as the use of multi-color glossy publications instead of suitable, less expensive alternatives.
- B. When possible and appropriate, low cost digital communication via channels such as email, mobile, automated calls and social media should be used in place of printed and/or mailed communication.
- C. Excessive public relations activities that are not part of the instructional program are prohibited.

### Legal References:

N.J.S.A. 10:4-6 *et seq.* Open Public Meetings Act

N.J.S.A. 18A:7E-2 through 5 School report card program

N.J.S.A. 18A:17-46 Act of Violence; report by the school employee; notice of action taken;

annual report

N.J.S.A. 47:1A-1 *et seq.* Examination and copies of public records (Open Public Records Act)

N.J.A.C. 6A:8-3.1(a)3 Curriculum and instruction

N.J.A.C. 6A:23A-5.2 Public relations and professional services

N.J.A.C. 6A:23A-9. Commissioner to ensure achievement of CCCS

N.J.A.C. 6A:30-3. Comprehensive review of public school districts

N.J.A.C. 6A:32-12.1 Reporting Requirements

N.J.A.C. 6A:32-12.2 School-level planning

N.J.A.C. 6A:30-3.1 Comprehensive review of public school districts

N.J.A.C. 6A:23A-8.1 *et seq.* Budget submission, support. Documentation, website publication

N.J.A.C. 6A:23A-9.5 Commissioner to ensure achievement of the CCCS

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

Revised and Adopted: August 8, 2011

Revised: March 20, 2017

**Mountain Lakes School District**

## 1110 MEDIA AND DISTRICT PUBLICATIONS

### Media

Every effort shall be made to assist all communications media in the community to gain complete and adequate coverage of the programs, problems, planning, and activities of the school system.

General releases of interest to the entire district shall be made available to the media. There shall be no exclusive releases, news conferences or interviews except as media representatives request information on particular programs, plans, or problems.

The Superintendent, or his or her designee, will be the spokesperson for the District in an emergency situation. In general, the Superintendent shall be responsible for establishing relations with news media, and providing information to each through the means found most suitable. Particularly, he/she shall ensure that the media receive all school report cards as required by the administrative code.

The Board encourages public presentation of the programs, policies and progress of the schools through press, radio, television, web sites and social media. Building principals shall clear proposed presentations with the Superintendent. The principal or the Superintendent shall ensure that the parents/guardians of pupils who participate in such presentations are informed.

The Superintendent or designee shall devise procedures for optimum benefit from such presentations.

### District Publications

The Superintendent or his/her designee shall direct development and review of informational newsletters and handbooks for parents/guardians, pupils, staff and the general community as deemed necessary by the Board. The district annual report shall be printed for distribution. The Board Secretary shall make the district audit available to the public as required by law.

Centralized control of district publications, including the district website, is necessary to ensure that the content of district publications reflects district-wide policies and regulations accurately.

In accordance with law, the Superintendent shall prepare procedures to ensure that the district website, or websites of any schools in the district, shall not publish any personally identifiable information about a student without prior written consent from the student's parents/guardians. Consent shall be obtained on the form indicated by the State Department of Education and shall contain a statement describing the potential dangers of posting personally identifiable information about students on the Internet.

### District Website

For the purpose of keeping the district and community members fully informed and provided with adequate information, the Board authorizes the Superintendent to coordinate and oversee a website to be maintained on the Internet. All items to be posted on the website shall be approved by the Superintendent or his/her designee prior to posting. In the event that the Superintendent finds certain material that is submitted to be of a questionable nature, the Superintendent shall seek approval of the Board prior to posting such material.

The types of information that may be posted on the website include, but are not limited to:

- Board public agendas

- Board approved minutes

- Board policies and regulations

Board meeting dates

District Newsletter

Information regarding school times, closings, procedures, schedules

Frequently asked questions as they relate to Board functions

School administration information

Job descriptions

Curriculum updates

Job postings

Test score analysis

School E-Mail information

Any other items approved by the Superintendent:

Materials containing political or editorial opinions that are inconsistent with the educational philosophy of the district shall be prohibited from the website.

The Board shall from time to time evaluate the effectiveness of the website and recommend appropriate changes for its administration to the Superintendent who shall effectuate appropriate changes in the operation of the website.

#### Legal References:

N.J.S.A. 10:4-6 *et seq.* Open Public Meetings Act

N.J.S.A. 18A:10-6 Board meetings public; frequency; hours of commencement; adjournment, etc., for lack of quorum

N.J.S.A. 18A:11-1 General mandatory powers and duties

N.J.S.A. 18A:17-20 Superintendent; general powers and duties

N.J.S.A. 18A:23-1 *et seq.* audits and Auditors

N.J.S.A. 18A:36-35 School internet web sites; disclosure of certain student information prohibited

N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

N.J.S.A. 47:1A-1 *et seq.* Examination and copies of public records ("Open Public Record Act")

N.J.A.C. 6A:30-1.2 Definitions

N.J.A.C. 6A:30-1.4(a)1 Evaluation process for the annual review

N.J.A.C. 6A:30-3.1 Comprehensive review of public school districts

N.J.A.C. 6A:32-12.1 Reporting requirements

N.J.A.C. 6A:32A-12.2(a)1i School-level planning

Adopted: February 13, 2006

LR2011

Revised: May 1, 2017

Adopted: May 15, 2017

**Mountain Lakes School District**

## 1111 DISTRICT PUBLICATIONS

The Superintendent or his/her designee shall direct development and review of informational newsletters and handbooks for parents/guardians, pupils, staff and the general community as deemed necessary by the Board. The district annual report shall be printed for distribution. The Board Secretary shall make the district audit available to the public as required by law.

Centralized control of district publications, including the district website, is necessary to ensure that the content of district publications reflects district-wide policies and regulations accurately.

In accordance with law, the Superintendent shall prepare procedures to ensure that the district website, or websites of any schools in the district, shall not publish any personally identifiable information about a student without prior written consent from the student's parents/guardians. Consent shall be obtained on the form indicated by the State Department of Education and shall contain a statement describing the potential dangers of posting personally identifiable information about students on the Internet.

### District Website

For the purpose of keeping the district and community members fully informed and provided with adequate information, the Board authorizes the Superintendent to coordinate and oversee a website to be maintained on the Internet. All items to be posted on the website shall be approved by the Superintendent or his/her designee prior to posting. In the event that the Superintendent finds certain material that is submitted to be of a questionable nature, the Superintendent shall seek approval of the Board prior to posting such material.

The types of information that may be posted on the website include, but are not limited to:

- Board public agendas

- Board approved minutes

- Board policies and regulations

- Board meeting dates

- District Newsletter

- Information regarding school times, closings, procedures, schedules

- Frequently asked questions as they relate to Board functions

- School administration information

- Job descriptions

- Curriculum updates

- Job postings

- Test score analysis

- School E-Mail information

Any other items approved by the Superintendent:

- Materials containing political or editorial opinions that are inconsistent with the educational philosophy of the district shall be prohibited from the website.

The Board shall from time to time evaluate the effectiveness of the website and recommend appropriate changes for its administration to the Superintendent who shall effectuate appropriate changes in the operation of the website.

Legal References:

N.J.S.A. 18A:11-1 General mandatory powers and duties

N.J.S.A. 18A:17-20 Superintendent; general powers and duties

N.J.S.A. 18A:23-1 *et seq.* Audits and Auditors

N.J.S.A. 18A:36-35 School internet web sites; disclosure of certain student information prohibited

N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

N.J.A.C. 6A:30-3.1 Comprehensive review of public school districts

N.J.A.C. 6A:32-12.1 Reporting requirements

N.J.A.C. 6A:32-12.2 School-level planning

Adopted: February 12, 2007

Reviewed: December 7, 2009

LR2011

**Mountain Lakes School District**

## **1112.4 CROWD CONTROL**

The Board of Education believes that in order to achieve its goals for interscholastic competition, that the student body and the general public attending an interscholastic event shall conduct themselves in such a manner as to make a positive contribution toward the educational objectives of this district.

The Board directs the Superintendent to prepare regulations for pupil and public behavior at interscholastic events and to publicly post such regulations and to devise procedures for the control of crowds.

The Board authorizes school officials to have expelled from any district event by the law enforcement officers on duty, any spectator who willfully violates the rules and regulations of the district or whose behavior jeopardizes the safe conduct of the event. Further, any spectator involved in continual violations of the rules and regulations shall be prohibited from attending further school events.

Previously Policy No. 9161

Adopted: January 3, 2006

**Mountain Lakes School District**



## 1120 BOARD OF EDUCATION MEETINGS

Board of Education meetings shall be a primary means of sharing information with community members and inviting their comments and suggestions. Regular and special meetings of the Board of Education are open to the public and representatives of the media, except when, by resolution at the public meeting, the Board excludes the public from those parts of a meeting which deal with matters held confidential in accordance with law.

The Board welcomes participation of interested organizations and individuals and will schedule time as appropriate for the public to speak. The length of time scheduled for public discussion shall be stated in the agenda, together with any time limit proposed for individual speakers.

The Board will not permit unnecessary or undesirable identification of district pupils at public or Board of Education meetings, particularly when the pupil is subject to disciplinary action, or has been identified as having a disability. A special confidential file shall be kept of the names of pupils with disabilities on whose behalf the Board must take public action. An unidentifiable coding shall be used when referring to the pupil.

Comments and questions at the end of regular or special meetings may deal with any topic related to the Board's conduct of the schools. Advance announcement of all regular, scheduled special, and specially called meetings of the Board is made through newspapers and other appropriate media outlets.

The Board shall include a discussion of the *School Ethics Act* and the Code of Ethics for School Board members annually at a regularly scheduled public meeting.

Non-categorized schools shall discuss the school performance report (SPR) publicly. The school performance reports is an annual New Jersey Department of Education report released for every school in New Jersey that sets specific school- and subgroup-performance targets for both language arts and mathematics, and detail the school's annual progress toward meeting the targets. The report includes a range of data, including progress toward closing achievement gaps, comparison to peer schools with similar demographics, growth over time as measured through student growth percentiles (SGP) on State tests, and additional college- and career-readiness data points. The reports support school districts' and schools' engagement in performance management by setting performance goals, identifying strengths and weaknesses, and developing local plans to focus on low-performance areas.

In addition, the district shall report on progress made in meeting the adequate yearly targets established for closing the achievement gap as set by the Department of Education.

### School Performance Report/School Report Card

The chief school administrator or his or her designee shall oversee the collection of data for the school performance report card program and annually report the data to the board and the commissioner. The school performance report card shall be prepared annually and disseminated annually to parents and other interested taxpayers within each school district.

A. The chief school administrator shall report annually to the board at a public meeting not later than September 30 (N.J.A.C. 6A:8-5.2f):

1. The number of students graduated;
2. The number of students graduated under the alternative high school assessment (AHSA) process;
3. The number of students receiving State-endorsed high school diplomas as a result of meeting any alternate requirements for graduation as specified in their individualized

education programs (IEPs);

4. The total number of students denied graduation from the 12th grade class; and

5. The number of students denied graduation from the 12th grade class solely because of failure to pass the Department of Education approved high school proficiency assessment or the AHSA.

B. The following information shall be collected for the district, and for each school within the district, as appropriate and including but not limited to:

1. Results of the elementary assessment programs;

2. Results of the Early Warning Test;

3. Results of the High School Proficiency Test;

4. Daily attendance records for students and professional staff;

5. Student graduation and dropout rates;

6. Annual student scores on the Scholastic Aptitude Test;

7. Total student enrollment, percentage of limited English proficient students, percentage of students in advanced placement courses, and any other school characteristics which the commissioner deems appropriate;

8. Instructional resources including teacher/student ratio, average class size and amount of instructional time per day, as calculated by formulas specified by the commissioner;

9. A written narrative by the school principal or a designee which describes any special achievements, events, problems or initiatives of the school or district;

10. Data identifying the number and nature of all reports of harassment, intimidation, or bullying; and

11. Indicators of student career readiness.

C. The following information shall be collected for the district as appropriate:

1. Per pupil expenditures and State aid ratio;

2. Percent of budget allocated for salaries and benefits of administrative personnel;

3. Percent of budget allocated for salaries and benefits of teachers;

4. Percentage increase over the previous year for salaries and benefits of administrative and instructional personnel;

5. The number of administrative personnel and the ratio of administrative personnel to instructional personnel; A profile of the most recent graduating class concerning their educational or employment plans following graduation; and

6. Any other information which the commissioner deems appropriate.

\*In a regular Board meeting by October 30 of each year, the Superintendent shall provide a report which includes information on the following topics:

- A. The status of all capital projects in the school district's long range plan;
  - B. The maximum permitted amount of the school district's reserve account;
  - C. Implementation of school-level plans;
  - D. Achievement of performance objectives;
  - E. Each school report card, including pupil performance results and student behavior data;
  - F. Professional development activities;
  - G. Condition of school facilities;
  - H. Status of mandated program reviews;
  - I. Community support data as detailed in the administrative code;
  - J. The assignment plan for certified and noncertified nurses developed by the school district.
- Other items presented at Board meetings must include, but are not limited to:

- A. Presentation of audit report;
- B. Presentation of budget;
- C. Student attendance;
- D. Dropout statistics; other demographic data;
- E. Mandated inservice programs.

#### Harassment, Intimidation and Bullying Reporting

In addition, two times each school year between September 1 and January 1 and between January 1 and June 30, the school Board shall hold a public hearing at which the Superintendent will report to the Board of Education all acts of violence, vandalism, and harassment, intimidation, or bullying (HIB) which occurred during the previous reporting period. The report shall include the number of HIB reports in the schools, the status of all investigations, the nature of the HIB, and other data required by law.

#### Legal References:

- N.J.S.A. 10:4-6 *et seq.* Open Public Meetings Act
- N.J.S.A. 18A:7C-7 School administrators report on students awarded or denied diplomas
- N.J.S.A. 18A:10-6 Board meetings public; frequency; hours of commencement; adjournment, etc., for lack of quorum
- N.J.S.A. 18A:12-21 School Ethics Act
- 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:22-10 Fixing day, etc., for public hearing
- N.J.S.A. 18A:22-13 Public hearing; objectives; heard, etc.
- N.J.S.A. 18A:23-5 Meeting of Board; discussion of report

N.J.A.C. 6A:8-5.2(e) High school diplomas

N.J.A.C. 6A:14-1.1 *et seq.* Special Education

N.J.A.C. 6A:16-5.1 *et seq.* School safety plans

See particularly:

N.J.A.C. 6A:16-5.2, -5.3

N.J.A.C. 6A:26 Educational Facilities

N.J.A.C. 6A:26-2.2(a) Completion of long range facilities plans

See particularly:

N.J.A.C. 6A:30-3.2 QSAC

N.J.A.C. 6A:32-3.2 Requirements for the Code of Ethics for district Board of Education members and charter school Board of trustee members

N.J.A.C. 6A:32-12.1 Reporting requirements

N.J.A.C. 6A:32-12.2 School-level planning

N.J.A.C. 6A:32-1 3.1 School attendance

N.J.A.C. 6A:32-13.2 Dropouts

N.J.A.C. 6A:32-14.1 Review of mandated programs and service

N.J.A.C. 6A:30-1.1 *et seq.* See 6A:30-3.2

N.J.A.C. 6A:23A-14.1 Capital Reserve

Revised and Adopted: August 8, 2011

Revised: April 16, 2018

**Mountain Lakes School District**

## 1140 DISTRIBUTION OF MATERIALS BY PUPILS AND STAFF

Material being sent home with pupils should relate to school matters or pupil-related community activities. Except when it pertains to the individual pupil, the Superintendent or his/her designee must approve all such material in advance. Pupils shall not be used to distribute partisan materials or partisan information pertaining to a school or general election, budget or bond issue, or negotiations. Pupils shall not be exploited for the benefit of any individual, group, or profit-making organization.

There is no district obligation to distribute or post any community group materials. But if a forum is opened up to any category of group (i.e., non-profit, non-partisan, community groups), the superintendent will not discriminate against speech or materials on the basis of its viewpoint or religious content.

The determination of the Superintendent will be viewpoint-neutral in order to provide equal access to "limited public forums" including bulletin boards for notices, tables at back-to-school nights, or handouts to students.

Pupils shall not be used to distribute partisan materials or partisan information pertaining to a school or general election, budget or bond issue, or negotiations. Pupils shall not be exploited for the benefit of any individual, group, or profit-making organization.

No staff member may distribute any materials on school property without prior approval of the Superintendent or his/her designee. Materials will clearly indicate their source. Non-school-related materials will be plainly labeled, including an express disclaimer that the activity is "not a school-sponsored activity." Flyers and parental permission slips will be subject to the same review and standards.

All surveys, questionnaires or other similar items requiring pupil or parent/guardian response shall be reviewed and approved by the Superintendent prior to distribution. The Superintendent shall solicit written permission from parents/guardians before students participate in surveys or research that requests personal information as set out in federal law.

### Legal References:

N.J.S.A. 18A:36-34 Written approval required prior to acquisition of certain survey information from students

N.J.S.A. 18A:42-4 Distribution of literature as to candidacy, bond issues, or other public question to be submitted at election; prohibited

N.J.S.A. 19:34-6 Prohibited actions in polling place on election day, exception for simulated voting

N.J.S.A. 19:34-15 Electioneering within or about polling place; disorderly persons offense

34 CFR 98.1 - Pupil Protection Rights Amendment

*Child Evangelism Fellowship of New Jersey. vs. Stafford Township School District*, No. 03-1101 (October 2004)

*Hazelwood School District v. Kuhlmeier*, 484 U.S. 260 (1988)

Adopted: February 13, 2006

Revised: January 19, 2010

## Mountain Lakes School District

## 1200 PARTICIPATION BY THE PUBLIC

The Board encourages volunteers and/or residents of the community who are especially qualified because of training, experience, or personal characteristics to take an active part in school affairs. Such persons may be invited to act as advisers both as groups and individually in:

- A. Clarifying the general ideas and attitudes held by our residents regarding school;
- B. Determining the purposes of courses of study and special services to be provided for pupils; evaluating the extent to which these purposes are being achieved by present practices;
- C. Giving active assistance to the professional staff in the actual operation of classes and services where the Superintendent and staff deem such aid valuable;
- D. Offering suggestions on a specific problem or set of closely related problems about which the board must make a decision;
- E. Coordinating the delivery of social services to students.

Volunteers carrying out prescribed functions under the supervision of designated professional staff members shall be covered by the Board's liability insurance policy. All volunteers must undergo a criminal history background check and be determined eligible to work in public schools.

The Superintendent shall supervise development of programs and procedures to enlist community participation in school events and deliberations. He/she shall keep on file information on all volunteers and documentation that requirements of law have been fulfilled.

The Board, Superintendent, and the staff shall give substantial weight to the advice that they receive from individuals and community groups interested in the school, especially those individuals and groups that have been invited or created to advise them regarding selected problems. The Board, Superintendent, and staff shall use their own best judgment in arriving at decisions.

The Superintendent shall report to the public annually on all aspects of community support of the educational program.

### Legal References:

N.J.S.A. 18A:11-1 General mandatory powers and duties

N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

N.J.A.C. 6A:32-12.1 Reporting requirements

Adopted: February 13, 2006 LR2011

Revised: November 20, 2017

**Mountain Lakes School District**

## 1220 AD HOC ADVISORY COMMITTEES

Community and/or parent/guardian advisory committees can be particularly useful both in keeping the Board and the administration informed with regard to community opinion and in representing the community in the study of specific school problems. When required by law or when it is beneficial to the district, the Board shall appoint advisory committees to assist in research projects, long-range studies, program evaluation, and development of policies or educational goals/programs. Each committee shall be appointed for a specific purpose and time. The Board may dissolve any Board-appointed committee at its sole discretion.

Such committees shall be representative of the community in relation to the tasks delegated to them, and may include staff and pupils when appropriate. In creating a new advisory committee, the Board shall: appoint members of the community who are able to serve, interested in the subject and concerned about the schools; appoint members who represent a wide range of community interests and backgrounds; appoint a chairperson; and appoint one or more Board members to serve as ex officio members. No appointee shall represent an organization, geographic area, religious group or any other subdivision of the community in an official capacity.

The Board may also set up systematic programs that draw on the assistance business, labor, and other organizations in developing vocational, technical and enrichment programs and in providing pupils with practical work experience.

The Board shall adopt the committee structure and organization it deems appropriate to the assignment at hand, except for funded programs where requirements are set by law. The Board is responsible for approving all members of a committee and the method of their selection in consultation with the Superintendent. Staff members shall not constitute a majority of any general community advisory committee.

Recommendations from the committee shall not reduce the responsibility of the Board, which shall be free to accept or reject the recommendations as it sees fit. Only the Board has the power to act. It will be the responsibility of the chairperson to see that the members of the committee are informed as to the final decision of the Board.

Any publicity concerning the organization, membership, operations, findings or recommendations of any committee shall be released only by the Board designee.

For in district-initiated advisory committees, the Superintendent shall draft procedures for instructing committees as to the length of time each member is being asked to serve, the services the Board wishes them to render, the resources the Board intends to provide, and the approximate date on which the Board wishes to dissolve the committee. Furthermore, the committee shall be instructed as to the relationship it has to the Board, to the individual Board members, to the Board Secretary, to the Superintendent, and to the rest of the professional staff.

Meetings of an advisory committee that are open to or attended by fewer than a majority of the members of the Board are not subject to the Open Public Meetings Act and need not be open to the public, except as expressly permitted by the Board.

When the law regulates the formation and activities of an advisory committee, the administration shall cooperate fully in its activities.

### Legal References:

N.J.S.A. 10:4-6 *et seq.* Open Public Meetings Act

N.J.S.A. 18A:10-6 Board meetings public; frequency; hours of commencement; adjournment, etc., for lack of quorum



N.J.A.C. 6A:16-4.2(a) Review and availability of policies and procedures for the intervention of student alcohol or other drug abuse

N.J.A.C. 6A:32-12.1 Reporting requirements

Hawkins-Stafford Elementary and Secondary School Improvement Amendments of 1988 (P.L. 100-297)

34 C.F.R. 200.1 to 200.89 - Part 200

Adopted: February 12, 2007

**Mountain Lakes School District**

## 1230 SCHOOL-CONNECTED ORGANIZATIONS

The Board will encourage the work of a general, voluntary, school-connected organization of parents/guardians, school staff and friends of the school in each school. Such organizations may not establish educational policy, participate in the administration of the school, or authorize management and direction of school affairs.

Such organizations shall have as their objectives: the promotion of pupil welfare and support of the school district; the development of close relationships between the home and the school; and the development between educators and the public of such united efforts as will secure for every pupil in the schools the best kind of educational program possible.

Organizations shall not use the district's name in their titles without the Board's express consent. Such permission to use the district's name does not constitute permission to act as the district's representative.

The Board shall make it a practice not to interfere in the internal workings of school-connected organizations.

The Board may grant permission to such organizations to hold regular meetings in school facilities in accordance with Policy #1330.

The school principal or another professional staff member designated by the principal may serve as adviser to the general parent/teacher organization. All members of the professional staff shall be encouraged to join the organization and to participate in its activities.

The Board relies upon school-connected organizations to operate in a manner consistent with public expectations for the schools and reserves the right to withdraw recognition from any school-connected organization whose actions are inimical to the interests of this district.

### Legal References:

[N.J.S.A. 18A:11-1](#) General mandatory powers and duties

[N.J.S.A. 18A:54-20](#) Powers of board (county vocational schools)

Adopted: February 12, 2007

**Mountain Lakes School District**

## 1250 VISITORS

☐ Monitored

☐ Mandated

☒ Other Reasons

The Board welcomes visits to school by parents/guardians, Board members, other adult residents of the community and interested educators, when they do not interfere with the classroom or school routine. In order for the educational program to continue undisturbed when visitors are present, and to prevent the intrusion of disruptive persons into the schools, the Superintendent shall devise regulations addressing visitors' access to the schools.

All visitors shall be required to report to the principal's office upon entering the building.

A "visitor" is anyone other than a pupil enrolled in or a staff member employed in the particular school. Visitors may not consult with the teaching staff or pupils during class time without the principal's permission.

Staff members and students are strictly prohibited from propping doors open. Students and staff members shall not open a door for anyone. All persons seeking entry to the building shall be directed to the main entrance.

For the purpose of preventing unauthorized entry into the district buildings, the building principal shall ensure that:

- A. The school's main entrance is clearly marked so that it is easily visible and recognizable;
- B. Exterior doors are locked, and when they are in use for a large entry/exit, staff members, security personnel, law enforcement officers or other representatives of the district are assigned to monitor them;
- C. Entrances are clearly marked with a numerical sequence to allow for specific response by police, fire, and emergency medical services responders;
- D. A limited the number of doors are available for access by staff and the staff members shall be informed of which doors they are authorized to use;
- E. Security personnel working in the school building are dressed in uniform.

When the parental rights of a parent have been terminated by a court of appropriate jurisdiction, the legal guardian must inform the school so that the administration may apply appropriate regulations. The principal shall seek confirmation of legal custodianship where necessary.

No one may visit the school during school hours for the purpose of recommending or exhibiting books, maps, etc., to staff without prior approval. No person shall be allowed to deliver any address or lecture on any subject unless authorized by the Superintendent or designee.

All visitors to the schools must obey regulations prohibiting smoking and any other regulations designed to ensure orderly operation of the school. All persons violating this policy shall be considered "disorderly persons" and subject to appropriate action.

The Superintendent and building principal each possess the authority to prohibit the entry of any person into a school of this district or to expel any person from the school when there is reason to believe the presence of such person would be inimical to the good order of the school. If such a person refuses to leave the school grounds or causes a disturbance, the principal is authorized to request from the local law enforcement agency whatever assistance is required to remove the individual.

The Board may bar the attendance at school functions or access to school property of any visitor whose conduct, in the opinion of the Board, may constitute a disruption.

The Superintendent shall develop regulations that will protect pupils and employees of the district from disruption to the educational program and the efficient conduct of their assigned tasks.

#### Visitor Procedures for Contagion Prevention

In order to prevent the spread of disease during pandemic recovery and to protect the health and safety of students and staff against infection, no visitors shall be permitted in the schools until pandemic restrictions are lifted. The principal may admit a visitor if he or she determines that it is necessary. In all such cases, the visitor shall submit to the screening procedure (e.g., temperature and exposure questionnaire) and shall be required to wear a face mask while in the school building. The face mask shall be required in all cases. However, an accommodation may be made where the visitor can demonstrate that wearing a face mask is detrimental to the visitor's health. A child under two years of age shall not be required to wear a face mask.

#### Key Words

Visits to the Schools, Visitors, Sign-in, Propping Doors

#### Legal References:

N.J.S.A. 2C:18-3 Unlicensed entry of Structures, defiant trespasser; peering into dwelling places; defenses

N.J.S.A. 2C:33-2 Disorderly conduct

N.J.S.A. 18A:7G-5.2 Public school facilities, certain, security measures required

N.J.S.A. 18A:11-1 General mandatory powers and duties

N.J.S.A. 18A:20-20 Control and Regulation of Playgrounds

N.J.S.A. 18A:40-12 Closing Schools During Epidemic

N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

N.J.S.A. 26:3D-55 *et seq.* New Jersey Smoke-Free Air Act

*McCann v. Bd. of Educ. of South Plainfield*, (EDU8243-04, Comm'r, Nov. 5, 2005)

*L.A. v. Port Republic Bd. of Educ.*, (EDU4308-05, Comm'r Feb. 22, 2007)

The NJDOE Guidance: *The Road Back: Restart and Recovery* at:  
<https://www.nj.gov/education/reopening/>

#### Possible Cross References:

\*1220 Ad hoc advisory committees

\*3327 Relations with vendors

\*3515 Smoking prohibition

\*4131/4131.1 Staff development; inservice education/visitations/conferences

\*4231/4231.1 Staff development; inservice education/visitations/conferences

\*5020 Role of parents/guardians

\*5124 Reporting to parents/guardians

\*5125 Pupil records

\*5131.1 Harassment, intimidation and bullying

\*5142 Pupil safety

\*5145.11 Questioning and apprehension

\*6144 Controversial issues

\*9010 Role of the member

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

Adopted: February 12, 2007

Revised: October 1, 2018

Revised: September 21, 2020

**Mountain Lakes School District**

## **1250.1 SOLICITATIONS BY VENDORS**

The Board of Education may permit vendors to solicit pupils and parents or legal guardians for the sale of goods and services through the schools of this district, provided that the Board has given prior approval to the vendor and to the solicitation.

The Superintendent shall review and approve each vendor's request to solicit sales. Funds collected on behalf of a vendor, if any, will be kept in a separate account pending transfer to the vendor. The Board disclaims any responsibility for any such funds.

In the event that more than one vendor requests permission to solicit sales of a particular product or service, or the Superintendent seeks a vendor to provide a particular product or service to parents or legal guardians or pupils, the Superintendent shall seek quotations from qualified vendors in order to determine which will provide the greater value to purchasers.

The Board reserves the right to withdraw its approval of any vendor at any time.

Previously Policy No. 9720

Adopted: January 3, 2006

Amended: February 12, 2007

**Mountain Lakes School District**

## 1250.2 PUBLIC ATTENDANCE AT SCHOOL EVENTS

The Board of Education welcomes the attendance of members of the community at athletic and other public events held by the schools of the district and acknowledges its duty to maintain order and preserve the facilities of the district during the conduct of such events.

The Board prohibits the possession and consumption of alcoholic beverages on school premises in accordance with Policy 5131.6.

The Board may ban the attendance of any person at a school event whose conduct may constitute a disruption, in the Board's opinion.

1. A coach, parent, player, participant, official or other youth sports event attendee who violates one or more of the provisions contained in the Model Athletic Code of Conduct may be banned from attending, coaching, officiating or participating in at least one sports event if the person:
  - a. Has been issued a prior warning for violating one or more of the provisions contained in the Model Athletic Code of Conduct;
  - b. Violates the Model Athletic Code of Conduct by engaging in verbal or physical threats or abuse aimed at any coach, parent, player, participant, official or any other attendee, or
  - c. Violates the Model Athletic Code of Conduct by initiating a fight or scuffle with any coach, parent, player, participant, official or any other attendee.
2. A coach, parent, player, participant, official or other youth sports event attendee may be permitted to attend, coach, officiate or participate in a youth sports event from which the person has been banned pursuant to Section 1 of this Policy if the person:
  - a. Provides a written request for permission to resume participation or attendance to the District and Board;
  - b. Provides a written apology to the District and Board, and to the person or persons who were the subject of the behavior which constituted the violation of the Code, as directed by the District and/or the Board;
  - c. Demonstrates the completion, as required by the District and/or Board, of an anger management counseling program, which satisfies the provisions set forth below, and
  - d. Satisfies any other requirement set forth by the District and/or Board.
3. An anger management counseling program shall, at a minimum, offer services to individuals, singly or in groups, for the purposes of promoting anger control principles and shall be administered by an individual:
  - i. Licensed as a professional counselor pursuant to the provisions of the "Professional Counselor Licensing Act," N.J.S.A. 45:813 33 *et seq.*, or
  - ii. Licensed as a practicing psychologist pursuant to the provisions of the "Practicing Psychology Licensing Act," N.J.S.A. 45:1413 1 *et seq.*
  - iii. All costs associated with this program will be the sole responsibility of the individual.

The Superintendent or his/her designee shall develop regulations implementing this policy. These regulations should address fees for attendance at school events and any other matters that in the Superintendent's view would be necessary for the orderly application of this policy.

Previously Policy No. 9160

Legal Reference:

N.J.S.A. §2C:33-16

P.L. 2002, Chapter 53

Adopted January 3, 2006

Amended: March 21, 2016

**Mountain Lakes School District**



## **Exhibit 1250.2-E MODEL ATHLETIC CODE OF CONDUCT**

View or print Model Athletic Code of Conduct.

**Mountain Lakes School District**

## 1312 COMMUNITY COMPLAINTS AND INQUIRIES

The Board of Education welcomes inquiries about and constructive criticism of the district's programs, equipment, operations and personnel.

The Superintendent shall develop procedures to investigate and solve problems promptly, and to provide accurate factual information in answer to inquiries. Such procedures shall conform to state law and applicable negotiated agreements.

Parents/guardians and pupils will be informed of the proper avenues to be followed in each individual school.

When a Board member is confronted with an issue, he/she shall withhold comment, commitment and/or opinion and refer the complaint or inquiry to the Superintendent.

The Superintendent shall also establish procedures for the hearing of requests and complaints regarding district personnel, the education program, instructional and resource materials, and the operation of the school district. Any complaints or disputes between the public and school district staff should, whenever possible, be settled by direct, informal discussions among the interested parties. It is only when such informal meetings fail to resolve differences that more formal procedures shall be employed. A complaint about a school program or personnel should be addressed to the building principal; a complaint about instructional or resource materials should be addressed to the Superintendent. Any complaint regarding Harassment, Intimidation or Bullying must be pursued in accordance with Policy 5131.1 Harassment, Intimidation and Bullying.

### Complaints Concerning Students

**A.** Complaints concerning students: We encourage parents to become involved and support their child in all of their academic pursuits. Parents should encourage students to communicate with his/her teacher or school counselor directly when he/she has a question or concern. Community, parental and student complaints and/or criticisms shall be handled according to the chain of command. Complaints concerning instruction, discipline or learning materials shall be addressed in the following order to ensure prompt and meaningful resolution:

1. Teacher/School Counselor
2. Content Area Supervisor / Director of Curriculum/Director of School Counseling
3. Principal;
4. Superintendent.

**B.** Any administrator, receiving a complaint, shall refer the complainant to the appropriate individual in the chain of command.

**C.** Board members who are contacted individually with complaints shall refer the complainant to the superintendent who shall refer the issue to the appropriate individual in the chain of command. School Board members are not legally permitted to discuss student issues and evaluative aspects of any staff member's employment unless the employee authorizes it.

**D.** Initially, an attempt shall be made to resolve the issue informally with the individual involved. If informal attempt at resolution is not successful, the complainant shall put the complaint in writing using the district complaint form and shall submit the complaint to the individual's immediate supervisor within 14 days.

**E.** The district complaint form shall be available at the school offices and the board office.

**F.** The immediate supervisor shall have 10 school days (defined as days when both staff and students are in attendance at school) to provide a written response.

**G.** The Board has the right to determine whether or not it will hear an individual appeal. Communications and complaints shall be referred to the Board of Education for resolution only in those cases in which satisfactory adjustment cannot be made by the Superintendent and the staff. A complainant shall be notified that a decision of the Board may be appealed to the Commissioner of Education.

**H.** All signed complaints shall be acknowledged promptly.

#### General Complaints Concerning School Operations

**A.** Any member of the community seeking redress who feels that satisfaction has not been received retains the right to carry the complaint to the next highest level of authority.

**B.** The board requests that all complaints be signed. Anonymous complaints shall be disregarded unless issues of health and safety are involved. The superintendent shall determine if an anonymous complaint shall be investigated.

**C.** The superintendent shall respond to all inquiries about district issues. When appropriate, he/she may require the issue to be put in writing. In the response, he/she shall indicate:

1. Whether he/she legally can provide the information requested;
2. When the information requested will be available:
3. Whether the response will be given orally at a board meeting or in writing to the questioner:
  - a. If the information is of general interest, it will be given publicly at a board meeting and every attempt shall be made to respect and protect the confidentiality of those involved.
  - b. If the information is personal, or of interest only to the respondent, it will be given in writing. The board shall be copied on the written response unless privacy or legal issues prohibit such action.
4. How the questioner will be notified of the date and time of the board meeting if the response is to be given publicly.
5. Whether there will be any charge for duplication of materials and what those charges might be.

**D.** Questions and/or complaints about board actions or operations may be made at the appropriate time during public board meetings (see policy 1120 Board of Education Meetings) or in writing on the district complaint form to:

Secretary of the Mountain Lakes Board of Education

400 Boulevard

Mountain Lakes, NJ 07046

**E.** School Counselors help all students in the areas of academic achievement, personal/social development and career development, ensuring today's students become the productive, well-adjusted adults of tomorrow. We encourage students and parents to communicate with their

School Counselor. Parents should encourage their child to visit with their school counselor when they have any question regarding academics, personal/social, and post-secondary educational options. Concerns regarding school counseling shall be addressed in the following order to ensure prompt and meaningful resolution:

1. School Counselor
2. Director of School Counseling Services
3. School Principal
4. Superintendent

**F. Athletics and Co-curricular Complaints:** We encourage parents to become involved and support their child in all of their co-curricular pursuits. Parents should encourage students to communicate with his/her coach or advisor directly when he/she has a question or concern. If this conversation does not resolve the issue then the following appeals steps should be followed:

1. Parent and Student to Coach / Advisor;
2. Parent and Student to Athletic Director / Assistant Principal;
3. Parent to Principal.

#### Adjudication of Disputes

The Board may assume jurisdiction over any dispute or controversy arising within this school district and concerning any matter over which authority has been vested in the Board by statute, rule of the Department of Education, or a contract or policy of this Board.

The Board may hold hearings that will offer the parties to a dispute, on notice duly given, a fair and impartial forum for the resolution of the matter. Beyond the basic requirements of due process a hearing will vary in form and content as dictated by the severity of the consequences that may flow from the Board's determination, the degree of difficulty of establishing findings of fact from conflicting evidence, and the impact of the Board's decision on the school district.

The Superintendent shall prepare, and the Board shall approve, regulations for the conduct of adjudicatory hearings of the Board, which shall serve as guidelines for those who may be heard by the Board. A decision of the Board may be appealed to the Commissioner of Education.

#### Legal References:

N.J.S.A. 10:4-6 *et seq.* Open Public Meetings Act

N.J.S.A. 18A:11-1 General mandatory powers and duties

N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

N.J.S.A. 47:1A-1 *et seq.* Examination and copies of public records ("Open Public Records Act")

Adopted: February 12, 2007

Revised: October 17, 2016

## 1315 SIGNS ON SCHOOL PROPERTY

The board directs the superintendent or his or her designee to review and approve the posting of signs, banners, posters and other advertisements for school or community events. The Superintendent or his or her designee shall:

- A. Ensure that Home & School Association, Laker Sports Club, Friends of the Arts, Mountain Lakes Education Foundation and Mountain Lakes Alumni Association are permitted to post signs on school property. Other community organizations must obtain Superintendent permission to post signs on school property;
- B. Ensure that the purpose of the advertisement is consistent with board policy and the district's mission;
- C. Review and approve the content of the sign prior to approval;
- D. Direct where and when the signs may be posted;
- E. Ensure that an agreement is reached regarding the methods of posting the signs/advertisements and how and when they will be removed;
- F. Ensure that no wall, building, lawn or landscape or other property of the school is damaged due to the posting of signs and advertisements.

Staff members or students shall be required to obtain the prior approval of the Superintendent or his or her designee prior to posting signs, banners, posters and other advertisement for school or community events on and off school property.

### Legal References:

N.J.S.A. 18A:18A-1 *et seq.* Public School Contracts Law

N.J.S.A. 18A:18A-4 through -4.4 Contracts and agreements requiring advertising

N.J.S.A. 18A:36-34 Written approval required prior to acquisition of certain survey information from students

N.J.S.A. 18A:42-4 Distribution of literature as to candidacy, bond issues, or other public question be submitted at election; prohibited

N.J.S.A. 19:34-6 Prohibited actions in polling place on Election Day, exception for simulated voting

N.J.S.A. 19:34-15 Electioneering within or about polling place; disorderly persons offense

34 CFR 98.1 - Student Protection Rights Amendment

Adopted: June, 2017

Revised: October 16, 2017

**Mountain Lakes School District**

## 1322 CONTESTS FOR PUPILS

The Superintendent shall approve participation in extracurricular contests sponsored by organizations outside the schools, as long as participation does not interfere with the instructional program. When such contests involve promotional aid, school time, or faculty assistance to pupils in essay writing, poster making, or other activities, the Superintendent shall determine whether the experiences are closely enough allied to and in support of the instructional work of the school and will clearly serve to advance the educational aims of the district. The worthiness of the sponsoring agency's cause or the opportunity for individuals to win prizes shall not in itself constitute sufficient reason for approving a contest.

Contests and awards whether local, state, or national shall be:

- A. For the benefit of the pupil;
- B. Open to all pupils on a non-discriminatory basis;
- C. Consistent with district objectives;
- D. Judged by disinterested parties;
- E. Properly supervised with safety precautions in place;
- F. Voluntary for pupils and teachers.

Contests and awards shall not place undue time or financial burdens on pupils, teachers and parents. They shall not promote commercial products or partisan viewpoints. Participation shall not be dependent on the financial status of the pupil.

Legal References:

[N.J.S.A. 18A:11-1](#) General mandatory powers and duties

[N.J.S.A. 18A:42-2](#) School orchestra not to compete with civilian musicians; exceptions

[N.J.S.A. 18A:54-20](#) Powers of board (county vocational schools)

Adopted: January 16, 2006

**Mountain Lakes School District**

## 1330 USE OF SCHOOL FACILITIES; COMMUNITY USE

**A.** School buildings and grounds (hereafter "facilities") are intended primarily for the use of pupils, both during and after school hours. It is the policy of the Board of Education, however, to make school facilities available to the community for use after school hours, provided that school uses shall always have priority over non-school uses. For purposes of this policy uses of facilities are categorized as follows:

**Priority One** - Use by school classes, athletic teams, school clubs or organizations, teachers, the Board of Education or committees appointed by it, the Home and School Association, the Area Adult School, the Borough Council or committees or Boards appointed by it, or the Recreation Commission.

**Priority Two** - Use for cultural, recreational, or civic purposes by civic organizations composed primarily of local residents in instances where no admission fee is charged and there is no cost to persons attending.

**Priority Three** - Use for cultural, recreational, or civic purposes by civic organizations composed primarily of local residents in instances where admission is charged or there is a cost to the persons attending, but the net proceeds of the event are to be used to defray the expenses of the organization or for charitable or civic purposes.

**Priority Four** - Use in other instances for educational, cultural, recreational, or civic purposes.

**Priority Five** - Use by an individual or entity in a for-profit activity.

In the event an activity could be classified in more than one category, the Board has sole discretion in deciding how to classify the specific activity for the purpose of this policy.

**B.** The Superintendent or his/her designee must approve all Priority Two through Five uses. Facilities shall not be used for political, religious, or proselytizing purposes without the approval of the Board.

**C.** The Board shall adopt a separate schedule specifying charges for the use of facilities which shall be appended to and become a part of this policy. The schedule may be revised periodically at the discretion of the Board and upon recommendation of the Superintendent and the School Business Administrator. New charges will become effective as of the date specified in the schedule.

**D.** Use of facilities shall be only as authorized by a permit issued by a sign-off of the School Business Administrator/Board Secretary, Supervisor of Buildings and Grounds, the Principal and the Superintendent. Such permit shall contain the substance of this and section J, and shall include a signed agreement by the user to be bound by the provisions thereof. All permits shall be subject to cancellation if the facilities are determined by the Board in its unlimited discretion to be needed for other uses. An in-school activities usage list shall be kept by the School Business Administrator/Board Secretary [and the Supervisor of Buildings and Grounds].

**E.** Adequate adult supervision shall be required at all times. Names of all adults who are to provide supervision shall be included on the application permit that must be signed by an adult sponsor.

Any use of the school facilities must comply with all policies of the Board and all applicable laws or governmental regulations, including Policy #3515, Smoking Prohibition. Without limiting the foregoing, the permit should bring to the attention of the users that, no smoking or consumption of alcoholic beverages shall be allowed in school property; no food or beverages are to be consumed in the high school auditorium; attendance shall be limited to the seating/occupancy capacity of the specific venue; good order and decorum must be enforced and. disorderly persons are to be evicted.

**G.** Application for the use of the school building or grounds must be made in writing by a responsible

person or by an officer of an organization recognized by the Board. Application forms are available at the Board office.

**H.** Each user shall, by signing the permit, agree to protect and hold the Board harmless from any and all liability for damage or injury to any person or property arising out of its use of facilities without regard to the cause of such damage or injury. The user shall further agree by signing the permit to repair or replace any school property damaged through such use without regard to the cause of such damage or injury. The Board may require a cash deposit or bond covering the liabilities of the user under this paragraph and shall require proof of adequate liability insurance coverage.

**I.** It is the responsibility of the user to assure compliance with the rules that are in effect for each facility/venue. All infractions of rules shall be reported by the School Business Administrator/Board Secretary to the Board, which shall determine whether such user is to be barred from further use of school facilities.

### Recreational Use of Playgrounds

The Board recognizes that the playgrounds and athletic fields of the school district affords residents with a recreational use when school is not in session. The Board reserves the right to determine, in the interest of the safety of district residents and the integrity of the school facility, the uses to which the playground may be put and the hours when it may be used.

This policy and any additional rules of conduct published by the Board shall govern all persons who use the facilities of this district. Students and employees of this district who violate those rules will be subject to discipline. The Board directs that any other person who violates a rule of this Board be requested to leave the school premises.

Because of its potential for hazard, no objects that are powered by fuel or battery shall be brought onto the school grounds for any purpose that is primarily recreational without the express permission of the Principal. Such objects include, but are not limited to, mini-bikes, mopeds, motorized model airplanes, and rockets.

### Legal References:

N.J.S.A. 2C:33-16 Alcoholic beverages; bringing or possession on school property by person of legal age; penalty

N.J.S.A. 18A:11-1 General mandatory powers and duties

N.J.S.A. 18A:20-34 Use of schoolhouse and grounds for various purposes

N.J.S.A. 19:44A-19.1 Solicitation on state owned property prohibited; certain circumstances

N.J.S.A. 26:3D-55 *et seq.* New Jersey Smoke-Free Air Act

N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

N.J.A.C. 6A:26-12.2(a)4 Policies and procedures for school facility operation

20 U.S.C.A. 4071 - 4074 - Equal Access Act

GOALS 2000: Educate America Act (Pro Children Act of 1994), Pub. L. 103-227

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

*Resnick v. East Brunswick Twp. Bd. of Ed.*, 77 N.J. 88 (1978)



*Boy Scouts of America v. Dale*, 120 S.Ct. 2446 (2000)

*Good News Club v. Milford Central School*, 121 S.Ct. 2093 (2001)

Adopted: February 13, 2006

Revised: January 20, 2009

Revised: January 19 , 2010

**Mountain Lakes School District**

**Exhibit 1330-E RATES FOR USE OF SCHOOL FACILITIES**

View or Print Rates For Use Of School Facilities.

**Mountain Lakes School District**

## **1350 INCAPACITY OF SCHOOL BUSINESS ADMINISTRATOR/BOARD SECRETARY**

The Board of Education will appoint, by the affirmative votes, a majority of the members of the full Board, and fix the compensate of an Acting School Business Administrator/Board Secretary to serve when the School Business Administrator/Board Secretary is so incapacitated as to render him or her unable to perform the duties of the office of School Business Administrator/Board Secretary.

The School Business Administrator/Board Secretary will be deemed incapacitated when:

1. The School Business Administrator/Board Secretary is absent on disability leave of a projected duration of thirty days or more; or
2. The School Business Administrator/Board Secretary is certified incapacitated by a physician in accordance with Board Policy No. 4112.4; or
3. The School Business Administrator/Board Secretary has been suspended with pay; or
4. The School Business Administrator/Board Secretary has been suspended without pay pending the resolution of tenure charges.

The Acting School Business Administrator/Board Secretary shall discharge the duties of the office until the School Business Administrator/Board Secretary returns, resigns, or is removed from the position. The acts of the Acting School Business Administrator/Board Secretary shall be legal and binding as if done by the School Business Administrator/Board Secretary. The Acting School Business Administrator/Board Secretary shall not acquire tenure in the position of School Business Administrator/Board Secretary.

### Legal References:

Adopted: November 5, 2001

Re-adopted: January 3, 2006

**Mountain Lakes School District**

## 1410 LOCAL UNITS

The Board of Education wishes to cooperate as fully as possible with other community agencies that serve district pupils. Cooperation will include pooling resources and exchanging information with other community agencies. The Superintendent shall seek to develop positive working relationships with community agencies, including but not limited to, police authorities, fire departments, Division of Youth and Family Services, emergency room and/or squad, other school districts, and all other agencies providing services to district pupils.

In accordance with law, the district may accept or share the use of facilities or equipment with other local organizations. The terms of the acceptance or sharing shall be decided for each instance.

### Law Enforcement Authorities

It is the policy of the Board to cooperate with law enforcement agencies in the interest of the larger welfare of all citizens and to be in compliance with current memorandum of agreement between education and law enforcement officials. At the same time, schools have a responsibility to parents/guardians for the welfare of their children while they are in school. To carry out these responsibilities, the administration is directed to follow the procedures developed to implement Board policies, particularly those for policies numbered 5131.5 Vandalism/Violence, 5131.6 Drugs, Alcohol, Tobacco(Substance Abuse), 5131.7 Weapons and Dangerous Instruments, 5145.11 Questioning and Apprehension and 5145.12 Search and Seizure.

### Fire Department

The Superintendent shall seek input from local fire officials when course materials in fire safety are being reviewed and revised and when procedures for fire drills are formulated. The fire department should be kept up to date on changes in the school buildings and class arrangements so that, in the event of an emergency, they will be prepared. All fires shall be reported to the local fire department in compliance with law.

### Division of Youth and Family Services (DYFS)

Procedures for district cooperation with the Division of Youth and Family Services are included with those implementing policy 5141.4 Child Abuse and Neglect.

### Emergency Room/Squad

The Superintendent shall establish procedures whereby the facilities of the local hospital emergency room and local ambulance/rescue squad may be called upon in implementing policies numbered 5131.6 Drugs, Alcohol, Tobacco(Substance Abuse), 5141.1 Accidents, 5141.6 Crisis Intervention and 6145.1 Intramural Completion / 6145.2 Interscholastic Competition.

### Cooperative Arrangements with Other School Districts

The Board desires that strong lines of communication be maintained with other districts and institutions which provide programs, training, or services not available to children residing in this district, and with districts whose resident pupils are enrolled in programs in this district.

The district in which pupils are in attendance has responsibility and authority for those pupils. In order that those pupils receive maximum benefit from their program of studies, articulation between the cooperating institutions is essential.

Further, this school district shall cooperate with other school districts in the solution of common educational concerns. District staff under the direction of the Superintendent shall participate in the coordination of such areas as research, exchange of information and data, coordination of curriculum, coordination of school calendar and activities, and any others where it may be advantageous to serve

a broader area than this school district. In carrying out this policy, the Superintendent shall include in his/her reports to the board an evaluation of the desirability and feasibility of cooperation with other school districts.

In order to maintain a cordial and constructive relationship with Boonton Township, the Superintendent shall provide annually a complete description of all programs available to students of the sending or constituent district; institute an articulation council to coordinate the program of studies between this district and those districts sending pupils here; provide an orientation program for incoming pupils; assure that unusual needs of individual pupils entering this district have been made known to the staff members that can be of most assistance to such pupils; and inform the sending district of any serious discipline problems encountered with pupils from that district.

In order to maintain cordial and constructive relationships with nonpublic schools located within this school district, the Superintendent shall maintain liaison with the administration of all nonpublic schools located within this school district in order to be aware of any program changes that may be planned that could affect this district; determine how this district can advance the education of resident pupils attending parochial or private schools by the provision in these schools of special programs; and cooperate fully in the implementation of all state and federal programs administered by this district that benefit, in whole or in part, eligible pupils attending such nonpublic school. 20 U.S.C.A. §3066

#### Legal References:

N.J.S.A. 2A:4A-60 *et al.* Disclosure of juvenile information; penalties for disclosure

N.J.S.A. 18A:11-1 General mandatory powers and duties

N.J.S.A. 18A:18A-11 Joint purchases by districts, municipalities; counties; authority

N.J.S.A. 18A:20-4.2 Acquisition, improvement, lease, etc., of property for school purposes; authority of board of education

N.J.S.A. 18A:20-9 Conveyance of unneeded real estate for nominal consideration; qualified recipients; reversion

N.J.S.A. 18A:20-34 Use of schoolhouse and grounds for various purposes

N.J.S.A. 18A:36-25 Early detection of missing and abused children; policies of school districts

N.J.S.A. 18A:38-30 Assistance of sheriffs, police officers, etc

N.J.S.A. 18A:40A-1 *et seq.* Substance abuse

#### See particularly

N.J.S.A. 18A:40A-11, -12, -15, -16, -17, -18

N.J.S.A. 18A:41-1 Fire drills

N.J.S.A. 18A:41-5 Reporting fires

Adopted: February 12, 2007

LR2011

## 1600 RELATIONS BETWEEN OTHER ENTITIES AND THE DISTRICT

The Board believes that cooperation between the schools and other organizations concerned with youth, career development and mental health will enhance the opportunities of the district's pupils. Such cooperation will also enable the district to serve its pupils better through appropriate referrals as in substance abuse programs, special needs, etc. The Superintendent is encouraged to explore areas of mutual concern with the administrative officers of such organizations and to recommend desirable courses of action.

The Board directs the Superintendent to seek and maintain working relationships with local colleges and universities in such areas as student teaching, inservice staff development and advanced placement.

It is of particular importance to establish and maintain close working relations with trades, businesses and industries which provide members for advisory committees and are possible sources of career placements for our pupils.

### Core Curriculum Content Standards

The Board shall encourage the active involvement of representatives from the community, business, industry, labor, and higher education in the development of educational programs aligned with the Core Curriculum Content Standards.

The Board shall make reasonable efforts to develop articulation agreements with New Jersey colleges and universities to facilitate the delivery of college credit courses to qualified high school students, with the understanding that these credits shall be accepted at all public New Jersey higher education institutions.

### Charter Schools

The Board shall follow all procedures in code and statute when a charter school is proposed for the district or when district students would be eligible to attend a charter school in another district.

### Donations to Private Organizations

The authority for a Board of Education to expend public funds is derived from the constitutional mandate to "provide for the maintenance and support of a thorough and efficient system of free public schools." The donation of moneys to any private organization, regardless of the merits of that organization's purposes, is not within the authority of the Board and is, therefore, prohibited.

### Legal References:

N.J.S.A. 18A:11-1 General mandatory powers and duties

N.J.S.A. 18A:17-14.1 Appointment of school business administrators; may act as secretary; duties, etc

N.J.S.A. 18A:17-15 Appointment of superintendents; terms; apportionment of expense

N.J.S.A. 18A:17-24.1 Sharing of personnel by school boards

N.J.S.A. 18A:20-9 Conveyance of unneeded real estate for nominal consideration; qualified recipients; reversion

N.J.S.A. 18A:20-34 Use of schoolhouse and grounds for various purposes

N.J.S.A. 18A:36A-1 *et seq.* Charter schools

N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

N.J.S.A. 18A:58-37.1 *et seq.* Textbook aid to public and nonpublic

N.J.S.A. 18A:61C-1 Program promoting cooperation between high schools and institutions of higher education; establishment; objective; increased availability of college-level instruction; scope

N.J.S.A. 18A:61C-4 College level instruction for high school students

N.J.S.A. 40A:65-1 *et seq.* Uniform Shared Services and Consolidation Act

N.J.S.A. 52:14-15.9 *et seq.* Deductions construed as voluntary payments

Adopted: February 13, 2006

LR2011

**Mountain Lakes School District**

**Series 2000 - ADMINISTRATION**

**Mountain Lakes School District**



## 2000/2010 CONCEPTS AND ROLES IN ADMINISTRATION; GOALS AND OBJECTIVES

The Board of Education shall establish policies that govern all aspects of district operations. The board expects the educational administration to direct, coordinate and supervise pupils and staff in their efforts to reach goals and objectives adopted by the Board.

Within the guidelines of Board policy, negotiated agreements and New Jersey law, the Board expects the educational administration to:

- A. Provide up-to-date information and sound professional advice to the Board, as an aid in informed decision making;
- B. Plan, organize, implement and evaluate the educational programs established by Board policy, in order to provide optimum educational opportunities to the pupils of the district;
- C. Provide these optimum educational opportunities at the lowest possible cost;
- D. Use efficient administrative and management procedures including supervision and evaluation of teaching staff, pursuant to law and regulations, and developed after consultation with and among the Board, administrators and appropriate staff members;
- E. Coordinate the resources of the community with those of the district;
- F. Keep the Board informed of all new legislative actions or changes in code and statute that affect the policies, programs or operations of the district.

### Legal References

- N.J.S.A. 18A:7A-3 *et al.* Public School Education Act of 1975
- N.J.S.A. 18A:7F-1 *et seq.* Comprehensive Education Improvement and Financing Act of 1996
- N.J.S.A. 18A:11-1 General mandatory powers and duties
- N.J.S.A. 18A:12-21 *et seq.* School Ethics Act
- N.J.S.A. 18A:54-20 Powers of board (county vocational schools
- N.J.A.C. 6A:8-1.1 *et seq.* Standards and Assessment
- N.J.A.C. 6A:28-1.1 *et seq.* School Ethics Commission
- N.J.A.C. 6A:30-1.1 *et seq.* Evaluation of the Performance of School Districts
- N.J.A.C. 6A:32-1.1 *et seq.* School District Operations

### See particularly

- N.J.A.C. 6A:32-4.4, -4.5

Adopted: January 2, 2007

LR2011

## 2010.1 JOB DESCRIPTIONS

The Board of Education shall adopt job descriptions for the positions of Superintendent, School Business Administrator/Board Secretary, and each supervisory position. The Superintendent shall prepare, approve, and disseminate to the Board job descriptions for all other employment positions created by the Board.

All job descriptions will be written and will be based on the outcome and process goals developed by the Board and, as appropriate to the position, on program objectives. Each job description will specify:

1. The qualifications and specific certificate and endorsement required for the position;
2. The function, duties, and responsibilities of the position;
3. The extent and the limits of the position holder's authority;
4. The work relationship between the position holder and other employees of the district; and
5. Any background experiences, personal qualities, and individual achievements that the Board prefers in a person appointed to the position.

Job descriptions will be reviewed periodically.

### Legal References:

Previously Policy No. 1400

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Re-numbered and Re-adopted: January 2, 2007

Reviewed: December 7, 2009

LR07/10

**Mountain Lakes School District**

## 2121 LINE OF RESPONSIBILITY

The Board of Education shall operate under a unit control system headed by the Superintendent of Schools.

The authority of the Board of Education is transmitted through the Superintendent of Schools and the School Business Administrator, along specific paths from person to person as shown in the organization chart of the school district. The lines of authority represent direction of authority and responsibility. The lines are those approved by the Board of Education and are intended to establish clear understanding on the part of all personnel of the working relationships in the school system.

Personnel are expected to refer matters requiring administrative action to the administrator to whom they are responsible. Personnel are expected to keep the person to whom they are immediately responsible informed of their activities by appropriate means.

### Legal References:

N.J.S.A. 18A:11-1 General mandatory powers and duties

N.J.S.A. 18A:17-5 through -14.3 Secretaries, Assistant Secretaries and School Business Administrators

N.J.S.A. 18A:17-15 through -23 Superintendents and Assistant Superintendent of Schools

N.J.S.A. 18A:17-24.1 *et seq.* Shared Administrators, Superintendents

N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

N.J.A.C. 6A:9-12.3 Authorization

N.J.A.C. 6A:9-12.4 School administrator

N.J.A.C. 6A:9-12.7 School business administrator

N.J.A.C. 6A:32-2.1 Definitions (chief school administrator)

Adopted: February 13, 2006

Revised: January 19, 2010

LR11/09

**Mountain Lakes School District**

**Exhibit 2121.1-E ORGANIZATIONAL CHART**

View or Print Organizational Chart.

**Mountain Lakes School District**

## **2123 EMPLOYMENT OF SCHOOL BUSINESS ADMINISTRATOR/BOARD SECRETARY**

The Board of Education shall appoint a qualified and capable person to fill a vacancy in the position of School Business Administrator/Board Secretary. An appointment shall be made within a reasonable time after the occurrence of the vacancy and by the recorded roll call vote of a majority of the full Board. No person shall act as School Business Administrator/Board Secretary or perform the duties of a School Business Administrator/Board Secretary, as prescribed by the rules and regulations of the State Board of Education, unless he/she holds such a certificate.

All candidates for the position of School Business Administrator/Board Secretary must produce evidence of their training and/or experience in the fields of economic and legal environment, accounting, quantitative methods, management information systems, organizational theories, administrative processes, production and marketing of goods, financing of the business enterprise and other responsibilities as outlined in the Board job description.

Every serious candidate for the position of School Business Administrator/Board Secretary shall be interviewed by the Superintendent. The Board of Education will appoint a suitable person who holds the appropriate certificate as prescribed by the State Board of Education. Final selection shall be made by the Board, which shall also fix the compensation to be paid the School Business Administrator/Board Secretary.

Any candidate's misstatement of fact material to qualifications for employment or the determination of salary will be considered by this Board to constitute grounds for dismissal.

Previously Policy No. 1310

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Reviewed and Renumbered: May 11, 2009

**Mountain Lakes School District**

## **2123.1 DUTIES OF SCHOOL BUSINESS ADMINISTRATOR/BOARD SECRETARY**

The School Business Administrator/Board Secretary shall strive to achieve district goals for pupils by providing leadership and supervision in the district program of fiscal management and in other assigned programs, and by acting as a proper model for staff and pupils both in and outside the school district.

In order to achieve the functions of the position, the School Administrator/Board Secretary shall work cooperatively with the district administrative staff to:

1. Establish and maintain long-range and other fiscal plans;
2. Prepare the annual budget based upon district resources and needs;
3. Ensure that all district fiscal, insurance, food, and transportation services comply with the policies of the Board and the regulations of the district;
4. Ensure the proper functioning and evaluation of district personnel assigned to his or her areas of responsibility;
5. Manage efficiently the district systems of accounting, purchasing, investment, insurance, transportation, and food services;
6. Approve purchase orders in the absence of the Superintendent;
7. Work with the Supervisor of Buildings and Grounds, other administrators, architects, attorneys and financial advisors in planning construction, contracting and in acquiring suitable financing;
8. Assist in the implementation of public relations policy adopted by the Board;
9. Recruit personnel for positions within the area of his or her responsibility;
10. Direct programs of in-service training to improve the skills of personnel within the area of his or her responsibility;
11. In cooperation with the Supervisor of Buildings and Grounds and other administrators and the maintenance consultant, assist in the supervision of operation and maintenance of facilities;
12. Be responsible for the operation and maintenance of district-owned buses or handle business aspects of contracted transportation services;
13. Be responsible for the business operation of school food services and the efficient business management of the school lunch program;
14. Be responsible for the operation of the insurance program;
15. Assist in the supervision of the use of school facilities for non-school sponsored activities;
16. Strive to increase the capability of the staff assigned to his or her area of responsibility through consultation and in-service training;
17. Analyze the effectiveness of district programs in his or her area of responsibility and recommend changes in program direction, staffing, or management strategies as necessary;
18. Strive to increase the efficient use of district resources in his or her area of responsibility;
19. Help to interpret the budget and the district affairs under his or her supervision to interested members or the school district community;

20. Strive to develop personal capabilities in financial strategies and supervisory methods;
21. Strive to conduct himself or herself in a proper manner at all times;
22. Be responsible for the conduct of all duties legally assigned to his or her position including:
  - a. Providing adequate notice of all public meetings of the Board to the members and to those requesting notice in accordance with law, (N.J.S.A. 10:4-8d), (10:4-19): (18A:10-4), (18A:17-7);
  - b. Recording the minutes of all proceedings of the Board and the results of annual or special school elections, (N.J.S.A. 18A:17-7);
  - c. Performing all duties concerning the conduct of school elections, (N.J.S.A. 19:60-1) *et seq.*;
  - d. Collecting tuition fees and other moneys due the Board and transmitting them to the Treasurer of School Moneys, (N.J.S.A. 18A:17-8);
  - e. Examining and auditing all accounts and demands against the Board, presenting them to the Board at its meetings, indicating the Board's approval and sending them to the Treasurer for payment, (N.J.S.A. 18A:17-8), (18A:19-4);
  - f. Keeping accounts of the district's financial transactions including a correct detailed accounting of all expenditures, (N.J.S.A. 18A:17-8);
  - g. Reporting to the Board at each regular meeting, but not more often than once per month, the amount of the total appropriations and cash receipts for each account, and the amounts of warrants drawn against each account, and the amounts of orders or contractual obligations incurred and chargeable against each account, (N.J.S.A. 18A:17-9);
  - h. Keeping all contracts, records, and documents belonging to the Board, (N.J.S.A. 18A:17-9);
  - i. Giving the Board a detailed report of its financial transactions at the close of each fiscal year and filing a copy with the County Superintendent, (N.J.S.A. 18A:17-10);
  - j. Reporting to the Commissioner annually the amount of unpaid school debt, the interest rate payable, the dates of issue, and the due dates of bonds or other indebtedness, (N.J.S.A. 18A:17-12);
  - k. Preparing a summary of the annual audit and recommendations prior to the meeting of the Board to act thereon and supplying copies of the summary to interested persons, and to prepare the Comprehensive Annual Financial Report (CAFR), (N.J.S.A. 18A:23-4);
  - l. Subscribe to bonds, notes, contracts, and other legal instruments of the Board for which the signature of the Secretary is required, (N.J.S.A. 18A:24-32);
  - m. Sign all school district warrants and certify to the payroll, (N.J.S.A. 18A:19-1), (19-9).
23. Perform such other duties as may be required by the Board or Superintendent.

The School Business Administrator/Board Secretary shall be directly responsible to the Superintendent for the performance of his or her assigned duties and responsibilities as School Business Administrator and to the Board for the performance of his or her legal duties as Board Secretary.

Previously Policy No. 1320

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Reviewed and Renumbered: May 11, 2009

**Mountain Lakes School District**



## **2124 EVALUATION OF THE SCHOOL BUSINESS ADMINISTRATOR/BOARD SECRETARY**

The Superintendent will evaluate the performance of the School Business Administrator/Board Secretary, tenured or nontenured, in order to assist both the Board and the School Business Administrator/Board Secretary in the proper discharge of their responsibilities and to provide the district with efficient and effective services.

The evaluation of the School Business Administrator/Board Secretary will consist of an assessment, by the Superintendent, of the School Business Administrator/Board Secretary's performance of the duties specified in the job description approved by the Board. Reference will be made to the report of the auditor. The Superintendent may, in his/her discretion, consult with staff members assigned to work with the School Business Administrator/Board Secretary.

The Board and the Superintendent will annually establish procedures for the evaluation of the School Business Administrator/Board Secretary. Such procedures may include, but need not be limited to, an informal conference with the School Business Administrator/Board Secretary for the purpose of discussing his or her job performance, a written evaluation report to which the School Business Administrator/Board Secretary may add comments, and the establishment of a written plan for performance improvement and growth. The School Business Administrator/Board Secretary will be evaluated by the Superintendent no later than April 30th.

Previously Policy No. 1330

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Reviewed and Renumbered: May 11, 2009

**Mountain Lakes School District**

## 2130 EVALUATION OF ADMINISTRATORS

The board of education believes that the evaluation of effective leadership and administration practices improves success in the achievement of the educational goals of this district, including student achievement of the Common Core State Standards for mathematics and language arts and literacy and the Core Curriculum Content Standards. The board shall implement an effective system for the evaluation of principals, assistant principals, vice principals, supervisors and directors. The purpose of this evaluation shall be to promote professional excellence and improve the skills of principals, assistant principals, vice-principals, supervisors and directors; improve pupil learning and growth; and provide a basis for the review of performance. The board is committed to establishing educator evaluation rubrics for the evaluation of administrative staff members' effectiveness to further the development of a professional corps of State educators and to increase student achievement. The district evaluation system shall facilitate:

- A. Continual improvement of leadership and instruction;
- B. Meaningful differentiation of performance using four performance levels;
- C. Use of multiple valid measures in determining performance levels, including objective measures of student performance and measures of professional practice;
- D. Evaluation of principals, assistant principals, vice-principals, supervisors and directors on a regular basis;
- E. Delivery of clear, timely and useful feedback, including feedback that identifies areas for growth and guides professional development; and
- F. District personnel decisions.

### Training

Principals, assistant principals, vice principals, supervisors and directors shall be provided:

- A. Training on the teacher and principal practice instruments. Training shall be provided for any supervisor who will conduct observations for the purpose of evaluation of teachers, principals, assistant principals, vice principals, supervisors or directors. Training shall be provided before the observer conducts his or her first observation for the purpose of evaluation;
- B. Annual updates and refresher training on the teacher and principal practice instruments. Training shall be provided for any supervisor who will observe teaching and/or principal practice for the purpose of increasing accuracy and consistency among observers.

### Principal, Assistant Principal, Vice Principal, Supervisor, and Director Evaluation

Principals, vice principals, assistant principals, supervisors or directors shall be evaluated according to an evaluation rubric. The evaluation rubric shall be submitted to the Commissioner by June 1 for approval by August 1 of each year.

The components of the principal evaluation rubric shall apply to teaching staff members holding the position of principal, vice principal, assistant principal, supervisor and director and holding a valid and effective standard, provisional, or emergency administrative certificate.

The principal evaluation rubric shall meet the standards provided in N.J.S.A. 18A:6-123, including, but not limited to:

- A. Measures of student achievement pursuant to N.J.A.C. 6A:10-5.2 including:

1. The median school wide student growth percentile measure; and/or
2. The measure of the average student growth objective for all teachers; and
3. The measure of the administrator goals which shall be developed in consultation with their supervisor and specific and measurable to his or her job description. Administrator goals and the criteria for assessing performance based on those objectives shall be determined and recorded in the principal, vice principal, assistant principal, supervisor or director's personnel file by October 15 of the school year.

B. Measures of principal practice including the following components:

1. A measure determined through a Commissioner-approved principal practice instrument; and
2. A leadership measure determined through the Department-created leadership rubric.

Principal practice component rating shall be based on the measurement of the principal, assistant principal, vice principal, supervisor or director's performance according to the school district's Commissioner-approved principal practice instrument. Observations pursuant to N.J.A.C. 6A:10-5.4 shall be used as one form of evidence for this measurement.

Leadership practice shall be determined by a score on a leadership rubric, which will assess the principal, vice-principal, assistant principal, supervisor or director's ability to improve student achievement and teaching staff member effectiveness through identified leader behaviors.

The rubric will be posted on the Department of Education's website and annually maintained.

Principal, Assistant Principal, Vice Principal, Supervisor, and Director Observations

The chief school administrator, or his or her designee, shall conduct observations for the evaluation of principals. The chief school administrator shall be trained according to law on the components of the evaluation rubric including student achievement measures and all aspects of the practice instrument.

A principal, or a chief school administrator or his or her designee, shall conduct observations for the evaluation of assistant principals, vice principals, supervisors and directors.

For the purpose of collecting data for the evaluation of a principal, assistant principal, vice principal, supervisor or director, an observation may include, but is not limited to: building walk-through, staff meeting observation, parent conference observation, or case study analysis of a significant student issue.

Each tenured principal, assistant principal, vice principal, supervisor and director shall be observed at least two times during each school year. Each non-tenured principal, assistant principal, vice principal, supervisor and director shall be observed at least three times during each school year, as required by N.J.S.A. 18A:27-3.1.

A post-observation conference shall follow each observation. The post-observation conference shall consist of a meeting, either in-person or remotely, between the evaluator and the principal, assistant principal, vice-principal, supervisor or director for the purpose of evaluation to discuss the data collected in the observation.

Post-observation conferences shall include the following procedures:

- A. The supervisor who is present at the observation shall conduct a post-observation conference with the principal, assistant principal, vice principal, supervisor or director being observed. A post-observation conference shall occur no more than 15 teaching staff member working days

following each observation;

B. The post-observation conference shall be for the purpose of reviewing the data collected at the observation, connecting the data to the principal practice instrument and the principal, assistant principal, vice principal, supervisor or director's individual professional development plan, collecting additional information needed for the evaluation, and offering areas to improve effectiveness;

C. With the consent of the observed principal, assistant principal, vice principal, supervisor or director, post-observation conferences for individuals who are not on a corrective action plan may be conducted via written communication, including electronic communication;

D. One post-observation conference may be combined with the principal, assistant principal, vice principal, supervisor or director's annual summary conference as long as it occurs within the required 15 teaching staff member working days following the observation.

E. A written evaluation report shall be signed by the supervisor who conducted the observation and post-observation and the principal, assistant principal, vice principal, supervisor or director who was observed;

F. The principal, assistant principal, vice principal, supervisor or director shall submit his or her written objection(s) of the evaluation within 10 working days following the conference. The objection(s) shall be attached to each party's copy of the annual written performance report.

An additional observation and post-observation conference shall be required as part of the corrective action plan for any principal, assistant principal, vice-principal, supervisor or director who has been rated ineffective or partially effective on the annual summative evaluation, as measured by the evaluation rubrics.

### Professional Development Plans

The chief school administrator shall oversee and review for each principal and supervisor, professional development that links to individual, school, and district professional development goals and the school district's professional development plan.

The principals and supervisors shall fulfill the professional development requirement through the creation, implementation, and completion of a professional development plan that:

A. Aligns with the Professional Standards for School Leaders (N.J.A.C. 6A:9-3.4) and the Standards for Professional Learning (N.J.A.C. 6A:9-15.3);

B. Derives from the results of observations, evidence, and recommendations included in the annual performance evaluation of the chief school administrator, principals, or supervisors;

C. Identifies professional goals that address specific individual, school, or district goals; and

D. Grounds professional development activities in objectives related to improving teaching, learning, and student achievement, and in support of the school and/or district professional development plan.

If a principal, assistant principal, vice-principal, supervisor or director has a corrective action plan, the corrective action plan shall replace content of the individual professional development plan until the next annual summary conference.

**Note:** see board policy 4131/4131.1 Staff Development

### Corrective Action Plans

A corrective action plan shall be developed for each principal, assistant principal, vice-principal, supervisor or director rated ineffective or partially effective on the annual summative evaluation, as measured by the evaluation rubrics. The plan shall be developed by the principal, assistant principal, vice-principal, supervisor or director evaluated and the chief school administrator or principal's, assistant principal's, vice-principal's, supervisor's or director's supervisor.

A chief school administrator, or his or her designee, and the principal, as appropriate, shall conduct a mid-year evaluation of any principal, assistant principal, vice principal, supervisor or director who is evaluated as ineffective or partially effective in his/her most recent annual summative evaluation. If the corrective action plan was created before the start of the year, the mid-year evaluation shall occur before February 15; if the corrective action plan was created after the start of the academic year, the mid-year evaluation shall occur before the annual summary conference. The mid-year evaluation shall include, at a minimum:

- A. One observation in addition to the observations required for the regular evaluation process;
- B. One post-observation conference in addition to the post-observation conferences required for the regular evaluation process. During this post-observation conference progress toward the principal's, assistant principal's, vice principal's, supervisor's or director's goals outlined in the corrective action plan shall be reviewed.

The content of the corrective action plan shall replace the content of the individual professional development plan until the next annual summary conference.

### Records

All information contained in written performance reports and all information collected, compiled, and/or maintained by employees of the district for the purposes of conducting the educator evaluation process pursuant to this chapter shall be confidential. Such information shall not be subject to public inspection or copying pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 *et seq.* Nothing contained in this section shall be construed to prohibit the Department of Education from, at its discretion, collecting evaluation data pursuant to N.J.S.A. 18A:6-123.e or distributing aggregate statistics regarding evaluation data.

Date: Re-adopted April 7, 2014

Legal References: Use legal reference sheet.

Cross References: List your appropriate policies. See legal reference sheet for possibilities.

### Key Words

Evaluation, Principal Evaluation, Personnel Evaluation, Principal, Assistant Principal, Vice-Principal Evaluation Rubric

### **QSAC Monitored:**

DPR: Instruction and Program - 17a

SOA: Personnel - 4

### **Mandated:**

N.J.A.C. 6A:10-2.4(b) requires written policy on the annual evaluation of all teaching staff. The policy and procedures shall include a description of:

1. Evaluation rubrics for all teaching staff members;

2. Roles and responsibilities for implementation of evaluation policies and procedures;
3. Job descriptions and evaluation criteria based upon school district goals, student achievement, instructional priorities, and the evaluation regulations set forth in this chapter;
4. Methods of data collection and reporting appropriate to each job description, including, but not limited to, the processes for observations for the purpose of evaluation and post-observation conference(s) by the teaching staff member's supervisor, or his or her designee;
5. The process for preparation of individual professional development plans; and
6. The process for preparation of an annual written performance report by the teaching staff member's supervisor, or his or her designee, and an annual summary conference between the teaching staff member and his or her supervisor, or the supervisor's designee.

### **Other Reasons:**

N.J.S.A. 18A:6-120 and N.J.A.C. 6A:10-3.1 require that each school convene a school improvement panel to oversee the mentoring of teachers and conduct teacher evaluations.

N.J.S.A. 18A:6-123 requires the Commissioner of Education to review and approve evaluation rubrics submitted by school districts; and requires the State Board of Education to promulgate regulations setting standards for the approval of evaluation rubrics for teachers, principals, assistant principals, and vice-principals.

N.J.A.C. 6A:9-15.1 *et seq.* requires that teachers receive assistance and support in achieving the requirement of 20 clock hours of continuing education annually.

N.J.A.C. 6A:10-2.2 requires that each district board of education meet the following requirements for the annual evaluation of teaching staff members:

1. Establish a District Evaluation Advisory Committee;
2. Annually adopt policies and procedures developed by the chief school administrator pursuant to N.J.A.C. 6A:10-2.4;
3. Ensure the chief school administrator annually notifies all teaching staff members of the adopted evaluation policies and procedures no later than October 1 or at the beginning of a new hire's employment. All teaching staff members shall be notified of amendments to the policy within 10 working days of adoption;
4. Annually adopt by June 1, Commissioner-approved educator practice instruments and notify the Department of Education which instruments will be used as part of the school district's evaluation rubrics;
5. Ensure the principal of each school within the school district has established a School Improvement Panel annually by August 31;
6. Ensure data elements are collected from the implementation of the teaching and principal practice instruments and store the data in an accessible and usable format. Data elements shall include, but not be limited to, scores or evidence from observations for the purpose of evaluation; and
7. Ensure that each principal in the district certifies that any observer who conducts an observation of a teaching staff member for the purpose of evaluation shall meet the

statutory observation requirements of N.J.S.A. 18A:6-119, 18A:6-123.b(8), and 18A:27-3.1 and the teacher member of the school improvement panel requirements of N.J.A.C. 6A:10-3.2.

N.J.A.C. 6A:10-2.3 requires that a District Evaluation Advisory Committee be established to oversee and guide the planning and implementation of board teacher evaluation policies and procedures. The board must annually adopt policies and procedures for evaluation developed by the chief school administrator. Beginning in 2017-2018, the District Evaluation Advisory Committee is no longer required and district boards of education shall have the discretion to continue the District Evaluation Advisory Committee.

### **Recommendation:**

A policy governing evaluation of all certified staff except the chief school administrator, who is dealt with in a separate policy. A statement of philosophy of evaluation should be included. The policy should address:

1. Board responsibilities;
2. Evaluation procedures as detailed in N.J.A.C. 6A:10-2.4;
3. Required training for teachers and supervisors (on the evaluation rubric, practice instruments, observation and co-observation);
4. The establishment of the District Evaluation Advisory Committee (only required until the beginning of the 2015-2016 academic year);
5. The establishment of the School Improvement Panel;
6. Components of teacher evaluation;
7. Evaluation rubric;
8. Measures of student achievement;
9. Teacher practice instruments;
10. Teacher observation and observation conferences;
11. The evaluation data as part of the personnel file;
12. Professional Development Plans;
13. Corrective Action Plans.

The board should emphasize that the goal of supervisory assistance and support in achieving the state required 20 clock hours of professional development annually is student achievement of the Common Core State Standards in mathematics and language arts and literacy and the Core Curriculum Content Standards.

The policy should direct the chief school administrator to develop regulations in compliance with law. The chief school administrator may consult with the District Advisory Committee and/or the School Improvement Panel in the review of policies and procedures for teacher evaluation. These should include but not be limited to roles and responsibilities for implementation; development of job descriptions and evaluation criteria, including pupil progress related to local goals, objectives and priorities; methods of collecting data; number of observations and conferences; use of district supervisory staff to observe and evaluate nontenured staff at least

the legally mandated minimum of three times a year; possible use of additional certified personnel to observe and evaluate tenured staff the legal minimum of once a year; professional development standards for teachers; individual professional improvement plans aligned to these professional standards; annual written performance reports; distribution of policy and procedures to staff.

While a few factors in evaluation are negotiable, criteria and standards are not. Boards should keep in close touch with the board attorney and negotiator.

#### Legal References:

N.J.S.A. 18A:4-15 General rule-making power

N.J.S.A. 18A:4-16 Incidental powers conferred

N.J.S.A. 18A:6-10 *et seq.* Dismissal and reduction in compensation of persons under tenure in public school system

N.J.S.A. 18A:6-117 *et seq.* Teacher Effectiveness and Accountability for the Children of New Jersey (TEACHNJ) ACT

#### See particularly:

N.J.S.A. 18A:6-119 Definitions relative to the TEACHNJ Act

N.J.S.A. 18A:6-120 School improvement panel

N.J.S.A. 18A:6-121 Evaluation of principal, assistant principal, vice-principal

N.J.S.A. 18A:6-122 Annual submission of evaluation rubrics

N.J.S.A. 18A:6-123 Review, approval of evaluation rubrics

N.J.S.A. 18A:27-3.1 through -3.3 Non-tenured teaching staff; observation and evaluation; conference; purpose

N.J.S.A. 18A:27-10 *et seq.* Nontenured teaching staff member; offer of employment for next succeeding year or notice of termination before May 31

N.J.S.A. 18A:28-5 Tenure of teaching staff members

#### Possible Cross References:

\*2130 Principal evaluation

\*2131 Chief school administrator

4000 Concepts and roles in personnel

4010 Goals and objectives

\*4112.6 Personnel records

\*4115 Supervision

\*4117.41 Nonrenewal

\*4131/4131.1 Staff development; inservice education/visitations/conferences



\*4215 Supervision

\*4216 Evaluation

\*6143.1 Lesson plans

\*6200 Adult/community education

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

### **Teaching and Principal Evaluation Rubrics**

The teaching and principal evaluation rubrics selected by the district shall meet the following minimum standards (N.J.S.A. 18A:6-123):

- A. Four defined annual ratings: ineffective, partially effective, effective, and highly effective;
- B. The evaluation rubric must be partially based on multiple objective measures of student learning that assess student growth over a period of time;
- C. The district may determine the methods for measuring student growth, in grades in which a state test is not required;
- D. Multiple measures of practice and student learning are used in conjunction with professional standards of practice using a comprehensive evaluation process in rating effectiveness with specific measures and implementation processes;
- E. Standardized assessments shall be used as a measure of student progress but shall not be the predominant factor in the overall evaluation of a teacher;
- F. The rubric is based on the professional standards for that employee;
- G. The performance measures used in the rubric are linked to student achievement;
- H. The employee receives multiple observations during the school year which shall be used in evaluating the employee;
- I. At each observation of a teacher, either the principal, his designee who is employed by the district in a supervisory role and capacity, and who possesses a school administrator certificate, principal certificate, or supervisor certificate, the vice-principal, or the assistant principal shall be present.
- J. The staff member who will be observing shall receive training on the use of the teaching practice instrument. This training shall be completed before the observer conducts his or her first observation for the purpose of evaluation;
- K. An opportunity for the employee to improve his effectiveness from evaluation feedback;
- L. Guidelines for staff training on the use of the educator practice evaluation instrument to support its implementation, and guidelines for the demonstration of competence in the use and implementation of the educator practice evaluation instrument;
- M. A process for ongoing monitoring and calibration of the observers to ensure that the observation protocols are being implemented correctly and consistently;
- N. A performance framework, associated evaluation tools, and observation protocols, including training and observer calibration resources; and

O. A process for ensuring that the results of the evaluation help to inform instructional development.

As part of the teacher evaluation rubric and the principal evaluation rubric, the board shall approve and adopt both teacher and principal practice evaluation instruments that appear on an approved list provided by the Department of Education.

The board may select a rubric that is not on the approved list and submit the rubric to the Commissioner for approval. All evaluation rubrics for teaching staff members shall be submitted to the Commissioner by June 1 for approval by August 1 of each year (N.J.A.C. 6A:10-2.1c).

#### Measurements of the Teacher Evaluation Rubric

The measurements of the teacher evaluation rubric shall be used to calculate a summative rating for all teaching staff members. The summative rating is the overall evaluation score derived from the evaluation scores of the following measures:

A. Measures of student achievement:

- a. Median student growth percentile for teachers who teach at least one course or group within a course that falls within a standardized-tested grade or subject.; and
- b. Student growth objectives for all teachers developed in consultation with their principal of his or her designee.

B. Measures of teacher practice determined through a teacher practice instrument and based on the required observation, and other measures,

#### Student Growth Percentile

The student growth percentile (SGP) is specific metric for measuring individual student progress on Statewide assessments by tracking how much a student's test scores have changed relative to other students Statewide with similar scores in previous years.

An SGP score compares a student's academic growth on the New Jersey statewide assessment measure (NJASK and starting 2014 PARCC) from one year to the next to the growth made by that student's academic peers (students from around the state with similar test score histories).

Students receive a proficiency measure (partially proficient, proficient, advanced proficient). This measure compares the student to all students that have taken that grade level assessment in the state. The SGP is a subset of this group. It compares the student only with other students who share a similar performance record.

The SGP is able to distinguish high growth from low growth at any scale score. A student may be below proficiency in math or LAL, but he or she could earn a high SGP score showing that the student is achieving more academic growth compared to other students who share a similar proficiency rating history. The SGP combined with other evidence gathered as part of AchieveNJ, signals that the teacher's instruction and/or principal's leadership are helping that child catch up.

For more information go to [www.state.nj.us/education/AchieveNJ/teacher/percentile.shtml](http://www.state.nj.us/education/AchieveNJ/teacher/percentile.shtml)

#### Student Growth Objectives

Student growth objectives (SGO) shall be assigned to teaching staff members who teach at least one course or group within a course that falls within a standardized-tested grade or subject. Student growth objectives shall be specific and measurable, based on available student learning data, aligned to the Core Curriculum Content Standards and based on growth and/or achievement. For teachers who

teach subjects or grades not covered by the Core Curriculum Content Standards, student growth objectives shall align to standards adopted or endorsed, by the State Board.

Student growth objectives shall be developed and measured according to the following procedures:

A. The chief school administrator shall determine the number of required student growth objectives for teachers, including teachers with a student growth percentile:

1. A teacher with a student growth percentile shall have at least one and not more than four student growth objectives;
2. A teacher without a student growth percentile shall have at least two and a maximum of four student growth objectives;
3. By April 15, prior to the school year the evaluation rubric applies, the Department shall provide on its website the minimum and maximum number of required student growth objectives within this range;

B. A teacher with a student growth percentile shall not use the standardized assessment used in determining the student growth percentile to measure progress toward a student growth objective;

C. All teachers shall develop, in consultation with their principal or a teaching staff member appointed by the principal, each student growth objective.

D. If the teacher does not agree with the student growth objectives, the principal shall make the final determination;

E. Student growth objectives and the criteria for assessing teacher performance based on the objectives shall be determined and recorded in the teacher's personnel file by November 15, 2013, and by October 15 of subsequent school years;

F. Adjustments to student growth objectives may be made by the teacher or his or her supervisor only when approved by the chief school administrator or designee and shall be recorded in the teacher's personnel file on or before February 15.

G. The teacher's supervisor and/or a member of the School Improvement Panel shall calculate each teacher's student growth objective score. The teacher's student growth objective score, if available, shall be discussed at the teacher's annual summary conference.

#### Percentage Weight Range of Evaluation Rubric Components

Each measure of the evaluation rubric shall be converted to a percentage weight so all measures make up 100 percent of the evaluation rubric. By April 15 prior to the school year the evaluation rubric applies, the Department shall provide on its website the required percentage weight of each measure. All components shall be worth the following percentage weights or fall within the following ranges:

A. If the teacher receives a median student growth percentile (teachers of grades 4 through 8 that take the Statewide assessments), the student achievement component shall be at least 40 percent and no more than 50 percent of a teacher's evaluation rubric rating;

B. If the teacher does not receive a median student growth percentile, the student achievement component shall be at least 15 percent and no more than 50 percent of a teacher's evaluation rubric rating as determined by the Department;

C. Measures of teacher practice determined through a teacher practice instrument and based on the required observation, and other measures, shall be at least 50 percent and no more than

85 percent of a teacher's evaluation rubric rating as determined by the Department.

Re-adopted: April 7, 2014

**Mountain Lakes School District**

## 2131 SUPERINTENDENT/CHIEF SCHOOL ADMINISTRATOR

The board of education, in compliance with state law, will evaluate the chief school administrator at least annually. Every newly appointed or elected board member shall complete the New Jersey School Boards Association's training program on evaluation of superintendents within six months of commencement of his/her term of office. The purpose of the evaluation shall be:

- A. To promote professional excellence and improve the skills of the chief school administrator;
- B. To improve the quality of the education received by the pupils served by the public schools of the district;
- C. To provide a basis for the review of the job performance of the chief school administrator.

### Role and Responsibility of the Board

The role and responsibility of the board in this evaluation shall be:

- A. To complete a New Jersey School Boards Association training program on the evaluation of the chief school administrator within six months of the commencement of newly appointed or elected district board member's term of office (N.J.S.A. 18A:17-20.3.b; see board policy 9200 Orientation and Training of Board Members);
- B. To review, revise and adopt procedures suggested by the chief school administrator for implementation of this policy;
- C. To determine whether the services of a qualified consultant will contribute substantially to the evaluation process and to engage such a consultant as deemed appropriate to assist the board. The evaluation itself shall be the responsibility of the board;
- D. To adopt an individual plan for professional growth and development of the chief school administrator based in part upon any needs identified in the evaluation. This plan shall be mutually developed by the board and the chief school administrator. The duration of the plan will be three to five years, depending on the chief school administrator's contract with the school district;
- E. To hold an annual summary conference between a majority of its total membership and the chief school administrator. The annual summary conference shall be held before the written performance report is filed. The conference shall be held in private, unless the chief school administrator requests that it be held in public. The conference shall include, but not be limited to, review of the following:
  - 1. Performance of the chief school administrator based upon the job description;
  - 2. Progress of the chief school administrator in achieving and/or implementing the school district's goals, program objectives, policies, instructional priorities, State goals, and statutory requirements; and
  - 3. Indicators of student progress and growth toward program objectives.
- F. To prepare, by July 1, subsequent to the annual summary conference, an annual written performance report, approved by a majority of the full membership of the board. This report shall include:
  - 1. Performance areas of strength;
  - 2. Performance areas needing improvement based upon the job description and evaluation

criteria in "E" above;

3. Recommendations for professional growth and development;

4. A summary of available indicators of pupil progress and growth and a statement of how these available indicators relate to the effectiveness of the overall program and the performance of the chief school administrator;

5. Provision for performance data which have not been included in the report prepared by the board of education to be entered into the record by the chief school administrator within 10 working days after the completion of the report.

G. To add all written performance reports and supporting data, including, but not limited to, indicators of student progress and growth to a chief school administrator's personnel file. The records shall be confidential and not be subject to public inspection or copying pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 *et seq.*

#### Role and Responsibility of the Superintendent/Chief School Administrator

The board shall determine the role and responsibility in consultation with the chief school administrator. The chief school administrator shall be to provide information and propose procedures for:

A. Development of a job description and evaluation criteria, based upon the district's local goals, program objectives, policies, instructional priorities, state goals, statutory requirements, and the functions, duties and responsibilities of the chief school administrator. The evaluation criteria shall include but not be limited to available indicators of pupil progress;

B. Specification of methods of data collection and reporting appropriate to the job description;

C. Design of evaluation instruments suited to reviewing the chief school administrator's performance based upon the job description;

D. Establishing an evaluation calendar to include a date for the annual conference and including appropriate information to allow proper consideration of all the items to be included in the subsequent written performance report;

E. After the board's adoption of the annual written performance report, to provide all other appropriate information relative to evaluation of his/her performance not contained in the report.

F. Preparation and review of the Professional Growth Plan for the administrator's professional development.

The policy shall be delivered to the chief school administrator upon adoption. Amendments to the policy shall be distributed within 10 working days after adoption.

Date: Re-adopted April 7, 2014

Legal References: Use legal reference sheet.

Cross References: List your appropriate policies. See legal reference sheet for possibilities.

#### Key Words

Superintendent Evaluation, Superintendent Job Description, CSA, Chief School Administrator, Evaluation

#### Legal References:

## **QSAC Monitored:**

### Section 3: Governance

## **Mandated:**

N.J.A.C. 6A:10-7.1 requires the board to develop policies and procedures on evaluation of the chief school administrator--tenured or nontenured. The evaluation must be based on the chief school administrator's job description.

N.J.A.C. 6A:10-7.1(g) states that the annual written performance report be prepared by July 1 by a majority of the district board of education's total membership and shall include, but not be limited to:

1. Performance area(s) of strength;
2. Performance area(s) needing improvement based upon the job description and evaluation criteria set forth in N.J.A.C. 6A:10-7.1 (c)2 [**Note:** see sample policy language in the section titled *Role and Responsibility of the Chief School Administrator A-F*];
3. Recommendations for professional growth and development;
4. A summary of indicators of student progress and growth, and a statement of how the indicators relate to the effectiveness of the overall program and the chief school administrator's performance; and
5. Provision for performance data not included in the report to be entered into the record by the chief school administrator within 10 teaching staff member working days after the report's completion.

## **Other Reasons:**

N.J.S.A. 18A:12-21 *et seq.* establishes standards of ethical conduct for school officials which by definition includes administrators.

N.J.S.A. 18A:17-20 in effect prohibits tenure for superintendents in jobs in which they were not tenured as of September 1, 1991.

N.J.S.A. 18A:17-20.3 requires all new board members to receive NJSBA training in evaluation of superintendents.

N.J.A.C. 6A:28-1.1 defines the purpose, authority and operating procedures of the School Ethics Commission.

## **Recommendation:**

A policy assigning roles and responsibilities in the evaluation of the chief school administrator including development of a job description related to the district's local goals, program objectives, policies and instructional priorities; state goals; statutory requirements; and the functions, duties and responsibilities of the chief school administrator. Regulations outlining the procedures to be followed should be reviewed and adopted by the board.

## **Legal References:**

***NOTE:*** These legal references pertain primarily to the chief school administrator's employment and evaluation. Many specific responsibilities are assigned by other statutes and administrative code regulations.

N.J.S.A. 18A:4-15 General rule-making power

N.J.S.A. 18A:6-10 through -17 Dismissal and reduction in compensation of persons under tenure in public school system

N.J.S.A. 18A:12-21 *et seq.* School Ethics Act

N.J.S.A. 18A:17-15 through -21 Appointment of superintendents; terms

N.J.S.A. 18A:17-20 Tenured and non-tenured superintendents; general powers and duties

N.J.S.A. 18A:17-24 Clerks in superintendent's office

N.J.S.A. 18A:17-24.1 Shared Administrators, Superintendents

N.J.S.A. 18A:27-4.1 Appointment, transfer, removal or renewal of officers and employees; exceptions

N.J.S.A. 18A:28-3 through -6.1 No tenure for noncitizens

N.J.S.A. 18A:29-14 Withholding increments; causes; notice of appeals

N.J.S.A. 40:65-1 *et seq.* Uniformed Shared Services and Consolidation Act

N.J.A.C. 6A:9-12 Requirements for Administrative Certification

Possible Cross References:

\*2000/2010 Concepts and roles in administration; goals and objectives

\*2121 Line of responsibility

\*4111 Recruitment, selection and hiring

\*4211 Recruitment, selection and hiring

\*9000 Role of the board

\*9400 Board self-evaluation

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

**Mountain Lakes School District**



## 2131.1 SUPERINTENDENT'S DUTIES

### Function

The Superintendent shall serve as Chief Executive and Administrative Officer of the district by implementing policies established by the Board of Education and by discharging the duties imposed on his or her office by law.

### Authority

The Superintendent shall be the Chief School Administrator of the school district and principal advisor to the Board. He or she may delegate to an appropriate school official any duty not reserved to the Superintendent by law, but may not delegate the responsibility for duties mandated by law.

### Work Relationships

The Superintendent shall report directly to the Board and shall directly or indirectly supervise all persons employed by the Board.

### Duties and Responsibilities

A. In the discharge of his or her responsibility as principal advisor to the Board, the Superintendent shall:

1. Ensure that all aspects of district operation comply with Board policy, state law and district contracts, (N.J.S.A. 18A:17-20b);
2. Report to the Board on the needs of the district, (N.J.S.A. 18A:17-20b);
3. Advise the Board of any changes or additions that should be made to its policies;
4. Provide the Board with such information as may be needed to ensure the making of informed decisions, (N.J.S.A. 18A:17-20);
5. Create reports and records as required by law or policy;
6. Participate in negotiations as directed by the Board;
7. Serve as an ex-officio member of any Board committee;
8. Introduce subjects for Board consideration; and
9. Perform such other duties as may be assigned by the Board, (N.J.S.A. 18A:17-20b).

B. In the discharge of his or her responsibility for the implementation of the operational action plan of the district, the Superintendent shall:

1. Prepare, promulgate, and maintain a manual of administrative regulations;
2. Evaluate the future needs of the district and recommend a district action plan including goals, objectives, and priorities to the Board;
3. Maintain written objectives to implement the district action plan adopted by the Board, N.J.A.C. 6:8-5A.2;
4. Form and direct committees to review and make recommendations in areas not specifically reserved to the Board;

5. Evaluate progress toward the attainment of the district action plan and report thereon to the Board, N.J.A.C. 6:8-2.4; and

6. Report to the Commissioner and the County Superintendent on or before August 1 of each year matters relating to the schools in the manner and form prescribed by the Commissioner, (N.J.S.A. 18A:17-21).

C. In the discharge of his or her responsibility as the administrator of the instructional program, the Superintendent shall:

1. Establish and maintain a written instructional plan for the schools of the district consistent with the educational goals adopted by the Board, N.J.A.C. 6:8-2.5;

2. Coordinate the proper implementation of the instructional plan as it applies to each school in the district;

3. Evaluate at least annually the effectiveness of the program of studies and recommend such changes and additions as may be required to improve its effectiveness, (N.J.S.A. 18A:7A-11b);

4. Establish standards for student promotion, classification, and discipline;

5. Develop new courses, review of existing courses, and termination of courses;

6. Select appurtenant materials; examples: texts, scientific apparatus, computers, shop tools, etc;

7. Evaluate the performance of pupils in relation to other public school districts, as well as in relation to state and national standards, (N.J.S.A. 18A:7A-11b);

8. Report periodically to the Board, as directed by the Board, on the condition of the educational program and facilities in the district, (N.J.S.A. 18A:17-20); and

9. Keep informed regarding current research in the field of education and inform the Board as appropriate.

D. In the discharge of his or her responsibility for the direction and welfare of pupils, the Superintendent shall:

1. Strive to motivate pupils to achieve their individual best;

2. Create a climate of respect for authority and discipline in each of the schools of the district;

3. Report to the Board at its next meeting the suspension of a pupil, (N.J.S.A. 18A:37-4); and

4. Recommend any changes in the program of pupil management and support as necessary to respond to district needs.

E. In the discharge of his or her responsibility for the supervision of district employees, the Superintendent shall:

1. Recommend to the Board all properly certified candidates for employment, assignment, or transfer, (N.J.S.A.27-4.1), N.J.A.C. 6:11-3.1(b);

2. Assign staff so as to achieve maximum effectiveness in the attainment of educational goals;

3. Train staff as necessary to implement approved changes in the curriculum or instructional methods of the district, (N.J.S.A. 18A:7A-11e);
4. Evaluate the effectiveness of staff members in the performance of their assigned tasks, N.J.A.C. 6:3-4.3;
5. Recommend changes in staffing patterns based on the evaluation of staff and program effectiveness, N.J.A.C. 6:3-4.3;
6. Promote, commend and discipline staff in accordance with law, contract or policy; and
7. Discipline staff as required and report to the Board forthwith any suspension of a teaching staff member, (N.J.S.A. 18A:25-6).

F. In the discharge of his or her responsibility for the maintenance of the physical plant, the Superintendent shall:

1. Strive to make efficient use of district resources in the daily operations of the schools;
2. Assign support staff so as to achieve maximum effectiveness from the facilities of the district;
3. Train support staff as necessary to maintain the facilities and to avoid safety and environmental hazards; and
4. Evaluate the effectiveness of the district facilities in housing the instructional program and recommend to the Board such changes and improvements as may be required, (N.J.S.A. 18A:7A-11g).

G. In the discharge of his or her responsibility for the management of the district business affairs, the Superintendent shall:

1. Supervise the preparation of the annual budget and recommend its adoption to the Board, (N.J.S.A. 18A:17-20b):
2. Implement the budget adopted by the Board;
3. Establish sufficient fiscal controls to ensure that district funds are expended wisely and efficiently; and
4. Report to the Board at its next meeting any expenditure in excess of a budgeted line item, (N.J.S.A. 18A:22-8.1).

H. In the discharge of his or her responsibility as liaison officer to the public, the Superintendent shall:

1. Strive to interpret the needs of the school to the public and the concerns of the public to the Board;
2. As appropriate, involve members of the public in the review of district needs, community needs, and the operation of the school programs;
3. Keep the public informed about the accomplishments and problems of the school district;
4. Cooperate with the news media; and
5. Work Effectively with municipal government officials and public agencies concerned

with the welfare of pupils.

#### Evaluation Criteria

The Superintendent will be evaluated in accordance with Policy No. 2130 and this job description.

#### Legal References:

Previously Policy No. 1230

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Re-numbered and Adopted: January 2, 2007

Reviewed: December 7, 2009

LR07/10

**Mountain Lakes School District**

## **2150 INCAPACITY OF SCHOOL BUSINESS ADMINISTRATOR/BOARD SECRETARY**

The Board of Education will appoint, by the affirmative vote, a majority of the members of the full Board, and fix the compensation of an Acting School Business Administrator/Board Secretary to serve when the School Business Administrator/Board Secretary is so incapacitated as to render him or her unable to perform the duties of the office of School Business Administrator/Board Secretary.

The School Business Administrator/Board Secretary will be deemed incapacitated when:

1. The School Business Administrator/Board Secretary is absent on disability leave of a projected duration of thirty days or more; or
2. The School Business Administrator/Board Secretary is certified incapacitated by a physician in accordance with Board Policy No. 3161; or
3. The School Business Administrator/Board Secretary has been suspended with pay.

The Acting School Business Administrator/Board Secretary shall discharge the duties of the office until the School Business Administrator/Board Secretary returns, resigns, or is removed from the position. The acts of the Acting School Business Administrator/Board Secretary shall be legal and binding as if done by the School Business Administrator/Board Secretary.

Adopted: February 13, 2006

**Mountain Lakes School District**

## **2160 INCAPACITY OF SUPERINTENDENT**

The Board of Education will appoint, by the affirmative votes of a majority of the members of the full Board, and fix the compensation of an Acting Superintendent to serve when the Superintendent is so incapacitated as to render him or her unable to perform the duties of the office of Superintendent.

The Superintendent will be deemed to be incapacitated when:

1. The Superintendent is absent on disability leave of a projected duration of thirty days or more;  
or
2. The Superintendent is certified incapacitated by a physician in accordance with Board Policy No. 3161; or
3. The Superintendent has been suspended with pay.

The Acting Superintendent shall discharge the duties of the office until the Superintendent returns, resigns, or is removed from the position. The acts of the Acting Superintendent shall be legal and binding as if done by the Superintendent.

Legal References:

Adopted: February 13, 2006

Reviewed: December 7, 2009

LR07/10

**Mountain Lakes School District**

## **2210 ADMINISTRATIVE LEEWAY IN ABSENCE OF BOARD POLICY**

In cases where immediate action must be taken within the school system when the Board has provided no guidelines for administrative action, the Superintendent shall have the power to act, but his/her decisions shall be subject to review by the Board at its next regular meeting.

It shall be the duty of the Superintendent to inform the Board promptly of such action and of the need for policy.

### Legal References:

[N.J.S.A. 18A:11-1](#) General mandatory powers and duties

[N.J.S.A. 18A:17-20](#) Tenured and non-tenured superintendents; general powers and duties

[N.J.S.A. 18A:54-20](#) Powers of board (county vocational schools)

Adopted: January 16, 2006

**Mountain Lakes School District**

## 2224 NONDISCRIMINATION/AFFIRMATIVE ACTION

State and federal statutes and regulations prohibit school districts from discriminatory practices in employment or educational opportunity against any person by reason of race, color, national origin, ancestry, age, sex, affectional or sexual orientation, marital status, domestic partnership status, familial status, liability for service in the Armed Forces of the United States, atypical hereditary cellular or blood trait of any individual, genetic information, or refusal to submit to a genetic test or make the results of a genetic test known, in employment or in educational opportunities. Further state and federal protection is extended on account of disabilities, social or economic status, pregnancy, childbirth, pregnancy-related disabilities, actual or potential parenthood, or family status.

The Mountain Lakes Board of Education will continue to support its Affirmative Action Resolution and implement the district's equal educational opportunity policy, school and classroom practices plan and contract/employment practices plan in accordance with law and regulation.

The Board authorizes the Superintendent to develop and implement a multi-year equity plan to ensure that the district provides equality in educational programs and to identify and correct, or assess and prevent, all bias, discrimination and impermissible isolation in policies, practices and facilities of the district. Upon approval of this plan by the State Department of Education, the Board shall adopt it by resolution. The Superintendent shall report to the Board annually on progress toward goals established in the plan. A copy of the district's affirmative action/equity plans and self-evaluation of their achievement shall be available in the district office.

### Affirmative Action Officers and Team

The Board shall annually appoint two members of the staff as the affirmative action officers and form an affirmative action team, of which the affirmative action officers are members. Each affirmative action officer shall serve as affirmative action/504 officer and/or desegregation coordinator. Each affirmative action officer must have New Jersey certification with an administrative, instructional, or education services endorsement. The Board shall ensure that all members of the school community know who the affirmative action officers are and how to access him/her.

Each affirmative action officer shall:

- A. Coordinate the required professional development training for certificated and non-certificated staff;
- B. Notify all students and employees of district grievance procedures for handling discrimination complaints; and
- C. Ensure that the district grievance procedures, including investigative responsibilities and reporting information, are followed.

The affirmative action team shall:

- A. Develop the comprehensive equity plan in compliance with administrative code;
- B. Oversee the implementation of the district's comprehensive equity plan;
- C. Collaborate with the affirmative action office in coordinating the required professional development training;
- D. Monitor the implementation of the comprehensive equity plan; and
- E. Conduct the annual district internal monitoring to ensure continuing compliance with state and federal law and code.



## Comprehensive Equity Plan

The board directs the affirmative action team to develop a comprehensive equity plan once every three years. The comprehensive equity plan shall identify and correct all discriminatory and inequitable educational and hiring policies, patterns, programs, and practices affecting its facilities, programs, students, and staff.

Prior to developing the comprehensive equity plan, the district's needs for achieving equity and equality in educational programs shall be assessed. The purpose of the needs assessment is to identify and eliminate discriminatory practices and other barriers to achieving equity in educational programs.

## Comprehensive Equity Plan

The board directs the affirmative action team to develop a comprehensive equity plan once every three years. The comprehensive equity plan shall identify and correct all discriminatory and inequitable educational and hiring policies, patterns, programs, and practices affecting its facilities, programs, students, and staff.

Prior to developing the comprehensive equity plan, the district's needs for achieving equity and equality in educational programs shall be assessed. The purpose of the needs assessment is to identify and eliminate discriminatory practices and other barriers to achieving equity in educational programs.

### A. The needs assessment shall include an analysis of:

1. Student performance data such as National Assessment of Educational Progress and State assessment results;
2. Preschool through grade 12 promotion/retention data;
3. Preschool through grade 12 completion rates; and
4. Re-examination and re-evaluation of classification and placement of students in special education programs if there is over representation within certain groups;
5. Staffing practices;
6. Student demographic and behavioral data;
7. Quality of program data; and
8. Stakeholder satisfaction data.

### B. The comprehensive equity plan shall address:

1. Professional development;
2. Equality in school and classroom practices;
3. Equality in employment and contract practices.

### C. The comprehensive equity plan shall include:

1. An assessment of the school district's needs for achieving equity in educational programs. The assessment shall include staffing practices, quality-of-program data, stakeholder-satisfaction data, and student assessment and behavioral data disaggregated by gender, race, ethnicity, limited English proficiency, special education,

migrant, date of enrollment, student suspension, expulsion, child study team referrals, preschool through grade 12 promotion/retention data, preschool through grade 12 completion rates, and re-examination and re-evaluation of classification and placement of students in special education programs if there is over representation within certain group;

2. A description of how other Federal, State, and school district policies, programs, and practices are aligned to the comprehensive equity plan;

3. Progress targets for closing the achievement gap;

4. Professional development targets regarding the knowledge and skills needed to provide a thorough and efficient education as defined by the New Jersey Student Learning Standards, differentiated instruction, and formative assessments aligned to the New Jersey Student Learning Standards and high expectations for teaching and learning; and

5. Annual targets that address school district needs in equity in school and classroom practices and are aligned to professional development targets.

The comprehensive equity plan shall include goals, objectives, timelines, and benchmarks for measuring progress. The board shall submit the comprehensive equity plan to the executive county superintendent for approval and a copy of the comprehensive equity plan to the New Jersey Department of Education. The board shall initiate the comprehensive equity plan within 60 days of its approval, and shall implement the plan in accordance with the timelines approved by the Department.

### Harassment

The Board of Education shall maintain an instructional and working environment that is free from harassment of any kind. Administrators and supervisors will make it clear to all staff, pupils and vendors that harassment is prohibited.

Sexual harassment shall be specifically addressed in the affirmative action inservice programs required by law for all staff. Sexual harassment shall include, but not be limited to, unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

A. Submission to the conduct or communication is made a term or condition of employment or education;

B. Submission to, or rejection of, the conduct or communication is the basis for decisions affecting employment and assignment or education;

C. The conduct or communication has the purpose or effect of substantially interfering with an individual's work performance or education;

D. The conduct or communication has the effect of creating an intimidating, hostile or offensive working or educational environment.

Sexual harassment of staff or children interferes with the learning process and will not be tolerated in the Mountain Lakes schools.

Harassment by Board members, employees, parents, students, vendors or others doing business with the district is prohibited. Any child or staff member who has knowledge of or feels victimized by sexual harassment should immediately report his/her allegation to the affirmative action officer or building principal. Anyone else who has knowledge of or feels victimized by sexual harassment should immediately report his/her allegation to the superintendent or board president. Employees whose behavior is found to be in violation of this policy will be subject to an investigation procedure, which may result in discipline, up to and including dismissal. Other individuals whose behavior is found to be in violation of this policy will be subject to appropriate sanctions as determined and imposed by the

superintendent/board. Law enforcement shall be summoned when appropriate. This policy statement on sexual harassment shall be distributed to all staff members. Staff or pupils may file a formal grievance related to harassment on any of the grounds addressed in this policy. The affirmative action officer will receive all complaints and carry out a prompt and thorough investigation, and will protect the rights of both the person making the complaint and the alleged harasser.

Findings of discrimination or harassment will result in appropriate disciplinary action.

### School and Classroom Practices

A. In implementing affirmative action, the district shall:

1. Identify and correct the denial of equality of educational opportunities for pupils solely on the basis of any classification protected by law;
2. Continually reexamine and modify, as may be necessary, its school and classroom programs; location and use of facilities; its curriculum development program and its instructional materials; availability of programs for children; and equal access of all eligible pupils to all extracurricular programs.

B. The board shall provide all students with equal and bias-free access to all school facilities, courses, programs, activities, and services, regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status, by:

1. Ensuring equal and barrier-free access to all school and classroom facilities;
2. Attaining within each school minority representation that approximates the school district's overall minority representation. Exact apportionment is not required; the ultimate goal is a reasonable plan achieving the greatest degree of racial balance that is feasible and consistent with sound educational values and procedures;
3. Utilizing on an annual basis a State-approved English language proficiency measure for determining the special needs of English language learners and their progress in learning English;
4. Utilizing bias-free multiple measures for determining the special needs of students with disabilities;
5. Ensuring support services, including intervention and referral services and school health services; and
6. Ensuring a student is not discriminated against because of a medical condition. A student shall not be excluded from any education program or activity because of a long-term medical condition unless a physician certifies such exclusion is necessary. If excluded, the student shall be provided with equivalent and timely instruction that may include home instruction, without prejudice or penalty.

These topics are included in the pupil and instruction policies of the district at #5145.4 Equal Educational Opportunity, #6121 Nondiscrimination/Affirmative Action, and #6145 Extracurricular Activities.

### Contract/Employment Practices

The district directs the superintendent to ensure that appropriate administrators implement the district's affirmative action policies by:

A. Adhering to the administrative code in selection of vendors and suppliers; informing vendors and suppliers that their employees are bound by the district's affirmative action policies in their contacts with district staff and pupils;

B. Continuing implementation and refinement of existing practices and affirmative action plans, making certain that all recruitment, hiring, evaluation, training, promotion, personnel-management practices and collective bargaining agreements are structured and administered in a manner that furthers equal employment opportunity principles and eliminates discrimination on any basis protected by law, holding inservice programs on affirmative action for all staff in accordance with law.

These topics are included in the business and non-instructional operations, and the personnel policies of the district at #3320 Purchasing Procedures, #3327 Relationships with Vendors, #4111.1 Non-Discrimination/Affirmative Action – Teaching Staff and #4211.1 Non-Discrimination/Affirmative Action – Support Staff.

### Disabled

In addition to prohibiting educational and employment decisions based on non-applicable disabling condition, the district shall, as much as feasible, make facilities accessible to disabled pupils, employees and members of the community as intended by Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 and as specified in the administrative code. These matters are further specified in policy 2224.1 Rights of Persons with Handicaps or Disabilities.

### Report on Implementation

The Superintendent shall devise regulations, including grievance forms and procedures to implement the district's affirmative action policies. He/she shall report to the Board annually on the effectiveness of this policy and the implementing procedures.

### Legal References:

N.J.S.A. 2C:16-1 Bias intimidation

N.J.S.A. 2C:33-4 Harassment

N.J.S.A. 10:5-1 *et seq.* Law Against Discrimination

N.J.S.A. 18A:6-5 Inquiry as to religion and religious tests prohibited

N.J.S.A. 18A:6-6 No sex discrimination

N.J.S.A. 18A:18A-17 Facilities for handicapped persons

N.J.S.A. 18A:26-1 Citizenship of teachers, etc.

N.J.S.A. 18A:26-1.1 Residence requirements prohibited

N.J.S.A. 18A:29-2 Equality of compensation for male and female teachers

N.J.S.A. 18A:37-14 through -19 Harassment, intimidation, and bullying defined; definitions

N.J.S.A. 18A:36-20 Discrimination; prohibition

N.J.S.A. 26:8A-1 *et seq.* Domestic Partnership Act

N.J.A.C. 5:23-7.1 *et seq.* Barrier free subcode of the uniform construction code

N.J.A.C. 6A:7-1.1 *et seq.* Managing for Equality and Equity in Education

See particularly:

N.J.A.C. 6A:7-1.4, -1.5, -1.6, -1.7, -1.8

N.J.A.C. 6A:30-1.1 *et seq.* Evaluation of the Performance of School Districts

N.J.A.C. 6A:32-12.1 Reporting requirements

N.J.A.C. 6A:32-14.1 Review of mandated programs and services

Executive Order 11246 as amended

29 U.S.C.A. 201 - Equal Pay Act of 1963 as amended

20 U.S.C.A. 1681 - Title IX of the Education Amendments of 1972

42 U.S.C.A. 2000e *et seq.* - Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunities Act of 1972

29 U.S.C.A. 794 *et seq.* - Section 504 of the Rehabilitation Act of 1973

20 U.S.C.A. 1401 *et seq.* - Individuals with Disabilities Education Act

42 U.S.C.A. 12101 *et seq.* - Americans with Disabilities Act (ADA)

*Meritor Savings Bank v. Vinson*, 477 U.S. 57 (1986)

*School Board of Nassau County v. Arline*, 480 U.S. 273 (1987)

*Vinson v. Superior Court of Alameda County*, 740 P.2d 404 (Cal. Sup. Ct. 1987)

*State v. Mortimer*, 135 N.J. 517 (1994)

*Taxman v. Piscataway Bd. of Ed.* 91 F. 3d 1547 (3d Cir. 1996)

*Davis v. Monroe County Board of Education*, 526 U.S. 629 (1999)

*Saxe v. State College Area School Dist.*, 240F. 3d 200 (3d Cir. 2001)

*L.W. v. Toms River Regional Schools Board of Education*, N.J., No. A-111-05

(Feb. 22, 2007), 2007 N.J. LEXIS 184. The New Jersey Supreme Court ruled that a school district may be held liable under the New Jersey Law Against Discrimination (LAD), N.J.S.A. 10:5-1 to -49, when students harass another student because of his perceived sexual orientation. A district school will be liable for such harassment if it knew or should have known of the harassment but failed to take reasonable remedial actions. The matter was remanded to the Director of the Division of Civil Rights.

Comprehensive Equity Plan, New Jersey Department of Education

Adopted: November 6, 2006 LR2011

Revised: January 19, 2010

Revised: May 7, 2018

## Mountain Lakes School District

## **2224.1 RIGHTS OF PERSONS WITH HANDICAPS OR DISABILITIES**

It is the policy of the Board of Education that no qualified handicapped or disabled person shall, on the basis of handicap or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in employment or under any program or activity sponsored by this Board. The Board shall comply with §504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. It shall also comply with the Individuals with Disabilities Education Act through the implementation of Policy No. 6171.4. Notice of the Board's policy on nondiscrimination in employment (Policy No. 2224) and education (Policy No. 5145.4) will be included in the Board policy manual, posted throughout the district, and referenced in any district statement regarding the availability of employment positions or educational services.

### **Employment**

No employee or candidate for employment shall be discriminated against in recruitment, hiring, advancement, discharge, compensation, training, transfer, or any other term, condition, or privilege of employment solely because of his/her handicap/disability, provided the employee or candidate can with or without reasonable accommodation, perform the essential functions of the position sought or held.

No candidate for employment shall be required to answer a question or submit to an examination regarding a handicap/disability except as such handicap/disability relates directly to the performance of the job sought. No candidate will be discriminated against on the basis of a handicap/disability that is not directly related to the essential function of the position for which he/she has applied.

Reasonable accommodations, not directly affecting the educational and/or instructional program, shall be made to accommodate employment conditions to the needs of qualified persons with handicaps/disabilities. Such accommodations may include, but are not limited to rescheduling; restructuring jobs; making facilities accessible; acquiring or modifying equipment; modifying examinations, training materials, policies and procedures; and providing readers or interpreters.

The Board employment policies and procedures shall comply with the Americans with Disabilities Act.

### **Facilities Accessibility**

No qualified handicapped/disabled person shall, because of the school district's facilities being inaccessible or unusable by handicapped/disabled persons, be denied the benefits of, be excluded from participation in or otherwise be subjected to discrimination under any program or activity by the Board. No new facilities shall be constructed that do not fully comply with §504 of the Rehabilitation Act of 1973 and the American with Disabilities Act. Alterations to existing facilities or part thereof, shall be altered in such a manner to the maximum extent feasible, that the facilities are readily accessible and usable by individuals with handicaps/disabilities who have a need to access Board facilities.

### **Educational Program Accessibility**

No qualified handicapped/disabled person shall be denied the benefit of, be excluded from participation in, or otherwise be subjected to discrimination in any activity offered by this district.

The Board has an affirmative obligation to evaluate a pupil who is suspected of having a handicap/disability to determine the pupil's need for special education and related services. The Board directs all reasonable efforts be made to identify unserved children with handicaps/disabilities in this district who are eligible for special education and/or related services in accordance with Policy No. 6171.4, the Individuals with Disabilities Education Act, §504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990.

Section 504 of the Rehabilitation Act requires the Board to address the needs of children who are considered handicapped/disabled under §504 and do not qualify for services under the Individuals with Disabilities Education Act. A pupil may be handicapped/disabled within the meaning of §504, and therefore entitled to regular or special education and related aids and services under the §504 regulation, even though the pupil may not be eligible for special education and related services under Part B of the Individuals with Disabilities Education Act.

No pupil will be denied, because of his/her educational handicap/disability, participation in co-curricular, intramural, or interscholastic activities or any of the services offered or recognitions rendered regularly to the pupils of this district.

There will be grievance procedures for persons alleging discriminatory acts by the Board and/or staff. The due process rights of pupils with handicaps/disabilities and their parents will be rigorously enforced.

### Enforcement

The Director of Student Services is designated as district coordinator for matters dealing with §504. The district coordinator shall act as a compliance officer. A complaint regarding a violation of law and this policy will be subject to a complaint procedure that provides for the prompt and equitable resolution of disputes.

The complainant shall be notified of his/her rights of appeal at each step of the process, and accommodations to the needs of handicapped/disabled complainants shall be made. A complainant shall be informed of his/her right to file a formal action for redress with or without recourse to the complaint procedure established by this policy and its accompanying regulation.

A complaint regarding the identification, evaluation, classification, or educational program of a pupil with a handicap/disability shall be governed by the due process rules of the State Board of Education, N.J.S.A. 6A:14-2.7 and the Office of Administrative Law, N.J.A.C. 1:6A-1 *et seq.*, and by the procedural safeguard processes established by Board Policy No. 6171.4 or the grievance procedures established in regulations.

### Guarantee of Right

The Board shall not interfere, directly or indirectly, with any person's exercise or enjoyment of the rights protected by the §504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, or the Individuals with Disabilities Education Act.

The Board shall not discriminate against any person for that person's opposition to any act or practice made unlawful by law or this policy or for that person's participation in any manner in an investigation or proceeding arising under §504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, or the Individuals with Disabilities Education Act.

### Evaluation and Compliance

The Board directs the Superintendent to evaluate district programs and practices on nondiscrimination, in accordance with law, and to report evaluations to the Board. The Board will submit such assurances of compliance as are required by law.

Previously Policy No. 1510

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Re-adopted and renumbered from 2224: November 6, 2006



## Mountain Lakes School District

## 2240 RESEARCH, EVALUATION AND PLANNING

As required by law, the Superintendent shall annually direct development or review of district long- and short-range goals and the plan of action to attain them. Objectives shall be developed with community participation and approved by the board of education; the plan of action shall be prepared in consultation with teaching staff members. The district's plans shall be discussed at a public meeting before the date required by law.

Further, the Superintendent shall coordinate continual research and evaluation of programs and facilities. The master plan shall be studied and revised periodically to keep it in accord with the changing circumstances and aspirations of the district.

### State Monitoring

The superintendent shall ensure and coordinate the District Performance Review every three years, in compliance with New Jersey Quality Single Accountability Continuum (NJQSAC). Upon completion of the district's conduct of the District Performance Review, the board shall fix a date, place and time for the holding of a public meeting for approval by board resolution. The board shall comply with meeting procedures specified in N.J.A.C. 6A:30-3.2.

### School-Level Planning

By September 30, the principal of each school in the district shall coordinate development and implementation of a two-year school-level plan based on school report card data. This plan shall include pupil performance objectives, a review of progress by teaching and administrative staff, and the involvement of parents.

The performance objectives shall be based on pupil performance or behavior standards as defined in the administrative code.

At least once per semester, the principal of each school shall conduct meetings by grade level, department, team or similarly appropriate group to review the school-level plan. The review shall include:

- A. School report card data;
- B. Progress toward achieving pupil performance objectives;
- C. Progress toward achieving core curriculum content standards.

Each principal shall sign a statement of assurance attesting to these activities on the form prescribed by the Commissioner of Education.

The Superintendent shall submit each school's objectives to the County Superintendent for review and approval. The report on the achievement of objectives or progress toward benchmarks for the previous year shall be contained in the October 30th annual report.

The Superintendent will supervise the preparation and timely submission of accurate reports in order to ensure compliance with all Federal, State, County and Local laws and regulations, Board policies, contract terms and conditions. The Superintendent will promptly prepare and file updates and revisions to reports whenever new information becomes available that would require that an amended report be submitted. The Superintendent may delegate the preparation and revision of reports to other employees of the Board. However, the Superintendent retains final responsibility for the action taken when tasks are delegated. If the revisions and corrections are so significant as to compromise the basic integrity of the report, the Superintendent will inform the Board President in order that appropriate corrective action may be taken by the Board.

## Legal References:

N.J.S.A. 18A:7A-10 Evaluation of performance of each school

N.J.S.A. 18A:7A-11 Annual report of local school district; contents; annual report of commissioner; report on improvement of basic skills

N.J.S.A. 18A:7A-14 Review of evaluations of district performance ...

N.J.S.A. 18A:7F-6 Approval of budget by Commissioner

N.J.A.C. 6A:8-1.1 *et seq.* Standards and Assessments

N.J.A.C. 6A:26-2.1 *et seq.* Long-Range Facilities Plans

N.J.A.C. 6A:30-1.1 *et seq.* Evaluation of the Performance of School Districts

N.J.A.C. 6A:32-2.1 Definitions

N.J.A.C. 6A:32-12.1 Reporting requirements

N.J.A.C. 6A:32-12.2 School-level planning

N.J.A.C. 6A:32-13.1 *et seq.* Student Behavior

N.J.A.C. 6A:32-14.1 Review of mandated programs and services

N.J.S.A. 18A:7F-46 Review, update of the CCCS; Educational Adequacy Report

N.J.S.A. 40A:65-1 Uniformed shared services and consolidation act

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

Adopted: February 13, 2006 LR2011

Revised: January 19, 2010

Revised: May 7, 2018

**Mountain Lakes School District**

## 2255 ACTION PLANNING FOR STATE MONITORING NJQSAC

The Superintendent shall be responsible for assembling all the necessary documentation to meet state certification requirements.

He/she shall ensure the district's compliance with all indicators when it is within his/her power to do so. He/she shall inform the board in a timely fashion of any areas in which Board action is required to bring the district into compliance, and suggest to the Board feasible plans of action.

In the event that the district, or a school within the district, does not receive a recommendation for certification from the commissioner, the Board of Education shall cooperate in undertaking corrective action by the development of remedial plans pursuant to the New Jersey administrative code.

Certification requirements for teaching staff members shall not be violated.

### Equivalency and Waiver Procedures

The Board may apply to the commissioner for a waiver of a specific rule or an equivalent means of implementing a rule through alternate procedures so long as the following criteria are met:

- A. The spirit and intent of New Jersey statutes, applicable federal laws and regulations, and the administrative code are served by granting the equivalency or waiver;
- B. The provision of a thorough and efficient education to the students in the district is not compromised as a result of the equivalency or waiver; and
- C. There will be no risk to student health, safety or civil rights by granting the equivalency or waiver.

All applications for equivalency and waivers shall be signed by the Superintendent and approved by the Board of Education.

### Legal References:

- N.J.S.A. 18A:7A-10 Evaluation of performance of each school
- N.J.S.A. 18A:7A-14 Review of evaluation of district performance
- N.J.S.A. 18A:7F-1 *et al.* Comprehensive Educational Improvement and Financing Act
- N.J.S.A. 18A:26-2 Certificates required; exception
- N.J.A.C. 6A:5-1.1 *et seq.* Regulatory Equivalency and Waiver
- N.J.A.C. 6A:8-1.1 *et seq.* Standards and Assessments
- N.J.A.C. 6A:23A-9.5 Commissioner to ensure achievement of the Core Curriculum Content Standards
- N.J.A.C. 6A:30-1.1 *et seq.* Evaluation of the Performance of School Districts

### See Particularly

- N.J.A.C. 6A:30-2.1, 3.2, 5.2
- N.J.A.C. 6A:32-2.1 Definitions
- N.J.A.C. 6A:32-12.1 Reporting requirements

N.J.A.C. 6A:32-12.2 School-level planning

Adopted: January 16, 2006

Revised: January 19, 2010

LR2011

**Mountain Lakes School District**

**Series 3000 - BUSINESS**

**Mountain Lakes School District**

# **3000/3010 CONCEPTS AND ROLES IN BUSINESS AND NONINSTRUCTIONAL OPERATIONS; GOALS AND OBJECTIVES**

## Fiscal Management

The Board of Education recognizes that money and money management are a necessary element that support the entire educational program of the Mountain Lakes district. To make that support as effective as possible, the Board intends:

- A. To encourage financial planning and the use of the efficient and appropriate budget procedures;
- B. To explore all practical sources of income to the district;
- C. To guide the expenditure of funds so as to extract the greatest educational returns;
- D. To maintain appropriate accounting and reporting procedures and to adopt and implement sound fiscal procedures.;
- E. To maintain a level of per pupil expenditure sufficient to provide high quality education.

## Internal Controls / Standard Operating Procedures

The Board of Education is committed to financial integrity and directs the Superintendent to establish specific regulations and standard operating procedures for business functions which are designed to provide district administrators with reasonable assurance that the district's goals and objectives will be met and that meet the requirements of N.J.A.C. 6A:23A-6.5 through 6.13. Internal controls shall promote operational efficiency and effectiveness, provide reliable financial information, safeguard assets and records, encourage adherence to prescribed policies and comply with law and regulation.

The district may submit a written request to the Commissioner to approve an alternative system, approach or process for implementing the internal controls required in this subchapter. The application must include documented evidence that includes but is not limited to, an independent, third-party written assessment that the alternative system, approach or process will achieve the same safeguards, efficiency and other purposes as the specified internal control requirement(s).

## Personnel Tracking and Accounting

The district shall maintain an accurate, complete, and up-to-date automated position control roster to track the actual number and category of employees and the detailed information for each in accordance with N.J.A.C. 6A:23A-6.8.

## Financial and Human Resources Management

The district shall maintain an enterprise resource planning (ERP) system which integrates all data and processes of the district into a unified system in compliance with N.J.A.C. 6A:23A-6.7.

## Support Services

The Board of Education expects the operation and maintenance of the school plant and equipment to set high standards of safety and to help maintain the health of pupils and staff. In addition, the operation and maintenance of the school plant and equipment should reflect the expectations of the community that the plant and equipment create an environment that is conducive to providing a good education, while preserving the community's major investment.

In order to provide services that sufficiently support the educational program, the Board establishes as broad goals:

- A. To provide a physical environment for teaching and learning that is safe and pleasant for pupils, staff, and public;
- B. To provide safe transportation for eligible pupils;
- C. To make available to the pupils nutritious meals;
- D. To provide appropriate resources, facilities and equipment to meet the needs of the educational program.

#### Long-range Plans

In compliance with law, the Superintendent will develop a five-year comprehensive facilities and equipment maintenance plan. The Board will review this plan, and the district's long-range facilities plan annually, and will revise them as necessary with the advice of the Superintendent.

#### Legal References:

- N.J.S.A. 2C:30-4 Disbursement of public moneys, incurrence of obligations in excess of appropriation
- N.J.S.A. 18A:4-14 Uniform system of bookkeeping for school districts
- N.J.S.A. 18A:17-14.1 through -14.3 Appointment of school business administrator; duties; subcontracting; tenure acquisition
- N.J.S.A. 18A:17-24.1 Sharing of superintendent, school business administrator; procedure
- N.J.S.A. 18A:18A-1 *et seq.* Public School Contracts Law
- N.J.S.A. 18A:20-1 *et seq.* Title in board of education
- N.J.S.A. 18A:33-1 *et seq.* Facilities in general
- N.J.S.A. 18A:39-1 *et seq.* Transportation to and from schools
- N.J.S.A. 40A:65-1 *et seq.* Uniformed shared service and consolidation act
- N.J.A.C. 2:36-1.1 *et seq.* Child Nutrition Programs
- N.J.A.C. 6A:9-12.1 *et. seq.* Requirements for administrative certification

#### See particularly

- N.J.A.C. 6A:9-12.1, -12.2, -12.3(d), -12.7

Adopted: January 16, 2006

Revised: September 6, 2007

Revised: January 19 , 2010

LR2011



## **3100 BUDGET PLANNING, PREPARATION AND ADOPTION**

The budget is the financial reflection of the educational plan for the district. The budget shall be designed to carry out that plan in a thorough and efficient manner, to maintain the facilities of the district, and honor the obligations of the district. The budget shall be in accord with statutory and regulatory mandates of the federal government, the state legislature, the State Board of Education and the Board of Education.

The budget shall provide sufficient resources for the district's curriculum and instruction. The budget shall be allocated to support the core curriculum content standards and local educational standards.

In reviewing budget proposals, the Board will consider priorities to be accomplished during the subsequent year, based on the needs identified through the district's planning process. The budget shall be prepared on forms prescribed by the commissioner of education and should be considered critically by each Board member during its preparation.

In order to ensure adequate time for the preparation and review of the proposed budget, the Board directs the Superintendent to develop a schedule for the development, presentation and adoption of the budget by the Board. This calendar of events shall conform to all dates set out in statute and shall be reviewed and adopted by the Board annually. The Superintendent shall prepare a tentative budget and shall confer with the principals, department heads, Board committees and other district personnel, as necessary, to make the tentative budget realistic.

The Board may call upon key personnel to discuss those portions of the budget that concern their areas of district operations.

The budget should evolve primarily from the district's goals and schools' current needs, but shall also consider the data collected in long-range budget planning. In preparing budget requests, the responsible administrator shall include the following costs by program area (which shall not cause the budget to become a program-oriented budget):

- A. Staff
- B. Textbooks, equipment and supplies
- C. Cost and maintenance of facilities and equipment
- D. Other costs associated with the operation of each program

The district's operating budget, when presented to the Board for review, shall contain:

- A. The proposed expenditure for each line item requested for the ensuing year;
- B. The anticipated expenditure for each existing line item in the current school year;
- C. The actual expenditure for each then-existing line item from the immediately completed school year;
- D. A description of each line item;
- E. An estimate of the pupil population for the coming school year by grade;
- F. The current pupil population by grade;
- G. An estimate of the staff needed for the coming school year by grade and/or by subject;
- H. Actual staff for the current year;

I. Anticipated revenue by sources and amounts;

J. Amount of surplus anticipated at the end of the current school year including accumulated surplus;

K. All other expenses projected for the coming year, anticipated for the present year, and incurred in the preceding year, on the district level;

L. Projected impact on tax rate.

The Board may submit a separate budget proposal or proposals to the voters for additional general fund tax levies which may be in excess to that which has been determined necessary for all students to have an opportunity to achieve the core curriculum content standards and a thorough and efficient education. The Board shall adopt any such questions by a recorded roll call majority vote of the full Board.

Since the budget is the legal basis on which the school tax rate is established, the annual school budget process is an important means of communication within the school organization and with district residents.

The community shall be notified of and encouraged to attend all Board meetings at which preliminary budget discussions will be held. The legally required public hearing on the proposed budget shall be held after the budget has been approved by the county superintendent of schools and within the statutorily prescribed timelines.

The annual budget proposal must be adopted by a roll call majority vote of the full membership of the Board. Once adopted, the proposal represents the position of the Board, and all reasonable means shall be employed by the Board to present and explain that position to all community residents and taxpayers.

The proposed budget as accepted by this Board shall be set forth in detail, using the form prescribed by the state department of education, and shall be made available to the public as required by law. A brochure may be published to explain the annual school budget and will be distributed to district taxpayers, if the Board of education deems it necessary.

The brochure should include:

A. A summary of the proposed expenditures and anticipated revenues;

B. General information which may enable district taxpayers to understand the proposed budget better; for example, present and projected school enrollments and assessed valuations, state aid, and teachers' salaries;

C. An explanation of significant changes in the budget;

D. An explanation of the tax impact of the proposed budget.

All Board members are expected to make every effort to attend the public hearing on the budget.

Legal References:

N.J.S.A. 18A:7F-43 *et seq.* School Funding Reform Act of 2008

N.J.S.A. 18A:13-17, -19, -23 Submission of budget; annual regional school election

N.J.S.A. 18A:22-7, -8 through -13 Preparation of budgets

N.J.S.A. 18A:22-14 Fixing appropriations to be made; notice of intent to appeal (Type I

districts)

N.J.S.A. 18A:22-25 Borrowing against appropriations on notes (Type I districts)

N.J.S.A. 18A:22-26 through -31 Type II district with board of school estimate; determination; certification and raising of appropriations; notice of intent to appeal amount of appropriation

N.J.S.A. 18A:22-32, -33 Type II districts without board of school estimate; determination of appropriation

N.J.S.A. 18A:39-1.5 Adoption of policy regarding transportation of students who walk along hazardous routes

N.J.S.A. 19:60-1 School elections, adjustments, ballots

N.J.A.C. 6A:8-1.1 *et seq.* Standards and Assessment

N.J.A.C. 6A:23A-8.1 *et seq.* Budget submission, support documentation, website publication

N.J.A.C. 6A:23A-15.2 Per pupil calculation, notification and caps (charter schools

N.J.A.C. 6A:23A-15.3 Enrollment counts payments process and aid adjustment (charter schools)

Adopted: September 6, 2007

LR2011

**Mountain Lakes School District**

## **3160 TRANSFER OF FUNDS BETWEEN LINE ITEMS/AMENDMENTS/PURCHASES NOT BUDGETED**

Appropriate fiscal controls shall ensure that the Board does not spend more than authorized funds. The Board Secretary shall keep the Board informed of the district's financial status according to law.

Except in the case of federal basic skills improvement funds, the Board designates the Superintendent to approve such transfers among line items and programs as are necessary between meetings of the Board. Transfers approved by the Superintendent shall be reported to the Board, ratified, and recorded in the minutes at a subsequent meeting of the Board, but not less than monthly.

When the necessity arises for an unbudgeted expenditure, and there are no available funds in other line items in the same category, the procedures required by administrative code shall be initiated.

### Legal References:

N.J.S.A. 2C:30-4 Disbursing moneys, incurring obligations in excess of appropriations

N.J.S.A. 18A:17-9 Secretary; report of appropriations, etc.; custodial duties, etc

N.J.S.A. 18A:18A-7 Emergency purchases and contracts

N.J.S.A. 18A:22-8.1 Transfer of amounts among line items and program categories

N.J.S.A. 18A:22-8.2 Prohibited transfers

N.J.S.A. 18A:24-48 Application of proceeds to new purpose; in through -54 districts having boards of school estimate; certification by boards of education

N.J.A.C. 6A:23A-16.1 *et seq.* Double Entry Bookkeeping and GAAP Accounting in Local School Districts

### See particularly:

N.J.A.C. 6A:23A-16.2, -16.10

N.J.A.C. 6A:30-1.1 *et seq.* Evaluation of the Performance of School Districts

Hawkins-Stafford Elementary and Secondary School Improvement Act of 1988 (Pub. L. 100-297)

Guidelines for Development of Application--Basic Skills Improvement Plan--New Jersey State Department of Education, revised annually

Adopted: January 16, 2006

LR2011

**Mountain Lakes School District**

## **3210 TAX REVENUES**

The Board of Education believes that the interests of district taxpayers as well as the interests of the educational program are best served by the orderly, planned transfer of tax revenues to the school district as such funds are required to pay the debts of the district.

The Board Secretary shall request the Municipal Treasurer to transfer tax revenues in anticipation of district expenditures in accordance with law and an annual schedule of transfer approved annually by this Board of Education.

Previously Policy No. 6141

Adopted: January 3, 2006

**Mountain Lakes School District**

## **3220/3230 STATE FUNDS; FEDERAL FUNDS**

Each year, when the Board believes that the school district is eligible for federal and/or state assistance under the provisions of public laws, the Board may submit an application for said assistance so long as acceptance of the funds does not include conditions contrary to the policies of the Board of Education. The Superintendent shall inform the Board about specific assurances which may be required in addition to those addressed in this policy, and will provide the required language for Board adoption.

When the law requires the development and implementation of administrative procedures for submitting state and federal financial reports, with specified time schedules, the Superintendent and Board secretary shall ensure that the staff has properly completed the reports and that in each instance the reports have been submitted within the specified time.

The regular operating budget must include amounts anticipated to be received from state and/or federal sources, and a listing of projects describing how this money will be spent. These recommendations for expenditures will be approved by the Board before projects are submitted.

If additional amounts become available during the year, additional projects will be recommended to the Board and, with its approval, added to the budget.

### Maintenance of Effort

The Board of Education will maintain a combined fiscal effort per pupil or aggregate expenditures of state and local funds with respect to the provision of the public education for the preceding fiscal year that is not less than the required amount of the combined fiscal effort per pupil or the aggregate expenditures for the second preceding fiscal year.

### Equivalence

To be in compliance with the requirements of federal law, the Board of Education directs the Superintendent to assign staff and distribute curriculum materials and instructional supplies to the schools in such a way that equivalence of personnel and materials is ensured among the schools.

### Supplement not Supplant

Federal funds shall be used for supplementary services only and shall not be used to replace services that the district would supply eligible pupils, if state and federal funds were not available.

### Parent/Guardian Participation

The district shall implement parent/guardian consultation and participation, advisory councils, etc., as mandated by each the specific state funds or federal funds program.

### Control of Equipment

Title to and control over equipment and/or property purchased with federal funds shall be maintained in accordance with the pertinent federal regulations. The Superintendent shall develop written procedures outlining federal ownership and district use, loan, loss and disposal of such equipment/property for public and private/nonpublic schools.

### Special Education Medicaid Initiative (SEMI) Program

The Superintendent or designee shall be responsible for the process by which the district complies with all required procedures to maximize its revenue from reimbursements under the Special Education Medicaid Initiative (SEMI) Program. This Program allows the district to recover a portion of the cost of certain health-related services considered medically necessary in a student's Individualized

Education Program (IEP), including evaluation services, physical, occupational and speech therapy, and specialized transportation services.

In particular, the district shall follow the procedures specified in the SEMI Provider Handbook, found at [www.state.nj.us/treasury/administration/SemiMac.htm](http://www.state.nj.us/treasury/administration/SemiMac.htm) to the greatest extent possible.

In accordance with the Family Education Rights and Privacy Act (FERPA), the district shall obtain the parent/guardian's informed written consent prior to any disclosures of personally identifiable information from education records, including health information, to the Medicaid program for Medicaid claim submission. The district shall endeavor to maximize the receipt of required parental consent forms for all SEMI eligible students in order to maximize reimbursements under the SEMI Program.

The district shall maintain all supporting documentation for Medicaid claims on file and available for state or federal audit for at least seven years from the date of service. Records shall fully document the basis upon which claims for reimbursement are made.

### Reimbursement Requests

When school districts and other local educational agencies are subgrantees of grants awarded by the Federal government to the State of New Jersey, the subgrantees will submit reimbursement requests using the EWEG (Electronic Web-Enabled Grant) System. Expenditures must be supported by documentation at the subgrantee level. Documentation for salary expenditures will be according to the applicable federal circular. Expenditures must be for allowable costs. Expenditures must be related to the subgrantee's cost objectives.

Expenditures will be reviewed to determine that:

- A. Adequate description of expenditures is provided;
- B. No new budget category is created; and
- C. Reimbursement does not exceed the allowable threshold for an amendment as a result of cumulative transfers among expenditure categories.

Reimbursement requests will be certified by the subgrantee as being in accordance with approved grant applications. EWEG reimbursement requests will meet NJDOE timelines and deadlines. The district assumes responsibility for assuring that all funds requested through the EWEG system either have already been expended, or will be expended according to the requirements of the Cash Management Improvement Act of 1990 (CMIA) and other applicable federal regulations.

### District Financial Fraud and Theft Prevention

All district employees, board members, consultants, vendors, contractors and other parties maintaining a business relationship with the district shall act with integrity and due diligence in matters involving state grants, federal grants, and other district fiscal resources.

The chief school administrator shall be responsible for developing internal controls designed to prevent and detect fraud, financial impropriety or fiscal irregularities within the district. Every member of the district's administrative team shall be alert for any indication of fraud, financial impropriety or irregularity within his/her areas of responsibility.

As used in this policy, "fraud" refers to intentionally misrepresenting, concealing or misusing information in an attempt to commit fiscal wrongdoing. Fraudulent actions include, but are not limited to:

- A. Behaving in a dishonest or false manner in relation to district assets, including theft of funds,

securities, supplies or other district properties;

B. Forging or altering financial documents or accounts illegally or without proper authorization;

C. Improper handling or reporting of financial transactions;

D. Personally profiting as a result of insider knowledge;

E. Disregarding confidentiality safeguards concerning financial information;

F. Violating board conflict of interest policies;

G. Mishandling financial records of district assets (destroying, removing or misusing).

The chief school administrator shall investigate reports of fraudulent activity in a manner that protects the confidentiality of the parties and the facts. All employees involved in the investigation shall be advised to keep information about the investigation confidential.

In the event the concern or complaint involves the chief school administrator, the concern shall be brought to the attention of the president of the board of education who is hereby empowered to contact the district's legal counsel, auditing firm and any other agency to investigate the concern or complaint.

#### Legal References:

N.J.S.A. 18A:7G-1 through -44 et al. Educational Facilities Construction and Financing Act

N.J.S.A. 18A:11-1 General mandatory powers and duties

N.J.S.A. 18A:34-1 Textbooks; selection; furnished free with supplies; appropriations

N.J.S.A. 18A:38-7.7 through -7.14 Legislative findings and declarations ... (regarding impact aid)

N.J.S.A. 18A:54-20 Powers of Board (county vocational schools)

N.J.S.A. 18A:58-7.1 School lunch program

N.J.S.A. 18A:58-7.2 School lunch program; additional state aid

N.J.S.A. 18A:58-11 Emergency aid

N.J.S.A. 18A:58-11.1 Loss of tuition to district due to establishment of regional district; state aid for one year

N.J.S.A. 18A:58-33.6 through -33.21 Additional State School Building Aid Act of 1970

N.J.S.A. 18A:58-37.1 through -37.7 Textbook Aid to Public and Nonpublic Schools

N.J.S.A. 18A:59-1 through 3 Federal aid

N.J.A.C. 6A:14-1.1 *et seq.* Special Education

N.J.A.C. 6A:26-1.1 *et seq.* Educational Facilities

N.J.A.C. 6A:27-8.1 *et seq.* State Aid

N.J.A.C. 6A:30-1.1 *et seq.* Evaluation of the Performance of School Districts

N.J.A.C. 6A:32-14.1 Review of mandated programs and services



N.J.S.A. 18A:7F-43 *et seq.* School Funding Reform act of 2008

N.J.A.C. 6A:23A-8.1 *et seq.* Budget submission, support documentation, website publication

N.J.A.C. 6A:23A-19.1 Emergency aid

*Abbott v. Burke*, 149 N.J. 145 (1997)

Hawkins-Stafford Elementary and Secondary School Improvement Amendments of 1988 (Pub. L. 100-97)

20 U.S.C.A. 1401 *et seq.* - Individuals with Disabilities Education Act

29 U.S.C.A. 794 *et seq.* - Section 504 of the Rehabilitation Act of 1973

Drug-Free Workplace Act of 1988

34 CFR Part 85, Government wide Debarment and Suspension (no procurement) and Government wide Requirements for Drug-Free Workplace (Grants)

34 CFR 200.1 *et seq.*

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

Adopted: September 6, 2007

Revised: January 20, 2009

Revised: June 26, 2018

**Mountain Lakes School District**

## **3240 TUITION INCOME**

The Board of Education shall charge and assess tuition for attendance in the schools of this district by pupils not entitled to receive a free public education in this district and whose enrollment has been approved by the Board as set forth in Policy 5118, Non-Resident Students.

Tuition rates will be determined and approved annually and will represent the cost per pupil or portion thereof in average daily enrollment, in accordance with law. Rates will be published to the sender before the beginning of the school year or before the pupil's attendance commences.

The School Business Administrator/Board Secretary shall be responsible for the assessment and collection of tuition. Tuition billing will be made according to schedules developed by the School Business Administrator/Board Secretary. A pupil who attends less than a full billing period will be charged a prorated amount for the period.

Educational services may be terminated for any pupil whose tuition payment is more than ninety days overdue.

Legal References:

Previously Policy No. 6150

Adopted: January 3, 2006

Revised: September 6, 2007

LR11/09

**Mountain Lakes School District**

## **3250 INCOME FROM FEES, FINES, CHARGES**

All charges to elementary and secondary pupils shall be kept at a minimum. Materials used by pupils in art, industrial arts, and home economics in projects that are to be taken home may be charged to the pupils. No pupil shall be caused to suffer embarrassment because of financial inability to participate in any activity or project under control of the district.

Reasonable charges for admission to school-sponsored athletic events shall be approved by the board on recommendation of the Superintendent.

The Superintendent shall oversee preparation of a schedule of fines for lost or damaged textbooks and/or equipment. The same schedule shall apply to nonpublic school pupils who lose or damage textbooks loaned to them.

Adopted: August 8, 2003

Re-adopted: January 3, 2006

LR2011

**Mountain Lakes School District**

## **3260/3270 SALE AND DISPOSAL OF BOOKS, EQUIPMENT AND SUPPLIES; SALE, LICENSING AND RENTAL OF PROPERTY**

The Board believes that the efficient administration of the district requires the disposition of property and goods no longer necessary for the maintenance of the educational program or the operation of the school district. The Board shall direct the Superintendent to review periodically all district property and shall authorize the disposition by sale, licensing, rental or donation of any property not required for school purposes.

The School Business Administrator shall develop rules for the disposition of property that ensure that all sales are conducted in a fair and open manner consistent with the public interest, and in compliance with law.

Any district property designated for donation or unsold after such offer may be offered without cost to charitable or nonprofit organizations having a use for such property.

Supplies and equipment for specific programs, purchased with funds granted by the state and federal government, shall be disposed of in strict accordance with applicable law and regulations.

### Legal References:

N.J.S.A. 18A:7F-7(e) Undesignated general fund balances, use, limits

N.J.S.A. 18A:18A-45 Manner and method of sale (personal property

N.J.S.A. 18A:20-2 Purchase and sale of property in general

N.J.S.A. 18A:20-5 Disposition of property and title of purchaser

N.J.S.A. 18A:20-6 Sale at public sale; exceptions

N.J.S.A. 18A:20-7 Sale at fixed minimum prices; rejection of bids

N.J.S.A. 18A:20-8.1 Transfer of land for vocational school purposes

N.J.S.A. 18A:20-8.2 Lease of school land

N.J.S.A. 18A:20-9 Conveyance of unneeded real estate for nominal consideration; qualified recipients; reversion

N.J.S.A. 18A:20-9.1 Conveyance of certain sewer lines to a municipality

N.J.S.A. 18A:20-9.2 Sale of school property to nonprofit schools for the handicapped

N.J.S.A. 54:4-3.6 Tax exempt property

N.J.A.C. 6A:26-7.4 Approval for the disposal of land

Adopted: September 6, 2007

**Mountain Lakes School District**

## 3280 GIFTS, GRANTS AND BEQUESTS

Only the Board of Education may accept for the school district any grant, gift or bequest (hereinafter a "gift") of money, property or goods, except that the Superintendent may accept on behalf of the board any such gift of less than \$2500 in value.

The Board reserves the right to refuse to accept any gift that does not contribute to the achievement of district goals or could deplete the resources of the district.

Any gift accepted by the Board or the Superintendent shall become the property of the district, may not be returned without the approval of the Board, and is subject to the same controls and regulations as are other properties of the district. The Board shall be responsible for the maintenance of any gift it accepts, subject to any joint agreement with another governmental body or other entity.

The Board will make every effort to honor the intent of the donor in its use of the gift, but reserves the right to use any gift it accepts in the best interest of the educational program of the district. In no case shall acceptance of a gift be considered to be an endorsement by the Board of a commercial product or business enterprise or institution of learning. The Board will permit the award of scholarships or prizes to deserving pupils provided that information regarding pupils is released only in accordance with Policy No. 5125 on Student Records, the manner of selection of the recipient is approved by the Principal and includes consultation with appropriate staff members, the nature of the prize or award is approved by the Board, and the Board determines the manner of presentation. With respect to naming rights, please refer to Policy 7250.

### Grants

Staff members are encouraged to seek out sources of grants and gifts, and bring them to the attention of the Superintendent, who shall investigate the conditions of such grants. Community members who wish to pursue grant opportunities on behalf of the district must receive prior approval of the Superintendent. The Superintendent may accept on behalf of the Board any grant of less than \$2500 in Value. For other grants, the Superintendent shall make recommendations to the Board regarding the advisability of such grant.

The Board of Education encourages the development of proposals to private foundations and other sources of financial aid to subsidize such activities as innovative projects, feasibility studies, long-range planning, research and development, co-curricular and extra-curricular athletic activities. Any such activity must:

1. Be based on a specific set of project objectives that relate to the established goals of the district;
2. Provide measures for evaluating whether or not project objectives are being achieved;
3. Conform to applicable state and federal laws and to Board policies and;
4. To the extent applicable include an executed gift agreement.

The Superintendent shall establish regulations for the processing of proposal ideas throughout the district.

### District Approved Fundraising Organizations

The Board recognizes the activities of the Mountain Lakes Education Foundation, Home and School Association, Friends of the Arts, Lakers Sports Club, MLHS Alumni Association, and any other district approved 501(c)3 groups, for the purpose of soliciting and raising monetary gifts and donations for the school district. These groups are separately governed from the district. Members of the Board of Education and/or the administration may serve on the governing body of these groups. The Board may

also appoint a liaison with any of the above groups who will report on group activities, Policies and regulations on gifts to the district shall apply to funds donated by these groups and accepted by the district.

#### Permission to Solicit Funds

Permission to solicit funds on school premises requires prior approval from the Superintendent to those persons and organizations whose purposes are consonant with the goals of this district and the interests of the community. Solicitation may not interfere with the orderly operation of the schools. The Board will not be responsible for the protection of or accounting for such funds, nor may any such funds be deposited in any district account.

#### Legal References:

N.J.S.A. 18A:6-33.1 through -33.12 Incentive Grants

N.J.S.A. 18A:18A-15.1 Payment for goods or services; funds received from a bequest, legacy or gift

N.J.S.A. 18A:20-4 Acceptance and use of gifts

N.J.S.A. 18A:20-11 through -16 Property devised in trust ...

N.J.S.A. 18A:29A-1 through -7 Governor's Annual Teacher Recognition Act

N.J.S.A. 18A:71A-1 *et seq.* Authority Structure and General Provisions

N.J.S.A. 18A:71B-1 *et seq.* Student Financial Aid

N.J.S.A. 18A:71C-1 *et seq.* Student Loans

N.J.A.C. 6A:26-7.4 Approval of land acquisition

Adopted: February 13, 2006

Revised: January 19, 2010

Revised: May 16, 2016

**Mountain Lakes School District**

## **3290 INVESTMENTS**

The Board of Education directs the prompt investment of any available funds for the discretionary use of the Board. Such funds may be invested in bonds or other obligations of the United States; bonds of those federal agencies in which such investment is permitted by law; the New Jersey Cash Management Fund; bonds or obligations of a county, municipality, or school district; and public depositories located within the boundaries of the State of New Jersey that secure public funds in accordance with statute.

The School Business Administrator/Board Secretary is authorized to invest district funds in accordance with this policy, withdraw district funds from public depositories, or sell negotiable instruments owned by the Board before majority.

Any interest earned on the investment of district funds will be combined with general district revenues.

The Treasurer shall report to the Board each month the cash in all accounts on deposit and all investment assets. The Secretary shall report to the Board each month the amount of funds in investments, investment interest earned, and all investment transactions.

Previously Policy No. 6700

Adopted: January 3, 2006

**Mountain Lakes School District**

## **3300 PAYROLL DEDUCTIONS**

The Board of Education shall, in accordance with law or employee authorization, make deductions from an employee's paycheck and remit the amounts deducted to the agent designated by the employee.

Deductions will routinely be made as required for federal income tax, social security and Medicare; New Jersey income tax, unemployment insurance and by the New Jersey Division of Pensions.

Deductions may also be made, provided they have been duly authorized by the employee in writing, for:

1. The payment of employee contributions for group life, accidental death or dismemberment, hospitalization, medical, surgical, major medical, health and accident, and legal insurance plans, (N.J.S.A. 18A:16-13);
2. The employee's participation in a summer payment plan for repayment during the summer months;
3. Additional death benefit coverage, (N.J.S.A. 18A:66-78);
4. Tax sheltered annuities or custodial accounts, (N.J.S.A. 18A:66-127);
5. Payments to a credit union, (N.J.S.A. 40A:19-17);
6. Bona fide organizational dues, (N.J.S.A. 52:14-15.9e); and
7. The TPAF and PERS supplementary annuity programs, (N.J.S.A. 18A:66-19).

The Board will permit the remittance of funds for annuities and mutual funds only to those insurers and custodial accounts authorized by law and expressly approved by this Board. The Board will consider the approval of only those insurers and custodial accounts to which ten or more employees of this district subscribe. An employee who wishes to pay into a tax sheltered annuity or mutual fund offered by a firm not approved by this Board for payroll deductions must make his or her payment individually.

No Board employee shall withhold or pay to another or purchase or have assigned, other than by court order, any compensation for the services rendered by an employee of this district.

Adopted: January 3, 2006

Revised and Re-numbered from #6520 January 22, 2008

**Mountain Lakes School District**



## 3320 PURCHASING PROCEDURES

The Board of Education wishes to establish and carry out a careful system of purchasing and accounting to help provide an effective program of education while guarding against loss due to carelessness, inefficiency, theft, or improper maintenance of records.

The duties of purchasing are to be centralized under the district business administrator who shall be familiar with and perform all his/her activities within the limitations prescribed by law, Board policy and legal opinions.

The Board of Education encourages the administration to seek advantages in savings through joint agreements for the purchase of work, materials or supplies with the governing body(ies) of other contracting units within this county or adjoining counties or by other cooperative pricing arrangements. The administration shall also evaluate any savings which may result from the purchase of any materials, supplies or equipment under contracts entered into by the state treasury department, division of purchase and property.

The Board may use competitive contracting instead of public bidding for purchasing specialized goods and services, the price of which exceeds the bid threshold, for the purposes and with the conditions specified in law.

All purchases shall be approved by resolution of the Board.

Nothing is to be ordered independently by school personnel except as set forth in district policies and regulations.

The Board of Education shall not knowingly enter into contract with any company that does not subscribe to and implement a policy of non-discrimination. The Board Secretary shall be responsible for so informing all prospective suppliers of work or materials.

### Legal References:

N.J.S.A. 10:5-1 *et seq.* Law Against Discrimination

### See particularly

N.J.S.A. 10:5-31 through -35

N.J.S.A. 18A:18A-1 *et seq.* Public Schools Contracts Law

N.J.S.A. 18A:19-1 *et seq.* Expenditure of Funds; Audit and Payment of Claims

N.J.S.A. 52:32-44 Business registration for providers of goods and services (definitions

N.J.A.C. 6A:7-1.8 Equity in employment and contract practices

N.J.A.C. 6A:23A-1.2 Definitions

N.J.A.C. 6A:23A-6.4 *et seq.* Ownership and storage of textbooks

N.J.A.C. 6A:23A-16.5 Supplies and equipment

N.J.A.C. 6A:23A-21.1 *et seq.* Management of Public School Contracts

N.J.A.C. 6A:27-9.1 *et seq.* Contracting for Transportation Services

N.J.A.C. 6A:30-1.1 *et seq.* Evaluation of the Performance of School Districts

Adopted: November 6, 2006

LR2011

**Mountain Lakes School District**

## 3323.1 COOPERATIVE PURCHASING

The Board of Education recognizes that centralized, cooperative purchasing tends to maximize the value received for each dollar spent. The Administration is encouraged to seek savings that may accrue to this district by means of joint agreements for the purchase of goods or services with the governing body of the municipality or the county within whose boundaries the school district is wholly or partly located, or by means of contracts entered into by the New Jersey State Treasury Department, Division of Purchase and Property.

A cooperative pricing system is a purchasing system in which the lead agency advertises for bids, awards a master contract to the lead agency, advertises for bids, awards a master contract to the vendor providing for its own needs and for the prices to be extended to registered members, and notifies them of the bid prices awarded. The registered members then contract directly with the vendor for their own needs, subject to the specifications in the master contract.

A joint purchasing system is a cooperative purchasing system in which the lead agency has complete purchasing responsibility for the registered members, and the only contractual relationship is between the lead agency and the vendor.

A cooperative purchasing system is either a joint purchasing or cooperative pricing system.

When the lead agency is a Board of Education or Educational Service Commission and the entire membership of the cooperative purchasing system established and properly registered with the New Jersey Division of Local Government Services are Boards of Education, the purchase of work, materials or supplies shall be conducted pursuant to the Public Schools Contract Law (N.J.S.A. 18A:18A-11 *et seq.*)

The School Business Administrator/Board Secretary is hereby authorized to negotiate such joint agreements for goods and services which the Board may determine to be required and which the Board may otherwise lawfully purchase for itself with such approved contracting units as may be appropriate in accordance with State law, the policies of this Board, and the dictates of sound purchasing procedures.

No cooperative or joint purchase may be entered without Board approval of an agreement that specifies the categories of work, materials and supplies to be purchased; the manner of advertising for bids and the awarding of contracts; the method by which payment will be made by each participating Board of Education, municipality or county, and such other terms deemed necessary to carry out the purposes of the agreement. Agreements for cooperative and joint purchasing will be subject to all bidding requirements imposed by law. Purchases made through the State Treasury Department may be made without bid.

Each participant's share of expenditures for purchases under any such agreement shall be appropriated and paid in the manner set forth in the agreement and in the manner as for other expenses of the participant.

The Board may contract or lease provided electronic data processing services for the Board of Education of another school district; and may undertake with such other Board, the joint operation of electronic data processing of their official records and other information relative to their official activities, services and responsibilities. The records and other information originating with any Board participating in such contract or lease may be combined, compiled, and conjoined with the records and other information of any and all participating local units for the purposes of such electronic data processing; and any provisions of law requiring such records to be kept confidential or to be retained by any Board or any officer or agency thereof shall be deemed to be isolated thereby.

A contract or lease to provide electronic data processing services shall set forth the charge for all services provided, or in the case of a joint undertaking the proportion of the cost each party thereto

shall assume and specify all the details of the management of the joint undertaking, and any other matters that may be deemed necessary for insertion therein, and may be amended from time to time by the contracting parties.

Any party to a contract for joint operation of electronic data processing services may act as agent for any or all parties in acquiring, by lease, purchase or otherwise, any property, facilities or services, in appointing such officers and employees as may be necessary and directing its activities, to the same extent as a Board of Education is authorized to do separately.

In the event that any controversy or dispute shall arise among the parties (except a municipality or a county) to any such agreement, the same shall be referred to the County Superintendent of the county in which the districts are situated for determination and the determination shall be binding, subject to appeal to the Commissioner of Education and the State Board pursuant to law. In the event the districts are in more than one county, the controversy or dispute shall be referred to the County Superintendents of the counties for joint determination, and if they shall be unable to agree upon a joint determination within thirty days, the controversy or dispute shall be referred to the Commissioner of Education for determination.

In a cooperative purchasing system established and properly registered with the New Jersey Division of Local Government Services where the lead agency is a Board of Education or Educational Service Commission and the membership of the system is Boards of Education and local contracting units as defined in (N.J.S.A. 40A:11-2)(1), the purchase of any work, materials or supplies shall be conducted pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11-1 *et seq.*) and N.J.A.C. 5:34-7.

Legal References:

Previously Policy No. 6440

Adopted: January 3, 2006

LR11/09

**Mountain Lakes School District**

## **3324.1 MULTIPLE YEAR CONTRACTS**

The Board of Education will enter a multiple year contract for goods and services permitted by law whenever the extended contract will serve the needs of the district and yield greater return for the expenditure.

The School Business Administrator/Board Secretary is directed to investigate the advantage to the district of multiple year contracts. Investigation should include, but need not be limited to, a comparison of the costs of multiple year and single year contracts, an analysis of trends in the costs and availability of the goods or services to be provided, the projected needs of the district, and an inquiry into the reliability and stability of the vendor.

Except for those contracts exempted from the requirement by law, all multiple year contracts will contain a cancellation clause or a clause conditioning annual extension of the contract on the appropriation of sufficient funds to meet the Board's obligation.

All multiple year contracts must be approved by the Board. When the estimated annual cost of a multiple year contract exceeds the bid threshold established by law and the subject of the contract is not exempt from bidding, the contract shall be advertised in accordance with law and the bidding procedures of this district.

### Legal References:

Previously Policy No. 6340

Adopted: January 3, 2006

LR11/09

**Mountain Lakes School District**

## 3326 PAYMENT OF CLAIMS

The Board of Education directs the prompt payment of legitimate claims by suppliers of goods and services to the school district, provided that each bill or obligation of this Board is fully itemized and verified before a warrant is drawn for its payment.

If funds are not available in the budget line account to which the expenditure will be charged, funds may be transferred in accordance with Policy No. 3160.

The Board must approve all claims for payment, except that the Board President and the School Business Administrator/Board Secretary are individually authorized to approve payment of claims not greater than \$5,000, interest on bonds as it becomes due, payments to redeem bonds as they become due, process payments to contractors in accordance with a contract approved by the Board, and warrants to cover approved payrolls and agency account deposits prior to presentation to the Board. Any such approval of payment must be presented to the Board for ratification at the next regular Board meeting.

### Purchase Orders

Purchase Orders must issue in accordance with the financial accountability regulations issued by the Department of Education, and comply with accounting standards to facilitate proper booking of expenses. The district will monitor payments for invoice amounts that are greater than the approved purchase order, in order to avoid over-payments.

### Financial Systems to Avoid Over-Payments

Pursuant to N.J.A.C. 6A:23A-6.10, the Business Administrator shall be responsible for programming the district's financial systems to avoid over-payments by (1) limiting system access so that only authorized staff may make purchase order adjustments, (2) reject adjustments in excess of any established approved thresholds, (3) prevent processing of unauthorized changes, (4) reject payments where the sum of the invoice amount plus any previous invoices charged to the purchase order exceeds the sum of the original purchase order, (5) reject duplicate invoice numbers, (7) prepare an edit/change report listing all payments made in excess of the approved purchase order amount. The Business Administrator shall review on a monthly basis edit/change reports listing all payments made in excess of the originally approved purchase order amount to ensure that all payments are properly authorized.

### Legal References:

- N.J.S.A. 18A:19-1 Expenditure of funds on warrant only; requisites
- N.J.S.A. 18A:19-2 Requirements for payment of claims; audit of claims in general
- N.J.S.A. 18A:19-3 Verification of claims
- N.J.S.A. 18A:19-4 Audit of claims, etc., by secretary; warrants for payment
- N.J.S.A. 18A:19-4.1 Account or demand; audit; approval
- N.J.S.A. 18A:19-9 Compensation of teachers, etc., payrolls
- N.J.S.A. 18A:22-8.1 Transfer of amounts among line items and program categories
- N.J.A.C. 6A:23A-6.10 Financial system and payment approval process
- N.J.A.C. 6A:23A-16.8 Petty cash funds

Previously Policy No. 6470

Adopted: January 3, 2006

Revised: January 20, 2009

LR2011

**Mountain Lakes School District**

## 3327 RELATIONS WITH VENDORS

The Board of Education wishes to maintain good working relations with vendors who supply materials and services to the school system. Constructive efforts by the administration to seek the advice and counsel of vendors about how to improve such relationships are encouraged.

In the schools, vendors shall be seen by appointment only. Vendors who call upon a school shall be governed by policy #1250. Teachers or supervisors of instruction who have invited vendors to call should notify the principal's office in advance so that proper courtesies may be extended.

No agents, canvassers, or vendors shall have access to teachers during their classes. No business concern which solicits or gains business through the school system shall use school facilities for this purpose.

### Nondiscrimination

All vendors shall supply assurances that they do not practice discrimination as described in the administrative code. All vendors shall be informed that harassment of any kind of district pupils or employees by their representatives is prohibited.

### Honest and Ethical Relations with Vendors; Pay-to-Play Restrictions

The district shall maintain honest and ethical relations with vendors and shall guard against favoritism, improvidence, extravagance and corruption in its contracting processes and practices. The Board will not vote upon or award a contract in the amount of \$17,500 or greater to any business entity which has made a reportable contribution to a member of the Board of Education during the previous one-year period. The law prohibits reportable contributions to any member of the Board, from any entity doing business with the district during the term of the contract, including such contributions made by a vendor's spouse or child, or contributions by any person having an interest in the contracting business entity. Each bidder shall disclose all reportable contributions in its bid materials for contracts are required by law to be publicly bid.

The limitations stated in this section do not apply when a district emergency requires the immediate delivery of goods or services.

### Disbarred Vendors Will Not Be Used

When acquiring goods and services under federally sponsored programs, the district /charter school will not contract with a vendor who is currently either debarred or suspended from doing business with the Federal government. Prior to contract award, and in accordance with Federal requirements, the district /charter school contracting specialist will check the Federal Excluded Parties List System (EPLS) to ensure that the prospective contractor is not found in the EPLS. Results from the EPLS search shall be made part of the purchase order/contract documentation. Should a prospective vendor be found to be debarred or suspended by the Federal government, the business administrator's office will notify the chief school administrator of this finding and will place a hold on the supplier's registration within the district/charter school financial system.

### Strategies to Avoid Excessive Professional Services Expenditures

The board will seek to avoid excessive professional services expenditures, such as by:

A. Establishing a maximum dollar limit, for budgetary purposes,

B. Following state legal requirements and procedures to obtain the highest quality services at a fair and competitive price or through a shared service arrangement. This may include issuance of such contracts through a request for proposals (RFPs) based on cost and other specified factors or other comparable process such as the use of the "fair and open process" as defined



in N.J.S.A 19:44A-20.7; and

C. Limiting professional services contracts to non-recurring or specialized work for which the district does not possess adequate in-house resources or expertise.

#### Prudent Use of Legal Services

To ensure the prudent and cost-effective use of legal services, the district will limit and designate the persons with the authority to request services or advice from contracted legal counsel. Legal counsel will not be used unnecessarily to make management decisions or to obtain readily available information such as district policies. Requests for legal advice shall be confirmed in writing. The superintendent shall cause contact logs and records to be kept and to be reviewed from time to time to verify that the requests for legal advice are necessary. Advance payments for legal services are prohibited. Services shall be described in detail and invoices for payment shall be itemized. Payment shall only be for services actually provided.

All contracts for legal services must comply with the payment requirements and restrictions set forth in N.J.S.A. 18A:19-1 as follows:

- A. Advance payments for legal services are prohibited;
- B. Services to be provided shall be described in detail in the contract;
- C. Invoices for payment shall itemize the services provided for billing period; and
- D. Payment shall only be for services actually provided.

If at any time the district's legal costs exceed 130 percent of the Statewide average per pupil amount, the procedures set forth in N.J.A.C. 6A:23A-5.2(a)3 will be implemented, unless evidence can be provided that such procedures would not result in a reduction of cost.

These procedures require the district to:

- A. Limit and designate the persons with the authority to request services or advice from contracted legal counsel;
- B. Legal counsel will not be used unnecessarily to make management decisions or to obtain readily available information such as district policies;
- C. Requests for legal advice shall be made in writing; and
- D. Contact logs and records shall be kept and reviewed to determine that the requests for legal advice are necessary.

#### Legal References:

N.J.S.A. 10:5-1 *et seq.* Law Against Discrimination

#### See particularly:

N.J.S.A. 10:5-31 through -35

N.J.S.A. 18A:6-8 Interest of school officers, etc., in sale of textbooks or supplies, royalties

N.J.S.A. 18A:11-1 General mandatory powers and duties

N.J.S.A. 18A:12-2 Inconsistent interests or office prohibited

N.J.S.A. 18A:12-21 *et seq.* School Ethics Act

N.J.S.A. 18A:18A-1 *et seq.* Public Schools Contracts Law

N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

N.J.S.A. 52:32-44 Business registration for providers of goods and services

N.J.A.C. 6A:7-1.8 Equality in employment and contract practices

N.J.A.C. 6A:23A-6.3 Accountability regulations

N.J.A.C. 6A:28-1.1 *et seq.* School Ethics Commission

N.J.A.C. 6A:30-1.1 *et seq.* Evaluation of the Performance of School Districts

N.J.A.C. 6A:32-14.1 Review of mandated programs and services

Manual for the Evaluation of Local School Districts

Comprehensive Equity Plan, New Jersey State Department of Education

Adopted: January 16, 2006

Revised: December 8, 2008

Revised: June 26, 2018

**Mountain Lakes School District**

## **3328 VENDOR CONFLICT -BOARD MEMBERS**

The Board of Education shall not knowingly enter a contract with any supplier of goods or services to this district in which any Board member or officer, employee, or agent of this school district has any pecuniary or beneficial interest, direct or indirect. This prohibition shall not prevent the author of any textbook approved for use in this district from receiving royalties for the sale of the textbook to this district.

For the purposes of this policy, stockholders comprising more than ten percent of the total ownership of a business organization will constitute a beneficial interest in that organization.

No Board member or officer, employee, or agent of this district shall accept a gift from any individual or entity who does or wishes to do business with this district, except for widely distributed advertising items of nominal value.

Legal References:

Previously Policy No. 6460

Adopted: January 3, 2006

Adopted as Policy 3328: June 5, 2006

**Mountain Lakes School District**

## **3400 ACCOUNTS**

### Generally Accepted Accounting Principles

The Superintendent shall ensure that generally accepted accounting principles (GAAP) are applied in preparing the budget and keeping all accounts of the district in accordance with code and statute.

It is good practice to reassure the community that the district adheres to law and sound principles in its accounting practices.

A policy directing the administration to comply with statute and administrative code by implementing generally accepted accounting principles (GAAP) in all appropriate district finance-related activities, such as budgeting, bookkeeping, etc.

### Legal References

Adopted: August 8, 2003

Re-adopted: January 3, 2006

LR2011

**Mountain Lakes School District**

## **3440 PROPERTY INVENTORY**

As steward of this district's school property, the Board of Education recognizes that efficient management and the replacement of lost, damaged, or stolen property depend upon an accurate inventory and properly maintained property records.

The Board shall conduct a complete inventory by physical count of all district-owned equipment and supplies through a perpetual inventory.

For purposes of this policy, "equipment" means unit of furniture or furnishings, an instrument, a machine, an apparatus, or a set of articles that retains its shape and appearance with use, is nonconsumable, costs at least \$500 as a single unit, and does not lose its identity when incorporated into a more complex unit.

The School Business Administrator/Board Secretary shall ensure that inventories are systematically and accurately recorded and that property records of equipment are adjusted annually. Major items of equipment shall be subject to annual spot check inventory to determine loss, mislocation, or depreciation; any major loss shall be reported to the Board. Property records of consumable supplies shall be maintained on a continuous inventory basis.

The School Business Administrator/Board Secretary shall maintain a system of property records that show, as appropriate to the item recorded, description and identification, manufacturer, year of purchase, initial cost, location, condition and depreciation, and current evaluation in conformity with insurance requirements.

### Legal Reference

Previously Policy No. 7450

Adopted: January 3, 2006

LR11/09

**Mountain Lakes School District**

## **3450 MONEY IN SCHOOL BUILDINGS**

All funds from athletic events or other activities of pupil organizations collected by school district employees and by pupil treasurers under the auspices of the Board shall be handled and accounted for pursuant to prudent business procedures and rules of the state Board of Education.

The principal/designee shall be responsible for the receipt and deposit of all funds collected in his/her school and shall administer an accounting system for all such moneys.

In no case shall money be left overnight in schools except in the school safe provided for safekeeping of valuables.

Lost money shall be replaced by the person responsible.

It is advisable to have a policy on keeping money in the schools and naming an authority responsible for its disposition.

According to (N.J.S.A. 18A:23-2), funds collected from athletic events and other activities of pupil organizations are subject to the district's annual audit.

### Legal References

Adopted: August 8, 2003

Re-adopted: January 3, 2006

LR2011

**Mountain Lakes School District**

## 3451 PETTY CASH

The Board of Education authorizes the establishment of petty cash funds in accordance with this policy and directs the implementation of appropriate controls to protect the funds from abuse.

The Board hereby establishes imprest petty cash funds in the care of the following persons in the following amounts:

Board of Education Office	\$150.00
Superintendent's Office	\$250.00
High School Office	\$250.00
Briarcliff School Office	\$200.00
Wildwood School Office	\$200.00
Child Study Team Office	\$200.00
Lake Drive School (Pre-School)	\$100.00
Lake Drive School (Regular)	\$100.00
Athletic Department	\$100.00
Technology Office	\$250.00

Petty cash funds may be disbursed only for the immediate payment of comparatively small expenditures and may not be used to circumvent the regular purchasing procedures of this district. No single petty cash expenditure may exceed \$50.00. Each request for petty cash funds must be in a written document that is signed by the person making the request; supporting documents, if any, will be affixed to the request.

The petty cash box must be secured daily. All petty cash funds will be closed out for audit at the end of the school year, and unused funds will be returned to the depository.

### Legal References

Adopted: May 1, 2006

Reviewed: December 7, 2009

LR2011

**Mountain Lakes School District**

## **3453 SCHOOL ACTIVITY FUNDS**

School activity funds (funds derived from pupils' activities) shall be audited annually along with other district funds and shall be administered, expended, and accounted for according to rules of the state board of education.

The pupil activity funds for each school shall be kept in separate accounts, supervised by the building principal. Separate and complete records shall be maintained for each pupil organization. All receipts from pupil fund-raising projects, athletic events, and other events for which admission is charged will be deposited promptly. Bank deposits shall agree with the receipts in the case receipt book and shall be traceable to definite receipts or groups of receipts.

Disbursements must be made by check signed by the building principal and supported by a claim, bill or written order to the advisor or other person supervising the fund. Checks shall bear two or more authorized signatures. All disbursements shall be recorded chronologically showing the date, vendor, check number, purpose and amount.

Borrowing from the pupil activity accounts is prohibited.

An account shall be submitted monthly to the board secretary and shall include a listing of all receipts and disbursements. Book balances shall be reconciled with bank balances. Cancelled checks and bank statements shall be retained for examination as part of the annual audit required by law and code.

All moneys accumulated in the account of a specific class or activity will be disbursed at the direction of the graduation of that class for a period not to exceed one year. At the end of one year, the funds will revert to the school and the board secretary shall transfer the amounts in the account to a general school activity fund to be used at the discretion of the building principal or the Superintendent.

### Legal References

Adopted: August 10, 2009

LR2011

**Mountain Lakes School District**



## **3453.1 ATHLETIC FUND**

The Board of Education directs the establishment of an athletic fund for the financial administration of the interscholastic athletic program. Moneys may be collected from and disbursed for only the interscholastic athletic program duly approved by the Board of Education.

The Board will facilitate the interscholastic athletic program by providing sufficient funds to overcome any deficit existing in the athletic fund at the conclusion of the school year.

The Athletic Director shall be responsible for the administration of the athletic fund. The fund will be audited annually and will be administered under appropriate accounting controls. The books of account will include income and expenses separately for each approved athletic program.

All gate receipts must be turned in to the high school bookkeeper within forty-eight hours of collection and must be deposited on the day they are received.

All payments for supplies, equipment, and services for the interscholastic athletic program will be made in accordance with established purchasing procedures of the district except that fees for referees, ticket takers, and security personnel and purchases in amounts under \$200 per game will be exempted from those procedures. Purchase orders for goods and services purchased through the athletic fund will be approved by the Athletic Director. Disbursements from the athletic fund will be made by check and approved by Athletic Director.

At the conclusion of each athletic program, the head coach shall, within two weeks, submit a complete inventory of all equipment and supplies to the Athletic Director.

Previously Policy No. 6630

Adopted: January 3, 2006

Revised and Renumbered: August 10, 2009

**Mountain Lakes School District**

## **3500.1 ENERGY CONSERVATION**

The Board of Education is committed to the conservation of natural as well as fiscal resources and directs the Superintendent to develop and implement regulations for the conservation of energy in the management of school buildings.

The Board further directs all employees of this district to cooperate in the program of energy conservation.

Previously Policy No. 7460

Adopted: January 3, 2006

**Mountain Lakes School District**

## 3510 OPERATION AND MAINTENANCE OF PLANT

X Monitored

X Mandated

X Other Reasons

The board of education is responsible for providing school facilities that are safe from hazards; sanitary; properly equipped, lighted and ventilated; and aesthetically suited to promoting the goals of the district. School buildings and site accommodations shall include provisions for individuals with disabilities pursuant to law and regulations.

The chief school administrator shall ensure the development and enforcement of detailed regulations for the safe and sanitary operation of the buildings and grounds. The regulations shall be reviewed and adopted by the board and provided to all staff annually at the beginning of each school year and when any revisions are formulated.

The chief school administrator and board secretary shall develop a multiyear comprehensive maintenance plan for board approval, to be updated annually.

The district shall ensure barrier free access for all students, staff and visitors to school facilities.

### Work Order System

(NOTE: *This section, "Work Order System," applies to districts with three or more buildings.*)

The school district shall have an automated work order system for prioritizing, performing and recording all maintenance and repair request for all district buildings and grounds.

- A. The chief school administrator or designee shall establish in the standard operating procedures for business functions the approval and prioritization of work order requests which take into account the health and safety of building occupants, priorities and objectives established annually to carry out the district Strategic Plan, the need for the work requested, and other factors the district deems appropriate;
- B. The work order system shall include the following information for a request for work before work begins, except in an emergency where the work is necessary to correct a situation that poses an imminent threat to the health or safety of building occupants:
  1. The name of the person making the request;
  2. The date of the request;
  3. The appropriate approval(s) as established by Standard Operating Procedures (SOP);
  4. The date of approval(s);
  5. The location of work requested;
  6. The priority level (for example, urgent, high, average, low);
  7. The scheduled date(s) of service;
  8. The trade(s) needed such as general maintenance worker; custodian; carpenter; plumber; electrician; heating, ventilation and air conditioning (HVAC); grounds; roofer; masonry; glazer; other;
  9. A description of the work requested;
  10. A projection of the materials and supplies needed for the work;
  11. The estimated hours needed to complete task;
  12. The name of the work order assigner; and
  13. The name of the employee(s) working on the order.

- C. The work order system shall include the following close-out information for each request for work:
1. The actual hours worked by date for each assigned staff member;
  2. The actual hourly rate paid, both regular and over-time, for each assigned staff member;
  3. The aggregate cost of labor by regular, over-time and total;
  4. The actual materials and supplies needed to complete the work order;
  5. Actual cost of materials and supplies; and
  6. The name of the employee responsible for attesting that the job was completed satisfactorily.
- D. Except where prohibited by collective bargaining agreement, the SOP shall require for any work, which cannot be completed during regular working hours by the needed completion date, an assessment of the cost-benefit of outsourcing any such work in excess of the quote threshold as determined under N.J.S.A. 18A:18A-37;
- E. Where, according to the assessment, the cost of outsourcing work is less than the in-house estimated cost of labor, at over-time rates, and materials for the same work, the work shall be outsourced provided the work can be contracted in accordance with N.J.S.A. 18A:18A-1 *et seq.*, completed by the projected completion date contained in the prioritized work order system and does not violate the terms of the collective bargaining agreement for maintenance workers and/or custodians;
- F. The business administrator/board secretary in consultation with the supervisor responsible for this work shall conduct an analysis of the information in the work order system no later than February 1 of the prebudget year for consideration during budget preparation. The analysis will include productivity of staff as a whole and individually, significant variations between estimated labor time and materials and actual labor time and materials, unusual trends for like projects and other factors that will improve productivity and efficiency.

### Ventilation Systems

Schools and districts must ensure that their indoor facilities have adequate ventilation, including operational heating, and ventilation systems where appropriate. Recirculated air must have a fresh air component. Open windows must be available if air conditioning is not provided and filter(s) for A/C units must be maintained and changed according to manufacturer recommendations.

### Facilities Cleaning Procedures to Reduce the Spread of Contagion

The building principal in consultation with the maintenance supervisor shall develop a procedure for increased, routine cleaning and disinfection. The procedure shall include cleaning/disinfecting schedules, targeted areas to be cleaned, and methods and materials to be used, and shall address:

- A. Routinely cleaning and disinfecting surfaces and objects that are frequently touched. This may include cleaning objects/surfaces not ordinarily cleaned daily (e.g., doorknobs, light switches, classroom sink handles, countertops). Examples of frequently touched areas in schools:
1. Classroom desks and chairs;
  2. Lunchroom tables and chairs;
  3. Door handles and push plates;
  4. Handrails;
  5. Kitchens and bathrooms;
  6. Light switches;
  7. Handles on equipment (e.g. athletic equipment);
  8. Buttons on vending machines and elevators;
  9. Shared telephones;
  10. Shared desktops;

11. Shared computer keyboards and mice;
  12. Drinking fountains;
  13. School bus seats and windows; and
  14. Playground equipment.
- B. Using all cleaning products in accordance with directions on the label. For disinfection most common EPA-registered household disinfectants should be effective. Whenever possible the list of products that are EPA-approved for use against the virus that causes COVID-19 (available on the EPA's website) shall be used. The manufacturer's instructions for all cleaning and disinfection products (e.g., concentration, application method and contact time, etc.) shall be used.
- C. Sanitizing bathrooms daily, or between use as much as possible, using protocols outlined by the Environmental Protection Agency (EPA). Additional considerations regarding bathrooms include:
1. Limiting the number of students who can enter at one in order to avoid crowds;
  2. Designating staff members to enforce limited capacity and avoid overcrowding;
  3. Installing no-touch foot pedal trash cans, if possible;
  4. Propping doors open to avoid touching handles; and
  5. Including appropriate signage about the benefits of handwashing.
- D. Cleaning and sanitizing drinking fountains and encouraging staff and students to bring their own water to minimize the use and touching of water fountains;
- E. Making hand sanitizer available at the school bus entrance for each student to use when boarding. Similarly, students must be required to wear face coverings while riding on the bus if social distancing or physical barriers cannot be maintained;
- F. Maintaining hand-sanitizing stations with alcohol-based hand sanitizers (at least 60% alcohol):
1. In each classroom (for staff and older children who can safely use hand sanitizer);
  2. At entrances and exits of buildings;
  3. Near lunchrooms and toilets.
- G. Supervising children ages 5 and younger when using hand sanitizer;
- H. For classrooms with existing handwashing facilities, preparing stations with soap, water and alcohol-based hand sanitizers (at least 60% alcohol);
- I. Reminding bus drivers to take certain personal hygiene actions (e.g., frequent hand washing) and affording them the opportunity to do so (such as having sufficient time between routes);
- J. Cleaning and sanitizing district vehicles including seats, rails and any highly touched surfaces before each run.
- K. Requiring contracted transportation providers to clean and sanitize seats, rails and highly touched surfaces touched before each run. The district shall collaborate with the contracted service provider to develop these procedures and ensure that they are consistently followed; a checklist may be developed to ensure compliance. The contracted service provider shall collaborate with the district in establishing cleaning/sanitation protocols that are consistent with social distancing practices. The contracted service provider shall ensure that employees are fully trained in the implementation of the established protocols:
1. All personnel responsible for cleaning school buses shall document the cleaning/sanitizing measures taken. Personnel are required to:
    - a. Demonstrate an understanding of the established protocols that must be taken to properly clean and sanitize the bus; and
    - b. Provide a certification that, before the route commenced, the required was process completed as required.
  2. The procedures will identify sanitizing agents that may be used and will be limited to products included on the U.S. Environmental Protection Agency's list of products that have

shown to be effective against COVID-19.

3. These procedures will likely include two stages: cleaning, which removes dirt and germs from surfaces, and disinfecting, which kills germs on surfaces that remain after cleaning.
- L. Routinely cleaning and disinfecting furniture, recognizing the varying materials used in furniture in each school building;
- M. Providing EPA-registered disposable wipes to teachers and staff so that commonly used surfaces (e.g., keyboards, desks, remote controls) can be wiped down before use;
- N. On a regular basis, ordering and stocking adequate supplies to support cleaning and disinfection practices.
- O. Ensuring that cleaning and disinfection supplies are used and stored correctly and safely. This includes storing products securely away from children, while ensuring appropriate ventilation so students and staff are not exposed to toxins or fumes.
- P. Placing physical barriers, such as plastic flexible screens, in classrooms, school buses, restrooms and other areas where social distancing cannot be maintained.
- Q. Cleaning and disinfecting a school building after a person has been identified as COVID-19 positive:

The district may need to implement short-term closure procedures in a school regardless of community spread if an infected person has been in a school building. If this happens, the CDC-recommended procedures shall be followed:

1. Close off areas used by a sick person and do not use before cleaning and disinfection;
2. Wait 24 hours before cleaning and disinfecting. If it is not possible to wait 24 hours, wait as long as possible;
3. Open outside doors and windows to increase air circulation in the area; and
4. Cleaning staff will clean and disinfect all areas (e.g., offices, bathrooms, and common areas) used by the ill persons, focusing especially on frequently touched surfaces.

Additional training shall be provided to the personnel responsible for cleaning and sanitizing school buses and facilities as necessary. Topics may include proper use of cleaning and disinfecting agents, the cleaning schedule for various surfaces, and safety precautions that need to be taken (e.g., ensuring adequate ventilation while cleaning and sanitizing).

### Safe Drinking Water

The board of education shall assure the availability of potable drinking water through sanitary means in school facilities or upon school grounds in accordance with the Safe Drinking Water Act (N.J.S.A. 58:12A-1 *et seq.*, N.J.A.C. 6A:26-6, and N.J.A.C. 7:10 *et seq.*). In accordance with law and board policy 3516 Safety, the board shall test all drinking water outlets, make the results publicly available and notify parents/guardians and the New Jersey Department of Education.

The board of education directs the chief school administrator to ensure the development of lead sampling plan with sample collection is consistent with the district's Quality Assurance Project Plan (QAPP) and to ensure that QAPP is signed by the laboratory certified to sample the district's water, the individual responsible for conducting the sampling and is presented to the board for signature.

Within 24-hours after the board has reviewed and verified the final laboratory results of the sampling, the board shall ensure that test results are publicly available at the school facility and on the board's website. If any laboratory results exceed the permissible lead action level, the board shall provide written notification to the parents/guardians of all students attending that facility as well as to the Department of Education. The notice must include measures taken to curtail immediately the use of any drinking water outlet where lead levels exceed the permissible action level, measures taken to ensure that alternate drinking water is available to all students and staff, and information regarding the

health effects of lead.

Within six years of the adoption of this policy, and within each six-year period thereafter, the board must test all drinking water outlets; sampling shall be prioritized in facilities previously identified with excessive lead results or identified as high risk in the sampling plan.

Annually, the board must submit to the Department of Education, a statement of assurance that lead testing was completed in accordance with existing Department of Education regulations and that where required, alternate drinking water is available to students and staff.

## **Integrated Pest Management**

The New Jersey School Integrated Pest Management Act of 2002 requires schools to implement a school integrated pest management policy. As per this policy, the board and the chief school administrator shall implement Integrated Pest Management (IPM) procedures to control pests and minimize exposure of children, faculty, and staff to pesticides. Mountain Lakes School District shall develop and maintain an IPM plan as part of the school's policy.

### Integrated Pest Management Procedures in Schools

Implementation of IPM procedures will determine when to control pests and whether to use mechanical, physical, cultural, biological or chemical methods. Applying IPM principles prevents unacceptable levels of pest damage by the most economical means and with the least possible hazard to people, property, and the environment.

Each school shall consider the full range of management options, including no action at all. Non-pesticide pest management methods are to be used whenever possible. The choice of using a pesticide shall be based on a review of all other available options and a determination that these options are not effective or not reasonable. When it is determined that a pesticide must be used, low impact pesticides and methods are preferred and shall be considered for use first.

### Development of IPM plans

The school IPM plan is a blueprint of how the Mountain Lakes School District will manage pests through IPM methods. The school's IPM plan states the school's goals regarding the management of pests and the use of pesticides. It reflects the school's site-specific needs. The IPM plan shall provide a description of how each component of the school IPM policy will be implemented at the school. The chief school administrator, in collaboration with the school building administrator, shall be responsible for the development of the IPM plan for this school.

### IPM Coordinator

The chief school administrator shall designate an integrated pest management coordinator, who is responsible for the implementation of the school integrated pest management policy.

### Education/Training

The school community will be educated about potential pest problems and IPM methods used to achieve the pest management objectives.

The IPM coordinator, other school staff and pesticide applicators involved with implementation of the school IPM policy will be trained in appropriate components of IPM as it pertains to the school environment.

Students, parents/guardians will be provided information on this policy and instructed on how they can contribute to the success of the IPM program.

## Record Keeping

Records of pesticide use shall be maintained on site to meet the requirements of the state regulatory agency and the school board.

Records shall also include, but are not limited to, pest surveillance data sheets and other non-pesticide pest management methods and practices utilized.

## Notification/Posting

The chief school administrator of Mountain Lakes School District, is responsible for timely notification to students' parents or guardians and the school staff of pesticide treatments pursuant to the School IPM Act.

## Re-entry

Re-entry to a pesticide treated area shall conform to the requirements of the School IPM Act.

## Pesticide applicators

The IPM coordinator shall ensure that applicators follow state regulations, including licensing requirements and label precautions, and must comply with all components of the School IPM Policy.

## Evaluation

Annually, for public schools, the chief school administrator will report to the board on the effectiveness of the IPM plan and make recommendations for improvement as needed. The board directs the chief school administrator to develop regulations/procedures for the implementation of this policy.

## Key Words

Operation and Maintenance of Plant, Buildings and Grounds, Maintenance

## **Legal References:**

N.J.S.A. 10:5-1 *et seq.* Law Against Discrimination

N.J.S.A. 13:1F-19 through -33 School Integrated Pest Management Act

N.J.S.A. 18A:17-49 through -52 Buildings and grounds supervisors to be certified

N.J.S.A. 18A:18A-1 *et seq.* Public schools contracts law

N.J.S.A. 18A:18A-37 Award of purchases, contracts, agreements

N.J.S.A. 18A:22-8 Contents of budget; format

N.J.S.A. 34:5A-1 *et seq.* Worker and Community Right to Know Act

N.J.S.A. 34:6A-25 *et seq.* New Jersey Public Employees Occupational Safety and Health Act

N.J.S.A. 34:11-56a *et seq.* New Jersey Wage and Hour Law

N.J.S.A. 58:12A-1 *et seq.* Safe Drinking Water Act

N.J.A.C. 5:23-1 *et seq.* The uniform construction code

N.J.A.C. 6A:23A-1 *et seq.* Fiscal accountability, efficiency and budgeting procedures



See Particularly:

N.J.A.C. 6A:23A-6.9 Facilities maintenance and repair schedule and accounting

N.J.A.C. 6A:26-12.1 *et seq.* Operation and Maintenance of Facilities

See particularly:

N.J.A.C. 6A:26-12.2(a)1, 2

N.J.A.C. 6A:26-12.4 Safe drinking water

N.J.A.C. 6A:30-1.1 *et seq.* Evaluation of the Performance of School Districts

N.J.A.C. 7:10-1 *et seq.* Safe Drinking Water Act

N.J.A.C. 7:30-13.1 *et seq.* Integrated Pest Management

20 U.S.C.A. 4071 *et seq.* Equal Access Act

29 U.S.C.A. 201 *et seq.* Fair Labor Standards Act

42 U.S.C.A. 12101 *et seq.* Americans with Disabilities Act (ADA)

International Building Code 2015, New Jersey Edition; First Printing: September 2015; ISBN: 978-1-60983-156-1; Copyright 2015, International Code Council, Inc.

The NJDOE Guidance: *The Road Back: Restart and Recovery* at:  
<https://www.nj.gov/education/reopening/>

CDC Guidance: *CDC Activities and Initiatives Supporting the COVID-19 Response and the President's Plan for Opening America Up Again* (May 2020) at:  
<https://www.cdc.gov/coronavirus/2019-ncov/downloads/php/CDC-Activities-Initiatives-for-COVID-19-Response.pdf>

CDC Guidance: *Coronavirus Disease 2019 (COVID-19) Considerations for Schools* at:  
<https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/schools.html>

CDC Guidance: *What Bus Transit Operators Need to Know about COVID-19* at:  
<https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/bus-transit-operator.html>

CDC Guidance: *Schools During the COVID-19 Pandemic* at  
<https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/Schools-Decision-Tree.pdf>

**Possible Cross References:**

\*1410 Local units

\*2240 Research, evaluation and planning

\*3000/3010 Concepts and roles in business and non-instructional operations; goals and objectives

\*3516 Safety

\*5141 Health

6161 Equipment, books and materials

\*7110 Long-Range facilities planning

\*9130 Committees

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

Adopted: September 6, 2007

Revised: January 19, 2010

Revised: September 21, 2020

**Mountain Lakes School District**

## **3514 EQUIPMENT**

Equipment purchased by the board of education is intended for support of the educational program.

The Superintendent shall oversee the maintenance of all district educational and non-educational equipment in safe working condition. No employee or pupil shall use equipment found unsafe. Equipment use during school hours shall be properly supervised by appropriate teaching staff.

Specific items of equipment may be loaned or rented for community use after a written request is made to and approval granted by the Superintendent. The user of district-owned equipment shall be fully liable for any damage or loss occurring to the equipment during the period of its use. He/she shall be responsible for its safe return. Musical instruments are also addressed by Policy No. 6161.3.

When equipment authorized for loan requires the services of an operator, the user shall employ the services of a person designated by the district and shall pay such costs as have been set for his/her hire.

The board shall not be responsible for any loss, damage or injury liability or expense that may arise during or be caused in any way by such use of district equipment.

School equipment may be removed from school property by pupils or staff members only when such equipment is necessary to accomplish tasks arising from their school or job responsibilities. The consent of the principal is required for such removal.

Removal of school equipment from school property for personal use is prohibited.

### Legal References:

Adopted: January 19, 2010

**Mountain Lakes School District**

## **3514.1 LOAN OF SCHOOL EQUIPMENT**

The Board of Education believes that district-owned equipment is a valuable resource that may be loaned for community use under certain conditions and when such use does not interfere with the educational program of the school.

The Board may lend specific items of equipment on the written request of the user when approval has been granted by the School Business Administrator/Board Secretary and when such equipment is unobtainable elsewhere.

School equipment may be removed from school property by pupils or staff members only when such equipment is necessary to accomplish a task arising from their school or job responsibilities. The consent of the Principal is required for such removal. The removal of school equipment from school property by pupils or employees for personal use is prohibited.

The user of school owned equipment shall be fully liable for any damage or loss occurring to the equipment during the period of its use, regardless of any assignment of negligence, and shall be responsible for its safe return. When equipment authorized for loan requires the services of a qualified operator, the user shall employ the services of a person designated by this district and shall pay such costs as may have been set for such services.

Previously Policy No. 7520

Adopted: January 3, 2006

Renumbered: September 6, 2007

Reviewed: December 7, 2009

**Mountain Lakes School District**

## **3515 SMOKING / TOBACCO / ELECTRONIC NICOTINE DELIVERY SYSTEMS (ENDS)**

To promote the health and safety of all students and staff and to promote the cleanliness of school grounds, the board prohibits all smoking use of tobacco products, and all ENDS devices, in all school facilities and on all school grounds at all times. Definitions of “school facilities” and “school grounds” shall be in accord with definitions in the administrative code. Chewing tobacco is also specifically prohibited by this policy.

Notice of this policy shall be given at each school entrance and at appropriate locations on school grounds in accordance with law. Smoking shall not be permitted at any time in classrooms, lecture halls, auditoriums or anywhere else on school grounds.

The principal of each school building is authorized to report violations, in accordance with law, to the board of health. Pupils and district employees who violate the provisions of this policy shall be subject to appropriate disciplinary measures. The chief school administrator shall prepare and the board shall adopt regulations prohibiting smoking in all district buildings and on school grounds.

Definition: Electronic Nicotine Delivery Systems (ENDS), also called e-cigarettes, personal vaporizers, vape pens, e-cigars, e-hookah, or vaping devices, are products that produce an aerosolized mixture containing flavored liquids and nicotine that is inhaled by the user. ENDS can resemble traditional tobacco products like cigarettes, cigars, pipes, or common gadgets like flashlights, flash drives, or pens.

### Legal References:

N.J.S.A. 26:3D-55 *et seq.* New Jersey Smoke-Free Air Act

N.J.A.C. 6A:16-1.3 Definitions

N.J.A.C. 6A:16-3.1(a)7 Establishment of comprehensive alcohol, tobacco and other drug abuse programs

N.J.A.C. 6A:26-1.2 Definitions

N.J.A.C. 6A:26-12.2(a)4 Policies and procedures for school facility operation

N.J.A.C. 8:6-7.2 Smoking prohibited in school buildings and on school grounds

N.J.A.C. 8:6-9.1 Enforcement against individuals

N.J.A.C. 8:6-9.2 Enforcement against person having control of an indoor public place

Every Student Succeeds Act of 2015, Pub.L. 114-95, 20 U.S.C.A. 6301 *et seq.*

Adopted: February 13, 2006

Reviewed: April 16, 2018

**Mountain Lakes School District**

## **3515.1 DRUG FREE WORKPLACE**

The Board of Education prohibits the unlawful manufacture, distribution, dispensing, possession or use of any controlled dangerous substance by any person in any school building, on school grounds, or during any activity or event sponsored by the Board.

Every employee of this district must, as a condition of employment, agree to be bound by this policy. An employee who violates the prohibitions or reporting requirements of this policy will be subject to discipline, which may include dismissal, or certification of tenure charges, as appropriate. An employee whose involvement with drugs results in a conviction for a crime of the third degree or above or for an offense touching his or her position will be deemed to have forfeited his or her public employment, pursuant to (N.J.S.A. 2C:51-2).

An employee who is convicted of a drug related offense must report the conviction to the Superintendent within five days of its occurrence. The Superintendent will, within ten days of the date on which notice of the conviction is received, report any such conviction resulting from drug use in the workplace to any federal agency from which the district has received funds through a grant.

The Board directs the Superintendent to establish and maintain a program to:

1. Alert employees as to the dangers of drug abuse in the workplace;
2. Inform employees of the prohibitions against drugs set forth in this policy;
3. Inform employees of available drug counseling, rehabilitation, and assistance programs; and
4. Warn employees of the penalties that may be imposed for violations of prohibitions set forth in this policy.

The Board will report to law enforcement officials and prosecute as appropriate any employee or visitor who violates the prohibitions of this policy. A pupil or employee who violates this policy will be treated in accordance with law and Policy Nos. 4119.23, 4219.23, and 5131.6.

This policy will be distributed to each district employee, including all those engaged in the performance of services under a federal grant, and will be prominently posted in the district.

Adopted: January 3, 2006

Previous Policy Number 7436

Reviewed and Renumbered: August 10, 2009

**Mountain Lakes School District**

## **3515.2 PARKING POLICY**

The policy of the Mountain Lakes School District is to support all Borough parking regulations, ordinances and rules unless a temporary situation necessitates other measures, to be stated in the corresponding Regulations. The District considers parking on school premises to be a privilege. The Administrators will delineate those factors, as set forth in the Regulations, to be used to determine who shall be granted that privilege.

Adopted: September 30, 2002

Re-adopted: January 3, 2006

Formerly #5515

Renumbered: January 19, 2010

**Mountain Lakes School District**

## 3516 SAFETY

The Superintendent shall develop rules governing school safety, which shall include but not be limited to: pupil safety in school; care of injured pupils; vehicle safety programs; plant safety including removal and/or encapsulation of asbestos; labeling and storage of hazardous substances; emergency procedures; pupil safety in transit to and from school; and eye protection. In addition, pupils shall be provided with safety instruction in accordance with the law.

### Use and Storage of Hazardous Substances

The Board shall not allow the use of any hazardous substances in or on any of the buildings or grounds of this district when children are present, except in emergencies. A list of substances that are legally exempted from this requirement can be obtained from the Superintendent.

The Superintendent shall inform the Board when hazardous substances may be used when children are present, and the board shall determine if an emergency situation exists and such use is warranted.

If any hazardous substance is stored on any school site, the Superintendent shall make available the hazardous substance fact sheet for that substance to any one who requests it.

At least two days prior to the start of any construction activity involving hazardous substances, the Superintendent shall post on a bulletin board at the school a notice that such construction will take place. The notice will state the activity to be conducted and the hazardous substance(s) to be used.

The Superintendent shall ensure that all parents/guardians receive a notice at least once a year informing them of the following:

- A. Notice of any construction or other activities involving hazardous substances will be posted on the bulletin board of their children's school;
- B. Hazardous substances may be stored at the school at various times throughout the year;
- C. Hazardous substance fact sheets for any of the hazardous substances being used or stored are available at the school.

### Implementation

Rules and procedures implementing this policy shall be reviewed and adopted by the Board as required by law and shall be disseminated to staff and pupils annually, and whenever any changes are made.

### Legal References:

Adopted: February 13, 2006

LR2011

**Mountain Lakes School District**



## **3516.1 AUTOMATIC EXTERNAL DEFIBRILLATOR (AED) POLICY**

### **Purpose:**

The purpose of this policy is to provide guidance in the management or administration of a school-based AED program.

Sudden Cardiac Arrest (SCA) is a condition that occurs when the electrical impulses of the human heart malfunction causing a disturbance in the heart's electrical rhythm called ventricular fibrillation or ventricular tachycardia. This erratic and ineffective electrical heart rhythm causes complete cessation of the heart's normal function of pumping blood resulting in sudden death. The most effective treatment for this condition is the administration of an electrical current to the heart by a defibrillator, delivered within a short time of the onset of ventricular fibrillation or ventricular tachycardia.

An automatic external defibrillator (AED) is used to treat victims who experience sudden cardiac arrest (SCA). It is only to be applied to victims who are unconscious, not breathing normally and showing no signs of circulation, such as normal breathing, coughing and movement. The AED will analyze the heart rhythm and advise the operator if a shockable rhythm is detected. If a shockable rhythm is detected, the AED will charge to the appropriate energy level and advise the operator to deliver a shock.

### **Program Coordinator:**

The Superintendent shall appoint a Program Coordinator for the District, responsible for implementation of this policy and any regulations adopted hereunder. The Program Coordinator shall appoint secondary designees in each of the school facilities to help administer this policy and may appoint additional designees as the Program Coordinator deems appropriate (each a "Secondary Coordinator"). Both the Primary and Secondary Coordinators will be trained and maintain current certification in Cardio Pulmonary Resuscitation (CPR) and AED.

The responsibilities of the Program Coordinator include:

- Review and revise the procedures necessary to store, maintain and operate each approved AED model
- Selection of volunteer emergency response team members at each District location
- Coordination of training for emergency responders
- Coordinating equipment and accessory maintenance
- Maintain on file a specifications/technical information sheet for each approved AED model
- Recommending to the Board revision of this policy as required
- Monitoring effectiveness of this policy
- Communication with medical director on issues related to medical emergency response program including post event reviews

### **Applicable Documents:**

The Program Coordinator shall review and maintain all documents that are required by law or necessary for the proper administration of the program. On an yearly basis, the Program Coordinator shall provide to the Board the regulations adopted pursuant to this policy, including any forms or documentation used. The documentation shall include:

- General School Medical Emergency Action Plan
- New Jersey State AED Guidelines Including Immunity from Liability Exclusion
- Procedure for Using AED in School

- Accident/Injury Documentation Form
- 9-1-1 Emergency Documentation Form

### **Medical Control:**

The medical advisor of the AED program is the District Physician.

The medical advisor of the AED program is responsible for:

- Providing medical direction for use of the AEDs
- Writing a prescription for AEDs
- Reviewing and approving guidelines for emergency procedures related to use of AEDs and CPR
- Evaluation of post-event review forms and digital files downloaded from the AED

### **AED Users:**

The AED may be used by:

- Certified School Nurse who has successfully completed CPR and AED Training
- Any trained team member (trained responder) who has successfully completed an approved CPR and AED training program within the last two years and has a current successful course completion card. Trained school district employees may include administrators, athletic director, athletic trainer, teachers, coaches, and office staff.
- Any volunteer responder, to the extent the person is comfortable responding to the AED incident

A then current list of trained responders with course completion will be maintained at each School facility and with each AED device.

Any person or entity who, in good faith, acquires or provides an AED renders emergency care or treatment by the use of a defibrillator or supervises such care or treatment and, who has complied with the requirements of P.L. Chapter 34, shall be immune from civil liability for any personal injury as a result of such care or treatment or as a result of any acts or omissions by the person or entity in providing, rendering or supervision the emergency care or treatment. The immunity provided shall include the prescribing licensed physician and the person or entity who provided the training in CPR and the use of the AED.

### **AED Trained Employee Responsibilities:**

- Activating the internal emergency response system and providing prompt basic life support including CPR / AED and first aid according to training and experience
- Understanding and complying with the requirements of this policy
- Following the more detailed procedures and guidelines for the AED Program

### **Volunteer Responder Responsibilities:**

Anyone can, at their discretion provide voluntary assistance to victims of medical emergencies. The extent to which these individuals respond shall be appropriate to their training and experience. These responders are encouraged to contribute to emergency response only to the extent that they are comfortable. The emergency medical response of these individuals may include CPR, AED or medical first aid.

### **School Office Responsibilities:**

- The regulations adopted pursuant to this Policy shall set forth the responsibility of school office

staff at each location in implementing this policy, including any duties that may relate to responding to AED incidents.

## **Equipment:**

### Approved equipment:

Only medically prescribed Automatic External Defibrillator (AED) equipment shall be used for this program. The AEDs conform to the state/county standards.

- The AED and first aid emergency care kit will be brought to all medical emergencies. The AED would be used in accordance with this Policy, the regulations adopted to implement this policy and the medical procedures indicated for such AED

### Location of AEDs:

During school hours, AEDs will be housed at the locations designated by the Program Coordinator and specified in regulations. The regulations will also specify the procedure for use/deployment of portable AEDs after school hours.

### Additional Resuscitation Equipment:

Each AED will have one set of defibrillation electrodes connected to the device and one spare set of electrodes with the AED. One resuscitation kit will be connected to the handle of the AED.

### Equipment Maintenance:

- The Program Coordinator shall establish maintenance procedures to ensure that all equipment and accessories necessary for support of medical emergency response are maintained in a state of readiness. These procedures shall be attached to the regulations and maintained at each AED location. The regulations will also specify routine maintenance procedures.
- The main school office of each school and all trained emergency responders shall be informed of changes in availability of emergency medical response equipment. .
- The Program Coordinator may delegate equipment maintenance tasks to Secondary Coordinators, as appropriate in each school building. All maintenance tasks shall be performed according to equipment maintenance procedures as outlined in the operating instructions.
- Following use of emergency response equipment, all equipment shall be cleaned and/or decontaminated as required.

### Daily Maintenance:

The Program Coordinator will designate persons responsible for performing a daily AED check following the procedure checklist and responsible for reviewing and initiating corrective action in each location in the District. The daily AED check will include a physical inspection of the AED equipment and accessories. The designated persons must initial the procedure checklist at the completion of the daily check. AEDs will be checked when school is not in session (weekends, holidays, vacations), only when the AED may need to be used.

## **Training:**

The Program Coordinator shall specify in regulations the training necessary for Certified Trained Personnel and AED Trained Personnel. Training for CPR and AED use will be provided on site using guidelines established by The American Heart Association and as approved by the state. Program Coordinator will maintain training records for all trained volunteer responders. The Program Coordinator shall also establish procedures for refresher training.

## **Medical Response Documentation:**

Post Event Documentation: It is important to document each use of the medical emergency response system. The following forms shall be sent to the Program Coordinator within 24 hours of an event:

- An accident report form shall be completed by a responding employee for each accident requiring first-aid of any type.
- The AED-trained employee shall complete a medical event form (9-1-1 form) whenever an AED is used.

A copy of AED use information shall be presented within 48 hours of the emergency to the Medical Director of AED Program and Local EMS. At a minimum, event information supplied shall include any recorded data and all electronic files captured by the AED.

## **Post Event Review:**

Following each use of an AED, a review shall be conducted to learn from the experience. The Program Coordinator or Secondary Coordinator will conduct and document the post event review. All key participants in the event shall participate in the review. Included in the review shall be the identification of actions that went well and the collection of opportunities for improvement as well as critical stress debriefing. A summary of the post event review shall be sent to the medical director and a copy shall be sent to the Superintendent.

## **System Verification and Review:**

The medical emergency response system is ultimately successful if necessary medical assistance is provided to victims in a timely and safe manner. Since actual use of this system procedure is expected to be very infrequent, other measures of effectiveness are required. Once each calendar year, the Project Coordinator shall conduct and document a system readiness review. This review shall include review of the training records and the equipment operation and maintenance records.

Adopted: November 7, 2005

Re-adopted: January 3, 2006

**Mountain Lakes School District**

## **3516.2 MOTOR VEHICLES ON SCHOOL PROPERTY**

The school grounds owned and maintained by this Board of Education may be subject to damage by motor vehicles. Accordingly, the Board has provided areas, adjacent to the school building, in which employees of the district and visitors to the school may drive and park motor vehicles.

The Board prohibits the use or presence of any motor vehicle, including motorcycles, all-terrain vehicles, snow mobiles, and mopeds, for any purpose on any part of the school property owned by the Board other than the driving and parking areas established by the Board except as expressly permitted by the Principal.

The Board directs the Superintendent to have conspicuous notices posted forbidding the parking of motor vehicles in undesignated areas of the school grounds.

The Board reserves the right to prosecute in a court of competent jurisdiction any person whose violation of this rule results in damage to the property of this district.

Previously Policy No. 7480

Adopted: January 3, 2006

Renumbered: September 6, 2007

Reviewed: December 7, 2009

**Mountain Lakes School District**

## **3517 SECURITY OF SCHOOL PREMISES**

The Board of Education believes that the buildings and facilities of this district represent a substantial community investment. The Board directs the development and implementation of a plan for district security to protect that investment.

The district security program will include the maintenance of facilities secure against unwelcome intrusion; protection against fire hazards and faulty equipment; and the observation of safe practices in the use of electrical, plumbing, and heating equipment. The Board directs close cooperation of district officials with local law enforcement officers, firefighters, the sheriff's office, and insurance company inspectors.

Personal access to school buildings and grounds outside the hours school is in session shall be limited to personnel whose employment requires their presence in the facility. An adequate key control system will be established to limit building access to authorized personnel and guard against the potential of intrusion by unauthorized persons who have obtained keys improperly.

Buildings records and funds shall be kept in a safe place and under lock and key as appropriate and necessary.

Protective devices designed to be used as safeguards against illegal entry and vandalism may be installed when appropriate. The Board may approve the employment of security guards in situations in which special risks are involved.

Previously Policy No. 7440

Adopted: January 3, 2006

**Mountain Lakes School District**

## **3530 INSURANCE**

The Board of Education shall maintain appropriate property, liability and indemnity insurance.

### Property Insurance

The Board recognizes its responsibility under law to insure the replacement value of the property of this school district, both real and personal, against loss or damage by fire and expressly extends such insurance coverage to loss or damage caused by theft, water, glass breakage, explosion, boiler failure, smoke, windstorm, and vandalism.

In placing property insurance coverage, the Board shall be guided by the price of the coverage, the ability of the insurer to meet obligations promptly and fully, the reputation and past performance of the insurer's agent, and the goal of distributing the insurance coverage of the district through an agent of record.

### Student Accident Insurance

The Board recognizes the need for insurance coverage for injuries to pupils caused by accidents occurring in the course of attendance at school and participation in the athletic and co-curricular programs of the schools.

The Board will maintain "excess" insurance coverage by a qualified insurer at no cost to the pupil for injury resulting from accidents sustained in the course of participation in the Interscholastic Sports Programs, the Band Program, any Intramural Sports Programs, the Physical Education Program, any co-curricular program and in any activity sponsored by the Board, and while traveling between home and school. This "excess" policy provides coverage and benefits only after the individuals health coverage has been exhausted.

The Board will also provide parents or legal guardians the opportunity to purchase insurance coverage, at no cost to the Board, for injury resulting from accidents sustained by pupils. The Superintendent shall recommend suitable and qualified insurance carriers for Board consideration and notify all parents or legal guardians of pupils who may be eligible for insurance of its availability.

### Board Indemnification

The Board may arrange and maintain appropriate insurance to cover the Board's indemnification obligation to Board members under Policy 9250.1.

### Insurance Process

The Board shall annually appoint an insurance advisor who shall review the insurance program of the district, consider alternatives, and report recommendations to the Board; recommend specific insurance placement and prepare specifications; assist the Board in the establishment and maintenance of property valuation and insurance records; provide annual safety and fire inspections; process all claims; provide workshops and lectures on fire safety and prevention and safety precautions to the appropriate staff members; and recommend such measures as may reduce the cost of insurance premiums.

Previously Policy No. 8710

Adopted: January 3, 2006

Re-adopted: September 6, 2007

## Mountain Lakes School District



## **3533 BONDING**

The Board of Education recognizes that the prudent trusteeship of the resources of this district dictates that employees responsible for the safekeeping of district moneys and property be bonded.

The Board directs the indemnification of the district against loss of money and property by the bonding of the Treasurer of School Moneys in accordance with rules of the State Board of Education in the amount of \$25,000. All employees shall be covered under a blanket employee dishonesty bond to the limit of \$100,000.

The Board shall bear the cost of bonding each employee required to be bonded by law or by this policy.

### Legal References:

Previously Policy No. 8740

Adopted: January 3, 2006

LR11/09

**Mountain Lakes School District**

## 3541.1 TRANSPORTATION ROUTES AND SERVICES

The board of education directs the Superintendent to supervise development of bus routes to provide safe, economical and reasonably expeditious transportation for:

- A. Pupils who live remotely from the schoolhouse as defined by New Jersey law;
- B. Educationally disabled pupils in accordance with their IEP;
- C. Pupils participating in board-approved extracurricular activities or field trips;
- D. Pupils whose route to the school is deemed hazardous by the board;
- E. Other pupils as required by law.

The criteria to be used in designing routes and assigning pupils to them shall include:

- A. The distance to be traveled to and from school;
- B. The age and state of health of the child;
- C. The requirements of the instructional program;
- D. The hazards involved on the route to be traveled.

Transportation to and from school shall be provided as required by law to eligible nonpublic school pupils and to pupils attending charter schools. All pupils riding on district buses shall be required to observe the district's bus conduct regulations or risk loss of the privilege of such transportation.

On a space-available basis, the board may transport both public and nonpublic students who live within statutory limits (courtesy busing). The board or a cooperative transportation services agency may charge for this service. The charge shall be equitable and shall include, but not be limited to, the cost of fuel, driver salaries and insurance.

Buses, whether contracted or district-owned, shall be kept in optimum condition and shall conform to all state safety regulations.

Bus routes must be acted upon by the board and submitted to the county office.

### Waiver of Eligible Transportation Services

Each school year, a parent/guardian of a pupil who is eligible for transportation services under the law may sign a written statement waiving the pupil's right to those services. This written statement shall be in the form that is determined by the Department of Education.

If there is a case of a family or economic hardship during the school year in which the parent/guardian has waived the pupil's transportation service rights, the district will make provisions to provide transportation to the pupil during this hardship.

### QSAC Monitored:

Section 1: Operations

### Mandated:

N.J.S.A. 18A:39-1.5 requires districts that provide courtesy busing to adopt a policy regarding the transportation of students who must walk to and from school along hazardous routes.

N.J.A.C. 6A:27-1.1(b) requires policies and procedures governing transportation of pupils to and from school and school-related activities. See also 3541-31 if applicable.

N.J.A.C. 6A:27-11.1 requires policies and procedures to be followed by the school bus driver in the event of an emergency. Policies and practices should ensure that all drivers comply with all directives in the administrative code. See 3541-33.

#### Other Reasons:

N.J.S.A. 18A:39-1.2 allows municipalities to charge parents/guardians for transporting students who live within the statutory limits (courtesy busing) and contract with the board for those services.

N.J.S.A. 18A:39-1.3 through -1.4 allows boards of education or cooperative transportation services agencies to contract with parents/guardians for transporting students who live within the statutory limits (courtesy busing). Parents/guardians may be charged all or part of the cost of transportation, but may not be excluded due to financial hardship.

N.J.S.A. 18A:39-1.8 through -1.9 allows boards to charge parents/guardians all or part of the costs for courtesy busing for elementary and secondary students who live within the statutory limits. The Board must inform the Department of Education when it elects to provide transportation under these provisions.

P.L. 2011, c.132 a school district shall not be required to provide transportation services for the school year to an elementary school pupil who lives more than two miles from his public school of attendance or to a secondary school pupil who lives more than 2 ½ miles from his public school of attendance if the pupil's parent or guardian signs a written statement that the pupil waives transportation services for that school year. The statute requires districts to develop a policy for the provision of transportation services for pupils who have waived transportation rights if a case of family or economic hardship occurs during the school year.

N.J.A.C. 6A:27-2.1 requires the board to provide transportation or aid in lieu of transportation to eligible nonpublic school pupils.

N.J.A.C. 6A:27-3.1 sets out board responsibilities for transportation of students attending charter schools.

N.J.A.C. 6A:27-5.1 requires transportation for students with special needs according to their IEP.

N.J.A.C. 6A:27-6.2, 6.3 and 6.4 require transportation to homeless students, students residing in group homes, and students in shared custody home, in accordance with code.

N.J.A.C. 6A:27-9.2(e) requires that a contractor be notified in writing when the board detects that the contractor has failed to comply with the board's transportation rules.

N.J.A.C. 6A:27-13.3 directs the executive county superintendent of schools to review the district's transportation operations in accord with NJQSAC.

#### Recommendation:

A policy directing the chief school administrator to develop procedures to provide safe, efficient, economical busing, per the parameters of the policy and in accordance with law. Policy must address both public and nonpublic pupil transportation; should address courtesy busing clearly, especially if the board requires parent/guardians to pay for all or part of it. Bus safety policies and procedures should be addressed in depth at 3541.33.

### Legal References:

N.J.S.A. 18A:7F-57 Calculation of state aid for transportation

N.J.S.A. 18A:22-8.6 Hazardous route transportation cost (budget line item)

N.J.S.A. 18A:36A-13 Transportation services (charter schools)

N.J.S.A. 18A:39-1 *et seq.* Transportation To and From Schools

### See particularly:

N.J.S.A. 18A:39-1.2 through-1.9

N.J.S.A. 18A:46-19.6 Transportation to location or maintenance of vehicular classrooms to obtain services; payment of cost

N.J.S.A. 18A:46-23 Transportation of pupils; special classes; handicapped children; state aid

N.J.S.A. 39-3-10.9 et al. New Jersey Commercial Drivers License Act

N.J.S.A. 39:3-27 Free registration of certain vehicles; transfer to other motor vehicles

N.J.A.C. 6A:27-1.1 *et seq.* Student Transportation

### See particularly:

N.J.A.C. 6A:27-1.1(b), -2.1 -3.1, -5.1, -6.3, -6.4, -9.2(e), -11.1, -13.3

N.J.A.C. 6A:30-1.1 *et seq.* Evaluation of the Performance of School Districts

P.L. 2011, c.132 Parents right to waive eligible transportation rights

*Parents for Student Safety, Inc., v. Morris Bd. Of Ed.*, 1986 S.L.D. (February 5), St. Bd. Rev'g 1984 S.L.D. (August 24), aff'd App. Div., unreported decision (docket no. A- 3257-85-T7, decided February 17, 1987) certif.. den. 108 N.J. 180 (1987)

*Wayne Board of Education v. Kraft et al.*, 139 NJ 597 (1995)

Policies and Procedures Manual for Pupil Transportation, N.J. State Department of Education

### Possible Cross References:

\*3220/3230 State funds; federal funds

\*3516 Safety

\*3541.31 Privately owned vehicles

\*3541.33 Transportation safety

\*4211 Recruitment, selection and hiring

\*5200 Nonpublic school pupils

\*6145 Extracurricular activities

\*6153 Field trips

Date: December 10, 2012

Revised: May 7, 2018

**Mountain Lakes School District**

### **3541.3 COMMUNITY USE OF TRANSPORTATION**

The Board of Education will permit the school busing vehicles owned or leased by this district to be used for the purpose of transporting senior citizens' groups, disabled citizens, children and adults participating in a recreation or other program operated by Mountain Lakes in accordance with law and rules of the State Board of Education. The Board will not permit the use of school busing vehicles for any purpose not expressly authorized by law and Board policy.

The transportation of senior citizens shall be restricted to destinations that are within this school district or any contiguous school district. The transportation of disabled citizens may be within any district. The transportation of children and adults participating in a recreation or other program shall be limited by the location of the program.

The transportation of community members under this policy shall be limited to those hours and days when vehicles are not required for the transportation of pupils. No transportation will be supplied for weekends, holidays, summer vacation time, or for the purpose of attendance at political activities. The Board reserves the right to refuse or cancel any community transportation in the interests of the educational program or the efficient operation of the district.

Vehicles must be operated by the holder of a valid New Jersey bus driver's license who has been approved by this Board.

The costs of community transportation shall be reimbursed to the Board in full.

A request for community transportation must be submitted to the School Business Administrator/Board Secretary no less than ten working days prior to the planned trip and must be approved by the School Business Administrator/Board Secretary.

#### Legal References

Previously Policy No. 8651

Adopted: January 3, 2006

LR11/09

**Mountain Lakes School District**

## **3541.31 TRANSPORTATION BY PRIVATE VEHICLE**

### **A. Transportation by Volunteer Drivers**

The Superintendent shall supplement the transportation resources of the district by identifying qualified school personnel and parents/guardians who are willing to provide transportation for district pupils to and from extra-curricular activities.

Qualifications should include:

1. A valid New Jersey (or other) driver's license with no recent (within one year) convictions for moving violations;
2. A private passenger vehicle of eight or fewer capacity, with a current New Jersey or other inspection sticker;
3. Evidence of at least the statutorily required insurance coverage; and
4. Conform to all safety practices set forth in the regulations to this policy.

The Superintendent shall develop detailed regulations to ensure district approval of activities involved; district determination of drivers and assignment of pupils to them; pupil safety in pick-up, transit and drop-off; and adequate supervision of pupils at the activity.

### **B. Transportation by District Employees as Part of assigned Duties**

1. Have a current New Jersey (or other) driver's license with no recent (within one year) convictions for moving violations;
2. Use a privately owned passenger vehicle of eight or fewer capacity with evidence of at least the statutorily required insurance coverage. The vehicle must have a current inspection sticker;
3. Conform to all safety practices set forth in the regulations of this policy.

Expenses incurred by drivers of private vehicles in the course of transporting pupils may be reimbursed by the Board at the approved mileage rate and upon presentation of evidence of costs for tolls and parking fees.

#### Legal References

Previously Policy No. 8660

Adopted: January 3, 2006

LR11/09

**Mountain Lakes School District**

## **3541.32 DISTRICT OWNED VEHICLES**

For efficiency of operations, the Board directs the Superintendent and Business Administrator to oversee school district vehicles and to develop regulations to govern vehicle tracking, maintenance, accounting, assignment and usage.

### Vehicle Tracking, Maintenance, and Accounting.

The school district will maintain records of the following information:

#### **A. Vehicle inventory control record including:**

1. Vehicle make, model and year,
2. Vehicle identification numbers (VIN),
3. Original purchase price,
4. Date purchased,
5. License plate number,
6. Person assigned or pool if not individually assigned,
7. Driver license number of person assigned and expiration date,
8. Insurer and policy number of person assigned, and
9. Usage category such as regular business, maintenance, security or pupil transportation.

#### **B. Driving record of operators of district vehicles including:**

1. Name of driver,
2. Driver license number and expiration date,
3. Insurer and policy number of person assigned,
4. Motor vehicle code violations,
5. Incidents of improper or non-business usage,
6. Accidents, and
7. Other relevant information.

#### **C. Record of maintenance, repair and body work for each district vehicle including:**

1. Vehicle make, model and year,
2. Vehicle identification numbers (VIN),
3. Original purchase price,
4. Date purchased,
5. License plate number,
6. Usage category such as regular business, maintenance, security or pupil transportation,



7. Manufacturer's routine maintenance schedule,
8. Category of work performed (routine maintenance, repair or body work),
9. Purchase order number,
10. Date work was performed,
11. Detailed description of Work performed,
12. Mileage on date work was performed, and
13. Cost of work performed.

#### District Vehicle Assignment and Use

*This section shall not apply to school busing vehicles.*

A. District vehicles will be assigned in accordance with OMB Circular 08-16-ADM or any superseding regulations.

B. The Board upon the recommendation of the Superintendent may authorize, by an affirmative vote of the Board's full membership, the lease, lease-purchase or purchase and assignment of district vehicles for the conduct of official district business. The vehicles may be assigned either to individuals or to units within the district for pool use according to the following classifications:

1. Vehicles may be assigned permanently and individually to the Superintendent, Business Administrator, Director of School Buildings and Grounds or other supervisory employees who, based on their job duties, may be called upon on a 24 hour, seven-day a week basis. No individual assignment shall be made for the primary purpose of commuting.

2. A unit may be permanently assigned one or more district pool vehicles only if employees of the unit will collectively use the vehicle or each vehicle for more than an average of 750 miles per month on official district business. Pool vehicles shall not be used for the purpose of commuting and shall remain at a district facility when not in official use.

C. Board members or employees may temporarily be assigned a district vehicle for travel events.

D. The Superintendent shall ensure that an employee, such as the school business administrator, insurance or risk management staff member, head of facilities or other appropriate employee is assigned the functions of district vehicle coordinator.

E. Vehicle use logs shall be maintained for all individual and pool assignments in order to accurately record all usage of each vehicle, including the driver, mileage, and starting and destination points.

F. All complaints of a potential misuse shall be investigated and appropriate disciplinary action taken.

G. All changes to vehicle assignment, whether pool or individual, shall require prior written approval of the Superintendent and the authorization of an affirmative majority vote of the full board.

H. No luxury vehicle (as defined in the tax laws and applicable IRS regulations) shall be purchased, lease-purchased or leased by the district. If a vehicle is assigned to the

Superintendent, it may be a full size or intermediate, four-door sedan of the non-luxury class. All other vehicles shall be compact sedans, unless special passenger, cargo, equipment, or use requirements make the standard vehicle unsuitable for documented district needs.

I. The district vehicles shall be used primarily for business purposes, however, incidental and reasonable personal use is permitted.

J. All damage to district vehicles, regardless of cause, shall be reported within 24 hours to the vehicle coordinator and the employee assigned to file insurance claims.

K. No physical alterations shall be made to a vehicle without prior Board approval.

L. Drivers of district vehicles shall possess a valid driver's license to operate a vehicle in New Jersey.

M. The assigned driver, or in the case of a pool vehicle, the vehicle coordinator, shall be responsible for ensuring that the vehicle receives the routine/scheduled service in accordance with the manufacturer's schedule,.

N. A driver assigned a district vehicle shall be responsible for the security of the vehicle and its contents.

O. Drivers shall be personally responsible for all fines accrued as a result of traffic violations related to operation of district vehicles.

P. The driver of a district vehicle involved in an accident resulting in damage to the district vehicle or other vehicle shall file, within 24 hours of the accident, a detailed written report with the vehicle coordinator and the district staff member responsible for making insurance claims. If the driver is incapacitated, the driver's supervisor shall make the report.

Q. The driver shall be immediately notify the police in case of an accident. If the driver is incapacitated, the vehicle coordinator shall notify the police. A copy of the police report shall be submitted to the vehicle coordinator and the district staff member responsible for making insurance claims as soon as possible.

R. If, in the opinion of the Business Administrator or the Superintendent a driver misuses a district vehicle, the Business Administrator or the Superintendent shall recommend to the Board that the driver's driving privileges for district vehicles be suspended or revoked. Additional disciplinary action may be taken as appropriate for the nature of the offense. Misuse of a district vehicle includes, without limitation:

1. Frequent violation of traffic laws,
2. Flagrant violation of the traffic laws,
3. Operation of a vehicle which the police or insurance company determined was the cause of an accident.
4. Use of a vehicle for unauthorized use whether personal use, business use, or commuting.
5. Violation of policy or district regulations governing the assignment, use, operation, repair, and/or maintenance of vehicles. This includes the failure to submit a vehicle for routine maintenance as called for in the manufacturer's routine maintenance schedule.
6. Operation of a vehicle while impaired to any degree, or under the influence of alcohol or narcotics as defined by State statutes.

7. Acquiescence in the use of a district vehicle by an unauthorized individual.

8. Use of a district vehicle to transport any person, other than in the course of their assigned duties and responsibilities.

9. Use of radar detectors in district vehicles.

S. The Board shall apply progressive, uniform, and mandatory disciplinary actions to violations of these requirements.

Adopted: January 20, 2009

**Mountain Lakes School District**

## 3541.33 TRANSPORTATION SAFETY

X Monitored

X Mandated

X Other Reasons

The safety and welfare of pupils shall be the first consideration in all matters pertaining to transportation.

The Board directs the Superintendent to oversee development of regulations to govern:

- A. Pupil conduct on buses;
- B. Inservice education for bus drivers to include:
  - 1. Management of pupils;
  - 2. Safe driving practices; recognition of hazards;
  - 3. Special concerns in transporting pupils with disabilities;
  - 4. Emergency procedures on the road; accident report;
  - 5. Information on required drug and alcohol testing.
  - 6. Ban on the use of cell phones while driving. Bus drivers are prohibited from using a cell phone while driving a school bus. They may only use a cell phone when the bus is parked in a safe area off a highway, or in an emergency situation.

### Accidents

Forms shall be provided for the immediate reporting of all incidents involving a district-owned or contracted vehicle that include any of the following:

- A. Physical injury to anyone concerned, no matter how minor
- B. Property damage of any kind, even if the financial loss is negligible
- C. Failure of any mechanical function of a district-owned or contracted vehicle during operation, even if no injury or damage results

It shall be the responsibility of the Superintendent to direct an investigation on the report and to comply with the law. The information gained shall be considered in evaluating personnel performances, and in scheduling inspection of vehicles.

### Bus Procedures to Reduce the Spread of Contagion

- A. To the maximum extent practicable, bus drivers will ensure that students and adults comply with appropriate social distancing practices (at least six feet between riders) while on the school bus. Hand sanitizer will be made available at the school bus entrance for use when boarding.
- B. Drivers should practice all safety actions and protocols as indicated for other staff, including hand hygiene and face coverings.
- C. Students must wear face coverings while riding on the bus if social distancing or physical barriers cannot be maintained. Accommodations for students who are unable to wear face coverings should be consistent with the student's IEP. For adults, accommodations shall be consistent with those provided by the school district for staff and others;
- D. Bus drivers will be reminded to implement certain personal hygiene actions (e.g., frequent hand washing) and be afforded the opportunity to do so (such as having sufficient time between routes);
- E. District vehicles will be cleaned and sanitized including seats, rails, and highly touch surfaces

before each run.

- F. Contracted transportation providers shall be required to clean and sanitize seats, rails and highly touched surfaces before each run. The district shall collaborate with the contracted service provider to develop these procedures and ensure that they are consistently followed. The contracted service provider shall collaborate with the district in establishing cleaning/sanitation protocols that are consistent with social distancing practices. The contracted service provider shall ensure that employees are fully trained in the implementation of the established protocols.
- G. All personnel responsible for cleaning school buses shall document the cleaning/sanitizing measures taken. Personnel are required to:
  - 1. Demonstrate an understanding of the established protocols that must be taken to properly clean and sanitize the bus; and
  - 2. Provide a certification that, before the route commenced, the required process was completed as required.
- H. These procedures will include a minimum of two stages: cleaning, which removes dirt and germs from surfaces; and disinfecting, which kills germs on surfaces that remain after cleaning.
- I. The procedures will identify sanitizing agents that may be used and will be limited to products included on the U.S. Environmental Protection Agency's list of products that have been shown to be effective against COVID-19;

#### Training for Interacting with Students with Special Needs

The (*board or board of education contractor that provides student transportation services*) shall administer the New Jersey Department of Education developed training program on the proper procedures for interacting with students with special needs to all school bus drivers and school bus aides that it employs. The training program includes appropriate behavior management; effective communication; use and operation of adaptive equipment; and understanding behaviors that may be related to specific disabilities.

The training program shall be administered prior to that individual operating a school bus or serving as an aide on a school bus.

The (*board or board of education contractor that provides student transportation services*) requires that a school bus driver or school bus aide file a certification with the (*board or board of education contractor that provides student transportation services*) that the individual has completed the training program within five business days of its completion. The (*board or board of education contractor that provides student transportation services*) shall retain a copy of the certification for the duration of the individual's employment and shall forward a copy of the certification to the New Jersey Department of Education.

The parent or guardian of a student with an individualized education plan shall complete the student information card when the individualized education plan is developed or amended for a student who receives transportation services. The student information card, developed by the New Jersey Department of Education, shall include information that should be readily available to a school bus driver and school bus aide for the purpose of promoting proper interaction with a student with special needs.

Upon receiving consent from a student's parent or guardian, a copy of the completed student information card shall be provided to the student's assigned school bus driver and school bus aide.

#### Drills

Emergency evacuation drills shall be conducted regularly throughout the school year to acquaint the pupil riders thoroughly with emergency situations. An emergency evacuation drill shall be held as soon as possible after the opening day of school and then at least twice a year. Pupils who do not require

busing shall participate in a drill necessary before a field trip. All pupils must receive evacuation instruction at least once within the school year.

### Vehicles and Equipment

All district-owned or contracted vehicles used to transport children shall be maintained in such condition as to provide safe and efficient transportation service with a minimum of delays and disruption due to mechanical or equipment failure.

All district-owned or contracted vehicles used to transport children shall conform with state standards for such vehicles and shall be equipped with all safety devices required by code and statute.

All passengers on buses equipped with seat belts shall wear properly adjusted and fastened seat belts or other child restraint systems at all times while the bus is in operation.

### Bus Drivers

Drivers of all Type I and Type II school vehicles used to transport district pupils shall be licensed by the State of New Jersey as bus drivers. They shall comply with all state requirements on physical condition, criminal history clearance, etc. The district shall be in compliance with all drug and alcohol testing requirements of the Omnibus Transportation Employee Testing Act and implementing regulations and shall provide all bus drivers with required information on them (see policy 4219.23 Employee substance abuse). Bus drivers are responsible for the safety of pupils entering, riding, and departing their vehicle. Bus drivers are prohibited from using a cell phone while driving a school bus.

### Key Words

Safety, Bus Safety, Transportation Safety, Pupil Transportation, Student Transportation

### Legal References:

N.J.S.A. 18A:6-7.1 Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception

N.J.S.A. 18A:25-2 Authority over pupils

N.J.S.A. 18A:39-1 *et seq.* Transportation of pupils remote from school

### See particularly:

N.J.S.A. 18A:39-17, -18, -19.1, -20

N.J.S.A. 18A:39-19.2 through N.J.S.A. 18A:39-19.4 Training program for school bus drivers, bus aides relative to students with special needs

N.J.S.A. 18A:39-26 School Bus Safety Act

N.J.S.A. 18A:39-27 Bus Driver Presence Required

N.J.S.A. 18A:39-28 Inspection of School Bus for Pupils

N.J.S.A. 39:3-10.9 *et seq.* New Jersey Commercial Driver License Act

N.J.S.A. 39:3B-1.1 *et seq.* School Buses, Equipment and Regulations

### See particularly:

N.J.S.A. 39:3B-10 through -12

N.J.A.C. 6A:27-1.1 *et seq.* Student Transportation

See particularly:

N.J.A.C. 6A:27-11.1, -11.2, -11.3, -11.4, -12.2, -13.3

34 CFR Part 85.100 *et seq.*, Governmentwide Debarment and Suspension (nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)

49 U.S.C. § 31306 *et seq.*- Omnibus Transportation Employee Testing Act of 1991

49 C.F.R. Part 40.1 *et seq.* - Procedures for Transportation Workplace Drug Testing Programs

49 C.F.R. Part 382.101 - Controlled Substance and Alcohol Use and Testing

49 C.F.R. Part 391.1 *et seq.* - Qualification of drivers

Policies and Procedures Manual for Pupil Transportation, N.J. State Department of Education

*The Department of Education School Bus Driver and Aide Training for Interacting with Students with Special Need*: located on the New Jersey Department of Education website at: <http://www.nj.gov/education/finance/transportation/training/dis/>

The NJDOE Guidance: *The Road Back: Restart and Recovery* at: <https://www.nj.gov/education/reopening/>

**Possible Cross References:**

\*3516 Safety

\*3541.1 Transportation routes and services

\*4211 Recruitment, selection and hiring

\*4119.23/4219.23 Employee substance abuse

\*4231/4231.1 Staff development; inservice education/visitations/conferences

\*5131 Conduct/discipline

\*1531.1 Harassment, intimidation and bullying

\*5142 Pupil safety

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

Adopted: January 19, 2010

Revised: November 2016

Revised: September 21, 2020

**Mountain Lakes School District**

## 3542 FOOD SERVICES

The Board of Education recognizes the midday meal as an important part of each pupil's school day. The Superintendent shall ensure a wholesome, nutritious food services program in the district.

The Board shall provide food service facilities for the consumption of food on school premises. All pupils not expressly excused by the Principal shall be expected to remain at school for lunch.

The operation and supervision of the food services program shall be the responsibility of the School Business Administrator/Board Secretary. The Board shall annually review costs, charges, menu options and contract provisions associated with the Food Services Program.

It shall be operated in strict compliance with all laws and regulations pertaining to health, sanitation and safety; internal accounting; employment practices; nutritional standards; costs of lunches; and periodic reporting required by New Jersey law.

In order to ensure that the nutritional needs of the district pupils are met, the Board directs the organization of a nutritional advisory committee composed of administrators, food service personnel, parent(s) or legal guardian(s), and pupils interested in the nutritional program of the district. The committee shall make its recommendations to the Superintendent.

The School Business Administrator/Board Secretary shall ensure the maintenance of sanitary, neat premises, free from fire and health hazards, for the preparation and consumption of food in strict compliance with regulations of the New Jersey State Department of Health.

### Legal References:

N.J.S.A. 18A:11-1 General mandatory powers and duties

N.J.S.A. 18A:18A-5 Exceptions to requirement for advertising

### See particularly:

N.J.S.A. 18A:18A-5a(6)

N.J.S.A. 18A:18A-6 Standards for purchase of fresh milk; penalties; rules and regulations

N.J.S.A. 18A:33-3 through -5 Cafeterias for pupils

N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

N.J.S.A. 18A:58-7.1 through -7.2 School lunch program ...

N.J.A.C. 2:36-1.1 *et seq.* Child Nutrition Programs

N.J.A.C. 6A:23A-16.5 Supplies and equipment

N.J.A.C. 6A:30-1.1 *et seq.* Evaluation of the Performance of School Districts

N.J.A.C. 6A:32-12.1 Reporting requirements

N.J.A.C. 6A:32-14.1 Review of mandated programs and services Manual for the Evaluation of Local School Districts

Previously Policy No. 8500

Adopted: January 3, 2006



Revised: November 19, 2018

LR2011

**Mountain Lakes School District**

## 3542.1 LOCAL WELLNESS/NUTRITION

The board believes that children need access to healthful foods and opportunities to be physically active in order to grow, learn, and thrive, and that good health fosters student attendance and education.

Obesity rates have doubled in children and tripled in adolescents over the last two decades, and physical inactivity and excessive calorie intake are the predominant causes of obesity. Heart disease, cancer, stroke, and diabetes are responsible for two-thirds of deaths in the United States, and major risk factors for those diseases, including unhealthy eating habits, physical inactivity, and obesity, often are established in childhood. Further, the items most commonly sold from school stores, and snack bars include low-nutrition foods and beverages, such as soda, sports drinks, imitation fruit juices, chips, candy, cookies, and snack cakes.

To promote healthful behavior in the school, the board is committed to encouraging its students to consume fresh fruits, vegetables, low fat milk and whole grains. The board is also committed to encouraging students to select and consume all components of the school meal.

In order to promote and protect children's health, well-being, and ability to learn, the board is committed to providing school environments that support healthy eating and physical activity and will ensure that:

- A. All students will have opportunities, support, and encouragement to be physically active on a regular basis;
- B. Foods and beverages sold or served at school will meet the nutrition recommendations of the *U.S. Dietary Guidelines for Americans*, and the USDA nutrition standards for National School Lunch, School Breakfast and/or After School Snack Programs. The district will regulate the types of food and beverage items offered outside the federal meal requirements, such as ala carte sales, vending machines, school stores, and fund raisers;
- C. All students will be provided with adequate time for student meal service and consumption in a clean, safe, and pleasant dining environment. Lunch and recess or physical education schedules will be coordinated with the meal service;
- D. To the maximum extent practicable, all schools in our district will participate in available federal school meal programs (including the School Breakfast Program, National School Lunch Program including - After-School Snack Programs, Summer Food Service Program and Child and Adult Care Food Program);
- E. Schools will provide nutrition education and physical education to foster lifelong habits of healthy eating and physical activity, and will establish linkages between health education and school meal programs, and with related community services; and
- F. The board will engage students, parents, teachers, food service professionals, health professionals, and other interested community members in developing, implementing, monitoring, and reviewing district-wide nutrition and physical activity policies.

### All Schools

The following items shall not be served, sold or given out as free promotion anywhere on school property at anytime before the end of the school day:

- A. Foods of minimal nutritional value as defined by the United States Department of Agriculture;
- B. All food and beverage items listing sugar, in any form as the first ingredient; and

### C. All forms of candy

Schools shall reduce the purchase of any products containing trans fats. All snack and beverage items sold or served anywhere on school property during the school day, including items sold in ala carte lines, vending machines, snack bars, school stores and fund raisers or served in the reimbursable After School Snack Program, shall meet the following standards:

#### A. Based on manufacturer's nutritional data or nutrient facts labels:

1. No more than eight grams of total fat per serving, with the exception of nuts and seeds; and
2. No more than two grams of saturated fat per serving.

#### B. All beverages shall not exceed 12 ounces, with the following exceptions:

1. Water; and
2. Milk containing two percent or less fat.

#### C. Whole milk shall not exceed eight ounces.

### Elementary Schools

#### A. 100 percent of all beverages offered shall be milk, water; or

#### B. 100 percent fruit or vegetable juices.

### Middle and High Schools

#### A. At least 60 percent of all beverages offered, other than milk and water, shall be 100 percent fruit or vegetable juices; and

#### B. No more than 40 percent of all ice cream/frozen desserts shall be allowed to exceed the above standards for sugar, fat, and saturated fat.

### General School District Requirements

Food and beverages served during special school celebrations or during curriculum related activities shall be exempt from this policy, with the exception of foods of minimal nutritional (FMNV) value as defined by USDA regulations.

This policy does not apply to: medically authorized special needs diets pursuant to federal regulations; school nurses using FMNVs during the course of providing health care to individual students; or special needs students whose Individualized Education Program (IEP) indicates their use for behavior modification.

Adequate time shall be allowed for student meal service and consumption. Schools shall provide a pleasant dining environment. The board recommends that physical education or recess be scheduled before lunch whenever possible.

The district's curriculum shall incorporate nutrition education and physical activity consistent with the New Jersey Department of Education Core Curriculum Content Standards.

The chief school administrator will specifically address the issue of biosecurity for the school food service. Biosecurity may be part of the plans, procedures and mechanism for school safety.

The board is committed to promoting the nutrition policy with all food service personnel, teachers,

nurses, coaches and other school administrative staff so they have the skills they need to implement this policy and promote healthy eating practices. The board will work toward expanding awareness about this policy among students, parents, teachers and the community at large.

The chief school administrator shall develop regulations consistent with this policy, including a process for measuring the effectiveness of its implementation, and designation personnel within each school with operational responsibility for ensuring the school is complying with the policy.

Date: May 20, 2014 Revised

Legal References: Use legal reference sheet.

Key Words

School Lunch, Food Service, Nutrition, Wellness

**Mountain Lakes School District**

## **3542.2 SCHOOL MEAL PROGRAM ARREARS**

The school meal program shall make a nutritionally adequate meal (breakfast and/or lunch) available to every student and shall operate on the most economically feasible basis. It shall be operated in strict compliance with all laws and regulations pertaining to health; sanitation and safety; internal accounting; employment practices; nutritional standards; costs of meals; and periodic reporting required by New Jersey law.

The board of education believes that regularly consumed nutrition helps maintain the students' energy and facilitates concentration, supporting student achievement (see board policy 3542.1 Wellness and Nutrition). Therefore, it is the expectation of the board that students with the assistance of their parents/guardians come prepared for school each day with lunch/breakfast or meal money. Students repeatedly forgetting their breakfast or lunch meal or their meal money may be subject to consequences including parent/guardian conference, loss of privileges and detention according to the school code of student conduct.

Qualified students whose families have a financial hardship may apply for assistance according to policy 3542.31 Free or Reduced Price Lunches, Milk. The procedures for the administration of the free and reduced price meal program of this school district will be the same as those prescribed in current state and federal laws and regulations.

The board shall strive to make affordable meals available to all students. Students who do not qualify for free or reduced price meals or milk may receive school lunch through the school meal program for a fee that is approved by the board. Any student who has a hardship but does not qualify for free and reduced price lunches or milk, may be considered for other assistance on a case by case basis.

The purchase of meals through the school program shall be optional and shall not prevent any student from bringing their own lunch or breakfast to school.

The school business administrator shall be responsible for the accounting and tracking of revenues and expenses generated by the school meal program. The principal or his or her designee shall oversee the notification of parents/guardians for the payment of charges and arrears associated with the school meal program. Being in arrears shall be defined as being behind in meal payments due, resulting in debt or liability to the district.

### **Procedures for Charging Lunch**

In the event a student's school lunch or breakfast bill is in arrears, the principal or his or her designee shall contact the student's parent/guardian to provide notice of the amount in arrears and shall provide the parent/guardian a period of ten school days to pay the full amount due. If the student's parent/guardian does not make full payment to the school by the end of the ten school days, the principal or his or her designee shall again contact the student's parent/guardian to provide a second notice that their child's lunch or breakfast bill is in arrears. If payment in full is not made within one week from the date of the second notice, the student may not be served school breakfast or lunch, as applicable, beginning the eighth calendar day from the date of the second notice (N.J.S.A. 18A:33-21).

The building principal or his or her designee shall implement appropriate measures that ensure that students who cannot pay for a school breakfast or a school lunch or whose school breakfast or school lunch bill is in arrears shall not be publicly identified or stigmatized.

Students without breakfast/lunch or meal money may receive a meal through the school meal program according to the following rules:

- A. Students without breakfast/lunch or meal money shall be allowed to select a meal from a limited menu not to exceed the reimbursable meal allowance and shall not be permitted to

carte items, or other food charges during the school day;

B. Payment on the charge should be made by the student the following school day;

C. The school business administrator shall notify the principal when the student has accumulated five (5) unpaid meal charges;

D. The principal or his or her designee shall notify parents/guardians of the breakfast/lunch arrears. This shall constitute the first notification in accordance with law (N.J.S.A. 18A:33-21). The notification shall include:

1. The board policy 3542.2 School Meal Program Arrears;
2. The requirement that payment be made within ten school days;
3. A statement of the meal charges, that includes instructions for payment;
4. A description and price list for the school breakfast/lunch program;
5. Information regarding participation in the federal free or reduced price lunches, milk program;
6. A request to schedule a conference to investigate and address the problem and to ascertain to what degree the student is responsible or if there are mitigating circumstances or financial hardship that are contributing to the problem;

E. Following the first notice the district shall continue to provide the student with a meal (lunch and/or breakfast). When payment is not received within ten school days following the first notice, the principal or his or her designee shall provide the second notification of the arrears. The second notice shall be mailed/emailed to the student and the parents/guardians and include:

1. A statement that if payment in full is not made within one week from the date of the second notice, the student may not be served school breakfast or lunch, as applicable, beginning the eighth calendar day from the date of the second notice;
2. The board policy 3542.2 School Meal Program Arrears;
3. A statement of the meal charges, that includes instructions for payment;
4. A request to schedule a conference with the principal to discuss the arrears;
5. As necessary and appropriate notification that the district shall make a report to the Division of Child Protection and Permanence;
6. As necessary and appropriate notification that the district will enforce collection efforts and related fees, including filing a cause of action in small claims court.

F. Qualified students receiving assistance according to policy 3542.31 Free or Reduced Price Lunches, Milk who accumulate arrears shall continue to receive a meal not to exceed the reimbursement meal allowance regardless of a bill in arrears. The student shall not, however, be permitted ala carte items, or other food charges during the school day;

G. Students found responsible for repeatedly forgetting breakfast/lunch or meal money shall be considered unprepared for school may be subject to consequences including loss of privileges and detention according to the school code of student conduct;

H. A meal from a limited menu not to exceed the reimbursable meal allowance shall always be provided to students in kindergarten through grade twelve (12). The student shall not be

permitted ala carte items, or other food charges during the school day;

Restrictions related to the purchase of ala carte items or other foods that are offered as part of the school meal program shall cease upon payment of the charges in arrears.

## **Payment of Charges**

The school business administrator shall be responsible for tracking and billing all lunch accounts in arrears. The following guidelines shall apply:

- A. Charges will show a negative account balance on the student's school meal program account, and billed, at a minimum, quarterly to the parent/guardian;
- B. Payments on charges shall be brought directly to the main office or mailed to the main office;
- C. The payment shall be recorded and a receipt generated and given or mailed in acknowledgement of payment received according to the established district business procedures.

## **Implementation**

The policy shall be communicated in writing at the start of the school year to the families of enrolled students and students whose families are transferring into the district. The policy may be distributed in writing, posted in the student handbook, and/or posted on the school and/or district website to meet this communication requirement.

The policy shall be reviewed regularly and updated as necessary.

## **Key Words**

School Lunch, Food Service, Nutrition, Wellness

Adopted: April 7, 2014

Revised: January 16, 2018

**Mountain Lakes School District**

### **3542.31 FREE OR REDUCED PRICE BREAKFAST - LUNCH**

It is the policy of the Board of Education that this school district participate in any federal or state subsidized food program for the benefit of eligible pupils. Pupil eligibility shall be as determined by the guidelines of the subsidizing agency. The Board requires that all regulations of the subsidizing agency be observed including especially those which preserve the privacy of eligible pupils.

The Board hereby adopts as its own the free and reduced-price policy developed by the bureau of child nutrition programs pursuant to federal regulations.

#### Legal References

Adopted: January 19, 2010

LR2011

**Mountain Lakes School District**



## **3542.44 PURCHASING**

The Board of Education authorizes and directs the Superintendent or designee to execute contracts with proper vendors in accordance with state law to purchase subsistence amounts of perishable foods without competitive bids. This policy shall be published annually as required by law, along with the procedures by which authorized vendors may become eligible to submit quotations.

The food vendor is authorized to purchase not more than \$250 worth of food supplies in any month for the cafeterias or food preparation classes without soliciting quotations. Such purchases must be documented according to law.

### Legal References

Adopted: January 19, 2010

LR2011

**Mountain Lakes School District**

## **3570 DISTRICT RECORDS AND REPORTS**

The operation of a school district results in the generation of numerous documents and official records. These must be maintained in compliance with the NJ Open Public Records Act and other laws and regulations. Members of the public have the right under law to inspect and copy (with certain exceptions) the public records of the district.

The district plans to preserve these records by (1) appointing the business administrator as records custodian, (2) periodically reviewing records retention with the Superintendent and the school Board or a committee thereof, and (3) retaining records according to the schedule for educational institutions promulgated by NJDARM (NJ Division of Archives & Records Management). A partial schedule, for key classes of records, is shown at the end of this policy.

### Availability to the Public

For the protection of the public interest, the Board believes that members of the community have a right to inspect, copy or examine district records, with certain exemptions as specifically described in statute. Any limitations on this right shall be construed in favor of the public's right to access. Requests for district records shall be submitted to the records custodian (or designee) in writing on the appropriate form. The custodian shall reply to all requests promptly and shall grant access or deny the request as soon as possible, but within seven days, provided that the record is currently available and not in storage or archived.

The custodian shall permit district records to be inspected, examined or copied during the hours that the Board office is open (or for small districts with an enrollment of 500 or fewer, during not less than six regular business hours over not less than three business days per week). Immediate access ordinarily must be granted for budgets, bills, contracts and collective negotiations agreements. Copies may be made at fees not to exceed those set by statute. Anonymous requests for government records are permitted by law. If an anonymous request is made and the estimated cost of producing copies exceeds \$5.00, a deposit may be required. Anonymous requests for personal information will not be fulfilled.

Access shall be granted in the medium requested or some other meaningful medium, unless the request is for a record in a medium not routinely used by the district; not routinely developed or maintained by the district; or requiring a substantial amount of manipulation or programming of information technology. In these cases, the Board may add a special reasonable charge. The custodian shall ensure that statements are prominently posted in district offices that describe the specific terms of the public's right to appeal a denial of access and procedures for filing an appeal.

### Records Exempted from Public Access

Records exempted by law include: security and emergency response procedures; purchase, lease or acquisition of real property; pending or anticipated litigation; reports of investigations in progress; matters for which disclosure would impair the right to receive federal funds; pending negotiations toward a collective bargaining agreement; most personnel and pension records of an individual; questions and answer keys (for personnel or academic examinations and job interviews); records concerning individual pupils and staff, their home addresses and telephone numbers (unless waived by the individual); reports and recommendations that involve unwarranted invasion of privacy; medical and psychological records. The records custodian will keep confidential and edit out information in records that disclose social security numbers, credit card information and drivers' license numbers.

### Record Retention

Record retention periods in conformance with state and federal codes, regulations, and statutes of limitation may be accessed through the New Jersey Division of Archives and Records Management (NJDARM) in the School District Records Retention and Disposition Schedule located at

<http://www.state.nj.us/state/darm/links/retention.html#eds>. The records custodian will ensure that records are retained and appropriately stored in accordance with state and federal statute and regulation. A partial schedule of retention periods for pertinent school record categories is listed below (**Note: the School District Records Retention and Disposition Schedule should be consulted before any record is destroyed**).

#### Partial Record Retention Schedule

1. *Financial records*: 7 (seven) years
2. *Agendas and minutes*: Permanent for originals; 1 year for copies
3. *Resolutions of the school Board*: Permanent
4. *Administrative policy and advisory statements*: Permanent
5. *Correspondence, including emails*: 3 (three) years for general external correspondence; one year for internal correspondence
6. *Official public meeting notice*: 3 (three) years
7. *Legal notice in newspaper*: 7 (seven) years
8. *Publisher's affidavits*: 10 (ten) years
9. *Tape recordings of school Board meetings (audio tape and video)*: 45 (forty-five) days or until summary or verbatim transcripts have been approved as minutes
10. *Election file*: 5 (five) years for bonding election report, certificate and voting authority
11. *Other election materials*: 1 (one) year
12. *Master publications file of school newsletters, yearbooks, student handbooks, etc.*: Permanent
13. *School monitoring file (with school monitoring annual plan)*: Permanent
14. *Internal monitoring guide and action plan*: 14 (fourteen) years
15. *Academic master plan (updated every seven years)*: Permanent
16. *Support file for the academic master plan, including school evaluations*: 10 (ten) years.
17. *Fall and statistical report file*: 5 (five) years
18. *Settlements (original)*: Permanent
19. *Agency copy of routine settlements*: 3 (three) years after final settlement

School District Retention Schedule: Active Records - Administration, can be found at NJDARM School District Records Retention and Disposition Schedule reference number M7000101-999. For all other items the district will consult NJDARM School District Records Retention and Disposition Schedule for retention and disposal information.

#### Implementation

The Superintendent shall periodically review the work of the records custodian with the school Board

or a committee thereof, to ensure that necessary steps are being taken to gather, record, disseminate, copy, store and ultimately to destroy school district records in accordance with applicable laws. Particular attention shall be paid to implementing the public's right to access records and to protecting from public access those records specifically exempted by law. If deemed necessary, the Board will adopt additional rules, regulations and procedures to implement this policy.

#### Legal References

Revised: January 19, 2010

LR2011

**Mountain Lakes School District**

## **3571.4 AUDIT**

The Board of Education shall annually cause an audit to be made of the district's accounts and financial transactions. The audit will be conducted in accordance with law by the public school accountant appointed by the Board and will be completed within four months after the end of the school fiscal year. N.J.S.A. 18A:23-1

The Board Secretary will receive the audit report and recommendations of the public school accountant and prepare a summary prior to the meeting at which the report will be discussed by the Board. Copies of the summary will be available to members of the public.

Within thirty days of the receipt of the audit report, the Board will, at a regularly scheduled public meeting, cause the recommendations of the public school accountant to be read and will discuss the recommendations.

The Board will implement the audit recommendations and report such implementation to the Commissioner.

The Board directs the Superintendent and other appropriate district officers and employees to cooperate fully with the public school accountant and to keep faithfully such records and reports as will assist in the audit process.

Previously Policy No. 6830

Adopted: January 3, 2006

LR2011

**Mountain Lakes School District**

## **3600 EVALUATION OF BUSINESS AND NONINSTRUCTIONAL OPERATIONS**

The school district shall evaluate business processes annually and allocate available resources appropriately in an effort to establish a strong control environment.

The Business Administrator/Board Secretary shall identify processes that when performed by the same individuals are a violation of sound segregation of duties. The Business Administrator/Board Secretary shall segregate the duties of all such processes among business office staff based on available district resources, assessed vulnerability and the associated cost-benefit

The following functions shall be segregated and completed by different employees in all districts.

A. Human resources and payroll

B. Purchasing and accounts payable

The district shall include in the Comprehensive Annual Financial Report (CAFR) detailed organizational charts for the central office that tie to the districts' position control logs, including, but not limited to, the business, human resources and information management functions.

### Legal References

Adopted: January 19, 2010

**Mountain Lakes School District**

**Series 4000 - PERSONNEL**

**Mountain Lakes School District**

## **4111 RECRUITMENT, SELECTION AND HIRING – Certified Staff**

The board guarantees equal employment, advancement opportunity and equal pay for equal work for all people regardless of race, creed, color, national origin, nationality, ancestry, age, sex, affectional or sexual orientation, gender identity or expression, marital status, domestic partnership status, familial status, liability for service in the Armed Forces of the United States, atypical hereditary cellular or blood trait of any individual, disability or because of genetic information or refusal to submit to or make available the results of a genetic test, pregnancy or other conditions not related to the duties and responsibilities of the job.

The board believes that the quality of the professional staff in large part determines the quality of the education offered district pupils. Therefore, the chief school administrator shall have the responsibility of locating and recruiting the best qualified candidates to provide for the identified needs of district pupils. Recruiting practices shall include measures for targeting underrepresented populations in every category of employment.

Provisional teaching candidates shall be given equal consideration with all other candidates for teaching positions. The chief school administrator shall follow all requirements of the administrative code in providing the necessary training program for all teachers hired with provisional certificates.

In accordance with the Every Student Succeeds Act, all teachers hired by the board for programs in the district supported with Title I, part A funds shall meet the State certification and licensure requirements. All teachers of core academic subjects (English, reading/language arts, mathematics, science, foreign languages, civics/government, economics, arts, history and government) hired by the board shall possess the appropriate certification including having a bachelor's degree from an accredited institution of higher learning and:

- A. Complete an undergraduate major in the appropriate subject area;
- B. Hold a graduate degree in the subject area; or
- C. Complete at least 30 credits in a coherent sequence of courses appropriate to the subject area.

The chief school administrator or his or her designee shall ensure that the district's employment application process and pre-employment inquiry and interview process conform to the guidelines of the New Jersey Division on Civil Rights and the Law Against Discrimination.

It shall be the duty of the chief school administrator to see that persons nominated for employment shall meet all qualifications established by state or federal law, including the successful completion of a criminal history check, proof of citizenship or eligible alien status, and certification for the type of position for which nomination is made.

The chief school administrator shall take steps to verify the academic credentials of any potential candidate for employment, and ensure any degrees cited, academic coursework or credits completed, or titles claimed by an individual have been granted by an accredited institution of higher education. For chief school administrator candidates, the board shall take similar steps. Documents shall not be accepted from non-accredited institutions or any fraudulent source. If a current employee is found to have obtained employment, tuition reimbursement or increased salary based on documents or credentials obtained from a non-accredited institution, the board will take appropriate action, up to and including the possible discharge of the individual and/or obtaining a refund of the tuition reimbursement or increased salary.

The chief school administrator shall recommend for employment those individuals who, in his/her opinion, are best qualified to fill the vacancy without regard to race, creed, color, national origin, nationality, ancestry, age, sex, affectional or sexual orientation, gender identity or expression, marital



status, domestic partnership status, familial status, liability for service in the Armed Forces of the United States, atypical hereditary cellular or blood trait of any individual, disability or because of genetic information or refusal to submit to or make available the results of a genetic test, pregnancy or other conditions not related to the duties and responsibilities of the job.

The chief school administrator shall prepare and maintain job descriptions that define the duties, responsibilities and qualifications required for each position. The board shall adopt those job descriptions required by law or code and others as appropriate.

The chief school administrator in determining the candidates to be nominated shall seek information whenever possible from the candidate's prior employers.

The board shall affirm employment and initial placement on the salary guide by a recorded roll call majority vote of the full membership of the board.

The board shall appoint all staff members only from nominations made by the chief school administrator. Should a nominee be rejected, it shall be the duty of the chief school administrator to make other nominations.

### Residency Requirements

Every employee hired by the board shall have their principal residence with the State of New Jersey. For the purposes of this policy an employee may have only one principal residence which shall be defined as:

- A. Where the employee spends the majority of their nonworking time;
- B. Is most clearly the center of the employee's domestic life; and
- C. The employee's designated legal address and legal residence for voting.

The fact that an employee is either domiciled or owns a home or property in the State of New Jersey shall not by itself satisfy the requirement of principal residence.

### Exemptions

- A. An employee hired on or after September 1, 2011 who is not a resident when hired shall receive one year to establish residency in New Jersey. If the employee fails to establish residency within that year, he/she shall be deemed unqualified for employment and shall be removed pursuant to N.J.S.A. 52:14-7(d);
- B. An existing employee who was not a resident of New Jersey on or prior to September 1, 2011 is exempted from this policy. However, if he/she has had a break in public service for a period of time greater than seven days this exemption shall not apply;
- C. An employee hired by the district who was a non-resident public employee prior to September 1, 2011 is exempted from this policy. However, if he/she has had a break in public service for a period of time greater than seven days this exemption shall not apply;
- D. A break in public service shall be defined as an actual separation from employment for more than seven calendar days due to such causes as resignation, retirement, layoff, or disciplinary removal. But a leave of absence shall not be considered a break in public service;
- E. An employee may request an exemption made to the State committee formed under N.J.S.A. 52:14-7 on a basis of critical need or hardship. The decision on whether to approve an application of the employee shall be made by a majority vote of this committee. If this committee fails to act within 30 days after receipt of the employee's application, no exemption shall be granted and the residency requirements set forth in this policy shall be in effect.

## Employment History - Definitions

For the purpose of this policy:

A. "Child abuse" means any conduct that falls under the purview and reporting requirements of law (P.L. 1971, c.437; N.J.S.A. 9:6-8.8 *et seq.*) and is directed toward or against a child or student, regardless of the age of the child or student (see also board policy 5141.4 Missing, Abused and Neglected Children);

B. "Sexual misconduct" means any verbal, nonverbal, written, or electronic communication, or any other act directed toward or with a student, including a sexual invitation, dating or soliciting a date, engaging in sexual dialogue, making sexually suggestive comments, self-disclosure or physical exposure of a sexual or erotic nature, and any other sexual, indecent or erotic contact with a student.

## Required Disclosure of Employment History

The board shall require all applicants for employment and applicants to provide contracted services for positions and services that involve regular contact with students to provide the following information:

A. A list, including name, address, telephone number and other relevant contact information of the applicant's:

1. Current employer;
2. All former employers within the last 20 years that were schools; and
3. All former employers within the last 20 years where the applicant was in a position that involved direct contact with children;

B. A written authorization that consents to and authorizes disclosure of the information requested for the district to review the employment history and the release of related records by the applicant's list of employers as detailed in "A" of this section, and that releases those employers from liability that may arise from the disclosure or release of records;

C. A written statement as to whether the applicant:

1. Has been the subject of any child abuse or sexual misconduct investigation by any employer, State licensing agency, law enforcement agency or the New Jersey Department of Children and Families. This is not required if the investigation resulted in a finding that the allegations were false or the alleged incident of child abuse or sexual misconduct was not substantiated;
2. Has ever been disciplined, discharged, nonrenewed, asked to resign from employment, resigned from or otherwise separated from any employment while allegations of child abuse or sexual misconduct were pending or under investigation, or due to an adjudication or finding of child abuse or sexual misconduct;
3. Has ever had a license, professional license, or certificate suspended, surrendered, or revoked while allegations of child abuse or sexual misconduct were pending or under investigation, or due to an adjudication or finding of child abuse or sexual misconduct.

## Review of the Employment History

A review of the employment history of the applicant shall be conducted and the employers listed by the

applicant contacted. The dates of employment shall be requested and a statement as to whether the applicant:

A. Was the subject of any child abuse or sexual misconduct investigation by any employer, State licensing agency, law enforcement agency or the New Jersey Department of Children and Families. This is not required if the investigation resulted in a finding that the allegations were false or the alleged incident of child abuse or sexual misconduct was not substantiated;

B. Was disciplined, discharged, nonrenewed, asked to resign from employment, resigned from or otherwise separated from any employment while allegations of child abuse or sexual misconduct were pending or under investigation, or due to an adjudication or finding of child abuse or sexual misconduct; or

C. Has ever had a license, professional license, or certificate suspended, surrendered, or revoked while allegations of child abuse or sexual misconduct were pending or under investigation, or due to an adjudication or finding of child abuse or sexual misconduct.

The review of the employment history may be conducted through telephone or cellphone, electronic communication or written communications. If the review is conducted by telephone or cellphone the results of the review shall be documented in writing by the district employee assigned to conduct the review.

Any applicant who willfully provides false information or willfully fails to disclose information required shall be subject to discipline and including termination or denial of employment; may be deemed in violation of law (N.J.S.A. 2C:28-3); and may be subject to a civil penalty of not more than \$500. Notification of these penalties shall be on all applications for employment for positions which involve regular contact with students.

#### Review of Out-of-State Employment History

A review of out-of-State employers that are part of the employment history of the applicant shall be conducted and the employers listed by the applicant contacted. The chief school administrator or his or her designee shall ensure that the employment history review conducted with an out-of-State employer is documented with specificity as to the diligent efforts made to:

A. Verify the information provided by the applicant; and

B. Obtain the information requested from any out-of-State employers listed by the applicant.

#### Nondisclosure Agreements

The district shall not enter into a collectively bargained or negotiated agreement, an employment contract, an agreement for resignation or termination, a severance agreement, or any other contract or agreement or take any action that:

A. Has the effect of suppressing or destroying information relating to an investigation related to a report of suspected child abuse or sexual misconduct by a current or former employee;

B. Affects the ability of the district to report suspected child abuse or sexual misconduct to the appropriate authorities;

C. Requires the district to expunge information about allegations or finding of suspected child abuse or sexual misconduct from any documents maintained by the district. This excludes allegations that are found to be false or alleged incidents of child abuse or sexual misconduct that have not been substantiated.

#### Implementation

The district may employ or contract with an applicant on a provisional basis for a period not to exceed 90 days pending the employment history review by the district provided that all of the following conditions are satisfied:

- A. The applicant has complied and provided the information requested;
- B. The district has no knowledge or information pertaining to the applicant that the applicant is required to disclose as part of the employment history review; and
- C. That special or emergent circumstances exist that justify the temporary employment of the applicant.

When the review of an applicant's employment history reveals that the applicant has a history of sexual misconduct or child abuse, the applicant shall be disqualified from employment with the district without grievance or appeals procedures or tenure proceedings pursuant to any collectively bargained or negotiated agreement or any law, rule or regulation.

The district shall respond to requests for employment history information pertaining to former or current district employees in compliance with law, within 20 days of the receipt of the request and former employee's consent to release the information.

Information received about an applicant's employment history shall not be a public record.

#### Legal References:

N.J.S.A. 10:5-1 *et seq.* Law Against Discrimination

#### See particularly:

N.J.S.A. 10:5-3

N.J.S.A. 18A:3-15.1 *et seq.* Fraudulently issued, obtained, forged or altered degree or certification; use in connection with business or occupation

N.J.S.A. 18A:6-5 Inquiry as to religion and religious tests prohibited

N.J.S.A. 18A:6-6 No sex discrimination

N.J.S.A. 18A:6-7.1, -7.5 Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception

N.J.S.A. 18A:6-7.6 through N.J.S.A. 18A:6-7.13 Employees; qualifications; discrimination, prohibitions

N.J.S.A. 18A:6-76.1 Deadline for notification to students of requirements of provisional certificate and induction program

N.J.S.A. 18A:11-1 General mandatory powers and duties

N.J.S.A. 18A:13-40 General powers and duties of board of newly created regional districts

N.J.S.A. 18A:16-1 Officers and employees in general

N.J.S.A. 18A:26-1, -1.1, -2 Citizenship of teachers, exceptions

N.J.S.A. 18A:27-1 *et seq.* Employment and Contracts

#### See particularly:

N.J.S.A. 18A:27-4.1

N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

N.J.S.A. 26:8A-1 *et seq. Domestic Partnership Act*

N.J.S.A. 52:14-7 Residency Requirements

N.J.A.C. 6A:7-1.1 *et seq.* Managing for Equality and Equity in Education

See particularly:

N.J.A.C. 6A:7-1.4, -1.5, -1.6, -1.8

N.J.A.C. 6A:9B-5.7 Citizenship requirement

N.J.A.C. 6A:9B-5.8 Endorsement requirements

N.J.A.C. 6A:9B-6.1 *et seq.* College courses and certification

N.J.A.C. 6A:9B-8.1 *et seq.* Requirements for Instructional Certification

N.J.A.C. 6A:9B-10.1 *et seq.* Exceptions for the Requirements for the Instructional Certificate

N.J.A.C. 6A:9B-11.1 *et seq.* Additional requirements or exceptions to requirements for instructional certification with special endorsements

N.J.A.C. 6A:9B-12.1 *et seq.* Requirements for administrative certification

N.J.A.C. 6A:10-1.1 *et seq.* Educator effectiveness

N.J.A.C. 6A:30-1.1 *et seq.* Evaluation of the Performance of School Districts

N.J.A.C. 6A:32-4.1 Employment of teaching staff

N.J.A.C. 6A:32-5.1 Standards for determining seniority

P.L. 2018, c.5 – regarding requirements for employment history review for child abuse and sexual misconduct.

P.L. 2018, c.9 – regarding unlawful employment practices with respect to discrimination in compensation or in the financial terms and conditions of employment

42 U.S.C.A. 2000e *et seq.* - Title VII of the *Civil Rights Act of 1964* as amended by the *Equal Employment Opportunities Act of 1972*

29 U.S.C.A. 794 *et seq.* - Section 504 of the *Rehabilitation Act of 1973*

8 U.S.C.A. 1100 *et seq.* - *Immigration Reform and Control Act of 1986*

42 U.S.C.A. 12101 *et seq.* - *Americans with Disabilities Act (ADA)*

*Every Student Succeeds Act*, Pub. L. 114-95, 20 U.S.C.A. 6301 *et seq.*

*Old Bridge Education Association v. Old Bridge Township Bd. of Ed.*, 1986 S.L.D. 1917

*Taxman v. Piscataway Bd. of Ed.*, 91 F. 3d 1547 (3d Cir. 1996)

The Comprehensive Equity Plan, New Jersey Department of Education

Adopted: June 5, 2006

Revised: May 20, 2019

**Mountain Lakes School District**

## **4111.1/4211.1 NONDISCRIMINATION/AFFIRMATIVE ACTION “TEACHING STAFF AND SUPPORT STAFF**

The Board of Education guarantees to all persons equal access to all categories of employment, retention and advancement in this district / assignment to a position, transfer, and promotion in this district. The board shall not assign, transfer, promote, or retain staff, or fail to assign, transfer, promote, or retain staff, on the sole basis regardless of race, creed, color, national origin, ancestry, age, sex, affectional or sexual orientation, gender identity or expression, marital status, domestic partnership status, familial status, pregnancy, liability for service in the Armed Forces of the United States, disability, nationality, atypical hereditary cellular or blood trait of any individual, non-applicable disability (i.e. a disability that does not preclude job performance) or because of genetic information or refusal to submit to or make available the results of a genetic test.

An affirmative action/equity program shall be a part of every aspect of employment not limited to but including upgrading; demotion or transfer; recruitment or recruitment advertising; renewal or non-renewal; layoff or termination; rates of pay or other forms of compensation including fringe benefits; employment selection or selection for training and apprenticeships; promotion; or tenure.

Pursuant to law, this Policy shall not be construed to bestow on an employee or retiree's domestic partner any pension or health benefits under the New Jersey Domestic Partnership Act.

The Board-designated affirmative action officer shall identify and recommend correction of any existing inequities, and any that occur in the future.

### Affirmative Action Officer and Team

The board designated affirmative action officer shall:

- A. In collaboration with the affirmative action team coordinate the required professional development training for certificated and non-certificated staff;
- B. Notify all employees of district grievance procedures for handling discrimination complaints; and
- C. Ensure that the district grievance procedures, including investigative responsibilities and reporting information, are followed (see board policy 2224 Nondiscrimination/Affirmative Action).

### Harassment and Favoritism

The Board of Education is an affirmative action employer and holds all its employees responsible for maintaining a working environment that is free from all discriminatory practices. Harassment or favoritism on any basis included in the Board's statement of equal access to employment, retention and advancement is prohibited.

Administrators and supervisors shall be familiarized with the actions that constitute harassment and favoritism. This material shall be included in the legally mandated affirmative action inservice training for all employees, and shall be clear and specific (see policy 2224). When harassment has been determined to have taken place, appropriate disciplinary action will follow.

All such determinations shall be reported to the Board.

### Sexual Harassment

The Board of Education shall maintain a working environment that is free from sexual harassment.

Administrators and supervisors will make it clear to all staff that sexual harassment is prohibited. No

supervisory employee shall threaten or insinuate, either directly or indirectly, that an employee's refusal to submit to sexual advances will adversely affect the employee's continued employment, evaluation, compensation, assignment or advancement. No supervisory employee shall promise or suggest, either directly or indirectly, that an employee's submission to sexual advances will result in any improvement in any term or condition of employment of an employee. Sexually harassing conduct committed by non-supervisory personnel is also prohibited.

Sexual harassment shall include, but not be limited to, unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- A. Submission to the conduct or communication is made a term or condition of employment or education;
- B. Submission to, or rejection of, the conduct or communication is the basis for decisions affecting employment and assignment or education;
- C. The conduct or communication has the purpose or effect of substantially interfering with an individual's work performance or education;
- D. The conduct or communication has the effect of creating an intimidating, hostile or offensive working or educational environment.

Sexual harassment of staff or children interferes with the learning process and will not be tolerated in the schools. Harassment by board members, employees, parents, students, vendors and others doing business with the district is prohibited. Any child or staff member who has knowledge of or feels victimized by sexual harassment should immediately report his/her allegation to the affirmative action officer or building principal. Anyone else who has knowledge of or feels victimized by sexual harassment should immediately report his/her allegation to the chief school administrator or board president. Employees whose behavior is found to be in violation of this policy will be subject to the investigation procedure which may result in discipline, up to and including dismissal. Other individuals whose behavior is found to be in violation of this policy will be subject to appropriate sanctions as determined and imposed by the chief school administrator/board. Law enforcement shall be summoned when appropriate. This policy statement on sexual harassment shall be distributed to all staff members.

Staff or pupils may file a formal grievance related to harassment on any of the grounds addressed in this policy. The affirmative action officer will receive all complaints and carry out a prompt and thorough investigation, and will protect the rights of both the person making the complaint and the alleged harasser.

Findings of discrimination or harassment will result in appropriate disciplinary action.

Staff may file a formal grievance related to sexual harassment. The affirmative action officers will receive all complaints and carry out a prompt and thorough investigation and will protect the rights of both the person making the complaint and the alleged harasser.

Findings of discrimination in the form of sexual harassment will result in appropriate disciplinary action.

### Pregnancy

The board prohibits discrimination against pregnant women and those who suffer medical conditions related to pregnancy and childbirth. The chief school administrator or his or her designee shall ensure that reasonable accommodations are made that will allow them to maintain a healthy pregnancy or recovery from childbirth, without being removed from their positions, placed on unpaid leave, or fired. The district shall provide reasonable accommodations to pregnant women and those who suffer medical conditions related to pregnancy and childbirth, such as bathroom breaks, breaks for



increased water intake, periodic rest, assistance with manual labor, job restructuring or modified work schedules, and temporary transfers to less strenuous or hazardous work.

Requested accommodations that cause the district an undue hardship are not required by law and shall not be provided.

### Employment and Contract Practices

The board shall ensure all persons, regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status, have equal and bias-free access to all categories of employment and equal pay for equal work among members of the school district's staff.

The board shall not enter into any contract with a person, agency, or organization that discriminates on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status, either in employment practices or in the provision of benefits or services to students or employees.

The board directs the chief school administrator to ensure that appropriate administrators implement the district's affirmative action policies by:

A. Adhering to the administrative code in selection of vendors and suppliers; informing vendors and suppliers that their employees are bound by the district's affirmative action policies in their contacts with district staff and pupils (see board policy 3327 Relations with Vendors);

B. Continuing implementation and refinement of existing practices and affirmative action plans, making certain that all recruitment, hiring, evaluation, training, promotion, personnel-management practices and collective bargaining agreements are structured and administered in a manner that furthers equal employment opportunity principles and eliminates discrimination on any basis protected by law, holding inservice programs on affirmative action for all staff in accordance with law.

### "Whistleblower" Protection

The Board prohibits discrimination or retaliation against any school employee who does any of the following:

A. A. Discloses or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the board that the employee reasonably believes is in violation of a law, or a rule or regulation established pursuant to law; or is fraudulent or criminal, including any activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity;

B. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation established pursuant to law by the board including any violation involving deception of, or misrepresentation; or

C. Objects to, or refuses to participate in any activity, policy or practice which the employee reasonably believes is in violation of law, rule or regulation; is fraudulent or criminal; or is incompatible with public health, safety or welfare or protection of the environment.

The Board shall ensure that notices are posted conspicuously in each school, informing employees that they are protected under the "Conscientious Employee Protection Act."

### Appeals

Grievances related to equity in employment practices shall be submitted to the affirmative action officer. Any individual may petition the Commissioner in writing to resolve a dispute arising related to equity in employment practices.

#### Report on Implementation

The Superintendent shall devise regulations, including grievance forms and procedures to implement this policy. He/she shall be responsible for informing staff annually of the identity and location of the affirmative action officer and the implementing procedures.

#### Legal References:

N.J.S.A. 10:5-1 *et seq.* Law Against Discrimination

#### See particularly:

N.J.S.A. 10:5-3, -4.1, -12, -27

N.J.S.A. 18A:6-5 Inquiry as to religion and religious tests prohibited

N.J.S.A. 18A:6-6 No sex discrimination

N.J.S.A. 18A:18A-17 Facilities for handicapped persons

N.J.S.A. 18A:26-1 Citizenship of teachers, etc.

N.J.S.A. 18A:26-1.1 Residence requirements prohibited

N.J.S.A. 18A:29-2 Equality of compensation for male and female teachers

N.J.S.A. 26:8A-1 *et seq.* Domestic Partnership Act

N.J.S.A. 34:19-1 *et seq.* Conscientious Employee Protection Act

N.J.A.C. 6A:7-1.1 *et seq.* Managing for Equality and Equity in Education

#### See particularly:

N.J.A.C. 6A:7-1.4, -1.8

N.J.A.C. 6A:30-1.1 *et seq.* Evaluation of the Performance of School Districts

N.J.A.C. 6A:32-14.1 Review of mandated programs and services

Executive Order 11246 as amended

29 U.S.C.A. 201 - Equal Pay Act of 1963 as amended

20 U.S.C.A. 1681 *et seq.* - Title IX of the Education Amendments of 1972

42 U.S.C.A. 2000e *et seq.* - Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunities Act of 1972

29 U.S.C.A. 794 *et seq.* - Section 504 of the Rehabilitation Act of 1973

20 U.S.C.A. 1401 *et seq.* - Individuals with Disabilities Education Act

42 U.S.C.A. 12101 *et seq.* - Americans with Disabilities Act (ADA)

*Meritor Savings Bank v. Vinson*, 477 U.S. 57 (1986)

*School Board of Nassau County v. Arline*, 480 U.S. 273 (1987)

*Vinson v. Superior Court of Alameda County*, 740 P.2d 404 (Cal. Sup. Ct. 1987)

*Taxman v. Piscataway Bd. of Ed.*, 91 F. 3d 1547 (3d Cir. 1996)

*Saxe v. State College Area School Dist.*, 240 F. 3d 200 (3d Cir. 2001)

*The Comprehensive Equity Plan*, New Jersey State Department of Education

Adopted: June 5, 2006

Revised: August 13, 2018 LR2011

**Mountain Lakes School District**

## **4111.2 TEACHING STAFF TENURE**

The Board of Education recognizes that the benefit of tenure is conferred by law on teaching staff members who have completed the requisite period of probationary service in this school district. The Board also recognizes that certain service does not qualify the teaching staff member who performs that service for the grant of tenure.

Tenure in any administrative or supervisory position as listed in N.J.S.A. 18A:28-5 shall accrue only by employment in that administrative or supervisory position. Tenure so accrued will not extend to any other administrative or supervisory position and nothing shall limit or restrict tenure rights which were or may be acquired pursuant to N.J.S.A. 18A:28-6.

The Board specifically directs that service in the following positions will not accrue toward the tenure status and will be performed only under contract renewable at the discretion of the Board:

1. Substitute teacher;
2. Summer school teacher;
3. Home instructor;
4. Co-curricular advisor;
5. Athletic coach; and
6. Department chairperson other than a supervisor.

Nothing in this policy will be deemed to confer tenure on any employee who serves in a position not listed above and for whom tenure is not provided by law.

Previously Policy No. 3370

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Revised: April 14, 2008

**Mountain Lakes School District**

## 4112.2 CERTIFICATION

The certification of teachers and other personnel in the public schools of New Jersey is a protective measure for the children, the community, and the staff members themselves. All personnel hired shall have proper certification as required by the state Board of Education.

Validity of certification must be verified with the county office.

The Superintendent must receive valid evidence of proper certification or qualifications to pursue the alternative route to certification before presenting a candidate to the Board.

### Provisionally Certified Teachers

The Board of Education encourages the employment of provisionally certified teachers for service in their first and second years of employment. The building principal or other appropriately certified administrator shall observe and evaluate all provisionally certified teachers in the first year of employment in conformance with the schedule described in the administrative code.

### Mentoring Novice Teachers

In order to enhance student achievement of the Core Curriculum Content Standards by enhancing the skills of inexperienced teachers, identifying exemplary teaching skills and practices necessary for excellent teaching and assist novice teachers in adjusting to the challenges of teaching, the Board shall ensure the development of a mentoring plan for all novice teachers employed in the district.

The plan shall provide for each novice teacher with face-to-face contact with a mentor teacher who shall provide confidential support and guidance to the novice teacher. The plan shall be developed by the local Professional Development Committee and approved by the Board. The Board reserves the right to deny any plan that fails to advance district goals and objectives; is not conducive to student achievement of the Core Curriculum Content Standards, or contravenes current negotiated agreements, other Board policies, student safety and well-being, continuity of the instructional program or budgetary constraints. Implementation of the district mentor plan shall be in compliance with the administrative code and included in the quality assurance annual report.

The Board shall annually submit a report with required data to the State Department of Education on the effectiveness of the local mentoring plan. State funds appropriated for the novice teacher mentoring program shall be applied in accordance with law and code.

### Special Education

All personnel serving students with disabilities shall be appropriately certified and licensed, where a license is required.

### Legal References

Adopted: May 1, 2006

LR2011

## 4112.4 EMPLOYEE HEALTH-TEACHING STAFF

### Examinations

When a candidate has been given a conditional offer of employment, he/she is required to submit to a medical evaluation and a physical examination. This physical examination may include testing for controlled dangerous substances as they are defined in the criminal code. The examination of newly employed staff shall include but not be limited to those physical exam elements that are listed in administrative code. Employees may be required to undergo an annual physical examination.

The results of all required employee medical examinations shall be made known to the Superintendent on a confidential basis, discussed with the employee, and made a part of his/her confidential medical record. Records and reports of examinations shall be filed with the district medical inspector as confidential information but shall be available to and reported to appropriate health agencies as required by law.

In the event an employee has been determined to have a mental abnormality or communicable disease or exhibits symptoms of substance abuse and, if in the opinion of the district medical inspector such condition makes the employee unfit for continued employment, the Board may remove the employee from further service as provided by law or grant leave as provided by law during the period of unfitness. An employee determined to be unfit must provide the Board with satisfactory proof of recovery before reinstatement will be allowed. Physical Examinations for Cause are covered in more detail in Policy 4112.41.

To protect the pupils and staff in the district schools, all regulations of the state department of education, the state department of health and the local board of health shall be scrupulously observed, particularly those dealing with contagious/infectious diseases. A member of the staff who has been identified as having a communicable disease shall be permitted continued employment only if he or she qualifies under the above agencies' rules pertaining to communicable diseases, including, period of incubation, type of communicability, quarantine and reporting.

When the required examinations are performed by a physician designated by the Board, the Board shall bear the expense. Should an employee prefer to see his/her own physician, with Superintendent approval, the employee shall bear the expense.

### Occupational Containment of Bloodborne Pathogens

The Board is committed to provide a safe and healthful work environment for staff. In pursuit of this endeavor, the Superintendent shall adopt an Exposure Control Plan (ECP) to eliminate or minimize occupational exposure to bloodborne pathogens in accordance with federal regulations.

The ECP will be a key document to assist the district in implementing and ensuring compliance with the OSHA bloodborne pathogens standard, thereby protecting employees. The ECP includes:

- A. Identification of tasks, procedures and job classifications where occupational exposure to blood may occur;
- B. Procedures for evaluating and responding the circumstances surrounding an exposure incident; and
- C. The schedule and method for implementing the specific prevention and response standards required by law, including:
  - 1. Methods of compliance;
  - 2. Hepatitis B vaccination;

3. Post-exposure evaluation and follow-up;
4. Hazard communication requirements;
5. Effective employee training;
6. Recordkeeping.

The ECP shall be reviewed annually to ensure that it reflects use of the most current medical technology.

#### Implementation and Dissemination

The Superintendent in consultation with the district medical inspector shall prepare regulations to implement this policy in compliance with law and code. All employees shall receive this policy and be made aware of all requirements for health examinations.

#### Legal References

Adopted: April 14, 2008

LR11/09

**Mountain Lakes School District**

## 4112.6 PERSONNEL RECORDS - TEACHING STAFF

Orderly administration of the school district and compliance with state and federal law require the compilation of information about all employees of the district. The board of education recognizes that there is a distinction between those personnel records that are clearly a matter of public concern, and those that must be considered privileged until such time as they are opened to the public by the commissioner of education or the courts.

The Superintendent shall consult with the board attorney regarding which personnel records are mandated to be kept by law, and those to be kept for administrative purposes. The Superintendent and the board attorney shall be responsible for limiting administrative records to those that are consistent with New Jersey and federal law.

In accordance with federal law, for employees of a school receiving Title I funds, the Superintendent shall establish procedures to release information regarding the professional qualifications and degrees of teachers and the qualifications of for any teacher or paraprofessional upon request of parents/guardians. Parents or guardians can only request information about employees who provides instruction to their children.

The Superintendent shall establish the necessary regulations for maintaining both public and confidential employee records.

A. The public file shall consist of an alphabetic index of all those presently employed by the district in whatever capacity. The information in this file shall be limited to name, title, position, salary, payroll record, length of service, and, if applicable, date of separation and rehire. The Superintendent shall devise procedures for making this file available to the public in accordance with the Open Public Records Act.

B. The confidential file shall consist of an individual personnel folder for each current employee.

The information in this file shall include all records mandated by state and federal law; evaluation of performance; record of attendance; original application filed by the employee; original salary and increments; date of tenure; notations of commendation and disciplinary actions.

This file is available for examination:

1. At any time, by the Superintendent or the supervisory personnel he/she designates;
2. During regular business hours, by the employee or his/her personally authorized representative, in accordance with regulations;
3. During regular business hours, or at any meeting of the Board or any committee thereof, by any member of the Board when necessary to make an informed decision regarding any assigned Board responsibility or duty.

C. Employee health records shall be maintained separately from other personnel files and in strict confidentiality. Only the employee, the chief medical inspector and the Superintendent shall have access to an employee's medical file. To assure ready access in a medical emergency, the section of the medial record that contains the health history may also be shared with the building principal and the school nurse with the consent of the employee.

D. Emergency contact cards for all employees shall be maintained by the Superintendent and updated annually.

### Legal References

Adopted: April 14, 2008



## Mountain Lakes School District

## 4112.8 NEPOTISM - TEACHING STAFF

The Board of Education, in order to avoid potential of conflict of interest in employment, will not appoint a relative of a Board member or of the superintendent to any employment position in this district, and directs the superintendent and administrative personnel to verify that no relative of a Board member or superintendent is placed in nomination for any vacant position. No person shall be considered for employment in any position in which he/she would come under the direct or indirect supervision of any member of his/her family. Without limiting the foregoing, no school district administrator shall supervise, or otherwise exercise authority on personnel actions regarding a relative of the administrator.

Persons who are employees of the district on the date that this policy becomes effective or prior to the date a relative becomes a Board member or administrator, shall continue to be employed in the person's current position or, in the case of a reduction in force, in any position to which he or she has a legal entitlement. The district may seek approval from the executive county superintendent to promote an employee affected by this policy, if, the promotion is justified by the needs of the district to ensure implementation of the Core Curriculum Content Standards, and the existing employee is the most qualified candidate for the position after the district fully advertises the position and interviews qualified candidates.

If the spouse, child, parent, or sibling of a Board member or a school administrator is a member of the bargaining unit, that Board member or school administrator shall not discuss the proposed collective bargaining agreement with that unit nor participate in any way in negotiations including, but not limited to, being a member of the negotiating team. The Board member or school administrator shall not be present with the Board in closed session when negotiation strategies are being discussed. Notwithstanding the foregoing, a school administrator may provide technical information that is necessary to the collective bargaining process when no one else can provide the information.

If the spouse, child, parent, or sibling of a Board member or a school administrator is a member of the same statewide union with which the Board is negotiating, that Board member or school administrator shall not participate in any way in negotiations including, but is not limited to, being a member of the negotiating team prior to the Board's attaining a tentative memorandum of agreement with the bargaining unit, including salary guides and/or the total package of money to be offered. Once such tentative memorandum of agreement is established, the Board member or school administrator may fully participate in the process, including Board member voting, absent other conflicts. Prior to that time, the Board member or school administrator shall not be present with the Board in closed session when negotiation strategies are being discussed. Notwithstanding the foregoing, a school administrator may provide technical information that is necessary to the collective bargaining process when no one else can provide that information.

For the purpose of this policy, "**relative**" shall be defined as an individual's spouse, civil union partner, domestic partner, or the parent, child, brother, sister, aunt, uncle, niece, nephew, grandparent, grandchild, son-in-law, daughter-in-law, stepparent, stepchild, stepbrother, stepsister, half-brother or half-sister, of the individual or of the individual's spouse, civil union partner or domestic partner, whether the relative is related to the individual or the individual's spouse, civil union partner or domestic partner, by blood, marriage or adoption.

### Legal References

Adopted: January 16, 2006

Revised: December 15, 2008

## **4112.21 EMPLOYMENT CONTRACT NON-TENURED TEACHING STAFF**

The Board of Education requires that every nontenured teaching staff member employed by this district annually sign an employment contract for a term of not more than one year.

The employment contract shall include the specific title of the position to which the teaching staff member is appointed; the term for which employment is contracted, including beginning and ending dates; a full description of the certification held by the teaching staff member and the date, if any, on which certification will expire; the salary at which the teaching staff member will be employed; the intervals at which the salary will be paid; and a provision for the termination of the contract on sixty days notice duly given by either party.

### Legal References:

Previously Policy No. 4124

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Re-adopted: May 1, 2006

Revised: April 14, 2008

LR11/09

**Mountain Lakes School District**

## **4112.22 INDUCTION PROGRAM FOR PROVISIONAL TEACHERS**

The Board of Education recognizes that all newly prepared teachers are required to serve their first year of employment under provisional certification and in a district induction program designed to train and guide new teachers and to identify those teachers who qualify for standard certification.

The Board will approve a plan for the induction of new teaching staff members and submit the plan to the Department of Education.

### Professional Support Team

The Board shall, in accordance with State Board of Education rules, provide provisional teachers with the training and supervision of a professional support team composed of a Principal or his or her designee, an experienced mentor teacher, a college faculty member or comparable staff member, a curriculum supervisor or comparable staff member, and such additional members as the Superintendent may recommend and the Board approve.

Members of the professional support team shall be approved by the Board and recommended by a committee composed of representatives of the constituent staff organizations. Support team members shall be appropriately certified, experienced, and cooperative staff members recognized for their discretion and helpfulness. Support team members shall be appropriately trained for participation in the induction program.

Mentor teachers shall, whenever possible, be in the same instructional area and school building as the provisional teacher.

### Evaluation of Provisional Teachers

Both traditional and alternate route provisional teachers shall be formally evaluated as specified in Regulation No. 3126, by members of the support team and the mentor teacher. The support team may conduct additional evaluations.

### Role of Mentor Teachers

Mentor teachers shall not participate in any way in decisions which may have a bearing on the employment or certification of provisional teachers. They shall not assess or evaluate the performance of provisional teachers unless they are appropriately certified administrators. Interactions between provisional teachers and experienced mentor teachers are formative in nature and are considered to be a matter of professional privilege. Mentor teachers shall not be compelled to offer testimony on the performance of provisional teachers.

### Compensation for Support Team Members

Members of the professional support team shall be compensated in accordance with the fee schedule approved by the State Board of Education.

The provisional teacher shall be assessed 100 percent of the fee.

The amount of the assessment shall, on the written request of the teacher, be deducted from the provisional teacher's salary in amounts prorated throughout the first year of service.

### Legal References:

Previously Policy No. 3126

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Renumbered and Re-adopted: February 5, 2007

LR07/10

**Mountain Lakes School District**

## **4112.41 PHYSICAL EXAMINATION FOR CAUSE TEACHING STAFF**

The Board of Education may, in accordance with law, require the psychiatric or physical examination of any teaching staff member who shows evidence of deviation from normal physical or mental health.

The Superintendent shall recommend to the Board the examination of any teaching staff member whose physical or mental condition so departs from normal health as to adversely affect the performance of the member's duties. Any such recommendation must be accompanied by competent evidence. If the Board determines that deviation from normal health has been demonstrated, it may require that the member submit to a physical or mental examination.

A requirement for physical or mental examination shall be made known to the employee by written notice setting forth the nature of the examination required, the reasons for the requirement, and a statement offering the member the opportunity to appear before the Board to explain or refute those reasons, provided any such hearing is requested in writing within ten working days of the receipt of the notice.

A teaching staff member who fails to request an appearance before the Board within the time permitted or, having appeared before the Board, fails to persuade the Board that he/she should not be required to submit to the required examination shall be ordered to submit to an appropriate examination by a physician or institution designated by the Board at the Board's expense.

The teaching staff member may, at his/her option, submit names of physicians or institutions to the Board for consideration to complete the appropriate examination(s). The Board is not required to designate a physician or institution submitted for consideration by the teaching staff member, but the Board will not act unreasonably in withholding its approval of a physician or institution submitted by a teaching staff member. The cost of the examination will be borne by the Board if the Board designates a physician or institution from the names submitted from the teaching staff member.

If the teaching staff member does not request the Board to consider a physician or institution under the prior paragraph, or if the teaching staff member's request is denied, the staff member may elect to submit to an appropriate examination conducted by a physician or institution of the teaching staff member's own choosing and at his/her expense. The physician or institution so chosen must be approved by the Board, pursuant to N.J.S.A. 18A:16-3, and must be authorized and directed by the member to report the results of the examination to the Board.

If the results of the examination show mental abnormality or communicable disease, the teaching staff member shall be placed on sick leave and compensated in accordance with his/her sick leave entitlement, if any, until proof of recovery, satisfactory to the Board, is furnished. No leave of absence granted under this policy shall exceed the term of the contract of a non-tenured teaching staff member or a period of two years in the case of a tenured teaching staff member.

A teaching staff member who refuses to submit to the examination required by the Board and has exhausted the hearing procedures established by law and this policy shall be subject to discipline, which may include the certification of tenure charges to the Commissioner of Education.

### Legal References:

Previously Policy No. 3161

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Revised: April 14, 2008

LR07/10

## Mountain Lakes School District

## **4113/4114 ASSIGNMENT; TRANSFER - TEACHING STAFF**

The Superintendent shall make certified staff assignments in the manner best calculated, in his/her judgment, to enhance the educational program.

Teaching, supervisory, administrative and support personnel are subject to assignment and transfer after recommendation of the Superintendent and approval by the Board of Education. Procedures for such transfers shall comply with provisions of current negotiated agreements and state and federal law. Disciplinary transfers are prohibited. The Superintendent shall pay particular attention to ensuring to the extent possible that there shall be equivalence of teachers and administrative staff among the schools. Discrimination in assignment, transfer and promotion shall not be tolerated (see 2224, 4111 and 4111.1).

### Legal References

Adopted: April 14, 2008

LR2011

**Mountain Lakes School District**



## 4115 SUPERVISION-TEACHING STAFF

The Board believes that the purpose of supervision is to improve teacher performance in the classroom so that all students have an opportunity to achieve the New Jersey Student Learning Standards.

Each teacher employed in this district as of the effective date specified in code shall be responsible for fulfilling requirements for continuing education and for making annual progress toward the goal of 20 clock hours of state-approved professional development annually. Each teacher's individual professional development plan (PDP) shall incorporate appropriate steps toward this goal and shall be designed to assist teachers in obtaining and maintaining the knowledge and skills essential to student achievement of the New Jersey Student Learning Standards. The professional development plan shall describe specific activities designed to provide guidance for that teacher in improving his/her performance. Such activities may include, but are not limited to, seminars, course work, day-long workshops, and classes on certain instructional approaches. Although supervisors shall develop professional development plans in collaboration with teachers, the superintendent shall maintain final authority in determining their appropriate content.

Supervisory assistance and support in achieving the 20 clock hours of state-approved continuing education shall be offered in the context of the district's evaluation process, negotiated agreements, other policies, student safety and well-being, continuity of instruction, and budgetary constraints.

The content of each PDP shall be developed by each teacher's supervisor in consultation with the teacher and shall align with the Professional Standards for Teachers in N.J.A.C. 6A:9-3.3 and the Standards for Professional Learning in N.J.A.C. 6A:9C-3.3. Supervisory assistance and support in achieving the 20 clock hours of state-approved continuing education shall be offered in the context of the district's evaluation process (see policy 4116 Evaluation for Teaching Staff Members), negotiated agreements, other policies, student safety and well-being, continuity of instruction, and budgetary constraints.

The Superintendent shall develop procedures for supervision of the teaching and administrative staff in performance of their duties that shall not be limited to the observations required for evaluation. Such supervision may include, but need not be limited to, review of lesson plans and teacher-made examinations; regularly scheduled curriculum conferences; and brief, informal classroom observations. The Supervisor shall note the teacher's satisfactory fulfillment or non-fulfillment of continuing education requirements identified in the professional development plan.

### Legal References:

N.J.S.A. 18A:4-15 General rule-making power

N.J.S.A. 18A:4-16 Incidental powers conferred

N.J.S.A. 18A:6-10 *et seq.* Dismissal and reduction in compensation of persons under tenure in public school system ...

N.J.S.A. 18A:6-117 *et seq.* Teacher Effectiveness and Accountability for the Children

### See particularly:

N.J.S.A. 18A:6-128 Ongoing professional development; corrective action plan

N.J.S.A. 18A:11-1 General mandatory powers and duties

N.J.S.A. 18A:27-3.1 through -3.3 Non-tenured teaching staff; observation and evaluation;

N.J.S.A. 18A:28-5 Tenure of teaching staff members

N.J.S.A. 18A:29-14 Withholding increments; causes; notice of appeals

N.J.A.C. 6A:9-3 Standards for Professional Learning

N.J.A.C. 6A:9C-3.1 *et seq.* Professional development for teachers and school leaders

See particularly:

N.J.A.C. 6A:9C-3.9 (c-d)

N.J.A.C. 6A:9C-4.4 Requirements for and implementation of teachers' individual professional development plans

N.J.A.C. 6A:10-1.1 *et seq.* Educator effectiveness

N.J.A.C. 6A:10-4.1 *et seq.* Components of teacher evaluation

Possible Cross References:

2130 Administrative staff

\*2131 Chief school administrator

4000 Concepts and roles in personnel

4010 Goals and objectives

\*4112.6 Personnel records

\*4116 Evaluation

\*4117.41 Nonrenewal

\*4131/4131.1 Staff development; inservice education/visitations/conferences

\*4215 Supervision

\*4216 Evaluation

\*6143.1 Lesson plans

\*6200 Adult/community education

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

Adopted: January 16, 2006

Revised: January 3, 2019

LR2011

**Mountain Lakes School District**

## 4116 EVALUATION OF TEACHING STAFF MEMBERS

The board of education believes that the effective evaluation of teaching staff is essential to the achievement of the educational goals of this district, including student achievement of the Common Core State Standards for mathematics and language arts and literacy and the Core Curriculum Content Standards. The purpose of this evaluation shall be to promote professional excellence and improve the skills of teaching staff members; improve pupil learning and growth; and provide a basis for the review of staff performance.

The board is committed to establishing educator evaluation rubrics for the evaluation of teaching staff members' effectiveness to further the development of a professional corps of State educators and to increase student achievement. The district evaluation system shall facilitate:

- A. Continual improvement of instruction;
- B. Meaningful differentiation of educator performance using four performance levels;
- C. Use of multiple valid measures in determining educator performance levels, including objective measures of student performance and measures of professional practice;
- D. Evaluation of educators on a regular basis;
- E. Delivery of clear, timely and useful feedback, including feedback that identifies areas for growth and guides professional development; and
- F. District personnel decisions.

### Definitions

For the purpose of this board policy on teacher evaluation "teaching staff member" means a member of the professional staff of any district or regional board of education, or any county vocational school district board of education, holding office, position, or employment of such character that the qualifications for such office, position, or employment require him or her to hold a valid, effective, and appropriate standard, provisional, or emergency certificate issued by the State Board of Examiners. Teaching staff members include the positions of school nurse and school athletic trainer. There are three different types of certificates that teaching staff members work under:

- A. An instructional certificate (holders of this certificate are referred to in this chapter as "teachers");
- B. Administrative certificate; and
- C. Educational services certificate (N.J.A.C. 6A:10-1.2).

This definition of teaching staff member includes certified staff positions that have instructional responsibilities as well as certified staff positions that have no instructional responsibilities. Some examples of teaching staff member positions without instructional responsibilities include supervisor, director, school nurse, athletic trainer, principal, vice-principal, student assistance counselor, school psychologist, and guidance counselor.

It is important to note that there are different requirements in this policy and in the law for the training, observation and observation conferences of classroom teachers and the training, observation and observation conferences of certified staff members who have no instructional responsibilities. This also includes differences in the educational rubrics adopted by the board and approved by the commissioner. The requirements of this policy and law for other aspects of teacher evaluation apply to staff with and without instructional responsibilities (teaching staff members) including reports, personnel records, professional development plans and corrective action plans.

## Board Responsibilities

The board shall:

- A. Establish a District Evaluation Advisory Committee to oversee and guide the planning and implementation of the board's evaluation policies and procedures;
- B. Annually adopt the evaluation rubrics and policies and procedures developed by the chief school administrator that pertain to the evaluation of district staff;
- C. Annually adopt by June 1, Commissioner-approved educator practice instruments and notify the Department of Education which instruments will be used as part of the school district's evaluation rubrics.

The board shall ensure through the chief school administrator or his or her designee(s) that the following requirements are met:

A. The chief school administrator directs the development of and oversees the district evaluation policies and procedures requiring the annual evaluation of all teaching staff members. The chief school administrator may consult with the District Advisory Evaluation Committee or representatives from School Improvement Panels. The chief school administrator shall direct the development and oversee:

1. The implementation of board approved evaluation rubrics for all teaching staff members;
2. The assignment of roles and responsibilities for implementation of evaluation policies and procedures;
3. The development of job descriptions and evaluation criteria that are based upon school district goals, student achievement, instructional priorities, and the evaluation regulations promulgated by the Department of Education;
4. The application of methods of data collection and reporting appropriate to each job description, including, but not limited to, the processes for observations for the purpose of evaluation and post-observation conference(s) by the teaching staff member's supervisor, or his or her designee;
5. The preparation of individual professional development plans; and
6. The preparation of an annual written performance report by the teaching staff member's supervisor, or his or her designee, and an annual summary conference between the teaching staff member and his or her supervisor, or the supervisor's designee.

B. The chief school administrator notifies all teaching staff members annually of the adopted evaluation policies and procedures no later than October 1. If a staff member is hired after October 1, he/she shall be notified of the policies at the beginning of his or her employment. All teaching staff members shall be notified of amendments to the policy within 10 working days of adoption;

C. The principal of each school within the school district has established a School Improvement Panel. The panel shall be established annually by August 31;

D. Data elements shall be collected from the implementation of the teaching and principal practice instruments and the data shall be stored in an accessible and usable format. Data elements shall include, but not be limited to, scores or evidence from observations for the purpose of evaluation; and

E. Each principal in the district shall certify that any observer who conducts an observation of a teaching staff member meets the statutory observation requirements (N.J.S.A. 18A:6-119, 18A:6-123.b(8), and 18A:27-3.1) and certifies that the teacher member of the School Improvement Panel meets the requirements detailed below and according to law (N.J.A.C. 6A:10-3.2).

### Training for Teaching Staff Members and Supervisors

The board of education shall ensure, through the chief school administrator or his or her designee(s) that the following training procedures are observed when implementing the evaluation rubric for all teaching staff members and, when applicable, applying the Commissioner-approved educator practice instruments:

#### A. Teaching Staff Members

Annual training shall be provided on and descriptions provided of each component of the evaluation rubric for all teaching staff members who are being evaluated. More thorough training shall be provided for any teaching staff member who is being evaluated for the first time. Training shall include detailed descriptions of all evaluation rubric components, including, when applicable, detailed descriptions of student achievement measures and all aspects of the educator practice instruments;

#### B. Supervisors of Classroom Teachers

"Supervisor" means an appropriately certified teaching staff member, employed in the school district in a supervisory role and capacity, and possessing a school administrator, principal, or supervisor, endorsement as defined in N.J.A.C. 6A:9-1.1.

1. Training on the teacher practice instruments shall be provided for any supervisor who will conduct observations for the purpose of evaluation of teachers. Training shall be provided before the observer conducts his or her first observation for the purpose of evaluation;
2. Any supervisor who will observe teaching practice for the purpose of increasing accuracy and consistency among observers shall be provided annual updates and refresher training on the teacher practice instruments;
3. Each supervisor who will conduct observations for the purpose of evaluation of a teacher shall complete two co-observations annually, during the academic year:
  - a. At least one co-observation shall be completed by December 1;
  - b. Co-observers shall use the double observation to calibrate teacher practice instruments, promote accuracy in scoring, and to continually train themselves on the instrument;
  - c. A co-observation shall count as a required observation as long as the observer meets the requirements of law and this policy (see Teacher Observation and Observation Conferences below). A co-observation shall count as one of the required teacher observations;

The chief school administrators shall annually certify to the Department of Education that all supervisors of teaching staff members in the school district who are utilizing educator practice instruments have completed training on the instrument and its application and have demonstrated competency in applying the educator practice instruments.

### District Evaluation Advisory Committee

The board of education shall establish a District Evaluation Advisory Committee to oversee and guide the planning and implementation of the district's evaluation policies and procedures. Members of the District Evaluation Advisory Committee shall include representation from the following groups:

- A. Teachers from each school level represented in the school district;
- B. Central office administrators overseeing the teacher evaluation process;
- C. Supervisors involved in teacher evaluation, when available or appropriate; and
- D. Administrators conducting evaluations, including a minimum of one administrator conducting evaluations who participates on a School Improvement Panel.

Members also shall include the chief school administrator, a special education administrator, a parent, and a member of the district board of education. The chief school administrator may extend membership on the District Evaluation Advisory Committee to representatives of other groups (N.J.A.C. 6A:10-2.3). (Note: the District Evaluation Advisory Committee is not required after the beginning of the 2017-2018 school year but may be continued at the discretion of the district.)

#### School Improvement Panel

Each school shall convene a School Improvement Panel. The panel shall include the principal, or his or her designee, an assistant or vice-principal, and a teacher. The principal's designee shall be an individual employed in the district in a supervisory role and capacity who possesses a school administrator, principal, or supervisor endorsement. In the event that an assistant or vice-principal is not available to serve on the panel, the principal shall appoint an additional member to the panel, who is employed in the district in a supervisory role and capacity and who possesses a school administrator certificate, principal certificate, or supervisor certificate.

Any district that has entered a shared services agreement for the functions of the school improvement panel may provide services under that shared services agreement.

The chief school administrator shall ensure that each school has established a School Improvement Panel that shall include the principal, a vice principal, and a teacher who is chosen by the building principal in consultation with the majority representative. The principal shall establish the panel annually by August 31. The principal may appoint additional members to the School Improvement Panel as long as all members meet the following criteria and the teacher(s) on the panel represents at least one-third of its total membership:

The building principal annually shall choose the teacher(s) on the School Improvement Panel through the following process:

- A. The teacher member shall be a person with a demonstrated record of success in the classroom and who has demonstrated (beginning in academic year 2015-2016) a record of success with an evaluation rating of effective or highly effective in the most recent available annual summative rating;
- B. The teacher member shall be selected in consultation with the majority representative. The majority representative may submit to the principal teacher member nominees for consideration;
- C. The principal shall have final decision making authority and is not bound by the majority representative's list of nominees.

The teacher member shall serve a full academic year, except in case of illness or authorized leave, but may not be appointed more than three consecutive years. All members of the School Improvement Panel shall be chosen by August 31 of each year.

## Duties of the School Improvement Panel

The School Improvement Panel shall (N.J.A.C. 6A:10-3.2):

- A. Oversee the mentoring of teachers according to board policy 4112.2 Certification, the State requirements for instructional certification as detailed in N.J.A.C. 6A:9-8, and support the implementation of the school district mentoring plan. Mentoring activities shall be developed in consultation with the school improvement panel;
- B. Conduct evaluations of teachers according to board policy and law (N.J.A.C. 6A:10-2.4 and 4.4);
- C. Ensure corrective action plans for teachers are created in accordance to N.J.A.C. 6A:10-2.5(j) and conduct the mid-year evaluations for teachers who are on a corrective action plan; and
- D. Identify professional development opportunities for all teaching staff members that are tailored to meet the unique needs of the students and staff of the school, and are based on the review of aggregate school-level data, including, but not limited to, educator evaluation and student performance data to support school-level professional development plans described in N.J.A.C. 6A:9-15.5:
  - 1. The teacher member may participate in the conduct of observations for the purpose of evaluation. In order to participate, the teacher member shall have:
    - a. Agreement of the majority representative;
    - b. An appropriate supervisory certificate; and
    - c. Approval of the principal who supervises the teacher being observed.
  - 2. The teacher member who participates in the evaluation process shall not serve concurrently as a mentor under N.J.A.C. 6A:9-8.4.

## Components of Teacher Evaluation

The components of teacher evaluation shall include the following:

- A. Board approved evaluation rubrics that include;
  - 1. Student achievement components as described in N.J.A.C. 6A:10-4.2:
    - a. Medium student growth percentile;
    - b. Student growth objectives;
  - 2. Measures of teacher practice determined through a teacher practice instrument for the observation of teachers and other measures;
- B. A professional development plan (PDP);
- C. An annual summary conference between supervisors and teaching staff members shall be held before the written performance report is filed;
- D. An annual performance report that is a written appraisal of the teaching staff member's performance prepared by a supervisor based on the evaluation rubric for his or her position.

The teacher shall submit his or her written objections of the evaluation within 10 teaching staff member working days following the conference. The objections shall be attached to each party's copy of the

annual written performance report.

### Evaluation Rubrics for Teaching Staff Members

The board shall annually adopt evaluation rubrics approved by the commissioner for all teaching staff members. The evaluation rubrics shall have four defined annual ratings: ineffective, partially effective, effective, and highly effective. The evaluation rubric is a set of criteria, measures, and processes used to evaluate all teaching staff members in the district. Evaluation rubrics consist of measures of professional practice, based on educator practice instruments and student outcomes.

The board shall adopt an evaluation rubric specifically for teachers and evaluation rubrics for other categories of teaching staff members (N.J.A.C. 6A:10-2.1).

The board may adopt a model evaluation rubric that has been reviewed and accepted by the Commissioner. A model teaching or principal evaluation rubric includes a teacher or principal practice instrument that appears on the Department of Education's list of approved educator practice instruments.

The board may also select an educator evaluation rubric other than the model rubric that at a minimum includes the standards set forth in law (N.J.S.A. 18A:6-123) and has four defined annual ratings: ineffective, partially effective, effective, and highly effective.

All evaluation rubrics for teaching staff members shall be submitted to the Commissioner by June 1 for approval by August 1 of each year (N.J.A.C. 6A:10-2.1c).

The chief school administrator shall develop, in consultation with teaching staff members, job descriptions for each teaching staff member position and evaluation criteria for said positions based directly upon the job description. The job description shall be concise, stating major responsibilities as briefly as possible. All job descriptions shall be presented to the board for approval.

### Evaluation Rubric and Practice Instrument for Teachers

#### A. Teacher Evaluation Rubric

The evaluation rubrics for all classroom teachers shall include the requirements described in N.J.S.A. 18A:6-123, including, but not limited to:

##### 1. Measures of student achievement:

- a. Median student growth percentile for teachers who teach at least one course or group within a course that falls within a standardized-tested grade or subject; and
- b. Student growth objectives for all teachers developed in consultation with their principal or his or her designee.

2. Measures of teacher practice determined through a teacher practice instrument and other measures including teacher practice components, observation and observation conferences and summary reports.

#### B. Teacher Practice Instrument

The teacher practice instrument shall be approved by the Commissioner and shall:

1. Include domains of professional practice that align to the New Jersey Professional Standards for Teachers (N.J.A.C. 6A:9-3);
2. Include scoring guides for assessing teacher practice that differentiate among a minimum of four levels of performance, and the differentiation has been shown in practice



and/or research studies. Each scoring guide shall:

- a. Clearly define the expectations for each rating category;
  - b. Provide a conversion to the four rating categories: highly effective, effective, partially effective, and ineffective;
  - c. Be applicable to all grades and subjects; or to specific grades and/or subjects if designed explicitly for the grades and/or subjects; and
  - d. Use clear and precise language that facilitates common understanding among teachers and administrators;
3. Rely, to the extent possible, on specific, discrete, observable, and/or measurable behaviors of students and teachers in the classroom with direct evidence of student engagement and learning; and
  4. Include descriptions of specific training and implementation details required for the instrument to be effective.

For commissioner-approval of a teacher practice instrument in 2015 or any year thereafter, the instrument shall include a process to assess competency on the evaluation instrument which the district may choose to use as a measure of competency.

#### Observation: Tenured and Nontenured Classroom Teachers

Each teacher shall be observed at least three times during each school year but not less than once during each semester.

- A. "Long observation" means an observation for the purpose of evaluation that is conducted for a minimum duration of 40 minutes or one class period, whichever is shorter.
- B. "Short observation" means an observation for the purpose of evaluation that is conducted for at least 20 minutes.
- C. Each observation required for the purpose of evaluations shall be conducted for the minimum duration based on the following groups:
  1. A nontenured teacher who is in his or her first or second year of teaching in the school district shall receive at least two long observations and one short observation;
  2. A nontenured teacher who is in his or her third or fourth year of teaching in the school district shall receive at least one long observation and two short observations;
  3. A tenured teacher shall receive at least three short observations.
- D. Each teacher shall be observed at least three times during each school year but not less than once during each semester. For all teachers:
  1. At least one of the required observations shall be announced and preceded by a pre-conference;
  2. At least one of the required observations shall be unannounced;
  3. The chief school administrator shall decide whether the third required observation is announced or unannounced;
  4. Observations for all other teachers shall occur prior to the annual summary conference,

which shall occur prior to the end of the academic school year.

E. For nontenured teachers specifically:

In addition to the requirements as stated above in "D" for all teachers, the following shall apply to nontenured teaching staff member observation (nontenured teaching staff members include all nontenured professional staff who possess a valid and effective standard or a provisional or emergency certification):

1. Non tenured teachers shall receive a minimum of three observations that are to take place before April 30 each year; and
2. Non tenured teachers shall be observed during the course of the year by more than one appropriately certified supervisor, either simultaneously or separately, by multiple observers, with the following provisions:
  - a. A co-observation shall fulfill the requirement for multiple observers.
  - b. One co-observation shall count as one required observation as described in "A" above.

All teacher staff members assigned a corrective action plan shall receive a mid-year evaluation that will include a minimum of one additional observation and post-observation conference (as detailed below under Corrective Action Plans).

#### Observation Conferences for Teachers

The following procedures shall apply to teacher observation conferences:

- A. At least one of the required observations shall be announced and preceded by a pre-conference. The pre-conference shall occur within seven teaching staff member working days prior to the observation, not including the day of the observation;
- B. A post-observation conference shall be required for all observations, announced, unannounced, long, short, and/or required by a corrective action plan;
- C. The post-conference shall occur no more than 15 teaching staff member working days following each observation;
- D. A supervisor who was present at the observation shall conduct a post-observation conference with the teacher being observed;
- E. The post-observation conference shall be for the purpose of reviewing the data collected at the observation, connecting the data to the teacher practice instrument and the teacher's individual professional development plan, collecting additional information needed for the evaluation of the teacher, and offering areas to improve effectiveness; and
- F. If agreed to by the teacher, post-observation conferences for short observations of tenured teachers who are not on a corrective action plan may be conducted via written communication, including electronic.

Following each observation a post-observation conference shall be conducted and documented.

One post-observation conference may be combined with a teacher's annual summary conference as long as it occurs within the required 15 teaching staff member working days following the observation for the purpose of evaluation.

A written observation/evaluation report shall be signed by the supervisor who conducted the

observation and post-observation and the teacher who was observed.

The teacher shall submit his or her written objection(s) of the evaluation within 10 teaching staff member working days following the conference. The objection(s) shall be attached to each party's copy of the annual written performance report.

#### Annual Written Performance Report for Teachers

The annual written performance report shall be prepared by the teaching staff members who participated in the evaluation of the teaching staff member. In the case of a teacher, the annual written performance report shall be prepared by the teacher's principal, or his or her designee, and shall include, but not be limited to:

A. A summative rating based on the evaluation rubric, including, when applicable, a total score for each component as described in N.J.A.C. 6A:10-4 and 5 including the student achievement components (medium student growth percentile, student growth objectives), the teacher practice component, and teacher observation. The four summative performance ratings are:

1. Highly effective;
2. Effective;
3. Partially effective;
4. Ineffective.

B. Performance area(s) of strength and area(s) needing improvement based upon the job description, observations for the purpose of evaluation and, when applicable, the educator practice instrument;

C. An individual professional development plan developed by the supervisor and the teaching staff member or, when applicable, a corrective action plan from the evaluation year being reviewed in the report; and

D. A summary of student achievement or growth indicators, when applicable.

The teaching staff member and the preparer of the annual written performance report shall sign the report within five working days of the review.

#### Annual Summary Conference for Teachers

The annual summary conference between supervisors and teaching staff members shall be held before the written performance report is filed. The conference shall include, but not be limited to, a review of the following:

A. The performance of the teaching staff member based upon the job description and, when applicable, the scores or evidence compiled using the teaching staff member's evaluation rubric, including the education practice instrument;

B. The progress of the teaching staff member toward meeting the objectives of the individual professional development plan or, when applicable, the corrective action plan;

C. Available indicators or scores of student achievement or growth, when applicable, such as student growth objective scores and student growth percentile scores; and

D. The preliminary annual written performance report.

If any scores for the teaching staff member's evaluation rubric are not available at the time of the

annual summary conference due to pending assessment results, the annual summative evaluation rating shall be calculated once all component ratings are available.

#### Observation, Conference, Written Evaluation and Annual Performance Report: Teaching Staff Members

The chief school administrator shall determine the duration of the observations required for other nontenured teaching staff members who hold a valid and effective standard, provisional or emergency certificate including the school nurse and athletic trainer. Observations for nontenured teaching staff members include, but are not limited to: observations of meetings, student instruction, parent conferences, and case-study analysis of a significant student issue. The observation shall:

- A. Be followed within 15 working days by a conference between the administrative or supervisory staff member who has made the observation and written evaluation, and the nontenured teaching staff member;
- B. Be followed by both parties to such a conference signing the written evaluation report and each retaining a copy for his or her records; and
- C. Allow the nontenured teaching staff member to submit his or her written objection(s) of the evaluation within 10 teaching staff member working days following the conference. The objection(s) shall be attached to each party's copy of the annual written performance report.

All teacher staff members assigned a corrective action plan shall receive a mid-year evaluation that will include a minimum of one additional observation and post-observation conference (as detailed below under Corrective Action Plans).

#### Personnel Records of Teaching Staff Members

The board shall add all written performance reports and supporting data, including, but not limited to, indicators of student progress and growth for a teaching staff member as part of his or her personnel file. The records shall be confidential and shall not be subject to public inspection or copying according to the Open Public Records Act and board policy 4112.6/4212.6 Personnel Records.

#### Teacher Professional Development Plans

To meet the state professional development requirements, each teacher whose position requires possession of the instructional or education services certificate shall be guided by an individualized professional development plan (PDP), which shall include at least 20 hours per year of qualifying activities. The 20-hour annual requirement shall be reduced by a pro rata share reflecting the use of family or medical leave. It is the individual teacher's responsibility in accordance with district policies, to assure that a teacher meets the professional development requirement. There is no mandated financial obligation on the part of the district.

The content of each PDP shall be developed by each teacher's supervisor in consultation with the teacher and shall align with the Professional Standards for Teachers in N.J.A.C. 6A:9-3.3 and the Standards for Professional Learning in N.J.A.C. 6A:9-15.3.3. The PDP shall be effective for one year and shall specify, at a minimum:

- A. One area for development of professional practice derived from the results of observations and evidence accumulated through the teacher's annual performance evaluation;
- B. As appropriate, an additional area for development of professional practice aligned to the teacher's role as a member of his or her collaborative professional learning team. The professional learning team consists of teachers, school leaders, and other administrative, instructional, and educational services staff members who commit to working together to accomplish common goals and who are engaged in a continuous cycle of professional

improvement focused on;

1. Evaluating student learning needs through ongoing reviews of data on student performance; and
2. Defining a clear set of educator learning goals based on the rigorous analysis of these data

C. As appropriate, an additional area for development of professional practice aligned with school and/or district improvement plans and goals; and

D. Any requirements for professional development stipulated elsewhere in statute or regulation.

The progress of each teacher in meeting the goals of the PDP must be determined annually and aligned to the district process for teacher evaluation. Progress on the PDP must be discussed during a minimum of one annual conference between the teacher and his or her supervisor. Each teacher shall provide evidence of progress toward meeting the requirements of his or her individual PDP, and this evidence must be reviewed as part of each conference. The PDP shall be revised at a minimum annually but may be adjusted as necessary to support the teacher's progress. All teachers shall have an individual PDP within 30 instructional days of the beginning of their respective teaching assignments.

A teacher's individual PDP goals may necessitate more than the recommended minimum requirements. The PDP shall accommodate additional professional development as necessary. Additional hours of qualifying activities may be required for teachers in low-performing schools, as determined by the commissioner.

The board of education shall ensure that all teachers receive the necessary opportunities, support, and resources to engage in ongoing professional learning and to complete the requirements of their respective PDPs.

#### Corrective Action Plans for Teaching Staff Members

When a teaching staff member is rated ineffective or partially effective on the annual summative evaluation, as measured by the evaluation rubrics, a corrective action plan shall be developed by the teaching staff member and the chief school administrator or the teaching staff member's supervisor.

When the summative evaluation rating is calculated before the end of the school year, the teacher and supervisor shall meet to develop and discuss the corrective action plan prior to September 15 of the following school year. The conference to develop and discuss the corrective action plan may be combined with the teaching staff member's annual summary conference that occurs at the end of the year of evaluation.

When the ineffective or partially effective summative evaluation rating is received after the start of the school year following the year of evaluation, then the teacher and supervisor shall meet to develop and discuss the corrective action within 15 teaching staff member working days following the district's receipt of the summative rating.

The content of the corrective action plan shall replace the content of the individual professional development plan until the next annual summary conference.

The content of the corrective action plan shall:

- A. Address areas in need of improvement identified in the educator evaluation rubric;
- B. Include specific, demonstrable goals for improvement;
- C. Include responsibilities of the evaluated employee and the school district for the plan's

implementation; and

D. Include timelines for meeting the goal(s).

The teaching staff member's supervisor, or his or her designee, and the teaching staff member on a corrective action plan shall discuss the teaching staff member's progress toward the goals outlined in the corrective action plan during each post-observation conference that is required by the district evaluation policies and procedures.

Progress toward the teaching staff member's goals outlined in the corrective action plan, and data and evidence collected by the supervisor and/or the teaching staff member to determine progress between the time the corrective action plan began and the next annual summary conference, shall be documented in the teaching staff member's personnel file and reviewed at the annual summary conference or the mid-year evaluation, when applicable.

Progress toward the teaching staff member's goals outlined in the corrective action plan may be used as evidence in the teaching staff member's next annual summative evaluation; however, such progress shall not guarantee an effective rating on the next summative evaluation.

Responsibilities of the evaluated employee on a corrective action plan shall not be exclusionary of other plans for improvement determined to be necessary by the teaching staff member's supervisor.

#### Mid-Year Evaluation of the Corrective Action Plan

The School Improvement Panel shall conduct mid-year evaluations for teachers with a corrective action plan. If the corrective action plan was created on or prior to September 15 of the academic year, the mid-year evaluation shall occur before February 15. If the corrective action plan was created after September 15, the mid-year evaluation shall occur before the annual summary conference. In addition to the other annually required teacher observations and post-observation conferences, the mid-year evaluation of teachers on a corrective action plan, shall include, at a minimum:

A. One observation, the length of which shall be determined by the chief school administrator or the principal;

B. One post-observation conference during which progress toward the teacher's goals outlined in the corrective action plan shall be reviewed;

Tenured teachers with a corrective action plan shall be observed by multiple observers.

#### Implementation

This policy and related procedures shall be reviewed at least yearly, and any necessary revisions made before readoption by the board.

Nothing in this policy shall override any conflicting provision of the collective bargaining agreement. No bargaining agreement entered into after July 2013 shall conflict with the education evaluation system established pursuant to administrative code.

The board shall ensure that the chief school administrator notifies each teaching staff member of the board adopted evaluation policies and procedures no later than October 1. If a staff member is hired after October 1, the teaching staff member shall be notified of the evaluation policies and procedures at the beginning of his or her employment. All teaching staff members shall be notified of amendments to the policy within 10 working days of adoption.

Date: Re-adopted April 7, 2014

Legal References: Use legal reference sheet.

Cross References: List your appropriate policies. See legal reference sheet for possibilities.

Key Words

Evaluation, Teacher Evaluation, Personnel Evaluation, Evaluation Advisory Committee, School Improvement Panel; Evaluation Rubric

**QSAC Monitored:**

DPR: Instruction and Program - 17a

SOA: Personnel - 4

**Mandated:**

N.J.A.C. 6A:10-2.4(b) requires written policy on the annual evaluation of all teaching staff. The policy and procedures shall include a description of:

1. Evaluation rubrics for all teaching staff members;
2. Roles and responsibilities for implementation of evaluation policies and procedures;
3. Job descriptions and evaluation criteria based upon school district goals, student achievement, instructional priorities, and the evaluation regulations set forth in this chapter;
4. Methods of data collection and reporting appropriate to each job description, including, but not limited to, the processes for observations for the purpose of evaluation and post-observation conference(s) by the teaching staff member's supervisor, or his or her designee;
5. The process for preparation of individual professional development plans; and
6. The process for preparation of an annual written performance report by the teaching staff member's supervisor, or his or her designee, and an annual summary conference between the teaching staff member and his or her supervisor, or the supervisor's designee.

**Other Reasons:**

N.J.S.A. 18A:6-120 and N.J.A.C. 6A:10-3.1 require that each school convene a school improvement panel to oversee the mentoring of teachers and conduct teacher evaluations.

N.J.S.A. 18A:6-123 requires the Commissioner of Education to review and approve evaluation rubrics submitted by school districts; and requires the State Board of Education to promulgate regulations setting standards for the approval of evaluation rubrics for teachers, principals, assistant principals, and vice-principals.

N.J.A.C. 6A:9-15.1 *et seq.* requires that teachers receive assistance and support in achieving the requirement of 20 clock hours of continuing education annually.

N.J.A.C. 6A:10-2.2 requires that each district board of education meet the following requirements for the annual evaluation of teaching staff members:

1. Establish a District Evaluation Advisory Committee;
2. Annually adopt policies and procedures developed by the chief school administrator pursuant to N.J.A.C. 6A:10-2.4;
3. Ensure the chief school administrator annually notifies all teaching staff members of the adopted evaluation policies and procedures no later than October 1 or at the beginning of a new

hire's employment. All teaching staff members shall be notified of amendments to the policy within 10 working days of adoption;

4. Annually adopt by June 1, Commissioner-approved educator practice instruments and notify the Department of Education which instruments will be used as part of the school district's valuation rubrics;

5. Ensure the principal of each school within the school district has established a School Improvement Panel annually by August 31;

6. Ensure data elements are collected from the implementation of the teaching and principal practice instruments and store the data in an accessible and usable format. Data elements shall include, but not be limited to, scores or evidence from observations for the purpose of evaluation; and

7. Ensure that each principal in the district certifies that any observer who conducts an observation of a teaching staff member for the purpose of evaluation shall meet the statutory observation requirements of N.J.S.A. 18A:6-119, 18A:6-123.b(8), and 18A:27-3.1 and the teacher member of the school improvement panel requirements of N.J.A.C. 6A:10-3.2.

N.J.A.C. 6A:10-2.3 requires that a District Evaluation Advisory Committee be established to oversee and guide the planning and implementation of board teacher evaluation policies and procedures. The board must annually adopt policies and procedures for evaluation developed by the chief school administrator. Beginning in 2017-2018, the District Evaluation Advisory Committee is no longer required and district boards of education shall have the discretion to continue the District Evaluation Advisory Committee.

### **Recommendation:**

A policy governing evaluation of all certified staff except the chief school administrator, who is dealt with in a separate policy. A statement of philosophy of evaluation should be included. The policy should address:

1. Board responsibilities;
2. Evaluation procedures as detailed in N.J.A.C. 6A:10-2.4;
3. Required training for teachers and supervisors (on the evaluation rubric, practice instruments, observation and co-observation);
4. The establishment of the District Evaluation Advisory Committee (only required until the beginning of the 2015-2016 academic year);
5. The establishment of the School Improvement Panel;
6. Components of teacher evaluation;
7. Evaluation rubric;
8. Measures of student achievement;
9. Teacher practice instruments;
10. Teacher observation and observation conferences;
11. The evaluation data as part of the personnel file;
12. Professional Development Plans;



### 13. Corrective Action Plans.

The board should emphasize that the goal of supervisory assistance and support in achieving the state required 20 clock hours of professional development annually is student achievement of the Common Core State Standards in mathematics and language arts and literacy and the Core Curriculum Content Standards.

The policy should direct the chief school administrator to develop regulations in compliance with law. The chief school administrator may consult with the District Advisory Committee and/or the School Improvement Panel in the review of policies and procedures for teacher evaluation. These should include but not be limited to roles and responsibilities for implementation; development of job descriptions and evaluation criteria, including pupil progress related to local goals, objectives and priorities; methods of collecting data; number of observations and conferences; use of district supervisory staff to observe and evaluate nontenured staff at least the legally mandated minimum of three times a year; possible use of additional certified personnel to observe and evaluate tenured staff the legal minimum of once a year; professional development standards for teachers; individual professional improvement plans aligned to these professional standards; annual written performance reports; distribution of policy and procedures to staff.

While a few factors in evaluation are negotiable, criteria and standards are not. Boards should keep in close touch with the board attorney and negotiator.

#### Legal References

#### Possible Cross References:

- \*2130 Principal evaluation
- \*2131 Chief school administrator
- 4000 Concepts and roles in personnel
- 4010 Goals and objectives
- \*4112.6 Personnel records
- \*4115 Supervision
- \*4117.41 Nonrenewal
- \*4131/4131.1 Staff development; inservice education/visitations/conferences
- \*4215 Supervision
- \*4216 Evaluation
- \*6143.1 Lesson plans
- \*6200 Adult/community education

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

## 4116.1 EVALUATION OF TENURED TEACHING STAFF

The Board of Education recognizes that the continuing evaluation of tenured teaching staff members is essential to the achievement of the educational goals of this district. The purpose of a program of evaluation will be to promote professional excellence and improve the skills of tenured teaching staff members, improve pupil learning and growth, and provide a basis for the review of teaching staff member performance. The Board will provide leadership, adequate resources for supervision and professional development, time of the proper conduct of evaluations, and time for in-service training.

Each tenured teaching staff member, except the Superintendent and administrators, will be evaluated annually by appropriately certified and trained administrators or supervisors against criteria that evolve logically from the instructional priorities and program objectives set forth in the teaching staff member's job description

The Superintendent shall develop, in consultation with tenured teaching staff members, job descriptions and evaluation criteria for each teaching staff member position. Job descriptions will be clearly and concisely stated and will be provided to the Board for its information.

The Superintendent shall distribute to each teaching staff member, no later than October 1 of each school year, a copy of this policy and the teaching staff member's job description and evaluation criteria; any amendments made subsequently to these documents will be distributed no later than ten days after their adoption.

The Superintendent shall develop, in consultation with teaching staff members, procedures for the evaluation of tenured teaching staff members that include, as a minimum:

1. The collection and reporting of data that is appropriate to the job description and includes as minimum the observation of classroom instruction;
2. Observation conferences between the tenured teaching staff member and the evaluating supervisor;
3. The preparation of individual professional improvement plans;
4. The preparation by the supervisor of an annual written performance report, which shall include the teaching staff member's performance areas of strength and weakness, and individual professional improvement plan developed by the member and the supervisor, and a summary of the results of formal and informal assessments of the member's pupils along with a statement as to how these pupil indicators relate to the effectiveness of the overall program and to the member's performance;
5. The conduct of an annual summary conference between the supervisor and the member that will include a review of the member's performance, progress toward the objectives set forth in the professional improvement plan developed at the previous annual conference, pupil assessments and growth toward program objectives, and the written performance report prepared by the supervisor; and
6. The signing of the annual written performance report within five working days of the annual summary conference and the provision that the member may, within ten working days of the signing of the report, augment the report with additional performance data.

### Legal References:

Previously Policy No. 3222

Adopted: November 5, 2001

Re-adopted: January 3, 2006

LR07/10

**Mountain Lakes School District**

## **4117 RESIGNATION**

The Board of Education will enter a contract with each non-tenured teaching staff member providing, in part, for the termination of employment by either party on proper notice in accordance with Policy No. 4112.21.

An employee's resignation must be tendered to the Board through the Superintendent who may accept the resignation on behalf of the Board. Any such acceptance of a resignation will be ratified by the Board at its next meeting.

An employee who offers insufficient notice of resignation will be paid only through the last day of service. In addition, the Board may notify the Commissioner of Education of any tenured teaching staff member who terminates his or her position without having given sixty days notice to the Board and without the express permission of the Board. The certificate of any such member may be suspended.

### Legal References:

Previously Policy No. 3141

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Revised: April 14, 2008

LR11/09

**Mountain Lakes School District**

## **4117.4 REDUCTION IN FORCE/ABOLISHING A POSITION**

The Board of Education has the right under state law to abolish unilaterally any existing position in whole or in part and to reduce the number of employees in any category for reasons of economy, reduction in the number of pupils, change in the administrative or supervisory organization, change in the educational program or other good cause.

Should it become necessary to reduce the number of employees in the district, the laws and regulations of the state shall be the controlling guides. If, in the case of such reduction, candidates for termination are non-tenured personnel only, the primary basis for selection for termination or reduction shall be the needs of the district's educational program and the individual's contribution toward achievement of that program based on properly completed observations and evaluations.

If, in the case of such reduction, candidates for termination or reduction in grade are tenured in this district, the state regulations regarding seniority shall be the primary basis for decision. In the event that there should be equal applicable seniority among staff members, the decision for reduction or termination shall be based on the needs of the district's educational program and the individual's contribution toward achievement of that program based on properly completed observations and evaluations.

In no case shall any choice be based on arbitrary, capricious or discriminatory reasons.

The Superintendent shall prepare guidelines for restructuring positions and for determining objectively which employees are to be dismissed as a result, and shall present his/her recommendations to the Board for action.

### Legal References

Adopted: April 14, 2008

**Mountain Lakes School District**

## **4117.41 NONRENEWAL-NON-TENURED TEACHING STAFF**

The Board shall renew the employment contract of a non-tenured teaching staff member by a recorded roll call majority vote of the full board only upon the recommendation of the Superintendent. A non-tenured teaching staff member who is not recommended for renewal by the Superintendent shall be deemed not renewed. Written notice of non-renewal of employment will be sent to the employee by the board secretary. This notice will be given by the date specified by law.

A written request from a non-tenured teaching staff member for a written statement of reasons for non-reemployment will be honored by the Board of Education.

An informal appearance before the board may be requested in writing within 10 calendar days and shall be scheduled within 30 days of receipt of the Board's statement of reasons.

It is the Board of Education's prerogative to determine the date, starting time and length of an informal appearance, the purpose of which shall be to permit the staff member a final opportunity to convince the Board of Education to offer reemployment. Written notice of date and time will be provided to the staff member at least five days prior to the informal appearance.

The non-tenured teaching staff member may be represented by counsel or one individual of his/her choosing and may present witnesses on his/her behalf. Those witnesses are not subject to cross-examination by the Board of Education and will be excused from the hearing after making their statements.

Within three days following the informal appearance, the Board of Education or its designee will notify the teaching staff member, in writing, of the board's final decision.

### Legal References

Adopted: April 14, 2008

LR2011

**Mountain Lakes School District**

## **4117.50 DISCIPLINE-TEACHING STAFF**

The Board of Education directs all teaching staff members to observe statutes of the State of New Jersey, rules of the State Board of Education, policies of this Board, and duly promulgated administrative rules and regulations governing staff conduct. Violations of those statutes, rules, policies and regulations will be subject to discipline.

The Superintendent shall deal with disciplinary matters on a case by case basis. Discipline measures will include verbal and written warnings as appropriate and will provide, wherever possible, for progressive penalties for repeated violations. Penalties may include suspension, withholding one or more increments and dismissal.

In the event disciplinary action is contemplated, notice will be given to the teaching staff member in ordinary and concise language of the specific acts and omissions upon which the disciplinary action is based; the text of the statute, policy, or rule that the member is alleged to have violated; a date when the member may be heard and the administrator who will hear the matter; and the penalty that may be imposed.

### Legal References:

Previously Policy No. 3150

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Revised: April 14, 2008

LR11/09

**Mountain Lakes School District**

## **4117.51 WITHHOLDING AN INCREMENT**

Advancements on the salary guide, including annual employment adjustment increments, are not automatically granted and must be earned by satisfactory performance. Advancements require favorable evaluations of the employee's performance of assigned duties, a satisfactory attendance record, and adherence to the rules of this district and high standards of professional conduct.

The Board of Education may determine, by recorded roll call majority vote of the full membership and at any time prior to the commencement of the school year or contract year in which the employee's salary will vest, to withhold any or all of the increments indicated by the salary guide or by Board policy. In no case will the Board withhold a portion of an increment.

The Board shall, within ten days of its formal action to withhold an increment, give written notice to the affected employee of both the action and the reason or reasons for which it was taken.

The purpose of the Board in withholding increments is to improve the educational program and encourage the highest possible professional performance of its employees. Accordingly, all reasonable efforts will be made to inform employees of any deficiencies that may result in the withholding of an increment and to assist them in the correction of those deficiencies.

An increment withheld may be restored only by action of the Board. Nothing in this policy shall limit the right of a successor Board to restore an employee from whom an increment or increments have been withheld to that place on the salary guide he or she would have achieved had the increment or increments not been withheld.

### Legal References:

Previously Policy No. 3152

Adopted: November 5, 2001

Re-adopted: January 3, 2006

LR11/09

**Mountain Lakes School District**



## **4117.52 CERTIFICATION OF TENURE CHARGES**

The Board of Education may challenge the continued employment of any tenured teaching staff member who demonstrates inefficiency in the performance of his or her duties, is incapable of performing those duties, violates by unbecoming conduct the public trust placed with employees of this district, or by other means demonstrates unfitness for district employment. When charges are filed against a tenured teaching staff member, the Board shall determine the gravity of the charges and the probity of supporting evidence in accordance with law and the regulations of the Board.

### Legal References:

Previously Policy No. 3144

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Revised: April 14, 2008

LR07/10

**Mountain Lakes School District**

## **4117.53 DISMISSAL - NONTENURED TEACHING STAFF**

The Board of Education will enter a contract with each non-tenured teaching staff member providing, in part, for the termination of employment by either party on proper notice in accordance with Board Policy No. 4117 and 4117.41.

The Board may dismiss a non-tenured teaching staff member when dismissal is in the best interest of the school district. Termination notice will be duly given in writing and will state the reason therefore.

The Board will determine whether to permit an employee to continue to perform services during the period between the giving of notice and the date of termination.

Previously Policy No. 3143

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Revised: April 14, 2008

**Mountain Lakes School District**

## **4118.4 ACADEMIC FREEDOM**

The curriculum adopted by the Board of Education is designed to address the educational goals established for this school district and to meet the needs of pupils. The course guides prepared for each course of study describe the material to be covered in each course and, in general, the approach to be employed by the teaching staff member responsible for the course.

The Board recognizes that some deviation from the course guide is necessary to the free exchange of ideas within the classroom. Exposure to a wide range of ideas encourages the spirit of inquiry that is essential to the learning process; the thorough examination of these ideas aids pupils in developing powers of reasoning and in acquiring habits of academic discipline.

The Board directs that the discussion of any issue not specifically covered by the course guide be conducted in an unprejudiced and dispassionate manner. The Board does not condone classroom discussion that is unrelated to the educational goals of this district or to the subject of the course of study, disrupts the educational process, does not match the maturity level of the pupils, neglects to inform pupils of various responsible points of view on the subject under discussion, or fails to take into account the sensibilities of the community.

Previously Policy No. 3310

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Revised and Renumbered: August 10, 2009

**Mountain Lakes School District**

## **4119.2 LIABILITY FOR PUPIL WELFARE**

Teaching staff members are responsible for supervision of pupils and must discharge that responsibility with the highest levels of care and prudent conduct. All teaching staff members of this district shall be governed by the following rules in order to protect the well-being of pupils and to avoid any assignment of liability to this Board of Education or to a staff member personally in the event a pupil is injured.

The Superintendent shall prepare such regulations as may be required to enforce the following rules:

1. Each teaching staff member must maintain a standard of care for supervision, control, and protection of pupils commensurate with member's assigned duties and responsibilities;
2. A teaching staff member should not voluntarily assume responsibility for duties he or she cannot reasonably perform. Such assumed responsibilities carry the same potential for liability as do assigned responsibilities;
3. A teaching staff member must provide proper instruction in safety wherever course guides so provide;
4. A teaching staff member must report immediately to the building principal any accident or safety hazard the member detects;
5. A teaching staff member must not send pupils on personal errands;
6. A teaching staff member must never transport pupils in a personal vehicle without the approval of the building principal;
7. A teaching staff member must not require a pupil to perform tasks that may be detrimental to the health or well-being of the pupil or other pupils;
8. A teaching staff member will refrain from the use of personal furnishings and equipment in the classroom without the express permission of the Principal;
9. A teaching staff member must immediately report any instance of substance abuse, violence, vandalism, accidents, or suspected child abuse in accordance with Policy Nos. 5141.1, 5131.5, and 5141.4.

Previously Policy No. 3280

Adopted: November 5, 2001

Re-adopted: January 3, 2006

**Mountain Lakes School District**

## **4119.21 CONFLICT OF INTEREST-TEACHING STAFF**

No teaching staff member shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity which is in conflict with the proper discharge of the teaching staff member's duties.

No teaching staff member shall use or attempt to use his/her position to secure unwarranted privileges or advantages.

No teaching staff member shall act in his/her official capacity in any matter wherein he/she has a direct or indirect personal financial interest.

No teaching staff member shall accept any gift, favor, service or other thing of value under circumstances from which it might be reasonably inferred that such gift, service or other thing of value was given or offered for the purpose of influencing the teaching staff member in the discharge of his/her duties.

The Board of Education discourages the presentation of gifts to teaching staff members by pupils and their parents or legal guardians, because it may embarrass pupils with limited means and give the appearance of currying favor.

The Board directs that teaching staff members instruct their pupils to express their appreciation by means other than gifts.

Bribery and corrupt practices by employees as described in the criminal justice code are forbidden and shall be prosecuted to full extent of the law.

### Political Activities of Staff

All employees are prohibited from engaging in campaign activities on school property that potentially present a conflict of interest.

All employees are prohibited from engaging in any activity in the presence of students during performance of the employees' duties, which activity is intended or designed to promote, further or assert a position on any voting issue, board issue, or collective bargaining issue.

### Disciplinary Action

Violations of this policy may result in disciplinary action.

### Legal References

Previously Policy No. 3214

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Re-adopted: June 5, 2006

Revised: April 14, 2008

## **4119.22 CONDUCT AND DRESS - TEACHING STAFF**

The Board of Education expects all staff members to be neatly groomed and dressed in clothing suitable for the subject of instruction, the work being performed, or the occasion.

The personal life of an employee is not a concern of the Board except as it may directly prevent the employee from performing his/her properly assigned functions during the work day or affect his/her professional relationship with pupils.

### Unbecoming Conduct

When an employee, either within the schools or outside normal duties, creates conditions under which the proper operation of the schools is affected, the Board upon recommendation of the Superintendent and in accordance with statute shall determine whether such acts or lack of actions constitute conduct unbecoming a school employee, and if so, will proceed against the employee in accordance with law.

Unbecoming conduct sufficient to warrant Board review may result from a single flagrant incident or from a series of incidents.

### Legal References

Adopted: April 14, 2008

**Mountain Lakes School District**

## 4119.23 EMPLOYEE SUBSTANCE ABUSE - TEACHING STAFF

### General -All Employees

The use of alcoholic beverages in school worksites is prohibited. Violations of this prohibition may subject an employee to disciplinary action which may include but is not limited to non-renewal, suspension, or termination at the discretion of the Board.

The unlawful manufacture, distribution, dispensing, possession of, use of or sale of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance on or in school worksites is prohibited. Any violation may subject an employee to participation in a drug rehabilitation program and disciplinary action including but not limited to non-renewal, suspension, or termination at the discretion of the Board.

For the purposes of this policy "**worksite**" shall include any school building, or any school premises and any school-owned vehicles or any other school-approved vehicle used to transport students to and from school or school activities. Worksite also includes off-school property during any school-sponsored or school-approved activity, event or function such as a field trip or athletic event, where students are under the jurisdiction of the school district.

The Board may discipline an employee as a result of criminal convictions of any criminal drug statute violation by an employee occurring outside of the worksite. Disciplinary action may include, but is not limited to, non-renewal, suspension, or termination at the discretion of the Board.

Illegal gambling is not permitted in or on the school worksite.

Smoking by employees in school buildings or on school grounds is prohibited.

The Superintendent shall establish a drug-free awareness program which includes notice of the dangers of drug abuse in the workplace and available drug counseling programs and shall distribute this policy to all employees annually. New employees shall be provided with a copy of this policy prior to beginning work assignments.

### Work Performance in Connection with a Federal Grant

In order for the school district to qualify for any direct federal grant, the district must certify that it will provide a drug-free workplace and maintain a good faith effort to continue to maintain a drug-free workplace. To this end, employees engaged in school worksites as a result of federal grant moneys shall in addition to complying with requirements of the programs shall also be in strict compliance with this policy.

The Superintendent shall notify all employees whose work is performed in connection with a federal grant that they are to notify their respective supervisors of convictions of any criminal drug statute violation occurring in the workplace. Employees must notify their supervisors no later than five days after such conviction. To be in compliance, the district must notify the federal grant program of such conviction within 10 days of receipt of said conviction.

### Legal References

Adopted: April 14, 2008

## **4119.26 NON-ELECTRONIC COMMUNICATION BY SCHOOL STAFF TO STUDENTS**

"Electronic communications," for the purpose of this policy, means a communication transmitted by means of an electronic device including, but not limited to, a telephone, cellular phone, computer, computer network, personal data assistant, or pager. Electronic communications include, but are not limited to, e-mails, instant messages, and communications made by means of any electronic devices, including social media and social networking websites. The chief school administrator/principals will annually remind staff members and orient new staff members concerning the importance of maintaining proper decorum in the on-line, digital world as well as in person. School staff must conduct themselves in ways that do not distract from or disrupt the educational process.

The annual orientation and reminder will give special emphasis to improper fraternization with students using electronic communications:

- A. School staff may not list current students as "friends" on networking sites without written approval of the school principal;
- B. School staff may not engage current students in electronic gaming of any sort or compete against in electronic or online gaming.
- C. All electronic contacts with students should be through the district's computer and telephone systems;
- D. All electronic contacts by coaches and extracurricular advisors with team members and members of extracurricular activities shall, as a general rule, be sent to all team members and activity participants;
- E. School staff will not give out their private cell phone or home phone numbers to students without prior approval of the principal;
- F. Electronic communications that are inappropriate and therefore prohibited include but are not limited to:
  - 1. Items with sexual content;
  - 2. Items exhibiting or advocating use of drugs, alcohol or other illegal activities;
  - 3. Items that pertain to confidential student or staff personnel information;
  - 4. Any content that significantly affects the staff's ability to perform his/her job or disrupts the educational environment;
  - 5. Any content that would violate district policies and procedures;
- G. Examples of inappropriate behavior from other districts shall be covered and discussed, including behavior to avoid and the need for staff to use common sense in avoiding inappropriate and unprofessional behavior;
- H. Staff shall have no expectation of privacy when using district technology, the district network and/or public social media venues;
- I. The administration shall monitor for improper staff electronic communications on district computers, other school issued technology, and the district computer network;
- J. Staff shall be informed of the consequences that may result from inappropriate electronic communications up to and including dismissal from employment.



The chief school administrator or designees may periodically conduct internet searches to see if staff members have posted inappropriate materials on-line. When inappropriate use of electronic communication is discovered, the school principals and chief school administrator will seek to preserve the problematic or offensive material and will seek to maintain storage and chain of custody of the evidence. The chief school administrator/principal shall promptly bring that alleged misconduct to the attention of the board president.

### Cell Phones and Electronic Communications

As a general rule, school staff shall not contact students' cell phones unless directed to do so by the parent/guardian and student. School district personnel shall limit cell phone interaction with students to contact that pertains to legitimate school business. Legitimate school business includes (but is not limited to):

- A. Answering academic inquiries regarding homework, other classroom work or assignments;
- B. Scheduling appointments for school related conferences and/or extra help;
- C. Clarifying classroom expectations and/or assignments;
- D. Notifications related to classroom, club or sports schedules, events, trips, assignments, and deadlines.

Cell phone contact with students shall be as brief and direct as possible. When brief contact is not sufficient and/or feasible to resolve the matter, where appropriate, teachers shall schedule face-to-face conferences during regular classroom and extra-help periods to confer with the student. No cell phone contact shall exceed three replies.

### Text Messages

Any text messages by school staff members, coaches and volunteers shall, as a general rule, be sent to the entire class, team, club or organization and not to any student individually. Exceptions may include situations involving confidential medical issues, emergencies or individual issues not involving the entire group. School staff shall not send messages containing material that:

- A. May be perceived as profane, obscene, racist, sexist or promote illicit, illegal or unethical activity;
- B. Violates the district's affirmative action policies (2224, 4111.1, 4211.1, and 6121);
- C. Is personal in nature and not related to the business of the district;
- D. Can be interpreted as provocative, flirtatious or sexual in nature;
- E. Is confidential information and not authorized for distribution;
- F. Violates board policy 5131.1 Harassment, Intimidation and Bullying.

### Electronic Communication

School district staff shall adhere to the following guidelines when sending or receiving messages via district owned or issued devices and the district network:

- A. All messages shall pertain to legitimate school business;
- B. School staff shall not reveal district issued passwords to others. If a school staff member believes that a password has been lost or stolen, or that email has been accessed by someone without authorization, he/she must contact the supervisor for technology or the principal;

C. District administrators shall have access to the staff's password or passwords for all district owned or issued devices and the use of the district network;

D. Electronic messages on school owned or issued electronic devices and the district network shall be retained for the period of time specified by the Destruction of Public Records Law and board policy 3570 Records (retained three (3) years for external correspondence and one (1) year for internal correspondence);

E. Federal copyright laws shall be observed;

F. School staff shall not send messages that contain material that:

1. May be perceived as profane, obscene, racist, sexist or promote illicit, illegal or unethical activity;
2. Violates the district's affirmative action policies (2224, 4111.1, 4211.1, and 6121);
3. Is personal in nature and not related to the business of the district;
4. Can be interpreted as provocative, flirtatious or sexual in nature;
5. Is confidential and not authorized for distribution;
6. Violates board policy 5131.1 Harassment, Intimidation and Bullying.

G. Personnel shall become familiar with the district's policies and regulation on staff and student access to networked information resources and acceptable use of technology (6142.10 Internet Safety and Technology) before initiating email use;

H. Employees learning of any misuse of the email systems shall notify the supervisor for technology, principal or chief school administrator immediately.

### Online Education

An online classroom is still a classroom. Though courses and/or assigned programs of home instruction may be online, appropriate classroom behavior is still mandatory. Respect for the participants is essential for learning and student achievement.

Staff communications with students during online education will be limited to legitimate school business as set forth under cell phones, text messages and electronic communication, above. Professional standards and etiquette shall be observed at all times.

### Implementation

This policy shall be made available electronically or otherwise disseminated to all staff members, annually or as needed.

Adopted: August 13, 2018

Revised: October 1, 2018

Legal References:

## **4119.221 OUTSIDE ACTIVITIES - TEACHING STAFF**

The Board of Education recognizes that teaching staff members enjoy a private life outside the schools in which they enjoy associations and engage in activities for a variety of personal, economic, religious, or cultural reasons. The Board believes that the role of the teaching profession is such that teacher exert a continuing influence away from the schools. Further, the Board has directed the evaluation of staff in terms of their faithfulness to and effectiveness in discharging professional duties. Accordingly, the Board reserves the right to determine when activities outside the schools interfere with a staff member's professional performance and the discharge of the member's responsibilities to the pupils of this district.

The Board directs that all teaching staff members be governed in the conduct of personal activities by the following guidelines:

1. Teaching staff members should refrain from conduct, associations, and offensive speech that, if given publicity, would tend to have an adverse or harmful effect upon pupils or the school community;
2. Teaching staff members should not devote time during the working day to an outside activity without valid reason. They should not solicit or accept customers for private enterprises on school premises or during the school day without the express permission of the Superintendent;
3. The Board does not endorse, support, or assume liability in any way for any staff member of this district who takes pupils on trips not approved by the Board or Superintendent, and shall not be liable for the welfare of pupils who travel on such trips. No staff member may solicit pupils of this district for such trips within the facilities or on the school grounds of the district;
4. Teaching staff members shall not campaign on school premises on behalf of any candidate for local, state, or national office or for any public question on the ballot;
5. Copyrights and patents to materials or equipment developed, written, prepared, processed, or tested by teaching staff members in the performance of their professional duties reside with and may be claimed by the Board.

### Legal References:

Previously Policy No. 3230

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Revised: April 14, 2008

LR07/10

**Mountain Lakes School District**

## **4119.222 POLITICAL ACTIVITIES - TEACHING STAFF**

The Board of Education recognizes and encourages the right of all citizens, including teaching staff members, to engage in political activity. The Board prohibits the use of school premises and school time, however, for partisan political purposes.

The Board establishes the following guidelines to govern teaching staff members in their political activities:

1. A teaching staff member shall not engage in political activity on school premises except in accordance with Board Policy No. 1330 on the use of school facilities;
2. A teaching staff member shall not post political circulars or petitions on school premises nor distribute such circulars or petitions to pupils nor solicit campaign funds or campaign workers on school premises;
3. A teaching staff member shall not display any material that would tend to promote any candidate for office on an election day in a school facility that is used as a polling place.

A teaching staff member who is a member of the State Legislature or the County Board of Chosen Freeholders is entitled by law to time off from school district duties, without pay, during the time the member attends meetings of the Legislature or Board of Chosen Freeholders or any committee of those bodies. No other teaching staff member who holds elective or appointive office is so entitled, except as such time off may be provided for by Board policy or negotiated agreement.

The provisions of this policy do not apply to the discussion and study of politics and political issues appropriate to the curriculum, the conduct of pupil elections, or the conduct of employee representative elections.

Previously Policy No. 3233

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Revised: April 14, 2008

**Mountain Lakes School District**

## **4121 SUBSTITUTE TEACHERS**

The Superintendent shall make provision to employ the services of substitute teachers in order to maintain the effective operation of the educational program.

The Board shall approve potential substitute personnel and, if applicable, the positions in which they may substitute. The employment of a substitute teacher prior to approval by the board is authorized only when such employment is required to maintain continuity in the educational program. Retroactive approval shall be asked from the Board at the next regular meeting.

Teacher substitutes must have at least valid substitute teaching credentials issued by the county superintendent, and preferably hold a degree.

Any substitute teacher shall be entitled only to the wages approved by the Board on a per diem basis, and to no other benefits.

Persons employed as aides may not perform as substitutes for professional employees unless they have also been approved by the Board as substitute teachers.

The Superintendent or his designees shall recruit, screen and recommend to the Board candidates for employment as instructional substitutes. The Superintendent shall:

- A. Develop procedures for the assignment of substitutes;
- B. Develop methods of evaluating substitute teachers and recommend the retention on the Board's approved substitute list of those substitutes who have performed their duties satisfactorily.

### Legal References

Adopted: April 14, 2008

**Mountain Lakes School District**

## **4122 STUDENT TEACHERS/INTERNS**

The Board encourages the Superintendent to cooperate with colleges and universities in the placement of student teachers/administrative interns in the district's schools. Student teachers/administrative interns shall be placed with experienced staff members who agree to perform the necessary training and supervision.

The Superintendent shall recommend and the Board shall approve the selection and placement of student teachers and administrative interns. Student teachers/interns shall comply with the requirements of law regarding health examinations and criminal history checks.

The supervising teacher and building Principal shall be responsible for the conduct of student teachers while serving in the schools of this district. The Superintendent shall be responsible for administrative interns.

Student teachers/interns shall be allowed to participate in school activities where their contributions would be appropriate to the educational program of the school.

The Superintendent shall endeavor to ensure the equitable distribution of student teachers/interns throughout the district.

No remuneration will be provided to student teachers or administrative interns.

### [Legal References](#)

Adopted: April 14, 2008

LR11/09

**Mountain Lakes School District**

## **4123 CLASSROOM AIDES (PARAPROFESSIONALS)**

The Board, within its financial means, may hire aides (paraprofessionals) as recommended by the Superintendent.

It is the responsibility of the classroom teacher to plan for any teacher aide's (paraprofessional's) constructive involvement with the class. The primary benefit must be to the pupils.

Classroom aides (paraprofessionals) shall be under the supervision of the classroom teacher.

All aide (paraprofessional) job descriptions must be approved by the County Superintendent. All aides (paraprofessionals) shall be required to comply with the provisions of the law regarding health examinations and criminal history checks.

In accordance with federal law, the Superintendent shall establish procedures to release information, upon request, regarding the qualifications of classroom aides (paraprofessionals) to parents/guardians for any classroom aide (paraprofessional) who is employed by a school receiving Title I and who provides instructional assistance to their children.

### Qualification of classroom aides (paraprofessionals) in Title I schools

All classroom aides (paraprofessionals) paid in whole or in part with Title I funds shall be qualified in accord with federal law. All such paraprofessional (classroom aides) must have a high school diploma or its equivalent. All such classroom aides (paraprofessionals) except those working as translators or solely in conducting parent involvement activities, also must meet one of the following criteria:

- A. Completed at least two years of study at an institution of higher education;
- B. Obtained an associate's (or higher) degree; or
- C. Passed a formal state or local assessment demonstrating ability to assist in instructing reading, writing and mathematics or reading readiness, writing readiness and mathematics readiness, as appropriate.

### Legal References

Adopted: January 16, 2006

Revised: April 28, 2008

**Mountain Lakes School District**

## **4131/4131.1 STAFF DEVELOPMENT; INSERVICE EDUCATION/VISITATIONS/CONFERENCES - TEACHING STAFF**

The Board of Education recognizes its legal obligation to provide in-service activities to further the ability of the teaching staff to progress toward achievement of district goals and objectives. It is of particular concern to the Board that continuing education for teaching staff provides demonstrable contributions toward student achievement of the Core Curriculum Content Standards.

The Superintendent shall develop a comprehensive management system for staff professional improvement and shall assist staff members in the area of professional improvement by providing relevant information regarding workshops, professional meetings and course offerings.

To be in compliance with state requirements, each teacher employed in this district shall complete 100 clock hours of state-approved continuing professional development and/or in-service every five years. Appropriate steps toward achieving this goal shall be included in the content of each teaching staff member's annual professional improvement plan. It is the individual teacher's responsibility in accordance with district policies, to assure that a teacher meets the professional development requirement. There is no mandated financial obligation on the part of the district.

The 100-hour requirement may be satisfied through a combination of state-approved experiences including: formal courses and conferences sponsored by colleges, district Boards of education, professional associations, training organizations or other entities recommended by the Professional Teaching Standards Board and approved by the Commissioner of Education. Part or all of the 100-hour requirement may be satisfied through an in-service program that has been approved by the County Professional Development Board under standards established by the Commissioner based on the recommendation of the Professional Teaching Standards Board. Completion of each actual hour of approved training shall satisfy the requirement for one hour of continuing education.

In accordance with administrative code, the Board shall establish a Professional Development Committee in order to assess in-service needs and professional development opportunities and to plan and implement professional development programs to assure that the students of this district achieve the Core Curriculum Content Standards. This committee shall be comprised of four teachers, elected by the instructional staff through its majority representative and two administrative staff appointed by the Superintendent. The committee shall include the Superintendent as an ex officio member and shall solicit input from parents, community members and local business leaders. Plans developed by the committee shall be submitted for approval to the County Professional Development Board and then to the Board of Education. The Board reserves the right to deny any plan that fails to advance district goals and objectives; is not conducive to student achievement of the Core Curriculum Content Standards; or contravenes current negotiated agreements, other Board policies, student safety and well-being, continuity of the instructional program, or budgetary constraints.

Staff participation that may require released time and/or financial reimbursement from the Board will be determined by the Board of Education after recommendation by the Superintendent. Staff members who participate in out-of-district programs at Board expense shall submit a written report highlighting the main thrust and ideas observed by the participant.

### Mandated In-service Programs

The Superintendent shall arrange development of appropriate inservice presentations, seminars and/or workshops on equity issues, special education, child abuse and neglect, drug/alcohol abuse awareness, handling blood and body fluids, possible hazardous substances in the workplace, crises response, school violence and other topics specifically required by federal or New Jersey law. These required presentations, seminars and/or workshops shall not count automatically toward the required 100 clock hours of continuing education every five years.

### Legal References



Adopted: April 28, 2008

LR2011

**Mountain Lakes School District**

## **4136.16 RESPONSE TO CONCERTED JOB ACTION**

In the event of a concerted job action, including but not limited to a work stoppage by any employee or groups of employees, the Superintendent shall be empowered to take necessary steps within statutory limits to protect the safety welfare of pupils and staff and to ensure the security of school property, both real and personal. The Superintendent shall report promptly to the Board all emergency actions taken pursuant to this policy. The Board of Education shall meet, in emergency session if necessary, as quickly and as frequently as required to ratify or alter the steps taken by the Superintendent.

Previously Policy No. 8470

Adopted: January 3, 2006

**Mountain Lakes School District**

## **4138 NON-SCHOOL EMPLOYMENT - TEACHING STAFF**

School employees shall not engage in outside activities or perform any services other than those assigned by the district during the hours of the prescribed school day.

No outside work by a staff member shall prevent him/her from properly performing assigned functions during duty hours or be prejudicial to his/her work effectiveness.

### Legal References

Adopted: April 28, 2008

LR11/09

**Mountain Lakes School District**

## **4138.1 OUTSIDE EMPLOYMENT AS ATHLETIC COACH**

The Board of Education will permit, in accordance with this policy, employees of this school district to serve as an athletic coach in another school district.

Service as an athletic coach in another school district must not conflict with or interfere with the performance of an employee's professional responsibilities in this district.

### Legal References:

Previously Policy No. 3231

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Revised: April 28, 2008

LR07/10

**Mountain Lakes School District**

## **4138.2 PRIVATE TUTORING**

The Board recognizes that the discharge of its responsibility to provide a thorough and efficient system of education for each child in the district may require special help for some pupils beyond the regular classroom program. Tutorial instruction shall be interpreted to mean individualized instruction additional to, and in support of, regular classroom instruction.

Wherever possible within the working day, each teaching staff member shall assist assigned pupils in the remediation of individual learning difficulties.

In certain cases where extra help is desirable and the parents/guardians request such assistance, a teacher or administrator may recommend that the parents/guardians secure tutorial services for the pupil.

To avoid placing a teacher in a position where he/she may have a conflict of interest, teachers shall not tutor, for a fee, pupils enrolled in their classes or upon whose evaluation or assignment they may be called upon to pass. Nor shall any employee of the board make a commitment to perform services for extra pay when he/she has been instrumental in recommending the need for those services.

Teachers shall not tutor any pupil for pay during regular working hours or on school premises.

### Legal References

Adopted: January 16, 2006

**Mountain Lakes School District**

## 4142 PAYROLL RECORDS

The most substantial allocation of public funds for the operation of the school district is that made to the employees of the Board of Education for their services. Compensation will be tendered only to persons duly employed by this Board and only for services rendered.

Each Board resolution to employ or reemploy a person will include the person's name and position; the salary or rate of pay the person is to receive, the method of payment, the wage guide from which wages are derived; the period of time for which employment is authorize; and the school, grade, class or special assignment, as appropriate.

No person may be assigned duties as a substitute employee whose employment has not been approved by the Board. The Board will annually approve lists of persons who may be assigned duties as substitutes.

The minutes of Board meetings will record all actions of the Board regarding the resignation, retirement, death, discharge, or nonrenewal of employees. The record will include the name and position of the employee and the date upon which wages terminate.

Custodians, maintenance personnel and paraprofessionals are required to sign in and out daily in order to verify days and hours worked. The service of extra-duty personnel must be certified by the appropriate supervisor before payment can be made. The School Business Administrator/Board Secretary is authorized to withhold salary or wages for services not rendered, in accordance with Board policy.

All teaching staff members shall receive the first September paycheck by the 10th of September. After September 15th, all teachers shall be paid on the last working day closest to the 15th and the last working day of the month.

The payroll journal will be certified by the Board Secretary and the President of the Board. The Payroll Supervisor will deposit in special disbursement accounts one warrant for the net amount of the payroll and another warrant for all payroll deductions together with district matching funds and administrative charges.

### Legal References:

Previously Policy No. 6510

Adopted: January 3, 2006

Revised: April 28, 2008

LR11/09

**Mountain Lakes School District**

## **4143 ASSIGNMENT OF ADDITIONAL DUTIES**

The professional responsibilities of teaching staff members include such extra duties as may be assigned by the Board of Education upon the recommendation of the Superintendent. The Board will appoint teaching staff members to extra duty positions including, but not necessarily limited to, the positions of department chairperson, account treasurer, co-curricular activity advisor, athletic coach, monitor, and chaperone.

A teaching staff member who requests appointment to an extra duty position may be given preference over other candidates for the position.

Any teaching staff member appointed to an extra duty position is expected to serve unless excused for extenuating circumstances. A member's refusal to serve or resignation from extra duty service without permission may constitute an act of insubordination subject to discipline.

A teaching staff member can accrue no tenure or seniority rights in an extra duty position and is not entitled to reappointment to an extra duty position.

The Superintendent will inform the Board of extra duty positions required for the implementation of the district's program, post notice of vacancies in those positions, and recommend appointments to those positions.

Previously Policy No. 3134

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Revised: April 28, 2008

**Mountain Lakes School District**

## **4144 EMPLOYEE INDEMNIFICATION**

The Board of Education recognizes that officers and employees of this district are exposed to certain risks in the course of the performance of their duties and will provide insurance coverage against losses that may be incurred by such risks.

The Board shall in accordance with law, insure employees of the school district against injury and death arising out of or in the course of their employment.

The Board shall provide indemnification to any person holding any office, position or employment under the jurisdiction of the Board, including any student teacher, or person assigned to other professional pre-teaching field experience, for damages, losses, and costs incurred as a result of a civil suit brought against any such persons for any acts or omissions arising out of and in the course of their employment or student teaching or other assignment to professional field experience with this Board.

The Board shall provide indemnification to any person holding any office, position or employment under the jurisdiction of the Board, including any student teacher, or person assigned to other professional pre-teaching field experience, for the costs of defense against any criminal prosecution for any such act or omission when such prosecution is dismissed or results in a final disposition favorable to the officer or employee.

The Board shall insure against any liability arising out of the use of motor vehicles in the course of the conduct of automobile driver training courses and against any liability arising from the use of a motor vehicle by a person duly appointed by the Board to transport pupils and while in the course of such transportation.

The Board may insure against any major liability arising from the use of a motor vehicle by an employee or pupil of the district in the performance of district business.

### Legal References:

Previously Policy No. 8750

Adopted: January 3, 2006

LR11/09

**Mountain Lakes School District**



## **4147 EMPLOYEE SAFETY-TEACHING STAFF**

Through its overall safety program, the Board of Education shall seek to ensure the safety of employees during working hours.

The Board shall be diligent in maintaining safe working conditions for employees. It shall provide an Exposure Control Plan for the occupational containment of bloodborne pathogens as described in file code 4112.4 Employee Health. The Board shall also provide information on possible hazardous substances in the workplace, in accordance with law.

The Board shall expect employees to follow all established safety rules and regulations, such as those pertaining to the use of safety equipment, the wearing of safety clothing and protective eye devices where appropriate, and the lifting or shifting of heavy weights.

Employees shall report all accidents to their supervisor immediately.

### Legal References

Adopted: January 16, 2006

LR2011

**Mountain Lakes School District**

## **4151 ATTENDANCE PATTERNS - TEACHING STAFF**

The Board of Education believes that the regular presence of assigned personnel is vital to the success of the district's educational program. Consistent absenteeism or tardiness is unacceptable and subject to disciplinary action.

The Superintendent shall develop and the Board shall adopt a plan to encourage all staff to strive for excellent attendance and punctuality records. These procedures should include a requirement that the staff member personally report all illnesses and request all leave at the earliest possible time. Procedures shall be in accordance with New Jersey statutes and district negotiated contracts.

### Legal References:

Adopted: April 28, 2008

**Mountain Lakes School District**

## **4151.1 WORK RELATED DISABILITY PAY**

The Board of Education will permit, in accordance with law, the absence without loss of pay or of annual accumulated sick leave benefits of an employee disabled by a compensable personal injury arising out of and in the course of employment.

Any such employee will be entitled to receive full pay during the period he or she is on disability leave of absence and receives or is eligible to receive temporary disability benefits under the workers' compensation statutes, up to one calendar year.

Work related disability pay will be awarded only after the employee's illness or injury has been declared a compensable disability for the receipt of workers' compensation benefits. An employee who claims work related disability pay may be required to show evidence that his or her disability qualifies for workers' compensation benefits.

The continuing payment of the employee's regular salary under this policy will be conditioned on the employee's delivery and endorsement to the Board of any and all workers' compensation temporary disability checks received by the employee for the period covered by this policy.

The board will consider requests for extension of sick leave benefits on a case-by-case basis.

### Legal References

Adopted: February 5, 2007

**Mountain Lakes School District**

## **4151.5 JURY DUTY - TEACHING STAFF**

The Board of Education will indemnify any teaching staff member against loss of pay incurred by a call to jury duty. No such employee will be penalized in any way for an absence caused by service on a panel of grand or petit jurors. The time any such employee is absent on jury duty will not be charged against personal leave and will count as school district service.

Teaching staff members shall report a call to jury duty during the school term to the principal or their immediate supervisor who shall determine whether or not a replacement is available. Teaching staff members scheduled for jury service during the school term for whom the administration indicates a replacement cannot reasonably be found shall seek from the Assignment Judge an excusal or deferment of service. Teaching staff members shall obtain from the Superintendent or designee a letter indicating the lack of availability of a substitute in such instances.

A teaching staff member who is a full-time teacher and is absent from school duties on jury duty will receive full pay.

An employee summoned to jury duty shall promptly report the summons to his or her immediate supervisor. On return from jury duty, the employee must submit to his or her immediate supervisor a court record of the number of days served on jury duty.

While on jury duty, an employee must report daily to his or her supervisor the schedule for the following day.

Previously Policy No. 3439

Adopted: November 5, 2001

Re-adopted: January 3, 2006

**Mountain Lakes School District**

## **4210 CREATING POSITIONS - SUPPORT STAFF**

The Board of Education recognizes its authority to establish support staff positions that, when filled by qualified employees, will assist the district in the achievement of educational goals set by the Board.

The Board will create new positions as required, approve a job title appropriate to the position, and determine the number of persons required to staff adequately each such position.

The Superintendent shall recommend to the Board such new positions or additional staffing in existing positions as may be required by pupil enrollments and the operational needs of the district.

Previously Policy No. 4111

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Revised: April 28, 2008

**Mountain Lakes School District**

## **4211 RECRUITMENT, SELECTION AND HIRING - Non-certified Staff**

The board guarantees equal employment, advancement opportunity and equal pay for equal work for all people regardless of race, creed, color, national origin, nationality, ancestry, age, sex, affectional or sexual orientation, gender identity or expression, marital status, domestic partnership status, familial status, liability for service in the Armed Forces of the United States, atypical hereditary cellular or blood trait of any individual, disability or because of genetic information or refusal to submit to or make available the results of a genetic test, pregnancy or other conditions not related to the duties and responsibilities of the job.

The chief school administrator shall have the responsibility of locating and recruiting the best qualified candidates to provide for the identified needs of the district. Recruiting practices shall include measures for targeting underrepresented populations in every category of employment.

The chief school administrator or his or her designee shall ensure that the district's employment application process and pre-employment inquiry and interview process conform to the guidelines of the New Jersey Division on Civil Rights and the Law Against Discrimination.

The board of education shall appoint all staff members only from nominations made by the chief school administrator. All appointments shall be by recorded roll call majority vote of the full membership of the board. The chief school administrator shall adhere to the following in recruiting and interviewing candidates:

- A. There will be no discrimination in the employment process in regard to race, creed, color, national origin, ancestry, age, sex, affectional or sexual orientation, gender identity or expression, marital status, domestic partnership status, familial status, liability for service in the Armed Forces of the United States, atypical hereditary cellular or blood trait of any individual, disability, nationality, or because of genetic information or refusal to submit to or make available the results of a genetic test, pregnancy, or other conditions not related to the duties and responsibilities of the job;
- B. All candidates must have training and/or actual work experience in the vacant position, and an acceptable level of proficiency; and
- C. It shall be the duty of the Superintendent to see that persons nominated for employment shall meet all qualifications established by state or federal law, including the completion of a criminal history check and proof of citizenship or eligible alien status.

The chief school administrator is responsible for the preparation and maintenance of job descriptions that define the duties, responsibilities and qualifications required for each support position. The board shall adopt those job descriptions required by law or code and others as appropriate.

The employment of any candidate is not official until the contract is approved by the board of education and signed by the candidate. It shall be the responsibility of the chief school administrator to communicate this fact to all candidates.

### **Residency Requirements**

Every employee hired by the board shall have their principal residence with the State of New Jersey. For the purposes of this policy an employee may have only one principal residence which shall be defined as:

- A. Where the employee spends the majority of their nonworking time;
- B. Is most clearly the center of the employee's domestic life; and
- C. The employee's designated legal address and legal residence for voting.

The fact that an employee is either domiciled or owns a home or property in the State of New Jersey shall not by itself satisfy the requirement of principal residence.

### Exemptions

- A. An employee hired on or after September 1, 2011 who is not a resident when hired shall receive one year to establish residency in New Jersey. If the employee fails to establish residency within that year, he/she shall be deemed unqualified for employment and shall be removed pursuant to N.J.S.A. 52:14-7(d);
- B. An existing employee who was not a resident of New Jersey on or prior to September 1, 2011 is exempted from this policy. However, if he/she has had a break in public service for a period of time greater than seven days this exemption shall not apply;
- D. A break in public service shall be defined as an actual separation from employment for more than seven calendar days due to such causes as resignation, retirement, layoff, or disciplinary removal. But a leave of absence caused by accepting a new appointment within the district shall not be considered a break in public service;
- E. Any employee may request an exemption to the State committee formed under N.J.S.A. 52:14-7 on a basis of critical need or hardship. The decision on whether to approve an application of the employee shall be made by a majority vote of this committee. If this committee fails to act within 30 days after receipt of the employee's application, no exemption shall be granted and the residency requirements set forth in this policy shall be in effect.

### Employment History - Definitions

For the purpose of this policy:

- A. "Child abuse" means any conduct that falls under the purview and reporting requirements of law (P.L. 1971, c.437; N.J.S.A. 9:6-8.8 *et seq.*) and is directed toward or against a child or student, regardless of the age of the child or student (see also board policy 5141.4 Missing, Abused and Neglected Children);
- B. "Sexual misconduct" means any verbal, nonverbal, written, or electronic communication, or any other act directed toward or with a student, including a sexual invitation, dating or soliciting a date, engaging in sexual dialogue, making sexually suggestive comments, self-disclosure or physical exposure of a sexual or erotic nature, and any other sexual, indecent or erotic contact with a student.

### Required Disclosure of Employment History

The board shall require all applicants for employment and applicants to provide contracted services for positions and services that involve regular contact with students to provide the following information:

- A. A list, including name, address, telephone number and other relevant contact information of the applicant's:
  - 1. Current employer;
  - 2. All former employers within the last 20 years that were schools; and
  - 3. All former employers within the last 20 years where the applicant was in a position that involved direct contact with children;
- B. A written authorization that consents to and authorizes disclosure of the information requested

for the district to review the employment history and the release of related records by the applicant's list of employers as detailed in "A" of this section, and that releases those employers from liability that may arise from the disclosure or release of records;

C. A written statement as to whether the applicant:

1. Has been the subject of any child abuse or sexual misconduct investigation by any employer, State licensing agency, law enforcement agency or the New Jersey Department of Children and Families. This is not required if the investigation resulted in a finding that the allegations were false or the alleged incident of child abuse or sexual misconduct was not substantiated;
2. Has ever been disciplined, discharged, nonrenewed, asked to resign from employment, resigned from or otherwise separated from any employment while allegations of child abuse or sexual misconduct were pending or under investigation, or due to an adjudication or finding of child abuse or sexual misconduct;
3. Has ever had a license, professional license, or certificate suspended, surrendered, or revoked while allegations of child abuse or sexual misconduct were pending or under investigation, or due to an adjudication or finding of child abuse or sexual misconduct.

#### Review of the Employment History

A review of the employment history of the applicant shall be conducted and the employers listed by the applicant contacted. The dates of employment shall be requested and a statement as to whether the applicant:

- A. Was the subject of any child abuse or sexual misconduct investigation by any employer, State licensing agency, law enforcement agency or the New Jersey Department of Children and Families. This is not required if the investigation resulted in a finding that the allegations were false or the alleged incident of child abuse or sexual misconduct was not substantiated;
- B. Was disciplined, discharged, nonrenewed, asked to resign from employment, resigned from or otherwise separated from any employment while allegations of child abuse or sexual misconduct were pending or under investigation, or due to an adjudication or finding of child abuse or sexual misconduct; or
- C. Has ever had a license, professional license, or certificate suspended, surrendered, or revoked while allegations of child abuse or sexual misconduct were pending or under investigation, or due to an adjudication or finding of child abuse or sexual misconduct.

The review of the employment history may be conducted through telephone or cellphone, electronic communication or written communications. If the review is conducted by telephone or cellphone the results of the review shall be documented in writing by the district employee assigned to conduct the review.

Any applicant who willfully provides false information or willfully fails to disclose information required shall be subject to discipline and including termination or denial of employment; may be deemed in violation of law (N.J.S.A. 2C:28-3); and may be subject to a civil penalty of not more than \$500. Notification of these penalties shall be on all applications for employment for positions which involve regular contact with students.

#### Review of Out-of-State Employment History

A review of out-of-State employers that are part of the employment history of the applicant shall be conducted and the employers listed by the applicant contacted. The chief school administrator or his or her designee shall ensure that the employment history review conducted with an out-of-State



employer is documented with specificity as to the diligent efforts made to:

- A. Verify the information provided by the applicant; and
- B. Obtain the information requested from any out-of-State employers listed by the applicant.

#### Nondisclosure Agreements

The district shall not enter into a collectively bargained or negotiated agreement, an employment contract, an agreement for resignation or termination, a severance agreement, or any other contract or agreement or take any action that:

- A. Has the effect of suppressing or destroying information relating to an investigation related to a report of suspected child abuse or sexual misconduct by a current or former employee;
- B. Affects the ability of the district to report suspected child abuse or sexual misconduct to the appropriate authorities;
- C. Requires the district to expunge information about allegations or finding of suspected child abuse or sexual misconduct from any documents maintained by the district. This excludes allegations that are found to be false or alleged incidents of child abuse or sexual misconduct that have not been substantiated.

#### Implementation

The district may employ or contract with an applicant on a provisional basis for a period not to exceed 90 days pending the employment history review by the district provided that all of the following conditions are satisfied:

- A. The applicant has complied and provided the information requested;
- B. The district has no knowledge or information pertaining to the applicant that the applicant is required to disclose as part of the employment history review; and
- C. That special or emergent circumstances exist that justify the temporary employment of the applicant.

When the review of an applicant's employment history reveals that the applicant has a history of sexual misconduct or child abuse, the applicant shall be disqualified from employment with the district without grievance or appeals procedures or tenure proceedings pursuant to any collectively bargained or negotiated agreement or any law, rule or regulation.

The district shall respond to requests for employment history information pertaining to former or current district employees in compliance with law, within 20 days of the receipt of the request and former employee's consent to release the information.

Information received about an applicant's employment history shall not be a public record.

#### Legal References:

N.J.S.A. 10:5-1 *et seq.* Law Against Discrimination

N.J.S.A. 18A:6-7.1, -7.5 Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment

N.J.S.A. 18A:6-7.6 through N.J.S.A. 18A:6-7.13 Employees; qualifications; discrimination, prohibitions

N.J.S.A. 18A:11-1 General mandatory powers and duties

N.J.S.A. 18A:16-1 Officers and employees in general

N.J.S.A. 18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder

N.J.S.A. 18A:27-4.1 Appointment, transfer, removal or renewal of officers and employees; exceptions

N.J.S.A. 18A:39-17 through -20 Names, social security numbers, and certification of bus driver's license and criminal background check

See particularly:

N.J.S.A. 18A:39-19.1

N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

N.J.S.A. 26:8A-1 *et seq. Domestic Partnership Act*

N.J.S.A. 39:3-10.1 Driver of motor vehicle or trackless trolley with capacity over six passengers; special license

N.J.S.A. 52:14-7 Residency Requirements

N.J.A.C. 6A:7-1.1 *et seq. Managing for Equality and Equity in Education*

See particularly:

N.J.A.C. 6A:7-1.4, -1.8

P.L. 2018, c.5 – regarding requirements for employment history review for child abuse and sexual misconduct.

P.L. 2018, c.9 – regarding unlawful employment practices with respect to discrimination in compensation or in the financial terms and conditions of employment

42 U.S.C.A. 12101 *et seq. - Americans with Disabilities Act (ADA)*

42 U.S.C.A. 2000e *et seq. - Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunities Act of 1972*

29 U.S.C.A. 794 *et seq. - Section 504 of the Rehabilitation Act of 1973*

8 U.S.C.A. 1100 *et seq. - Immigration Reform and Control Act of 1986*

*Every Student Succeeds Act*, Pub. L. 114-95, 20 U.S.C.A. 6301 *et seq.*

*Taxman v. Piscataway Bd. of Ed.*, 91 F. 3d 1547 (3d Cir. 1996)

The Comprehensive Equity Plan, New Jersey State Department of Education

Adopted: April 28, 2008

Revised: May 20, 2019

## Mountain Lakes School District

## **4211.1 NONDISCRIMINATION/AFFIRMATIVE ACTION - SUPPORT STAFF**

The Board of Education guarantees to all persons equal access to all categories of employment, retention and advancement in this district, regardless of race, creed, color, national origin, ancestry, age, sex, affectional or sexual orientation, marital status, domestic partnership status, familial status, liability for service in the Armed Forces of the United States, atypical hereditary cellular or blood trait of any individual, non-applicable disability (i.e. a disability that does not preclude job performance) or because of genetic information or refusal to submit to or make available the results of a genetic test.

An affirmative action/equity program shall be a part of every aspect of employment not limited to but including upgrading; demotion or transfer; recruitment or recruitment advertising; renewal or non-renewal; layoff or termination; rates of pay or other forms of compensation including fringe benefits; employment selection or selection for training and apprenticeships; promotion; or tenure.

Pursuant to law, this Policy shall not be construed to bestow on an employee or retiree's domestic partner any pension or health benefits under the New Jersey Domestic Partnership Act.

The Board-designated affirmative action officer shall identify and recommend correction of any existing inequities, and any that occur in the future.

### **Harassment and Favoritism**

The Board of Education is an affirmative action employer and holds all its employees responsible for maintaining a working environment that is free from all discriminatory practices. Harassment or favoritism on any basis included in the Board's statement of equal access to employment, retention and advancement is prohibited.

Administrators and supervisors shall be familiarized with the actions that constitute harassment and favoritism. This material shall be included in the legally mandated affirmative action inservice training for all employees, and shall be clear and specific (see policy 2224). When harassment has been determined to have taken place, appropriate disciplinary action will follow.

All such determinations shall be reported to the Board.

### **Sexual Harassment**

The Board of Education shall maintain a working environment that is free from sexual harassment.

Administrators and supervisors will make it clear to all staff that sexual harassment is prohibited. No supervisory employee shall threaten or insinuate, either directly or indirectly, that an employee's refusal to submit to sexual advances will adversely affect the employee's continued employment, evaluation, compensation, assignment or advancement. No supervisory employee shall promise or suggest, either directly or indirectly, that an employee's submission to sexual advances will result in any improvement in any term or condition of employment of an employee. Sexually harassing conduct committed by non-supervisory personnel is also prohibited.

Staff may file a formal grievance related to sexual harassment. The affirmative action officers will receive all complaints and carry out a prompt and thorough investigation and will protect the rights of both the person making the complaint and the alleged harasser.

Findings of discrimination in the form of sexual harassment will result in appropriate disciplinary action.

### **"Whistleblower" Protection**

The Board prohibits discrimination or retaliation against any school employee who does any of the following:

A. Discloses or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the board that the employee reasonably believes is in violation of a law, or a rule or regulation established pursuant to law;

B. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation established pursuant to law by the board; or

C. Objects to, or refuses to participate in any activity, policy or practice which the employee reasonably believes is in violation of law, rule or regulation; is fraudulent or criminal; or is incompatible with public health, safety or welfare or protection of the environment.

The Board shall ensure that notices are posted conspicuously in each school, informing employees that they are protected under the "Conscientious Employee Protection Act."

#### Report on Implementation

The Superintendent shall devise regulations, including grievance forms and procedures to implement this policy. He/she shall be responsible for informing staff annually of the identity and location of the affirmative action officer and the implementing procedures.

#### Legal References:

Adopted: June 5, 2006

LR2011

**Mountain Lakes School District**

## **4211.2 SUPPORT STAFF TENURE**

The Board of Education directs that the tenure status of support staff members be determined only in accordance with law and this policy and such contractual terms as may have been negotiated with the employee's majority representative.

Persons employed as janitors, custodians, and maintenance personnel including supervisory personnel will be employed on fixed term contracts and will not acquire tenure in their positions.

The Board will not grant tenure to any employee for whom such tenure has not been provided in law or in a contract negotiated by this Board.

Previously Policy No. 4360

Adopted: January 3, 2006

Revised: April 28 , 2008

**Mountain Lakes School District**

## 4212.4 EMPLOYEE HEALTH- SUPPORT STAFF

### Examinations

When a candidate has been given a conditional offer of employment, he/she is required to submit to a medical evaluation and a physical examination. This physical examination may include testing for controlled dangerous substances as they are defined in the criminal code. The examination of newly employed staff shall include but not be limited to those physical exam elements that are listed in administrative code. Employees may be required to undergo an annual physical examination.

The results of all required employee medical examinations shall be made known to the Superintendent on a confidential basis, discussed with the employee, and made a part of his/her confidential medical record. Records and reports of examinations shall be filed with the district medical inspector as confidential information but shall be available to and reported to appropriate health agencies as required by law.

In the event an employee has been determined to have a mental abnormality or communicable disease or exhibits symptoms of substance abuse and, if in the opinion of the district medical inspector such condition makes the employee unfit for continued employment, the Board may remove the employee from further service as provided by law or grant leave as provided by law during the period of unfitness. An employee determined to be unfit must provide the Board with satisfactory proof of recovery before reinstatement will be allowed. Physical Examinations for Cause are covered in more detail in Policy 4212.41.

To protect the pupils and staff in the district schools, all regulations of the state department of education, the state department of health and the local board of health shall be scrupulously observed, particularly those dealing with contagious/infectious diseases. A member of the staff who has been identified as having a communicable disease shall be permitted continued employment only if he or she qualifies under the above agencies' rules pertaining to communicable diseases, including, period of incubation, type of communicability, quarantine and reporting.

When the required examinations are performed by a physician designated by the Board, the Board shall bear the expense. Should an employee prefer to see his/her own physician, with Superintendent approval, the employee shall bear the expense.

### Occupational Containment of Bloodborne Pathogens

The Board is committed to provide a safe and healthful work environment for staff. In pursuit of this endeavor, the Superintendent shall adopt an Exposure Control Plan (ECP) to eliminate or minimize occupational exposure to bloodborne pathogens in accordance with federal regulations.

The ECP will be a key document to assist the district in implementing and ensuring compliance with the OSHA bloodborne pathogens standard, thereby protecting employees. The ECP includes:

- A. Identification of tasks, procedures and job classifications where occupational exposure to blood may occur;
- B. Procedures for evaluating and responding the circumstances surrounding an exposure incident; and
- C. The schedule and method for implementing the specific prevention and response standards required by law, including:
  - 1. Methods of compliance;
  - 2. Hepatitis B vaccination;

3. Post-exposure evaluation and follow-up;
4. Hazard communication requirements;
5. Effective employee training;
6. Recordkeeping.

The ECP shall be reviewed annually to ensure that it reflects use of the most current medical technology.

#### Implementation and Dissemination

The Superintendent in consultation with the district medical inspector shall prepare regulations to implement this policy in compliance with law and code. All employees shall receive this policy and be made aware of all requirements for health examinations.

#### Legal References

Adopted: June 2, 2008

LR11/09

**Mountain Lakes School District**



## 4212.6 PERSONNEL RECORDS - SUPPORT STAFF

Orderly administration of the school district and compliance with state and federal law require the compilation of information about all employees of the district. The Board of Education recognizes that there is a distinction between those personnel records that are clearly a matter of public concern, and those which must be considered privileged until such time as they are opened to the public by the commissioner of education or the courts.

The Superintendent shall consult with the board attorney regarding which personnel records are mandated to be kept by law, and those to be kept for administrative purposes. The Superintendent and the board attorney shall be responsible for limiting administrative records to those that are consistent with New Jersey and federal law.

In accordance with federal law, for employees of a school receiving Title I funds, the Superintendent shall establish procedures to release information upon request regarding the professional qualifications and degrees of teachers and the qualifications of paraprofessionals upon request of parents/guardians. Parents or guardians can only request information about employees who provide instruction to their children.

The Superintendent shall establish the necessary regulations for maintaining both public and confidential employee records.

A. The public file shall consist of an alphabetic index of all those presently employed by the district in whatever capacity. The information in this file shall be limited to name, title, position, salary, payroll record, length of service, and, if applicable, date of separation and rehire. The Superintendent shall devise procedures for making this file available to the public in accordance with the Open Public Records Act.

B. The confidential file shall consist of an individual personnel folder for each current employee. The information in this file shall include all records mandated by state and federal law; evaluation of performance; record of attendance; original application filed by the employee; original salary and increments; date of tenure; notations of commendation and disciplinary actions consistent with law. This file is available for examination:

1. At any time, by the Superintendent or the supervisory personnel he/she designates;
2. During regular business hours, by the employee or his/her personally authorized representative, in accordance with regulations;
3. During regular business hours, or at any meeting of the Board or any committee thereof, by any member of the Board when necessary to make an informed decision regarding any assigned Board responsibility or duty.

C. Employee health records shall be maintained separately from other personnel files and in strict confidentiality. Only the employee, the medical inspector and the superintendent shall have access to an employee's medical file. To assure ready access in a medical emergency, the section of the medical record that contains the health history may also be shared with the building principal and the school nurse with the consent of the employee.

D. Emergency contact cards for all employees shall be maintained by the Superintendent and updated annually.

### Legal References

Adopted: January 16, 2006

Revised: June 2, 2008

**Mountain Lakes School District**

## 4212.8 NEPOTISM - SUPPORT STAFF

### Definitions

For the purpose of this policy the following definitions shall apply:

"*Nepotism*" shall be defined as the showing of favoritism to an employee or candidate for employment based on the existence of a "*conflicted relationship*" with a board member or chief school administrator.

"*Conflicted relationship*" includes but is not limited to an immediate family member, a relative, and any other relationship that create a justifiable impression that the public trust may be violated.

"*Conflicted board member/administrator*" shall mean any board member or administrator with a conflict of interest, regardless of the source of conflict as identified in the definitions below.

"*Relative*" shall be defined as an individual's spouse, civil union partner, domestic partner, or the parent, child, brother, sister, aunt, uncle, niece, nephew, grandparent, grandchild, son-in-law, daughter-in-law, stepparent, stepchild, stepbrother, stepsister, half-brother or half-sister, of the individual or of the individual's spouse, civil union partner or domestic partner, whether the relative is related to the individual or the individual's spouse, civil union partner or domestic partner, by blood, marriage or adoption.

"*Immediate family*" shall be defined as board member or school administrator, their spouse, civil union partner, domestic partner, child, parent or sibling residing in the same household, whether related by blood, marriage or adoption.

"*Other*" when describing relationships between individuals and board members or the chief school administrator includes but is not limited to in-law, cousin, cohabitating partner, and step daughter-in-law and any other personal or professional relationship that creates the justifiable impression that the public trust is being violated.

### Employment and Supervision of a Relative

The board of education, in order to avoid both the reality and the appearance of conflict of interest in employment, will not initially appoint a relative of a board member or of the chief school administrator to any employment position in this district.

The chief school administrator shall not recommend to the board for initial hire any relative of a board member or of the chief school administrator, unless the person is subject to the exception below. Nor shall any person be considered for employment in any position in which he/she would come under the direct or indirect supervision of any relative. Where it is not feasible to eliminate such a direct or indirect supervisory relationship, appropriate screens and/or alternate supervision/reporting mechanisms shall be put in place.

No conflicted administrator shall supervise, or exercise authority over personnel matters in which the administrator has a conflict. No board member shall deliberate or vote on a matter involving the member's conflicted relationship. Nor should the board member be present for any confidential discussion of employment matters in which they have a conflict. Neither should the board member receive confidential information pertaining to a matter in which they have a conflict.

### Exceptions Regarding Employment

Persons who are employees of the board on the date that this policy initially becomes effective or the date a relative becomes a board member or chief school administrator shall not be prohibited from

continuing to be employed in the district. This includes employees who must be renewed annually by the board. The chief school administrator may recommend those employees for reemployment, transfer, promotion or removal.

A relative of a school board member or chief school administrator may be initially employed by the district provided that the district has obtained the approval from the executive county superintendent of schools. Such approval shall be granted only upon demonstration by the school district that it conducted a thorough search for candidates and that the proposed candidate is the only qualified and available person for the position. Per diem substitutes and student employees may be excluded from the initial hiring aspects of this nepotism policy.

#### Participation in Employment Related Matters

Conflicted board members may not participate in employment matters concerning the chief school administrator, principal or any administrator or supervisor(s) in the chain of command between the employee and chief school administrator.

Prohibited activities for conflicted board members include hiring of the selection agency, criteria, job description, voting to advertise for applicants, search committee, vote to hire and any evaluation and contract discussion post-hire.

Conflicted board members may not be present in closed session when discussions regarding the administrators take place and should not be privy to executive session materials until such time as the minutes are made available to the general public.

#### Board Member/Chief School Administrator Participation in Negotiations

##### **A. In-District Bargaining Units**

When a board member or school administrator is in a conflicted relationship which prohibits participation in collective negotiations, that board member or school administrator shall not participate in any way in negotiations. This includes, but is not limited to, setting negotiation parameters, being a member of the negotiating team, receiving negotiations updates, voting on the proposed agreement and post-contract participation in grievances. Nor shall that board member or school administrator be present with the board in closed session when negotiation strategies are being discussed. A school administrator may provide technical information that is necessary to the collective bargaining process when no one else can provide that information.

Board members or the chief school administrator are similarly precluded from participation in negotiations with any bargaining unit whose members have supervisory authority over a family member or other conflicted connection.

##### **B. Out-of-District Similar Statewide Bargaining Units**

When a board member or school administrator is in a conflicted relationship with an individual who is a member of an out-of-district similar statewide union with which the board is negotiating, that board member or school administrator shall not participate in any way in negotiations. This includes, but is not limited to: being a member of the negotiating team, and receiving confidential negotiations information updates prior to the board's attaining a tentative memorandum of agreement with the bargaining unit, including salary guides and/or the total compensation package.

Once such tentative memorandum of agreement is established, including salary guides and/or the total package of money to be offered, the board member or school administrator may fully participate in the process, including board member voting, absent other conflicts. Prior to that time, the board member or school administrator shall not be present with the board in closed

session when negotiation strategies are being discussed. However, a school administrator may provide technical information that is necessary to the collective bargaining process when no one else in the district can provide that information.

A school official who has a conflicted relationship with any employee of the district or an employee in another out-of-district similar statewide union as of the effective date of this policy shall declare such relationship to the board immediately.

### Doctrine of Necessity

When a quorum of the board has conflicted interests, the doctrine of necessity may be invoked in order to allow conflicted board members to participate in the negotiation process and vote. The doctrine of necessity may be invoked for the negotiation team or superintendent search committee only when the board of education has fewer non-conflicted board members than are required, pursuant to statute, to take action. The board shall only invoke the doctrine of necessity after consultation with the board attorney. When invoking the doctrine of necessity the board shall state publically that it is invoking the doctrine of necessity with the reasons for doing so and the specific nature of the conflicts of interest. The board shall read the resolution invoking the doctrine of necessity at a regularly scheduled public meeting, post the notice of the resolution for 30 days and provide the School Ethics Commission with a copy of the resolution.

### Implementation

The connections and relationships that create a conflict of interest for an individual board member's participation in board decisions are subject to changes that result from commissioner rulings or changes in law. Therefore the board shall consult with the board attorney as necessary and appropriate for guidance and clarification related to the implementation of this policy.

Date:

### Legal References:

N.J.S.A. 18A:11-1 General mandatory powers and duties

N.J.S.A. 18A:12-2 Inconsistent interests or office prohibited

N.J.S.A. 18A:12-21 *et seq.* School Ethics Act

N.J.S.A. 18A:16-1 Officers and employees in general

N.J.S.A. 18A:27-4.1 Appointment, transfer, removal or renewal of officers and employees; exceptions

N.J.S.A. 52:13D-13 State conflict of interest law and 21.2

N.J.S.A. 18A:27-4.1

N.J.A.C. 6A:4-1.1 *et seq.* Appealable decisions

N.J.A.C. 6A:23A-1.2 *et seq.* Fiscal accountability; definitions

N.J.A.C. 6A:23A-6.2 *et seq.* Fiscal accountability; nepotism

N.J.A.C. 6A:28-1.1 *et seq.* School Ethics Commission

*In the Matter of the Election of Dorothy Bayless to the Board of Education of the Lawrence Township School District, 1974 S.L.D. 603, reversing 1974 S.L.D. 595*

*Shirley Smiecinski v. Board of Education of the Township of Hanover*, Morris County, 1975 S.L.D. 478

*Scola v. Ringwood Bd. of Ed.*, 1978 S.L.D. 413

*Salerno v. Old Bridge Board of Ed.*, 1984 S.L.D. (April 28)

*Larsen v. Woodbridge Board of Ed.*, 1985 S.L.D. (March 18)

*Scannella v. Scudillo*, School Ethics Decision, Complaint No. C-14-93, (February 3, 1994)

*In the Matter of Frank Pannucci*, 2000 S.L.D. March 1, State Board Rev'g Commissioner 97 NJAR 2d (EDU) 339

School Ethics Commission, Advisory Opinion, A01-93

School Ethics Commission, Advisory Opinion, A10-93

School Ethics Commission, Advisory Opinion, A021-93

School Ethics Commission, Advisory Opinion, A07-94

School Ethics Commission, Advisory Opinion, A33-95

School Ethics Commission, Advisory Opinion, A14-00

N.J. Department of Education 05-13-09 Broadcast # 1 "Nepotism Policy Clarification"

#### Cross References:

List your appropriate policies. See legal reference sheet for possibilities.

#### Key Words

Nepotism, Hiring Relatives, Relatives

**Mountain Lakes School District**

## **4212.21 EMPLOYMENT CONTRACT-SUPPORT STAFF**

The Board of Education requires that every nontenured employee annually sign an employment contract for a term of not more than one year.

The employment contract shall include the date; name of the employee; the beginning and ending dates of service; the salary to be paid and the manner of payment; an authorization for salary deductions as applicable; and such other terms and conditions as may be necessary to a complete statement of the employment relationship.

In the event that the salary entered on the written contract differs from that formally approved by the Board, the salary approved by the Board shall be the salary paid.

Previously Policy No. 4124

Adopted: January 3, 2006

Revised: April 28, 2008

**Mountain Lakes School District**

## **4212.41 EXAMINATION FOR CAUSE - SUPPORT STAFF**

The Board of Education may, in accordance with law, require the psychiatric or physical examination of any support staff member who shows evidence of deviation from normal physical or mental health.

The Superintendent shall recommend to the Board the examination of any support staff member whose physical or mental condition so departs from normal health as to adversely affect the performance of the member's duties. Any such recommendation must be accompanied by competent evidence. If the Board determines that deviation from normal health has been demonstrated, it may require that the member submit to a physical or mental examination.

A requirement for physical or mental examination shall be made known to the employee by written notice setting forth the nature of the examination required, the reasons for the requirement, and a statement offering the member the opportunity to appear before the Board to explain or refute those reasons, provided any such hearing is requested in writing within ten working days of the receipt of the notice.

A support staff member who fails to request an appearance before the Board within the time permitted or, having appeared before the Board, fails to persuade the Board that he/she should not be required to submit to the required examination shall be ordered to submit to an appropriate examination by a physician or institution designated by the Board and at the Board's expense.

The support staff member may, at his/her option, submit names of physicians or institutions to the Board for consideration to complete the appropriate examination(s). The Board is not required to designate a physician or institution submitted for consideration by the support staff member, but the Board will not act unreasonably in withholding its approval of a physician or institution submitted by a teaching staff member. The cost of the examination will be borne by the Board if the Board designates a physician or institution from the names submitted from the teaching staff member.

If the support staff member does not request the Board to consider a physician or institution under the prior paragraph, or if the support staff member's request is denied,, the staff member may elect to submit to an appropriate examination conducted by a physician or institution of the teaching staff member's own choosing and at his/her expense, provided the physician or institution so chosen must be approved by the Board, pursuant to N.J.S.A. 18A:16-3, and must be authorized and directed by the member to report the results of the examination to the Board.

If the results of the examination show mental abnormality or communicable disease, the support staff member shall be placed on sick leave and compensated in accordance with his/her sick leave entitlement, if any, until proof of recovery, satisfactory to the Board, is furnished. No leave of absence granted under this policy shall exceed the term of the contract of a non-tenured support staff member or a period of two years in the case of a tenured support staff member.

A support staff member who refuses to submit to the examination required by the Board and has exhausted the hearing procedures established by law and this policy shall be subject to discipline, which may include the certification of tenure charges to the Commissioner of Education.

### Legal References:

Previously Policy No. 4161

Adopted: January 3, 2006

Revised: June 2, 2008

LR07/10



## Mountain Lakes School District

## **4213/4214 ASSIGNMENT; TRANSFER - SUPPORT STAFF**

The Superintendent shall make certified staff assignments in the manner best calculated, in his/her judgment, to enhance the educational program.

Teaching, supervisory, administrative and support personnel are subject to assignment and transfer after recommendation of the Superintendent and approval by the Board of Education. Procedures for such transfers shall comply with provisions of current negotiated agreements and state and federal law. Disciplinary transfers are prohibited. The Superintendent shall pay particular attention to ensuring to the extent possible that there shall be equivalence of teachers and administrative staff among the schools. Discrimination in assignment, transfer and promotion shall not be tolerated (see 2224, 4111 and 4111.1).

### Legal References

Adopted: June 2, 2008

LR2011

**Mountain Lakes School District**

## **4215 SUPERVISION-SUPPORT STAFF**

The superintendent shall ensure development of procedures for observation and supervision of all employees so that optimum support is provided for the educational program.

Such observation and supervision shall not be limited to that which is required for effective performance evaluation.

This policy shall be distributed to each support staff member at the beginning of his/her employment.

### Legal References

Adopted: January 16, 2006

**Mountain Lakes School District**

## **4215.1 CODE OF ETHICS - SUPPORT STAFF**

All support staff employees will:

- Represent themselves honestly in the application and selection procedure;
- Report to work as scheduled;
- Discuss complaints with their immediate superior, or through approved channels;
- Not advise or counsel pupils except in special cases with the knowledge and consent of the Principal;
- Complete thoroughly their assigned tasks;
- Endeavor to establish good working relationships with other employees, professional as well as non-professional;
- Commit themselves to providing the best possible services for pupils;
- Uphold all rules and regulations as set by the Board, the Superintendent, and the principals;
- Keep the trust under which confidential information may be given;
- Adhere to all the conditions of a contract;
- Give prompt notice of any change in availability for continued employment; and
- Protect and care for district property.

Adopted: January 3, 2006

Renumbered and Re-adopted: February 5, 2007

**Mountain Lakes School District**

## **4216 EMPLOYEE EVALUATION - SUPPORT STAFF**

The Board of Education recognizes the importance of employee evaluations in the reinforcement of performance strengths and the remediation of weaknesses.

The Superintendent shall develop a plan for the evaluation of support staff members. He or she shall invite the participation of employees in the development of the plan and shall assess and modify the plan as necessary.

Employees shall be grouped into position classifications based upon similarities of duties, responsibilities, and qualifications. The evaluation process shall be similar for all employees in a single classification.

The evaluation process shall provide for the recognition and commendation of effective performance, the identification and remediation of performance deficiencies, and the recommendation of discipline or dismissal when an employee fails to improve his or her performance. Evaluation procedures shall provide that each employee is informed of the specific objectives of his or her position and the standards that will be used to assess the employee's performance against those objectives. Employees will be evaluated by qualified supervisors; probationary employees will be evaluated every thirty days and permanent employees will be evaluated every year. Any records created in the evaluation process will become part of the employee's file and subject to Board policy on personnel records.

Previously Policy No. 4220

Adopted: January 3, 2006

**Mountain Lakes School District**

## **4217.41 NONRENEWAL OF NONTENURED SUPPORT STAFF EMPLOYMENT CONTRACTS**

The Board will renew the employment contract of a nontenured support staff member only upon the recommendation of the Superintendent and by a recorded roll call majority vote of the full membership of the Board. The Board will not withhold its approval for arbitrary and capricious reasons. A nontenured support staff member who is not recommended for renewal by the Superintendent is deemed nonrenewed.

The Superintendent shall notify the Board of the recommendation not to renew the support staff member's contract and the reasons for the recommendation. This recommendation will be made in executive session, a board committee meeting, a full Board meeting or in public session after the employee requests the discussion be held in the public session. The support staff member whose contract is not renewed has the right to a written statement for the reasons for nonrenewal. The Board will also provide any nontenured support staff member with an opportunity to meet informally with the Board, provided that a request for such an appearance is received within ten days after the support staff member receives the statement of reasons provided by the Board.

The Board is not required to offer reemployment or vote on reemployment after an informal hearing with a support staff member who was not recommended for reemployment by the Superintendent. The Board may, with a majority vote of its full membership in public session without the recommendation of the Superintendent, offer the support staff member reemployment after the employee has had the opportunity to meet informally with Board.

This policy does not apply to the contract renewal of the Treasurer of School Moneys, Board Auditor, Board Attorney or Board Secretary, except a Board Secretary who performs Business Administrator's functions.

N.J.S.A. 18A:27-4.1

Previously Policy No. 4146

Adopted: January 3, 2006

Revised: September 17, 2018

**Mountain Lakes School District**

## **4217.44 LAYOFFS - SUPPORT STAFF**

The Board of Education shall provide the support staff necessary for the operation of the district in a manner that is efficient and economical.

The Board reserves the right to abolish support staff positions and reduce district staff commensurately whenever reasons of economy, reorganization of the school district, reduction in the number of pupils, or other cause so warrant in the exercise of the sole judgment of the Board. The Superintendent shall continually review the efficiency and effectiveness of district organization and recommend to the Board the creation and abolishment of support staff positions and the reallocation of duties and positions.

Previously Policy No. 4145

Adopted: January 3, 2006

**Mountain Lakes School District**

## **4217.50 DISCIPLINE - SUPPORT STAFF**

The Board of Education directs all support staff members to observe statutes, rules of the State Board of Education, policies of this Board, and duly promulgated administrative rules and regulations governing staff conduct. Violations of those statutes, rules, policies, and regulations will be subject to discipline.

The Superintendent shall deal with disciplinary matters on a case by case basis. Discipline will include, as appropriate, verbal and written warnings, transfer, suspension, freezing wages, and dismissal; discipline will provide, wherever possible, for progressive penalties for repeated violations.

In the event disciplinary action is contemplated, notice will be given to the employee in ordinary and concise language of the specific acts and omissions upon which the disciplinary action is based; the text of the statute, policy, rule, or regulation that the employee is alleged to have violated; a date when the employee may be heard and the administrator who will hear the matter; and the penalty that will be imposed.

Previously Policy No. 4150

Adopted: January 3, 2006

**Mountain Lakes School District**



## **4217.51 FREEZING OR REDUCING WAGES**

The Board of Education recognizes that any advancement of salary, including annual increments and raises, is not automatic but rests within the discretion of the Board.

Advancement of salary shall require favorable reports covering the employee's competence and thoroughness in the performance of assigned duties as well as the employee's record of attendance and compliance with district regulations.

The Superintendent shall base a recommendation for wage freeze or reduction on evaluations of the employee's performance and conduct.

Previously Policy No. 4152

Adopted: January 3, 2006

**Mountain Lakes School District**

## **4217.52 TERMINATION - SUPPORT STAFF**

The Board of Education will enter a contract with each non-tenured support staff member providing, in part, for the termination of employment by either party. The Board may terminate the employment of an employee for incompetency, immorality, unfitness for service, insubordination, reduction in force, or other good cause. Any notification of termination for cause will include a full statement of the reasons for the dismissal on notice duly given a non-probationary employee.

The Board may terminate an employment contract with a non-tenured support staff member only upon the recommendation of the Superintendent and by a recorded roll call majority vote of the full membership of the Board. The Board will not withhold its approval for arbitrary and capricious reasons. N.J.S.A. 18A:27-4.1.

An employee who offers insufficient notice of termination will be paid only through the last day of his or her service.

The Board may temporarily suspend an employee with or without pay and without notice when his or her continued services may be inimical to the interests of pupils.

Previously Policy No. 4140

Adopted: January 3, 2006

**Mountain Lakes School District**

## **4219.21 CONFLICT OF INTEREST-SUPPORT STAFF**

An employee of the Board shall not have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity which is in conflict with the proper discharge of his/her duties.

An employee of the Board shall not use or attempt to use his/her position to secure unwarranted privileges or advantages for himself/herself or others.

An employee of the Board shall not act in his/her official capacity in any matter wherein he/she has a direct or indirect personal financial interest such as selection or purchase of any textbook or other materials on which he/she receives a royalty.

An employee of the Board shall not accept any gift, favor, service or other thing of value under circumstances from which it might be reasonably inferred that such gift, service or other thing of value was given or offered for the purpose of influencing him/her in the discharge of his/her duties.

The Board of Education discourages the presentation of gifts to teaching staff members by pupils and their parents or legal guardians, because it may embarrass pupils with limited means and give the appearance of currying favor.

The Board directs that teaching staff members instruct their pupils to express their appreciation by means other than gifts.

Bribery and corrupt practices by employees as described in the criminal justice code are forbidden and shall be prosecuted to the full extent of the law.

### Political Activities of Staff

All employees are prohibited from engaging in campaign activities on school property that potentially present a conflict of interest.

All employees are prohibited from engaging in any activity in the presence of students during performance of the employees' duties, which activity is intended or designed to promote, further or assert a position on any voting issue, Board issue, or collective bargaining issue.

### Disciplinary Action

Violations of this policy may result in disciplinary action.

### Legal References

Adopted: June 5, 2006

Revised: June 2, 2008

**Mountain Lakes School District**

## **4219.22 CONDUCT AND DRESS-SUPPORT STAFF**

The Board of Education expects staff conduct to be that of appropriate role models for pupils.

The Board expects all staff members to be neatly groomed and dressed in clothing suitable for the subject of instruction, the work being performed, or the occasion.

The personal life of an employee is the concern of the Board to the extent that it prevents the employee from performing his/her properly assigned functions during the work day or affect his/her professional relationship with pupils.

The Board retains the authority to specify the following dress and grooming guidelines for staff, within law, that will prevent such matters from having an adverse impact on the educational process. All staff members shall, when assigned to district duty:

- A. Be physically clean, neat and well groomed;
- B. Dress in a manner reflecting their assignments;
- C. Dress in a manner that does not cause damage to district property;
- D. Dress and be groomed in such a way so as not to cause a health or safety hazard.

If a staff member feels that an exception to this policy would enable him/her to carry out assigned duties more effectively, a request shall be made to the superintendent.

### Unbecoming Conduct

When an employee, either within the schools or outside normal duties, creates conditions under which the proper operation of the schools is affected, the Board upon recommendation of the Superintendent and in accordance with statute shall determine whether such acts or lack of actions constitute conduct unbecoming a school employee, and if so, will proceed against the employee in accordance with law.

Unbecoming conduct sufficient to warrant Board review may result from a single flagrant incident or from a series of incidents.

### Legal References

Adopted: January 16, 2006

Revised: June 2, 2008

**Mountain Lakes School District**

## 4219.23 EMPLOYEE SUBSTANCE ABUSE - SUPPORT STAFF

### General -All Employees

The use of alcoholic beverages in school worksites is prohibited. Violations of this prohibition may subject an employee to disciplinary action which may include but is not limited to non-renewal, suspension, or termination at the discretion of the Board.

The unlawful manufacture, distribution, dispensing, possession of, use of or sale of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance on or in school worksites is prohibited. Any violation may subject an employee to participation in a drug rehabilitation program and disciplinary action including but not limited to non-renewal, suspension, or termination at the discretion of the Board.

For the purposes of this policy "**worksite**" shall include any school building, or any school premises and any school-owned vehicles or any other school-approved vehicle used to transport students to and from school or school activities. Worksite also includes off-school property during any school-sponsored or school-approved activity, event or function such as a field trip or athletic event, where students are under the jurisdiction of the school district.

The Board may discipline an employee as a result of criminal convictions of any criminal drug statute violation by an employee occurring outside of the worksite. Disciplinary action may include, but is not limited to, non-renewal, suspension, or termination at the discretion of the Board.

Illegal gambling is not permitted in or on the school worksite.

Smoking by employees in school buildings or on school grounds is prohibited.

The Superintendent shall establish a drug-free awareness program which includes notice of the dangers of drug abuse in the workplace and available drug counseling programs and shall distribute this policy to all employees annually. New employees shall be provided with a copy of this policy prior to beginning work assignments.

### Work Performance in Connection with a Federal Grant

In order for the school district to qualify for any direct federal grant, the district must certify that it will provide a drug-free workplace and maintain a good faith effort to continue to maintain a drug-free workplace. To this end, employees engaged in school worksites as a result of federal grant moneys shall in addition to complying with requirements of the programs shall also be in strict compliance with this policy.

The Superintendent shall notify all employees whose work is performed in connection with a federal grant that they are to notify their respective supervisors of convictions of any criminal drug statute violation occurring in the workplace. Employees must notify their supervisors no later than five days after such conviction. To be in compliance, the district must notify the federal grant program of such conviction within 10 days of receipt of said conviction.

### Legal References

Adopted: June 2, 2008

## 4219.231 COMMERCIAL DRIVER CONTROLLED SUBSTANCE AND ALCOHOL USE TESTING

The Board of Education is committed to a safe, efficient and drug-free workplace, which protects the district's most valuable resource, its pupils - as well as the health and safety of its employees and the general public. The Board requires that all drivers performing any safety-sensitive function are free of drugs and alcohol. Safety-sensitive function means any on duty function as defined by 49 C.F.R. 395.2 including:

- A. All time at the terminal facility or any public property waiting to be dispatched unless relieved from duty;
- B. All time inspecting equipment;
- C. All driving time;
- D. All time other than driving time in or upon the commercial vehicle;
- E. All time loading and unloading;
- F. All time spent performing driver requirements related to accidents; and
- G. All time repairing, obtaining assistance or remaining in attendance with the vehicle.

The Omnibus Transportation Employee Testing Act requires all operators of commercial motor vehicles subject to the Commercial Drivers License requirements to be tested for controlled substances and alcohol. Federal regulations of the U.S. Department of Transportation require that school bus drivers as well as drivers of private carriers of passengers contracted by the Board be required to submit to alcohol and controlled substance testing. The Board designates the School Business Administrator or his designee as the testing program officer of the Board responsible for the implementation of this policy.

### Prohibited Substances

The presence of any controlled substances in the body, as evidenced by the results of the initial screening and subsequent confirmatory analysis provided in the policy, is prohibited for any employee assigned to a classification covered by this policy. The testing program officer shall maintain a list of prohibited substances which should include: Marijuana; Cocaine; Opium or opiates (including heroin, morphine and codeine); Phencyclidine (PCP); Amphetamines or methamphetamines; Other controlled substance defined by the Act; Alcohol; or any prescription drug for which the employee does not have a current, valid, personal prescription or which is not authorized or approved for use while operating a motor vehicle. The testing program officer shall ensure that this list is updated in accordance with changes in law to include all relevant controlled substances.

No driver at any work site will possess, manufacture, use, sell, or distribute any quantity of any controlled substance, lawful or unlawful, which in sufficient quantity could result in impaired performance, with the exception of substances administered by or under the instructions of a physician. "**Work Site**" means any motor vehicle, office, building, yard or other location at which the driver is to perform work. "**Possess**" means either in or on the driver's person, personal effects, motor vehicle in or areas substantially entrusted to the control of the driver.

Any violation of this policy may result in discipline, up to and including termination.

### Categories of Testing

For the purpose of this policy, the occurrence of the following circumstances/instances shall require an

employee to submit to a fitness-for-duty drug/alcohol screening:

## **A. Pre-Employment**

An individual who has applied for and has been selected to operate a district vehicle shall, before beginning employment with the district, submit to a fitness-for-duty drug/alcohol screening in conjunction with the required physical exam, Policy No. 4160. Such screening shall be conducted in accordance with the procedures set forth in this policy. No individual receiving a positive result from such screening shall be employed by the district.

An exception to the pre-employment screening may be made if the prospective employee:

1. Has participated in a drug testing program within thirty days prior to date of the application for employment; and
2. Has participated in a controlled substance testing program within six months prior to the date of the application for employment or participated in a random controlled substances testing program within twelve months of the date of application for employment.

If an individual is so exempted, the testing program officer shall contact the alcohol and/or controlled substances testing program in which the driver participated and obtain the following information:

1. Name and address of the program;
2. Verification of the driver's participation;
3. Verification that the program conforms to federal guidelines;
4. Verification the driver qualified and did not refuse to be tested for either alcohol or controlled substances;
5. The date the driver was last tested for alcohol and controlled substances;
6. The results of any tests taken within the last six months and any other violations.

## **B. Random Testing**

A covered employee shall be subject to submit to a discretionary fitness-for-duty drug/alcohol screening on an unannounced and random basis resulting from the selection by a random generation methodology. Random testing will be spread reasonably throughout any given calendar year. The minimum annual percentage rate for random alcohol testing shall be set to meet the annual percentages determined by the NJ Department of Transportation administrator. The district may use vendors who specialize in drug testing to conduct both random and specific incident testing.

Drivers shall only be randomly tested when performing safety-sensitive functions or immediately prior to or immediately following the performance of safety-sensitive functions.

## **C. Post Accident Testing**

The involvement of an employee in a motor vehicle collision while operating a Board vehicle when such accident results in property damage or personal injury, may trigger a post-accident drug and alcohol test. The following occurrences shall require post-accident drug/alcohol screening:

1. An accident by a driver performing safety-sensitive functions with respect to a vehicle, if

the accident involves the loss of human life;

2. An accident in which the driver receives a citation under state or local law for a moving violation arising from the accident.

A driver who is subject to post-accident testing shall remain readily available for such testing or be deemed to have refused to submit for testing. A driver who is injured in an accident and requires medical care, shall submit to post-accident drug and controlled substance testing by the medical care facility providing the treatment or any other facility designated by the testing program officer if the medical care facility is unable to provide the testing. Nothing herein shall be construed to prevent the driver from leaving the scene of the accident for the period required to obtain necessary assistance or to obtain emergency medical care.

When the testing for alcohol and controlled substances has not occurred within a reasonable time frame, the following actions shall be taken:

Time Elapsed	Action Required
2 hours	Prepare a record stating the reason why the testing was not promptly administered.
8 hours	Cease attempts to administer alcohol tests and maintain a record stating reasons testing was not promptly administered.
32 hours	Cease attempts to administer controlled substance tests and prepare and maintain a record stating reasons the testing was not promptly administered.

#### **D. Reasonable Suspicion Testing**

Observe conduct of an employee which is reasonably determined to be suspicious or extraordinary for that employee while on district property or while working for the district shall result in testing for reasonable suspicion. Such observed conduct may be physical symptoms including but not limited to slurred or other than the employee's usual speech, irregular or unsteady gait, flushed or agitated appearance, blood shot eyes, dilated pupils, nonsensical or irrational behavior or the smell of alcohol or marijuana. Such conduct must be observed and documented in writing by a trained supervisor and the documentation should be placed in the employee's file within twenty four hours of submission to a fitness-for-duty drug/alcohol screening.

Supervisors shall be trained to observe whether reasonable suspicion exists. Such training shall consist of at least 60 minutes of training on alcohol detection measures and 60 minutes of training on misuse of controlled substances. The training shall cover physical, behavioral, speech and performance indicators of probable misuse of alcohol and controlled substances. In no case shall the training constitute less than the amount of training required by law.

#### **Return to Duty Testing**

The testing program officer shall ensure that before a driver returns to duty requiring the performance of a safety-sensitive function, the driver shall undergo a return to duty alcohol test indicating a breath alcohol concentration of less than 0.02 and a controlled substances test with a result indicating a verified negative result for controlled substances use.

Drivers required to take return-to-duty tests shall be evaluated by a substance abuse professional and participate in any assistance program prescribed by that individual.

This testing applies to an employee who previously tested positive and successfully completed a



rehabilitation program and is now returning to duty. Such employees are subject to further unannounced, follow-up drug screening and alcohol tests as mandated by the Act and the NJ Department of Transportation Administrator. Alcohol follow-up testing shall be performed only when the driver is performing safety-sensitive functions or immediately prior to performing or immediately after performing safety-sensitive functions.

## **Medical Review Officer Notifications**

The Board shall employ or contract with a medical review officer who is a licensed physician (MD or DO) and shall designate the Medical Review Officer as the individual responsible for receiving laboratory results generated by the testing program. The individual designated as the medical review official shall have knowledge of substance abuse disorders and have appropriate medical training to interpret and evaluate the individuals confirmed positive test together with his/her medical history and other biomedical data.

### **A. Employer Notification**

The Medical Review Officer may report controlled substances test results to the employer by any means of communication; however, a signed, written notification must be forwarded within three business days of the completion of the Medical Review Official's evaluation.

The Medical Review Official must report to the employer the following:

- That the controlled substances test being reported was in accordance with 49 C.F.R. Part 40.
- The name of the individual for whom the test results are being reported.
- The type of test indicated on the custody and control form (random, pre-employment, etc.)
- The date and location of the test collection.
- The identification of the persons or entities performing the collection, analysis of the specimens, and serving the Medical Review Official for the specific test.
- The verified results of the controlled substances test (positive or negative), and if positive, the identity of the controlled substance(s) for which the test was verified positive.
- That the Medical Review Official has made every reasonable attempt to contact the driver.

### **B. Employee Notification**

Prior to verifying a "positive" result, the Medical Review Official shall make every reasonable effort to contact the driver (confidentially), and afford him/her the opportunity to discuss the test result. If after making all reasonable efforts and documenting them, the Medical Review Official is unable to reach the driver directly, the Medical Review Official shall contact a designated management official, who shall direct the driver to contact the Medical Review Official as soon as possible (within twenty-four hours).

Under split-sample collection procedures, the driver has seventy-two hours following notification of a positive result to request the secondary sample be analyzed. In the event a split-sample was not taken, or was of inadequate quantity, the original test would be voided, and the driver would not be subject to a result.

## **Designated Test Provider**

The testing program officer shall designate one or more test providers to perform the required testing under this policy, as well as collection facilities and screening laboratories, if needed. Collection facilities must possess all required licenses and permits and shall have a written procedure for ensuring employee privacy, health and safety, the security, and the chain-of-custody of fluid samples. Such written procedures shall be available to an affected employee, and the district shall discontinue

use of any facility it learns has materially violated mandated procedures which compromised a screening.

Any designated screening laboratory must be certified by the Department of Health and Human Services as meeting the standards of the Mandatory Guideline for Federal Workplace Drug Programs.

### **Screening Procedures**

Any designated screening laboratory shall employ methods of initial screening and confirmatory testing which comply with the standards promulgated by Department of Transportation/Federal Highway Administration. A secondary laboratory may not be used unless authorized by the testing program officer.

### **Report of a Positive Screening Result**

Positive results of an initial screening which has subsequently been confirmed shall be reported to the School Business Administrator or the testing program officer, by the designated Medical Review Officer (MRO) as provided in the standards promulgated by the Department of Transportation/Federal Highway Administration.

### **Refusal to Submit**

A driver shall be deemed as refusing to submit when the driver:

- A. Fails to provide adequate breath for testing without a solid medical explanation after notice of the requirement for breath testing; and/or
- B. Fails to provide adequate urine for a controlled substances test after notice of the requirement for a controlled substance test; and/or
- C. Engages in conduct that clearly obstructs the testing process.

### **Employee Status Pending Receipt of Results**

An employee who is required to submit to a fitness-for-duty screening shall not be assigned to operate a Board vehicle pending the outcome of such screening. Until said time, the employee will be suspended.

### **Record of Negative Screening**

An employee required to submit to a fitness-for-duty screening as provided in this policy and whose screening results are negative may, at their option, have his/her personnel file documented to reflect the negative result.

### **Prescription Drugs**

All bus drivers shall notify the the testing program officer of the use of any prescription drugs. The Board may require certification from the prescribing physician that the use of the prescription drug will not have an adverse affect on the driver's ability to properly perform safety-sensitive functions.

### **Consequences to Drivers Engaging in Prohibited Conduct**

An employee whose fitness-for-duty screening produces a positive result for a prohibited substance:

- A. Shall not be permitted to perform safety-sensitive functions;

- B. Shall be advised by the testing program officer of resources available to them in evaluating and resolving problems associated with the misuse of alcohol or the use of controlled substances;
- C. Shall be evaluated by a substance abuse professional who shall determine what assistance, if any, is needed to resolve problems with alcohol or controlled substance use;
- D. Shall undergo, before returning to duty, a return to duty alcohol test indicating a breath level of less than 0.02 if the conduct involved alcohol or a controlled substance test with a verified negative result;
- E. must be evaluated by a substance abuse professional to determine that the driver has followed the rehabilitation program prescribed, if assistance was required;
- F. Shall be subject to unannounced follow up alcohol and/or controlled substance abuse testing;
- G. Shall be subject to the disciplinary policy and regulations of the Board as defined in Policy/Regulation Nos. 4217.50 and 4219.23 and/or in the Collective Bargaining Agreement.

### **Return to Work Agreement**

An employee who has returned to work and who fails to comply with any of the terms of the Return to Work Agreement shall be subject to termination.

### **Maintenance and Retention of Records**

The testing program officer shall maintain and retain all records as required by federal regulation, including without limitation records related to the collection process, records related to the drivers' test results, documentation of any violations of controlled substance use or alcohol misuse rules, records related to evaluations and training; records related to drug testing vendors, collection facilities and approved screening facilities. All documents must be maintained for the period of time required by law.

### **Location of Records**

All required records shall be maintained in accordance with Policy No. 4112.6. Records shall be made available for inspection at the Board Office within two business days after a request has been made by an authorized representative of the US Department of Transportation.

### **Annual Calendar Year Summary**

The testing program officer shall prepare and maintain an annual calendar year summary of the result of its alcohol and substance abuse testing programs. The summary shall be completed no later than March 15 of each year covering the previous calendar year. The testing program officer upon request of the US Department of Transportation will provide the annual summary to that agency in the required format.

### **Employee Information Program**

The district will provide an employee information program. The testing program officer will be responsible for implementing the program and shall ensure that each driver receives information in the manner specified below:

1. By receiving a copy of this policy and any subsequent revisions.
2. Through attendance at a meeting at which a detailed discussion of the following is conducted:

- a. The identity of the person designated by the employer to answer driver questions about the materials;
- b. Which drivers are subject to the alcohol misuse and controlled substance requirements;
- c. Explanation of what constitutes a safety-sensitive function, so as to make clear what period of the work day the driver is required to be in compliance;
- d. Specific information concerning driver conduct that is prohibited;
- e. The circumstances under which a driver will be tested for alcohol and/or controlled substances;
- f. The procedures that will be used to test for the presence of alcohol and controlled substances;
- g. The requirement that a driver submit to alcohol and controlled substance tests;
- h. An explanation of what constitutes a refusal to submit to an alcohol or controlled substance test;
- i. The consequences for drivers found to have violated the prohibitions of this rule, including the immediate removal of the driver from safety-sensitive functions;
- j. The consequences for drivers found to have an alcohol concentration level of 0.02 or greater but less than 0.04;
- k. Information concerning the effects of alcohol and controlled substance use on an individual's health, work, and personal life. Signs and symptoms of an alcohol or controlled substances problem, and available methods of intervening when an alcohol or a controlled substances problem is suspected, including confrontation, referral to any employee assistance program and or referral to management.

Previously Policy No. 4219

Adopted: January 3, 2006

Renumbered and Re-adopted: February 5, 2007

**Mountain Lakes School District**

## **4222 NONINSTRUCTIONAL AIDES - SUPPORT STAFF**

The Board, within its financial means, may hire aides as recommended by the Superintendent.

It is the responsibility of the classroom teacher to plan for any teacher aide's constructive involvement with the class. The primary benefit must be to the pupils.

Lunchroom and playground aides shall be under the supervision of appropriate certified personnel.

All aide job descriptions must be approved by the County Superintendent. All noninstructional aides shall be required to comply with the provisions of the law regarding health examinations and criminal history checks.

### Legal References:

Adopted: January 16, 2006

LR11/09

**Mountain Lakes School District**

## **4231 EMPLOYEE TRAINING**

The Board of Education believes that continuing training and study is essential to the improvement of employee performance and the acquisition of technological skills. The Board encourages all employees to participate in appropriate training programs.

The Superintendent shall prepare rules for employee participation in programs of job skill improvement. The rules will include methods of reporting and verifying claims for participation in such activities.

The Board will reimburse employee requests for attendance at training programs provided participation has been approved in advance by the Board.

Previously Policy No. 4240

Adopted: January 3, 2006

**Mountain Lakes School District**

## **4235.4 GRIEVANCE - SUPPORT STAFF**

The Board of Education shall develop and practice reasonable and effective means for the resolution of disputes that may arise in the employment of support staff members not covered by the terms of a negotiated agreement. Any individual member of the staff shall have the right to appeal the application of policies and administrative decisions affecting him or her through administrative channels. With respect to personal grievances, he or she shall be assured freedom from restraint, interference, coercion, discrimination, or reprisal in presenting an appeal. Similarly, the Board and the administration shall be free from any form of reprisal. The grievant shall have the right to present his or her own appeal or designate a representative of his or her own choosing to appear with him or her at any step in the appeal.

1. Any employee or group of identified employees having a grievance, suggestion or other matter requiring administrative action should present it for decision to the appropriate building principal. The Principal will communicate his or her decision in writing, along with supporting reasons, to the employee within five working days.
2. If the Principal's or supervisor's decision is unacceptable, or if the matter exceeds the scope of the Principal's or supervisor's authority, the employee or group within five school days appeal to the Superintendent. When an appeal is made to the Superintendent, both the employee(s) and the Principal or supervisor (if one is affected) must present written evidence to support their positions.
3. The Superintendent will arrange to meet both parties not more than ten school days after receipt of the notices of appeal. The Superintendent shall attempt to resolve the matter as quickly as possible but within a period not to exceed ten school days after such meeting. The Superintendent will communicate his or her decision in writing, along with supportive reasons, to the employee and the Principal.
4. The decision of the Superintendent, which shall be final, shall be announced at the next regularly scheduled public meeting of the Board after the last meeting with the employee(s) and the Superintendent.

Previously Policy No. 4340

Adopted: January 3, 2006

**Mountain Lakes School District**

## **4238 NON-SCHOOL EMPLOYMENT -SUPPORT STAFF**

School employees shall not engage in outside activities or perform any services other than those assigned by the district during the hours of the prescribed school day.

No outside work by a staff member shall prevent him/her from properly performing assigned functions during duty hours or be prejudicial to his/her work effectiveness.

### Legal References

Adopted: June 2, 2008

**Mountain Lakes School District**



## **4244 INSURANCE - SUPPORT STAFF**

The Board of Education shall provide the health insurance for unaffiliated employees who work over twenty hours as it has been negotiated for teaching staff members.

Previously Policy No. 4420

Adopted: January 3, 2006

Revised: August 10, 2009

**Mountain Lakes School District**

## **4247 EMPLOYEE SAFETY-SUPPORT STAFF**

Through its overall safety program, the Board of Education shall seek to ensure the safety of employees during working hours.

The Board shall be diligent in maintaining safe working conditions for employees. It shall provide an Exposure Control Plan for the occupational containment bloodborne pathogens as described in file code 4212.4 Employee health. The Board shall also provide information on possible hazardous substances in the workplace, in accordance with law.

The Board shall expect employees to follow all established safety rules and regulations, such as those pertaining to the use of safety equipment, the wearing of safety clothing and protective eye devices where appropriate, and the lifting or shifting of heavy weights.

Employees shall report all accidents to their supervisor immediately.

### Legal References

Adopted: January 16, 2006

LR2011

**Mountain Lakes School District**

## **4251 ATTENDANCE PATTERNS - SUPPORT STAFF**

The Board of Education believes that the regular presence of assigned personnel is vital to the success of the district's educational program. Consistent absenteeism or tardiness is unacceptable and subject to disciplinary action.

The Superintendent shall develop procedures to encourage all staff to strive for excellent attendance and punctuality records. These procedures should include a requirement that the staff member personally report all illnesses and request all leave at the earliest possible time. Procedures shall be in accordance with New Jersey statutes and district negotiated contracts.

Legal References: (1995)

Adopted: January 16, 2006

**Mountain Lakes School District**

## **4251.1 PERSONAL ILLNESS AND INJURY/HEALTH AND HARDSHIP- SUPPORT STAFF**

The Board will consider requests for extension of sick leave benefits on a case-by-case basis.

Legal References: (1995)

Adopted: January 16, 2006

LR11/09

**Mountain Lakes School District**

## **4251.5 JURY DUTY-SUPPORT STAFF**

The Board of Education will indemnify any staff member against loss of pay incurred by a call to jury duty. No such employee will be penalized in any way for an absence caused by service on a panel of grand or petit jurors. The time any such employee is absent on jury duty will not be charged against personal leave and will count as school district service.

Staff members shall report a call to jury duty during the school term to the principal or their immediate supervisor who shall determine whether or not a replacement is available. Staff members scheduled for jury service during the school term for whom the administration indicates a replacement cannot reasonably be found shall seek from the Assignment Judge an excusal or deferment of service. Staff members shall obtain from the Superintendent or designee a letter indicating the lack of availability of a substitute in such instances.

A Staff member who is full and is absent from school duties on jury duty will receive full pay.

An employee summoned to jury duty shall promptly report the summons to his or her immediate supervisor. On return from jury duty, the employee must submit to his or her immediate supervisor a court record of the number of days served on jury duty.

While on jury duty, an employee must report daily to his or her supervisor the schedule for the following day.

Previously Policy No. 4438

Adopted: January 3, 2006

Revised: August 10, 2009

**Mountain Lakes School District**

## **4253 VACATIONS -SUPPORT STAFF**

The Board of Education believes that it is beneficial to the school district that persons employed to work twelve months a year be given periodic relief from the responsibilities of their position without loss of compensation.

The Board reserves the right to determine the conditions under which vacation time may be taken when not otherwise covered by the terms of a negotiated agreement. The Board will endeavor to give vacation time to employees not covered by a negotiated agreement that is comparable with the then current MLEA negotiated agreement.

Vacation time may not be carried over from year to year unless some part of it shall not have been taken at the Board's request. In such event the employee may, at the option of the Board, carry the unused portion over to the following year or be paid on the basis of the salary in effect when the vacation was earned.

During school year vacations, employees shall be on call at the discretion of the Superintendent or Principal.

Previously Policy No. 4433

Adopted: January 3, 2006

Renumbered and Re-adopted: February 5, 2007

Revised: August 10, 2009

**Mountain Lakes School District**

**Series 5000 - PUPILS**

**Mountain Lakes School District**

## **5020 ROLE OF PARENTS/GUARDIANS**

The Board believes that the education of children is a joint responsibility, one it shares with the parents/guardians and the school community. To ensure that the best interests of the child are served in this process, a strong program of communication between home and school must be maintained and parental involvement in district concerns encouraged.

The Board recognizes the vital role of parents/guardians in the welfare and education of their children and the pivotal part they play in shaping character and values. Because parents/guardians are familiar with the needs, problems, gifts and abilities of their children, staff should seek to involve parents/guardians as much as possible in the planning of the individual program. Parents/guardians must, by law, be included in the development of certain educational programs for their children.

Parents/guardians are requested to keep the school apprised of changes in factors in the home situation which may affect pupil conduct or performance. Parents/guardians are specifically requested to inform the school of any changes in legal custody of the child, presence of communicable diseases (as identified by the New Jersey Department of Health <http://www.state.nj.us/health/cd/>) in the home, change in residency or any other factor that may affect the student's ability to learn.

Parents/guardians are responsible for their child's punctuality, attendance, cleanliness and propriety of dress.

The Superintendent shall develop procedures and regulations to implement this policy. These regulations shall include use of the parent/guardian's native language when necessary.

Adopted: September 6, 2007

Revised: October 17, 2016

Resources: [www.state.nj.us/health/cd](http://www.state.nj.us/health/cd)

**Mountain Lakes School District**



## 5111 ADMISSION

### Eligibility

The Board of Education shall admit to its schools the following persons over five and under 21 years of age, and in the case of classified students, over three and under 22 years of age:

- A. Any student domiciled within the district, as further defined below;
- B. Any student kept in the home of a person other than the student's parent/guardian, where the person is domiciled in the school district and is supporting the student without remuneration as if the student were his/her own child;
- C. Any student kept in the home of a person domiciled in the district, other than the parent/guardian, where the parent/guardian is a member of the New Jersey National Guard or the reserve component of the United States armed forces and has been ordered into active military service in the United States armed forces in time of war or national emergency;
- D. Any student whose parent/guardian temporarily resides within the district, notwithstanding the existence of a domicile elsewhere;
- E. Any student whose parent/guardian moves to another district as the result of being homeless, subject to the provisions of administrative code;
- F. Any student placed in the home of a district resident by court order pursuant to statute;
- G. Any student previously residing in the district if the parent/guardian is a member of the New Jersey National Guard or the United States reserves and has been ordered to active service in time of war or national emergency pursuant to statute;
- H. Any student residing on federal property within the state pursuant to statute; and
- I. Any Nonresident student as provided by Policy 5118.

Any student that is eligible pursuant to clauses A-H above will be admitted free of charge. Students admitted pursuant to clause I will be admitted as specified in Policy 5118, which may include the payment of tuition.

Any student admitted in accordance with this policy will be entitled to complete the school year even though he or she may turn 21 years old (or 22, in the case of a classified student) during the school year.

### Proof of Eligibility

The Board shall accept any of the forms of documentation that are listed in the administrative code when they are presented by persons attempting to demonstrate a student's eligibility for enrollment in the district. The Board shall consider the totality of information and documentation offered by an applicant and may accept other forms of documentation or information presented by a person seeking to enroll a student.

The Board shall not require or request any information or document protected from disclosure by law or pertaining to criteria that are not legitimate bases for determining eligibility to attend school.

### Kindergarten

Any eligible child shall be admitted to the kindergarten provided:

- A. The child will have attained the age of five years on or before October 1 of that school year;
- B. Proof shall be furnished of immunization against the communicable diseases at the time of enrollment or such immunization shall be completed within 30 days from date of entry into the school;
- C. The child shall have been examined by either the school or a private physician, and the results shall be furnished to the school on the form provided.

### Grade One

Any eligible child shall be admitted to grade one provided:

- A. The child will have attained the age of six years on or before October 1 of that school year; or
- B. He/she has been in the first grade in another public school; and in each case
- C. Proof has been furnished of immunization against communicable diseases.

Initial placement shall be made on the basis of the records, but adjustment may be made at the discretion of the administration when the state-mandated assessment indicates that such adjustments would be beneficial to the child. Parents/guardians shall be informed of this policy on registration.

### Transfers Into Grades Two through Twelve

Pupils transferring into the district are expected to present copies of records from the previously attended school (or district) to aid in placement. Also required are proof of immunizations and proof of identity.

Within the time prescribed by law, the superintendent shall request in writing from the school or district of previous attendance, the pupil's records.

Initial placement shall be made on the basis of the records, but adjustment may be made at the discretion of the administration when the state-mandated assessment indicates that such adjustments would be beneficial to the child. Parents/guardians shall be informed of this policy on registration.

### Preschool Disabled

A child who is eligible for entrance into a program of special education shall be admitted as of his or her third birthday if found by the Child Study Team to be eligible for a program for the preschool disabled in accordance with rules of the State Board of Education.

### Joint Custody

When divorced parents/guardians have joint custody of (a) minor child(ren), admission shall be based on the domicile and present address of the parent/guardian with whom the child(ren) resided as of the date required by administrative code.

### Affidavit Pupils

When there is any doubt as to whether a child is entitled to free public education in the district schools, all procedures of law and code shall be followed.

### Domicile

The district is obliged to educate children of appropriate age residing in the district. The mere owning of any property whatsoever does not qualify a parent/guardian to send children to school in this school district. A person will be considered to have a domicile in the district if he/she intends to permanently

reside in the district. A child will be considered as domiciled in the district if the family temporarily resides outside of the district for good cause and for no longer than 9 months. Good cause includes but is not limited to, unexpected loss of housing because of fire, flood or other natural cause; unexpected loss of rental housing; or renovation of property, if family had already established domicile in the district on the basis of the property. The Superintendent shall adopt regulations to govern requests under this section.

#### Students Returning from County Detention

The district shall accept all days of attendance and courses studied by a student at a county juvenile detention center and apply them toward district requirements for elementary, middle or high school graduation.

#### Homeless Pupils

The district will determine the educational placement of homeless students in each child's best interest and respond to appeals concerning them made by parents/guardians or other parties in accordance with New Jersey statutes and administrative code, as well as, pertinent federal law.

The board shall make this policy available to parents and the public.

#### Children Displaced by Domestic Violence

Any pupil attending the schools of this district, whether regularly enrolled in this or another district, who has been admitted to a shelter for victims of domestic violence will be permitted and encouraged to continue an appropriate educational program with minimal disruption. The Board will cooperate with other educational institutions in the sharing of pertinent pupil records and in the establishment of sending-receiving relationships on behalf of displaced children. The confidentiality of all matters concerning displaced children will be strictly observed, and no information regarding the present residence of the child will be released.

#### Legal References:

Adopted: March 12, 2007

LR2011

**Mountain Lakes School District**

## **5111.1 PUPIL ENROLLMENTS**

The Board of Education recognizes that efficient district operations require an accurate and up to date accounting of the number of pupils resident in this district and enrolled in district classes and programs.

The Superintendent shall record and verify the number of pupils enrolled in this district in accordance with law and regulations of the State Board of Education. Every reasonable effort shall be made to ensure the accuracy of enrollment figures. Such records shall be made and maintained as will enable the Board to plan program and facilities development, to make appropriate allocation of district resources, and to receive the district's full quota of state aid.

The Board Secretary shall annually, on or before October 20 and with the approval of the Superintendent, file with the Commissioner a report stating the numbers, as of the last school day prior to October 16, of pupils enrolled by grade; pupils also enrolled in approved programs or special education, bilingual education, and vocational education; pupils in state facilities; pupils enrolled in public or private schools to which the Board is paying tuition; and pupils receiving home instruction.

### Legal References:

Previously Policy No. 8140

Adopted: January 3, 2006

Re-adopted as Policy No. 5111.1: June 5, 2006

LR07/10

**Mountain Lakes School District**

## 5113 ABSENCES AND EXCUSES

In order for the Board of Education to fulfill its responsibility for providing a thorough and efficient education for each pupil, the Board requires the complete cooperation of parents/guardians and pupils to maintain a high level of school attendance.

The frequent absence of pupils from classroom learning experiences disrupts the continuity of the instructional process and limits the ability of pupils to complete the prescribed curriculum requirements successfully.

A pupil must be in attendance for the minimum number of school days required by law to be considered to have successfully completed the instructional program requirements of the grade/course to which he/she is assigned.

A waiver of these attendance requirements may be granted for good cause by the school principal upon recommendation of a review committee, appointed by him/her, and consisting of representative staff, including pupil service personnel and classroom teachers.

In recommending the granting of a waiver of this attendance requirement, the review committee shall consider the nature and causes of all absences rather than just those that cause the minimum number of school days not to be met. Documentation of the nature and causes of these absences shall be the responsibility of the pupil and parent/guardian.

Parents/guardians are responsible for notifying the school early in the day when a child will be absent and for informing the school of the reason for the absence. The Superintendent shall develop procedures for the attendance of pupils which:

- A. Ensure a school session which is in conformity with requirements of the rules of the state Board;
- B. Identify potentially missing and/or abused pupils;
- C. Govern the keeping of attendance records in accordance with rules of the state Board at N.J.A.C 6A:16-1.1 *et seq*, including pupils serving in- or out-of-school suspensions, or excluded for health and cleanliness reasons;

### Truancy

The Board will report to appropriate authorities' infractions of the law regarding the attendance of pupils below the age of 16. Repeated infractions by enrolled pupils over the age of 16 may result in the suspension or expulsion of the pupil.

It shall be the policy of the Board to consider the effectiveness and appropriateness of the educational program that is offered each pupil who is habitually and repeatedly absent from his/her assigned program. The Superintendent shall consult with the child study team for its recommendations in each of these cases.

### Excused Absences

The Board considers the following as cause for excused absence:

- A. Disabling illness
- B. Recovery from accident / family emergency
- C. Required court attendance

D. Death in the family

E. Religious observance--In accordance with statute, no pupil absent for religious observance of a day recognized by the commissioner of education or this Board of Education shall be charged with an unexcused absence, deprived of an award or eligibility/opportunity to compete for an award, or of the right to take an alternate to a test or examination missed through such absence.

F. Such good cause as may be acceptable to the administration (including but not limited to late arrival and early dismissal reasons A-G).

To be in attendance, a pupil need not always be within the school facilities. A pupil will be considered to be in attendance if he/she is present at any place where school is in session by authority of the Board. The Board shall consider each pupil assigned to a program of independent study, with parent/guardian permission, to be in regular attendance for that program, provided that he/she is under the guidance of a staff member so assigned, reports daily or weekly, as prescribed, to such staff member the place in which he/she is conducting his/her study, and regularly demonstrates progress toward the objectives of his/her course of study.

Regular Release of Pupils Before the End of the Normal School Day

Various situations may justify release of certain pupils from school before the normal time for closing, only if the release does not jeopardize the pupil's educational program and the reasons for such release can be shown to have positive benefits for the pupil.

Late Arrival and Early Dismissal

The Board recognizes that from time to time compelling circumstances will require that a pupil be late to school or dismissed before the end of the school day.

As agent responsible for the education of the children of this district, the Board shall require that the school be notified in advance, when possible, of such absences by written request of the pupil's parent/guardian, which shall state the reason for the tardiness or early dismissal. Justifiable reasons may include:

- A. Medical or dental appointments which cannot be scheduled outside of school hours;
- B. Medical disability;
- C. Motor vehicle driver's test;
- D. Interview for college entrance or employment;
- E. Family emergency;
- F. Court appearance;
- G. Such good cause as may be acceptable to the administration.

No pupil in grades kindergarten through eight shall be permitted to leave the school before the close of the school day unless he/she is met in the school office by his/her parent/guardian or a person authorized by the parent/guardian to act in his/her behalf.

Tardiness not covered by the causes listed above shall be viewed as cumulative, and may affect course credit.

Legal Custody

The district shall keep a record indicating the legal custodian of each pupil. The custodian shall be

responsible for informing the district of any change in the pupil's custodian. The principal may take such steps as seem necessary to ensure that the child is released only to the proper legal custodian or a person designated by the legal custodian.

#### Potentially Missing Children

- A. If daily attendance records indicate a child is absent, and the parent/guardian has not called, a designated attendance officer shall attempt to contact him/her.
- B. If no telephone contact can be made, the attendance officer shall investigate.
- C. If the attendance officer cannot locate the child, he/she shall inform the principal, who shall inform the appropriate local authorities.
- D. If a child who was present in the morning is absent after lunch, the same procedure shall be followed.

#### Marking Missing Child's School Record

Whenever the Superintendent receives notice from the Missing Persons Unit that a child has been reported missing, he/she shall mark the child's records in such a way that whenever a copy of or information regarding the record is requested, district personnel will be aware that the record is that of a missing child. If a copy of a marked school record is requested, the Superintendent shall supply the record to the requestor without alerting him/her to the fact that the record has been marked, according to provisions in code and statute on accessing pupil records (see policy 5125 Pupil records). After the Superintendent has complied with the request for copies of records or information, he/she shall immediately report the inquiry or any knowledge as to the whereabouts of the missing child to the Missing Persons Unit.

#### Regulations

The Superintendent shall develop procedures for the attendance of pupils which include:

- A. Having school sessions that are in conformity with requirements of the rules of the state Board;
- B. Enable the identification of potentially missing and/or abused pupils;
- C. Govern the keeping of attendance records in accordance with rules of the state Board, including pupils serving in- or out-of-school suspensions, or excluded for health and cleanliness reasons;
- D. Impose on truant pupils such disciplinary measures as may be appropriate for infractions of school regulations, but no such penalty may have an irredeemable negative effect on the pupil's record of achievement beyond that which naturally follows his/her absence from school activities;
- E. Enable the identification of the habitual truant, the investigation, the causes of his/her behavior, and if applicable, the modification of his/her educational program to meet his/her particular needs and interests;
- F. Address tardiness and class cutting in terms of the intent of this policy;
- G. Ensure that pupils excused for any reason have an opportunity to make up work they missed;
- H. Recognize exemplary attendance.

#### Legal References:

N.J.S.A. 18A:11-1 General mandatory powers and duties

N.J.S.A. 18A:35-4.9 Pupil promotion and remediation; policies and procedures

N.J.S.A. 18A:36-14, -15, -16 Religious holidays; absence of pupils on; effect

N.J.S.A. 18A:36-19a Newly enrolled students; records and identification

N.J.S.A. 18A:36-24 through -26 Missing children; legislative findings and declarations ...

N.J.S.A. 18A:38-25 Attendance required of children between six and 16; exceptions

N.J.S.A. 18A:38-26 Days when attendance required; exceptions

N.J.S.A. 18A:38-27 Truancy and juvenile delinquency defined

N.J.S.A. 18A:38-31 Violations of article by parents or guardians; penalties

N.J.S.A. 18A:38-32 District and county vocational school attendance officers

N.J.S.A. 18A:40-7 Exclusion of pupils who are ill

N.J.S.A. 18A:40-8 Exclusion of pupils whose presence is detrimental to health and cleanliness

N.J.S.A. 18A:40-9 Failure of parent to remove cause for exclusion; penalty

N.J.S.A. 18A:40-10 Exclusion of teachers and pupils exposed to disease

N.J.S.A. 18A:40-11 Exclusion of pupils having communicable tuberculosis

N.J.S.A. 18A:40-12 Closing schools during epidemic

N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

N.J.S.A. 52:17B-9.8a through -9.8c Marking of missing child's school record

N.J.A.C. 6A:8-5.1 Graduation requirements

N.J.A.C. 6A:16-1 *et seq.* Programs to support student development.

N.J.A.C. 6A:30-1.1 *et seq.* Evaluation of the Performance of School Districts

N.J.A.C. 6A:32-8.1 *et seq.* Student Attendance and Accounting

N.J.A.C. 6A:32-8.3 Student attendance

*Wetherell v. Board of Education of Township of Burlington*, 1978 S.L.D. 794

*Wheatley v. Board of Education of City of Burlington*, 1974 S.L.D. 851

*C.R., on behalf of J.R., v. Board of Education of the Scotch Plains-Fanwood Regional School District*, 1988 S.L.D. (June 22)

Manual for the Evaluation of Local School Districts

Adopted: September 6, 2007

Revised: January 9, 2018



## Mountain Lakes School District

## 5114 SUSPENSION AND EXPULSION

While the Board believes that positive approaches to acceptable behavior are usually more effective, it is sometimes necessary to penalize pupils for violations of school regulations to ensure the good order of the school and to teach pupils the consequences of disruptive behavior.

Pupils who indulge in disruptive behavior may be suspended or expelled. Disruptive behavior includes, but is not limited to:

- A. Continued and willful disobedience;
- B. Open defiance of the authority of any teacher or person having authority over a pupil;
- C. Actions that constitute a continuing danger to the physical well-being of other pupils;
- D. Physical assault upon another pupil, a teacher, or any school employee with or without a firearm or other weapon;
- E. Taking, or attempting to take, personal property or money from another pupil whether by force or fear;
- F. Willfully causing, or attempting to cause, substantial damage to school property;
- G. Taking part in any unauthorized occupancy of a district facility and refusing to leave promptly when directed to do so by a person in authority;
- H. Inciting others to take part in an unauthorized occupancy;
- I. Inciting other pupils to truancy;
- J. Truancy and class cutting; leaving school property without permission;
- K. Poor attendance and lateness;
- L. Use or possession of unsafe or illegal articles;
- M. Use of any tobacco product on school property;
- N. Use, possession or sale of a controlled dangerous substance, drug paraphernalia, anabolic steroids or alcohol;
- O. Use of profanity or abusive language;
- P. Turning in a false alarm;
- Q. Tampering with or damaging property of other pupils or staff members;
- R. Selling or buying lottery tickets or any other gambling paraphernalia on school property;
- S. Harassment, intimidation or bullying.

Any pupil who commits an assault (as defined by N.J.S.A. 2C:12-1 with or without a weapon upon a Board member, teacher, administrator or other employee of the Board of Education shall be suspended from school immediately according to procedural due process, and suspension or expulsion proceedings shall begin no later than 30 calendar days from the date of the pupil's suspension.

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 on 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 Superintendent 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. The hearing shall take place no later than 30 days following the day the pupil is removed from the regular education program and shall be closed to the public.

The principal shall be responsible for the removal of such students and shall immediately report them to the Superintendent. The principal shall also notify the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice.

The Superintendent shall determine at the end of the year whether the student is prepared to return to the regular education program, in accordance with procedures established by the Commissioner of Education.

## **In-school Suspension**

The Board directs the administration to arrange facilities for in-school suspension whenever possible. Pupils will be required to occupy themselves with school-related work during such suspensions. No socializing shall be permitted. Pupils shall be counted as present in school but absent (excused) from individual classes.

## **General**

Pupils on home suspension shall be counted absent (excused) unless the duration of the suspension requires home instruction.

Except when special considerations warrant (at the discretion of the administration), every pupil will be given a written warning in the form of a disciplinary notice that subsequent violation of school regulations may result in his/her exclusion or suspension.

Pupils under suspension are prohibited from participating in or attending any school-regulated activity during the period of their suspension. They may not enter the school buildings or grounds of this district without the permission of the Superintendent. Any pupil under suspension who enters the school buildings or grounds without the permission of the Superintendent may have the period of his/her suspension extended. The right to continue the suspension or to expel is reserved to the Board of Education, acting upon the recommendation of the administration.

Serious violations of school regulations which create a dangerous or unsafe condition for other pupils shall cause a pupil to be suspended upon the first offense.

Pupils who are under suspension will be required to make up all assignments missed during the period of their suspension and will be given adequate opportunity to make up this work.

Upon their readmission, failure to complete the makeup assignments will result in a meeting with the parents/guardians. The Superintendent will notify parents/guardians by telephone and send a letter regarding the telephone conversation immediately.

## **Procedures**

The administration shall establish, and the Board shall approve, specific procedures for dealing with suspension cases. Regulations ensuring due process to all pupils before a suspension is imposed shall be developed with the advice of the Board attorney and shall include at least:

- A. Informing the pupil of the charges against him/her;

B. Giving the pupil a chance to reply to them.

These regulations shall also include safeguards for the dismissal of pupils suspended from school, procedures for calling an immediate conference with parents/guardians, limitations on the length of suspensions, and specifics for the reinstatement of pupils.

Every effort shall be made to adjust each suspension promptly so that the pupil can be returned to school with a minimum loss of school time and school work.

When the Superintendent imposes a suspension, he/she must report it to the Board. No suspension for reasons other than assault upon a teacher, administrator, Board member or other Board employee may continue beyond the second regular meeting of the Board following the suspension without Board action. No suspension for assault upon a teacher, administrator, Board member or other Board employee may be continued beyond 30 days without Board action. A suspended pupil may be reinstated by the Superintendent before Board action.

Each pupil shall be afforded an informal hearing before the suspension or, if circumstances prohibit, as soon as possible after the suspension except that, when extraordinary circumstances involving the health and safety of the pupil or others in the school require immediate exclusion, the hearing may be delayed to such time as circumstances permit. Pupils suspended for a period of time longer than a short-term suspension shall be afforded a formal hearing before the Board which shall take place not later than the second regular meeting of the Board following the suspension. If the offense involves a weapon or assault with or without the weapon (as described above), the hearing shall take place not later than 30 days after the suspension occurs.

The Board shall make a decision within five days of the close of the hearing. Any appeal of the Board's decision shall be made to the Commissioner of Education within 90 days of the Board's decision.

The Board requires that such hearings shall be closed to the public, but should all parties thereto agree, the hearing may be publicly held. Each suspended pupil who has requested a formal hearing shall be restored to the regular educational program pending the outcome of the hearing, except when, in the opinion of the Superintendent, the presence of the pupil in school poses such a danger to himself/herself or others as to warrant continued absence.

Each such pupil suspended from the schools of this district shall receive individual instruction commencing not later than five working days after the suspension occurs, except that the Board may, on the recommendation of the Superintendent, assign the pupil to an alternate educational program to meet his/her particular needs (see policy #6172).

## **Expulsion**

The Board will consider expulsion only if:

- A. The Superintendent with his/her staff have exhausted all means of bringing about a correction of repeated misconduct; or
- B. The nature of a single act presents such a clear possibility of danger to others that immediate definitive action is indicated.

The parents/guardians of the pupil shall be interviewed, if possible, and advised of the reasons why expulsion is being considered, of the rights of the pupil to a full hearing which will afford him/her procedural due process, and the right of parents/guardians to appeal to the Superintendent.

The child shall remain out of school until either:

- A. An appeal made to the Superintendent is decided in the child's favor; or

B. The appeal (if made) has been denied and the Board has met to hear the Superintendent's recommendation.

If the Board determines that the charges, if true, may warrant expulsion, the Board will set a date for the hearing. The Board attorney will arrange for the giving of legal notice to all parties concerned for the preparation and presentation of evidence in support of the charges at the hearing.

The pupil must receive:

- A. Notification of the charges against him/her;
- B. The names of the adverse witnesses;
- C. Copies of the statements and affidavits of those adverse witnesses;
- D. The opportunity to be heard in his/her own defense;
- E. The opportunity to present witnesses and evidence in his/her own defense;
- F. The opportunity to cross-examine adverse witnesses; and
- G. The opportunity to be represented by counsel.

Juvenile authorities and law enforcement agencies shall be notified or consulted if necessary.

If a pupil younger than 18 years of age is expelled, the Board shall continue to supply an educational program for him/her.

### **Implementation**

The Superintendent shall develop detailed written procedures to implement this policy. He/she shall ensure uniform and consistent application of the policy and shall report to the Board as required on its effectiveness.

When an alternative educational program is provided for a pupil identified as disruptive but not disabled, the Superintendent shall inform the Board.

### Legal References

Revised and Adopted: August 8, 2011

LR2011

**Mountain Lakes School District**

## **5117 ASSIGNMENT OF PUPILS**

The Board of Education directs the assignment of pupils to the schools, programs, and classes of this district consistent with the best interests of pupils and the best uses of the resources of this district.

Pupils shall generally attend the school located in the attendance area of their residence. The Superintendent may assign a pupil to a school other than that designated by the attendance area when such an exception is justified by circumstances and is in the best interest of the pupil. Every effort will be made to continue a pupil in the same elementary school.

The Superintendent shall assign an incoming transfer pupil to the school that will afford the pupil the most appropriate educational opportunity. The building principal may assign pupils in his or her school to grades, classes, and groups on the basis of the needs of the pupil as well as the sound administration of the school.

Previously Policy No. 5120

Adopted: January 3, 2006

**Mountain Lakes School District**

## 5118 NON-RESIDENTS

The Board shall operate the schools of this district for the benefit of all children resident in the district and such others as may be admitted, pursuant to statute and policy of the Board. The Board reserves the right to verify the residency of any pupil and the validity of any affidavit of guardianship. Documentation required to prove eligibility to attend the schools of this district shall be in accord with policy 5111 Admission and the administrative code.

### Sending/Receiving Relationship with Boonton Township

Children who reside in Boonton Township, or otherwise become subject to the Send/Receive Agreement between the Mountain Lakes school district and the Boonton Township school district shall be admitted in accordance with the provisions of such agreement or otherwise as provided by law.

### Lake Drive School Program

Children who are admitted to the specialized program under the auspices of the Lake Drive School for the Deaf shall be admitted in accordance with state law and as provided in the regulations adopted by the Superintendent with respect to such specialized program.

### Future Residents

A child otherwise eligible for attendance whose parent/guardian has signed a contract to buy, build or rent a residence in this district shall be enrolled for a period not to exceed 30 days previous to the anticipated date of residency without tuition charges. If the child has not become a resident of the district by the end of the period of free attendance, tuition shall be required for the remainder of the time until residency is established.

Parents/guardians of children who are future residents shall be required to demonstrate proof of the anticipated residency. This proof shall be a copy of a signed purchase or lease contract for residential housing or a signed contract with a builder which specifies a projected completion date. The Board reserves the right to verify such claims, and to remove from school a non-resident pupil whose claim cannot be verified. If the contract is terminated for any reason, the Board must be notified and the family must submit to the Board a formal application to remain as a tuition paying non-resident student for the remainder of that school year.

A one-month (30-day) tuition payment for future residents will be made at the time of enrollment. The Board Secretary will hold this initial payment in escrow. If residence occurs within the 30 days, this payment will be returned. If residency does not occur within 30 days, the escrow will be applied to the first month's tuition and all subsequent tuition will be billed on the 1st of the month. For subsequent months, students who become residents in the District up to and including the 15th of the month shall not be responsible for payment of a full month's tuition. Students who become residents in the District after the 15th of the month shall be responsible for a full month's tuition.

### Former Residents

Regularly enrolled children in grades K-11 whose parents/guardians have moved out of the school district during the fourth marking period shall be permitted to finish the school year without payment of tuition. Regularly enrolled children in grade 12 shall be permitted to finish the school year without payment of tuition if the parents/guardians move out of the school district during either the third or the fourth marking period. Regularly enrolled children whose parents/guardians move from the district at any other time during the school year may remain enrolled for the remainder of the school year on payment of tuition prorated.

### Children of Non-resident Staff Members

Children domiciled with non-resident employees of the Mountain Lakes Public Schools employed prior to September 1, 1993 may be admitted upon application without tuition payment subject to the recommendations of the Superintendent of Schools and approval of the Board. Staff members who qualify for this provision should submit an application in writing to the Superintendent prior to the start of the school year.

Effective September 4, 2013, when the Superintendent attests that a grade level can accept children domiciled with non-resident employees without compromising the integrity of desired class sizes or incurring unbudgeted expenses, the school district may enroll children of non-resident employees in district schools under the following conditions:

1. A contract for educational services must be signed.
2. Any tuition fee will cover only the typical costs associated with an education in Mountain Lakes. Any extraordinary costs will be borne by the parent. Examples of extraordinary costs include, but are not limited to, fees for OT/PT, aides, etc.
3. Responsibility for pupil transportation shall be assumed by the employee.
4. This benefit shall not interfere with the before or after school responsibilities of the employee.

#### Foreign Exchange Students

The Board may admit foreign exchange students into district schools in order to promote cultural awareness and understanding among students.

The Board may accept exchange students on a J-1 visa who reside within the district as participants in group-sponsored exchange programs approved by the Board. Tuition may be waived for students on a J-1 visa.

The Board may accept privately sponsored exchange students on an F-1 visa for attendance only in secondary schools upon payment of tuition at the established district rate. Tuition cannot be waived for students on an F-1 visa, and attendance in district schools shall not exceed 12 months.

Students attending the schools of this district on an F-1 visa may not participate in any adult-education programs sponsored by the board under any circumstances.

All potential organizations or individuals applying for admission shall forward the request to the Superintendent by July 1 proceeding the school year of attendance. Foreign exchange students shall comply with all immunization requirements for students of this district. The Superintendent shall be responsible for determining the visa status and eligibility of foreign exchange students applying for admission.

#### Homeless Pupils

The district will determine the educational placement of homeless students in each child's best interest and respond to appeals concerning them made by parents/guardians or other parties in accordance with New Jersey statutes and administrative code, as well as pertinent federal law.

#### Other Non-resident Pupils

Other non-resident pupils may be admitted to this district at the sole discretion of the Board on payment of tuition and based on an evaluation of program needs, availability of space, staffing, financing and other such factors as the Board deems relevant. Annual renewal of any non-resident tuition student is not guaranteed. The Board shall endeavor to allow a student, once accepted, to continue his/her education in the district, provided that the student is otherwise eligible under this policy in light of the factors to be considered by the Board.



The Superintendent shall develop procedures for the enrollment of non-resident children that allow admission of such children only on the proper application of parent/guardian; verify claims of residency and submission of affidavits of guardianship; do not exclude any child, otherwise eligible, on the basis of such child's race, color, creed, national origin, affectional or sexual orientation, atypical hereditary cellular or blood trait of any individual or ancestry. These procedures may deny admission where the educational program maintained for the children of this district is inadequate to meet the needs of the applicant. The procedures may also make continued enrollment of any non-resident pupil contingent upon maintaining good standards of citizenship and discipline.

When a child must either relocate to or from this district because his/her parent/guardian is a member of the New Jersey National Guard or a member of the reserve component of the armed forces of the United States and has been ordered into active service, the child shall be eligible to attend the schools of this district without paying tuition. The district shall not be responsible for transporting the child.

The Superintendent or his/her designee shall recommend to the Board for its approval the admission of qualified applicants.

Without limiting the foregoing, the Board of Education may grant the privilege of attending as a non-resident tuition student under the following conditions:

1. Mountain Lakes offers a suitable educational program to meet the needs of the individual student;
2. There is a space in the grade or program to be entered;
3. The student must desire to attend;
4. The student must have a satisfactory academic and discipline record from the previous school district;
5. The admission of a tuition student shall not negatively impact on the school budget; and
6. The Board executes a written agreement with the parents or guardians of applicant student specifying that admission guarantees only those educational services available within the Mountain Lakes Public Schools (the District will not become a local educational agency for any specialized program). The agreement shall state that the following services available within the school system may be subject to tuition surcharges to the extent such costs are not covered by the non-resident student's home district, including but not limited to: Gifted and Talented extraordinary services; Parent Conference - home visit; Test time; Test analysis and report writing; Team consultation; IEP draft; IEP Classification Conference; Special Education services; Medical evaluation; Attorney's fees; and Collection fees for non-payment of tuition.

The Board may terminate any contractual arrangements of students who do not meet expected levels of performance or behavior at any time, upon the recommendation of the building Principal and Superintendent. To the extent the district finds it necessary to charge for additional services under the contract, it shall be the responsibility of the parent/guardian to arrange with the student's home district for payment thereof if the student is eligible for such payment. The Board reserves the right to withhold the issuance of official transcripts and other reports for any tuition student (or former tuition student) whose tuition or other payments are not up-to-date or paid in full.

The Board shall not be responsible for the transportation to or from school of any non-resident students, except as may be required by state or federal law.

The Board shall annually determine tuition rates for non-resident pupils.

### Legal References

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

Adopted: March 12, 2007 LR2011

Re-adopted: September 3, 2013

**Mountain Lakes School District**

## 5118.2 FOSTER CARE AND EDUCATIONAL STABILITY

The board recognizes that children placed in foster care, including resource family homes or other out-of-home placements, have special needs. The board is committed to ensuring cooperation and collaboration with the New Jersey Department of Children and Families (DCF) to minimize further disruptions in the lives of these children and promote their educational stability. The chief school administrator is directed to oversee the development of effective partnerships between the schools of this district and child welfare officials to support the educational needs of children in out-of-home placements within the community, and also provide a framework to support a broader range of children in need of prevention, intervention and referral services.

The Federal Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351) requires educational stability for children placed in foster care including resource family homes or other out-of-home placement. When the Division of Child Protection and Permanency (DCP&P) or other State authorized agency places a child in foster care including resource family homes or other out-of-home placement there shall be a presumption that the child shall remain in the school currently attended by the child, unless DCP&P or other State authorized agency determines that this is not in the best interest of the child. In the event that it is determined that the present school district placement is not in the child's best interest, the child shall be immediately enrolled in the new school district, and the mandated student records shall be provided to the new school district in accordance with law (N.J.A.C. 6A:32-7.5 *et seq.*) and board policy (5125 Student Records). Even if the child is unable to produce records typically required for enrollment, the child shall be immediately enrolled.

Foster care means 24-hour substitute care for children placed away from their parents or guardians and for whom the child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes. Out-of-home placement is a temporary placement for a child, made by a State agency (Child Protection and Permanency) or State authorized agency (Youth Case Management/YCM, Care Management Organization/CMO or Unified Care Management), in a group home category placement or resource family home, where care of the child is deemed necessary to protect the child's safety and well-being.

### **Roles and Responsibilities**

A. The chief school administrator shall ensure that ongoing communication and collaboration with the Department of Children and Families (DCF) is maintained to support the following goals:

1. Children remain in their current school when it is determined that it is in their best interest, and to the extent feasible and appropriate, the children remain in their current school while this determination is being made by DCF;
2. Children enter school ready to learn;
3. Children receive supports and services to participate in all aspects of school and to prevent school dropout, truancy, and disciplinary actions;
4. Children are engaged in their education, are empowered to advocate for their educational needs and pursuits, and receive supports and services to ensure a successful transition into adulthood;
5. Children with disabilities are located, identified and evaluated for eligibility for special education and section 504 services and, if eligible, shall receive services in accordance with their IEP or section 504 plan;
6. DCF and the district collaborate to support and improve the well-being of children.

B. DCP&P employees shall have access to student records, including those that are relevant to current and ongoing child welfare investigations. It is not required to have the written consent of the parent or adult student, or a court order, to release student records to DCP&P or other representatives of a State or local child welfare agency pursuant to P.L. 112-278, S.2, the Uninterrupted Scholars Act;

C. The chief school administrator shall designate at least one school district liaison to act as the primary contact person between the schools in the district and child welfare authorities with regard to general information sharing, the development of mutual training and other cooperative efforts (N.J.A.C. 6A:16-11.1(a)6). The responsibilities of the district liaison may include:

1. Facilitating school registration, placement, educational planning, support services, collaboration and problem resolution that may include but are not limited to:
  - a. Healthcare planning (see policies 5141 Student Health and 5141.21 Administration of Medication);
  - b. Child study team referral and assessment;
  - c. Intervention and referral services as necessary and appropriate;
  - d. Ensuring continuity of individualized education program (IEP) as appropriate;
2. Serving as the point person for communication, collaboration, information sharing and resource identification;
3. Acquiring knowledge about outside systems and resources, which may require attendance at cross-trainings offered at state and local levels;
4. Overseeing district staff's implementation of the Interagency Guidance Manual with DCF staff and the local memorandum of agreement (MOA) if developed;
5. Participating in turnkey county-offered trainings and activities that foster collaboration, communication and problem resolution between the education and child welfare communities; and
6. Coordinating with DCP&P to provide the required training of school district employees, volunteers and interns (N.J.A.C. 6A:16-11.1(a) 8).

## **District of Residence and Tuition**

The district of residence is responsible for continuing to educate a child within its own district or paying tuition for a child attending school in another district, and for providing for any needed transportation. Five school days after the best interest determination has been made, the district of residence must make transportation arrangements for the child. The district of residence shall bear the cost of providing the transportation.

### **A. Placement in a resource family home:**

1. If a child was placed in a resource family home prior to September 9, 2010, the district of residence shall be the district in which the resource family parents reside. If such a child in a resource family home is subsequently placed in a State facility or by a State agency, the district of residence of the child shall then be determined as if no such resource family placement had occurred;
2. If a child was or is placed in a resource family home on or after September 9, 2010, the district of residence shall be the present district of residence of the parent or guardian with

whom the child lived prior to the most recent placement in a resource family home.

#### **B. Placement in residential State facilities**

When a child is placed in a residential State facility, or has been placed by State agencies in a group home, skill development home, private school or out-of-State facility, the district of residence shall be the present district of residence of the parent or guardian with whom the child lived prior to his most recent admission to a State facility or most recent placement by a State agency.

C. If the district of residence cannot be determined, or if the criteria identify a district of residence outside of the State, or if the child has resided in a domestic violence shelter or transitional living facility located outside of the district of residence for more than one year, the State shall assume fiscal responsibility for the tuition of the child (N.J.S.A. 18A:7B-12).

### **Transportation**

A. Transportation for students living in group homes shall be the responsibility of the resident district board of education as detailed above and according to law (N.J.S.A. 18A:7B-12);

B. Transportation for students placed in a resource family home on or prior to September 9, 2010 shall be the responsibility of the resident district board of education in which the resource family home is located and shall follow the requirements of law (N.J.S.A. 18A:39-1 *et seq.*) and board policy 3541.1 Transportation Routes and Safety.

C. For students removed from the custody of their parent or legal guardian and placed in a resource family home or moved from placement in one resource family home to another after September 9, 2010:

1. The school district of residence for the student is the school district in which the student's parent or legal guardian was living at the time of the student's placement;
2. When a student is placed in a resource family home that is located within the student's school district of residence, the school district of residence shall provide transportation services; and
3. When a student is placed in a resource family home that is located outside of the student's school district of residence, the school district in which the resource family home is located shall arrange for transportation services in consultation with the school district of residence. The school district of residence shall be responsible for the cost of transportation.

### **Transferring Student Records**

When a child is placed in foster care including a resource family home or other out-of-home placement and newly enrolls in the district, the chief school administrator or his or her designee shall immediately contact the school of origin to obtain relevant academic and other records. The request for records shall be submitted in writing within 10 school days of enrollment. The chief school administrator or his or her designee shall also ensure records of students who are required to transfer to another school district as a result of foster placement, are transferred expeditiously and in accordance with law (N.J.A.C. 6A:32-7.5) and board regulations.

### **Implementation**

The chief school administrator shall oversee the development of procedures for collaboration with DCP&P and tuition reimbursement to avoid barriers to immediate enrollment.

Key Words

Foster Care, Resource Family Home, Out-of-Home Placement, DCP&P, Child Welfare, Liaison

Adopted: January 16, 2018

**Mountain Lakes School District**

## 5119 TRANSFERS

### General

All transfers into the schools of the district shall be in accord with file code 5111 Admission. Students transferring into the district are expected to present copies of records from the previously attended school (or district) to aid in placement. Also required are proof of immunizations and proof of identity.

Parents/guardians of pupils or adult pupils transferring from the district shall notify the principal in a timely manner of their intention to leave the district.

Student records shall be transferred between superintendents within the time frame prescribed by law.

### Intradistrict Transfers in Compliance with No Child Left Behind

When a school in the district fails to achieve adequate yearly progress as defined by the state for two consecutive years, parents/guardians shall be informed of options for students in that school, including the option of transferring to another school in the district. Notices to parents/guardians shall list the possible accepting schools and describe information on their performance. Only schools that have achieved adequate yearly progress shall be included on the list.

The lowest-achieving students from the lowest-income families, as identified through federal free or reduced-price lunch statistics, shall be given priority in transferring.

Transportation shall be provided at no cost to transferring students until the school that they are leaving demonstrates adequate improvement. Funding of transportation shall not exceed the limits described in NCLB. Students may remain in the school into which they have transferred until they have completed the highest grade in that school.

### Unsafe School Choice Option

If a school in the district is identified as "persistently dangerous" by the State Department of Education, all students in that school shall be offered on a space available basis the option of transferring into another school in the district that has not been so designated. Parents/guardians shall be notified within 15 calendar days after the district is notified of the school's status, and all transfers shall be completed by the beginning of the school year following. To the extent possible, transfers shall be into schools in the district that are making adequate yearly progress. Students may remain in the school into which they have transferred until the school of origin is no longer identified as "persistently dangerous."

In addition, any student who becomes a victim of a violent criminal offense while in school or on school grounds shall be offered the option of transferring into a safe school within the district. The student shall be given the option within 10 days of the incident, and the transfer shall occur within 30 days of determination that the student was a victim. Applicable definitions and criminal offenses shall be as listed in the statewide policy.

Transportation shall not be provided to students transferring out of "persistently dangerous" schools and student victims of violent criminal offenses.

If the Board cannot offer a safe school alternative within the district to students choosing to transfer out of a "persistently dangerous" school or to a student who has been a victim of a violent criminal offense, the Superintendent shall attempt to establish an agreement with a neighboring district. The Board shall review and approve any agreement prior to its application.

The Superintendent shall ensure that the district complies with all requirements of federal law and the State Department of Education. He/she shall prepare regulations to implement this policy.

## Legal References

Adopted: January 16, 2006

LR2011

**Mountain Lakes School District**



## **5120 ASSESSMENT OF INDIVIDUAL NEEDS**

Each pupil shall be assessed upon entrance into the district's schools and beginning in grade three shall be assessed annually thereafter (starting in the 2005-2006 school year), to identify pupils not meeting district proficiency levels.

The Superintendent shall develop procedures to implement a program of individual pupil needs assessment that shall include but not be limited to:

A. Identifying district needs as the basis for development of mandated goals; development of staff inservice programs; selecting and approving instructional materials; staffing;

B. Identifying and determining the needs of:

1. Gifted and talented pupils;
2. Disruptive pupils;
3. Disaffected pupils;
4. Potential dropouts;
5. Pupils who require basic skills improvement programs;
6. Pupils with limited English proficiency;
7. Pupils who may require formal referral to the child study team for classification.

Policies addressing these specific groups and appropriate educational programs for them are listed in the cross references to this policy.

C. Disseminating results of such assessments to parents/guardians and to appropriate staff and state and federal agencies as required without invading the privacy of the individual pupil.

The Superintendent/designee shall review all individual assessment procedures annually to ensure that they serve the purposes for which they are intended. At all times, these procedures shall be in full conformity with federal and state law.

### Legal References

Adopted: January 16, 2006

LR2011

**Mountain Lakes School District**

## 5124 REPORTING TO PARENTS/GUARDIANS

The Board believes that the cooperation of school and home is vital to the growth and education of the whole child. It recognizes its responsibility to keep parents/guardians informed of pupil welfare and progress in school.

The Board directs the establishment of a system of reporting pupil progress that shall include written reports, pupil-teacher conferences, and parent/guardian-teacher conferences. If the parent/guardian's primary language is other than English, translation shall be provided whenever possible.

The Superintendent shall develop procedures for reporting pupil progress which:

- A. Use various methods of reporting appropriate to grade level and curriculum content;
- B. Ensure that both pupil and parent/guardian receive ample warning of a pending grade of "failure" or one that would adversely affect the pupil's status;
- C. Enable the scheduling of parent/guardian-teacher conferences in such places and at such times as will ensure the greatest degree of participation by parents/guardians;
- D. Specify the issuance of report cards at intervals of not less than four times during the school year and issuance of deficiency notices as required during the school year;
- E. Ensure the continual review and improvement of methods of reporting pupil progress to parents/guardians and involve pupils, staff and parents/guardians in that review.

A record shall be kept indicating the legal custodian of each pupil, so that reports can be made to and conferences arranged with the proper person.

### Parental Notification

The Superintendent shall develop regulations to ensure that parents/guardians are notified in all instances when the law and/or the best interests of the pupil and the district require it.

### Legal References

Adopted: September 6, 2007

LR2011

**Mountain Lakes School District**

## 5125 STUDENT RECORDS

The Board of Education shall conform in all respects to the requirements of state and federal law regarding gathering, maintaining, securing, disclosing, allowing access to and destruction of student records.

The Superintendent shall be responsible for the security of student records maintained in the school district. He/she shall formulate and the Board shall review administrative procedures to guarantee the safety and security of all student records, and to provide authorized persons and organizations access to these records at a convenient place and time within the limits stipulated by law, i.e., within 10 days of the request but prior to any review or hearing conducted in accordance with state Board of Education regulations.

Student records shall include all those mandated by the New Jersey administrative code or state statutes, or authorized by administrative directives, and such permitted records as the Board of Education shall authorize by resolution at a regular public meeting in order to promote the educational welfare of the student. Records so authorized must comply with code standards as to relevance and objectivity.

The Board of Education shall report annually at a public meeting a description of the types of student records it has authorized certified school personnel to collect and maintain.

Student records shall contain only such information as is relevant to the education of the student, and is objectively based on the personal observations or knowledge of the originator of the record.

All anecdotal information and assessment reports collected on a student shall be dated and signed by the individual who originated the data.

Parents/guardians and adult students shall be notified annually in writing of their rights in regard to student records. Such rights include:

- A. Notification of rights in writing, in dominant language of parent/adult student, if possible. When the parent or adult student's dominant language is not English, or the parent/adult student is deaf, the district shall provide interpretation of the record in the dominant spoken or sign language;
- B. Copies of applicable state and federal laws and local policies made available on request;
- C. Should the parental rights of one or the other parent/guardian be terminated by a court of appropriate jurisdiction, it is the responsibility of the person/agency having legal custody to notify the district that the right to review student records should be denied the person whose rights have been terminated;
- D. Parents/guardians or adult students have the right to seek to include in the records material they think pertinent or to seek exclusion from the records of material that is untrue, irrelevant to the student's present educational situation or otherwise improperly contained in the student's record. Parents/adult students have the right to request an immediate stay of disclosure pending final determination of the challenge procedure. They also have the right to challenge the district's granting or denial of access to the student's records;

The Superintendent shall devise procedures to review such requests. These procedures shall include an appeal process as required by New Jersey administrative code.

### Student Information Directories

The district shall compile, publicize and make available a "student information directory" as defined in the administrative code. Such directory information and school facilities shall be available to

educational, occupational and military recruiters as required by law.

The district must notify parents/guardians and adult students annually in writing of their rights in regard to student participation in educational, occupational and military recruitment programs.

Such rights include:

- A. Notification of these rights in writing, in dominant language of parents/guardians or adult student.
- B. A 10-day period in which to submit a written statement to the Superintendent prohibiting the district from including any or all types of information about the student in any student information directory before allowing access to such directory and school facilities to educational, occupational and military recruiters pursuant to statute.
- C. A 10-day period to submit a written statement to the Superintendent excluding information from any school directory for official use.
- D. Copies of applicable state and federal laws and local policies will be made available on request.

#### District Review of Student Records

The Superintendent shall require all student records of students currently enrolled in the regular educational program to be reviewed annually by certified school personnel to determine the educational relevance of the material contained therein. The reviewer may delete from the records data no longer descriptive of the student or educational situation.

The deleted information shall be destroyed and shall not be recorded elsewhere, A record of such deletion shall not be made.

Notwithstanding the foregoing, data may not be removed from the record of a disabled student without prior notice to his/her parent/guardian.

#### Records of Classified Students

All records of disabled students shall be maintained in accordance with administrative code and established procedures that will ensure proper accessibility and confidentiality.

A special confidential file shall be maintained listing the code numbers assigned to disabled students on whose behalf the Board of Education must take public action. Motions concerning disabled students shall be anonymous and refer to this confidential file. This shall be maintained in accordance with N.J.A.C. 6A:32-7.

Parents/adult students or designees shall be permitted to inspect and review the contents of the student's record maintained by the district without unnecessary delay and before any meeting regarding the student's IEP. Any consent required for disabled students under N.J.A.C. 6A:32-7 shall be obtained according to N.J.A.C. 6A:14-1.3 "Consent" and N.J.A.C. 6A:14-2.3.

#### Lake Drive Program

The district, as a receiving school, shall conform to the requirements of N.J.A.C.6A:32-7 pertaining to student records. All student records shall be returned to the responsible Board of Education when a student's program is terminated. Any requests for access by authorized organizations, agencies or persons shall be referred to the Superintendent of the sending district. Daily attendance will be maintained in accordance with N.J.A.C.6A:23, and will be made available to the sending district upon request. Habitual tardiness or prolonged absences shall be reported in writing to the superintendent of

the sending district.

### Transfer of Student Records

A. The Superintendent shall request records of a newly enrolled student from the district of previous attendance as soon as possible after enrollment, but in any case within the time limit prescribed by the administrative code.

B. The Superintendent shall forward mandated student records as soon as possible upon receipt of the request from the Superintendent of the district to which the student has transferred, but in any case within the time limit prescribed by the administrative code. Permitted records shall be forwarded in the same manner at the same time if parental permission was given at the time the student's parents/guardians informed the district of the transfer.

[C. All records of district students moving into the 9th grade in the Mountain Lakes school system from Boonton Township, shall be transferred in a secure and orderly fashion at the mutual convenience of the two Superintendents.]

### Permitted Access to Student Records

A student under the age of 18 may assert rights of access only through his/her parent/guardian. However, certified school personnel may, in their discretion, disclose student records to students or to appropriate persons in connection with an emergency, if such knowledge is necessary to protect the health or safety of the student or other persons.

A parent/guardian or adult student may only have access to or become informed about only that portion of another student's record that contains information about his/her own child or himself/herself.

A student record may be withheld from a parent of a student under 18 or from an adult student only when the district obtains a court order or has evidence that there is a court order denying or revoking the right to access to such student record. Only that portion of the record designated by the court may be withheld.

The Board shall limit access to, disclosure of and communication regarding student records and health records to authorized organizations, agencies or persons as defined by code.

The superintendent shall pay particular attention to the development of procedures whereby student records are made accessible to assigned secretarial and clerical staff in the performance of their duties, and to compliance with requirements for the security of computerized student records that will limit access to authorized persons. Limited access shall be granted to secretarial and clerical personnel under the direct supervision of certified school personnel to those portions of the record and to the extent necessary to record data and conduct routine clerical tasks.

The district may charge a reasonable amount for copies.

School personnel are not prohibited from disclosing information in the student health record to students or adults in connection with an emergency, if such knowledge is necessary to protect the immediate health or safety of the student or other persons.

In complying with this policy all individuals shall adhere to N.J.S.A. 47:1A-10, the Open Public Records Act (OPRA) and 20 U.S.C. 1232g; 34 CFR Part 99, the Family Educational Rights and Privacy Act (FERPA).

### Conditions of Access

No student record shall be altered or destroyed during the time period between a request to review the record and the actual review of the record. Persons whose access requires consent of parents/adult

students must submit the request in writing, together with any required authorization, to the Superintendent/designee. The Superintendent shall develop regulations in accordance with the administrative code to ensure that records are not altered, damaged or lost during inspection, and that records of access granted are complete.

#### Retention and Destruction of Records

The Superintendent shall develop regulations in accordance with the administrative code concerning retention and destruction of student records. No additions may be made to the record after the graduation or permanent departure of a student without the prior written consent of the parent/adult student.

In New Jersey, the district of last enrollment of a student must keep in perpetuity: name, date of birth, gender, citizenship, address, phone number, health history and immunization, standardized assessment and test answer sheet (protocol), grades, attendance, classes attended, grade level completed, year completed, and years of attendance.

#### Liability

No member, officer or employee of the Board of Education shall be held liable for permitting access or furnishing student records in accordance with these rules and regulations. It shall be the responsibility of the Superintendent to keep abreast of all changes in state and federal law and regulation concerning student records and to amend the regulations issued pursuant to this Policy accordingly.

#### Legal References

Adopted: September 6, 2007

LR2011

**Mountain Lakes School District**

## **5126 AWARDS FOR ACHIEVEMENT**

### General

The Board of Education believes that pupil achievement should be recognized at all levels in a manner appropriate to the pupil's accomplishment.

The Board directs the Superintendent/designee to develop criteria and procedures for presenting awards to pupils for scholarship and outstanding accomplishments in the arts, athletics and citizenship.

The Superintendent shall review and advise the Board on acceptance of proposed trophies, prizes, scholarships or other awards from non-school donors. Any such proposed award shall be free from bias as outlined in the district's affirmative action policies.

Criteria regarding eligibility and selection for awards shall be disseminated annually to all pupils and parents/guardians.

### Academic Recognition

The Board directs the Superintendent/designee to establish criteria and procedures for placing pupils in grades 9 through 12 on academic honor rolls. The Board will also recognize achievements of pupils by means appropriate to the grade level, and the nature of the accomplishments, including, without limitation certificates, commendations, membership in Honor Societies, etc.

### Athletic Participation

The Board wishes to recognize the achievements of pupils who give many hours of their time to represent the school in interscholastic athletics. Requirements for awards in each sport shall be decided by a committee composed of coaches, athletic director and principal. Community groups and individuals may also recognize the athletic achievements of pupils, provided that the criteria by which its recipient is selected have been approved by the Superintendent.

### Service Participation

School service groups shall be recognized for participation in order to emphasize the importance of good citizenship in school life as outlined in the course of study.

### Legal References

Adopted: September 6, 2007

LR2011

**Mountain Lakes School District**

## 5127 COMMENCEMENT ACTIVITIES

The Board endorses graduation activities and ceremonies. The date of graduation shall annually be recommended by the Superintendent and approved by the Board.

Graduation shall not occur prior to completion of the required 180 days of pupil instruction.

### Guidelines for Graduation Year Activities

Pupil participation in special graduation year activities will require conduct of the highest caliber in all school situations.

Criteria for exclusion from these activities concern consistent behavioral patterns and shall include, but not be limited to:

- A. Consistent involvement in disciplinary action(s);
- B. Suspension;
- C. Collaborative evaluation by the staff.

The final decision shall be made by the superintendent.

Pupils and parents/guardians shall be given advance notification of these criteria.

### Graduation Procedures and Ceremonies

No pupil shall be barred from participation in graduation ceremonies for arbitrary or discriminatory reasons. A pupil who may be prevented from participation and his/her parents/guardians shall be so notified in advance, whenever circumstances permit.

When a pupil or his/her parents/guardians experiences financial hardship and is unable to pay the costs of participation in graduation ceremonies, the Board shall assume the costs of the following items:

- A. Rental or purchase of cap and gown;
- B. One yearbook;
- C. Other, as may be determined by the Board.

Financial hardship shall be defined by eligibility standards for free and reduced price meals under the state school lunch program.

The Board reserves the right to deny participation in graduation activities when extreme circumstances warrant it. Such denial shall be treated in the same manner as a suspension and the pupil so affected shall be afforded the rights of review provided in policies of this Board.

The Board reserves the right to withhold a diploma and transcripts until all fines are paid.

### Awarding of Diplomas

Each student shall receive a copy of the Declaration of Independence, the Constitution of the United States and the amendments thereto, and the Constitution of the State of New Jersey and the amendments thereto upon graduation from elementary school.

The president of the Board of Education and/or another designated member of the Board shall award the diplomas. Board members and former Board members shall be afforded the opportunity to award



diplomas to their own children.

### Legal References

Adopted: January 16, 2006

**Mountain Lakes School District**

## 5131 CONDUCT/DISCIPLINE

The Board believes that an effective instructional program requires an orderly school environment and that the effectiveness of the educational program is, in part, reflected in the behavior of students.

The Board of Education expects students to conduct themselves in keeping with their level of maturity, with a proper regard for the rights and welfare of other students, for school personnel, for the educational purpose underlying all school activities, and for the care of school facilities and equipment. Students are required to conform to reasonable standards of socially acceptable behavior; respect the person, property and rights of others; obey constituted authority and respond to those who hold that authority.

The Board of Education believes that standards of student behavior must be set cooperatively by interaction among the students, parents/guardians, staff and community, producing an atmosphere that encourages students to grow in self-discipline. Such an atmosphere must include respect for self and others, as well as for district and community property.

Board policy requires each student of this district to adhere to the rules and regulations established by the administration and to submit to such disciplinary measures as are appropriately assigned for infraction of those rules. The Superintendent shall provide to students and their parents/guardians the rules of this district regarding student conduct and the sanctions that may be imposed for breach of those rules. Provisions shall be made for informing parents/guardians whose primary language is other than English.

The Superintendent shall establish the degree of order necessary to the educational program in which students are engaged.

### Code of Conduct

The Superintendent shall oversee the development of and the Board shall approve a code of student conduct which establishes standards, policies and procedures for positive student development and student behavioral expectations on school grounds, including on a school bus or at school sponsored functions. The code of conduct shall be based on parent/guardian, student and community involvement, and locally determined core ethical values. The Superintendent has the right and authority to impose a consequence on a student for conduct away from school grounds that is consistent with the Board's approved code of student conduct, pursuant to N.J.A.C. 6A:16-7.1 and N.J.A.C. 6A:16-7.6.

This authority shall be exercised only when it is reasonably necessary for the student's physical or emotional safety, security and well-being or for reasons relating to the safety, security and well-being of other students, staff or school grounds, pursuant to N.J.S.A. 18A:25-2 and 18A:37-2, and when the conduct which is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school. The Board shall direct development of detailed regulations suited to the age level of the students and the physical facilities of the individual schools.

### **District Code Of Conduct Shall Contain:**

- A. A description of student responsibilities that includes expectations for academic achievement, behavior and attendance;
- B. A description of behaviors that will result in suspension or expulsion;
- C. A description of the students' rights to:
  - 1. Advance notice of behaviors that will result in suspensions or expulsions;

2. Education that supports student development into productive citizens;
3. Attendance in safe and secure school environment;
4. Attendance in school irrespective of marriage, pregnancy, or parenthood;
5. Due process and appeal procedures in accordance with law and Board policy;
6. Parent notifications consistent with Board policy and law for law enforcement interviews (5145.11 Questioning and Apprehension), short-term and long-term suspension (5114 Suspension and Expulsion), due process and appeal procedures, and attendance (5113 Attendance, Absences and Excuses);
7. Records and privacy protections (5125 Student Records).

D. A description of behavioral supports that promote positive student development and assist each student in fulfilling the district behavioral expectations established including intervention and referral services, remediation, and intervention and supports services for students with disabilities;

E. A description of graded responses to violations of the code of conduct that includes remediation, is consistent with law concerning corporal punishment, and is consistent with laws and Board policies concerning violence/vandalism (5131.5) and, weapons and dangerous instruments (5131.7);

F. Cover the Board attendance policy (5113) and the harassment, intimidation and bullying policy (5131.1);

G. Lists community-based health and social service providers, and local legal resources.

### Student Behavioral Infractions

Students who display chronic behavioral or academic problems may be referred to the child study team by the Superintendent for an evaluation to determine disability or the need for other services. Such referrals shall be in strict accordance with the due process regulations prescribed by the administrative code. Students so identified shall be provided with appropriate programs and services as prescribed by the child study team.

A student whose presence poses a continuing danger to persons or property, or an ongoing threat of disrupting the academic process, may be suspended in accordance with N.J.A.C. 6A:16-7.1 and N.J.A.C. 6A:16-7.3 or expulsion in accordance with N.J.A.C. 6A:16-7.5, following due process. However, one incident alone is not sufficient cause for an expulsion.

Any student who commits an assault (as defined by N.J.S.A. 2C:12-1) upon a Board member, teacher,

administrator or other employee of the Board of Education shall be suspended from school immediately according to procedural due process, and suspension in accordance with N.J.A.C. 6A:16-7.1 and N.J.A.C. 6A:16-7.3 or expulsion in accordance with N.J.A.C. 6A:16-7.5. However, one incident alone is not sufficient cause for an expulsion. Proceedings shall begin no later than 30 calendar days from the date of the student's suspension.

### Substance Abuse

In accordance with statute and code, penalties shall be assigned for use, possession and distribution of proscribed substances and drug paraphernalia. The penalties shall be graded according to the severity of the offense in accordance with policy 5131.6 Substance Abuse. Infractions shall be

reported to the local law enforcement agency in accordance with the district's memorandum of agreement. Confidentiality shall be protected in accordance with federal and state law.

### Weapons Offenses

Any student 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 on 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 Superintendent may modify this suspension on a case-by-case basis. Each student so removed shall be placed in an alternative educational program or on home instruction pending alternative education program placement and shall be entitled to a hearing before the Board. The hearing shall take place no later than 30 days following the day the student is removed from the regular education program and shall be closed to the public.

The principal shall be responsible for the removal of such students and shall immediately report them to the Superintendent. The principal shall also notify the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice.

The Superintendent shall determine at the end of the year whether the student is prepared to return to the regular education program, in accordance with N.J.A.C. 6A:16-5.5(i).

Teaching staff members and other employees of this Board having authority over students shall take such lawful means as may be necessary to control the disorderly conduct of students in all situations and in all places where such students are within the jurisdiction of this Board.

### Harassment, Intimidation or Bullying

The Board expects all students to treat each other with civility and respect and not to engage in behavior that is disruptive or violent. This type of behavior interferes with a student's ability to learn and a school's ability to educate its students in a safe environment. Therefore, the school district will not tolerate acts of harassment, intimidation or bullying.

The Board prohibits acts of harassment, intimidation or bullying against any student in accordance with Board policy 5131.1 Harassment, Intimidation and Bullying, and law.

**"Harassment, intimidation or bullying"** is defined as any gesture, any written, verbal or physical act, or any electronic communication, whether it be a single incident or a series of incidents, that is reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic, that takes place on school grounds, at any school-sponsored function or on a school bus, or off school grounds in accordance with law, and that:

- A. Substantially disrupts or interferes with the orderly operation of the school or the rights of other students;
- B. A reasonable person should know, under the circumstances, will have the effect of physically or mentally harming a student or damaging the student's property, or placing a student in reasonable fear of physical or mental harm to his/her person or damage to his/her property; or
- C. Has the effect of insulting or demeaning any student or group of students; or
- D. Creates a hostile educational environment by interfering with the student's education or by severely or pervasively causing physical or emotional harm to the student.

**"Electronic communication"** means a communication that is transmitted by means of an electronic

device, including, but not limited to a telephone, cellular phone, computer, or pager, that takes place on school grounds, at any school-sponsored function or on a school bus.

### Students with Disabilities

Classified students are subject to the same disciplinary procedures as nondisabled students and may be disciplined in accordance with their IEP. However, before disciplining a classified student, it must be determined that:

- A. The student's behavior is not primarily caused by his/her educational disability;
- B. The program that is being provided meets the student's needs.

Staff shall comply with state and federal law and the regulations of the New Jersey administrative code in dealing with discipline and/or suspension of all students with disabilities.

### Policy and Procedure Development, Review and Dissemination

The standards and procedures developed to implement this policy shall be aligned with the Board approved code of student conduct and accepted Board approved core ethical values. Policies, standards and procedures shall be based on parent, student and community involvement which represents, where possible, the composition of the schools and community, in accordance with N.J.A.C. 6A:16-7.1.

This policy shall be reviewed annually and updated along with the code of student conduct. This process shall include:

- A. Parent, student and community involvement which represents, where possible, the composition of the schools and community;
- B. Consideration of the findings of the annual reports of student conduct, suspensions and expulsions; and incidences reported under the Electronic Violence and Vandalism Reporting System.

The Superintendent shall annually:

- A. Disseminate the code of student conduct to all staff, students and parents;
- B. Report on the implementation of the code of student conduct to the Board of a education at a public meeting in accordance with N.J.A.C. 6A:16-7.1(a) 5, i-iv;
- C. Report to the New Jersey Department of Education on student conduct, including all student suspension and expulsion and incidences reported under the Electronic Violence and Vandalism Reporting System.

### Implementation

The Superintendent shall ensure that the rules for this policy are applied consistently with the district's code of student conduct (N.J.A.C. 6A:16-7) and all applicable laws and regulations and that all disciplinary sanctions are carried out with necessary due process.

This and all related policies shall be reviewed on a regular basis.

### Legal References

Revised and Adopted: August 8, 2011

## Mountain Lakes School District

## 5131.1 HARASSMENT, INTIMIDATION AND BULLYING

☒ Monitored

☒ Mandated

☒ Other Reasons

The board of education believes that a safe and civil environment in school is necessary for students to learn and achieve high academic standards. Since students learn by example, school administrators, faculty, staff, and volunteers are required to demonstrate appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment, intimidation or bullying. Harassment, intimidation or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe environment. Therefore, the school district will not tolerate acts of harassment, intimidation or bullying.

The board of education expects all students to treat each other with civility and respect and not to engage in behavior that is disruptive or violent. The board expects students to conduct themselves in keeping with their level of maturity, with a proper regard for the rights and welfare of other students, for school personnel, for the educational purpose underlying all school activities, and for the care of school facilities and equipment.

The standards of character education are an essential component of the Mountain Lakes School District's Code of Conduct. The board believes that with the appropriate infusion of character education into the school curriculum, modeling of appropriate behavior by adults; support and assistance of students in school, the community and home; our students will achieve the above standards of character education.

The board prohibits acts of harassment, intimidation or bullying against any student. School responses to harassment, intimidation and bullying shall be aligned with the board approved code of student conduct which establishes standards, policies and procedures for positive student development and student behavioral expectations on school grounds, including on a school bus or at school sponsored functions. The superintendent shall be responsible for ensuring the prompt investigation and response to all reports of harassment, intimidation and bullying committed on school grounds, at school activities and on school buses. In addition, the superintendent shall ensure that this policy is applied to incidents of harassment, intimidation and bullying that are committed off school grounds in cases where a school employee is made aware of such actions. The superintendent has the right and authority to impose a consequence on a student for conduct away from school grounds that is consistent with the board's approved code of student conduct, pursuant to N.J.A.C. 6A:16-7.1 and N.J.A.C. 6A:16-7.5.

This authority shall be exercised only when it is reasonably necessary for the student's physical or emotional safety, security and well-being or for reasons relating to the safety, security and well-being of other students, staff or school grounds, pursuant to N.J.S.A. 18A:25-2 and 18A:37-2, and when the conduct which is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school. The board directs the chief school administrator or his or her appropriately trained and qualified designee to develop detailed regulations suited to the age level of the students and the physical facilities of the individual schools.

Bullying is unwanted, aggressive behavior that may involve a real or perceived power imbalance. "Harassment, intimidation or bullying" is defined as any gesture, any written, verbal or physical act, or any electronic communication, whether it be a single incident or a series of incidents, that is reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic, that takes place on school grounds, at any school-sponsored function or on a school bus, or off school

grounds, in accordance with law, that substantially disrupts or interferes with the orderly operation of the school or the rights of other students, and that:

- A. A reasonable person should know, under the circumstances, will have the effect of physically or emotionally harming a student or damaging the student's property, or placing a student in reasonable fear of physical or emotional harm to his/her person or damage to his/her property; or
- B. Has the effect of insulting or demeaning any student or group of students; or
- C. Creates a hostile educational environment for the student by interfering with the student's education or by severely or pervasively causing physical or emotional harm to the student.

"Electronic communication" means a communication that is transmitted by means of an electronic device, including, but not limited to a telephone, cellular phone, computer, or pager.

### Consequences and Remedial Measures for Acts of Harassment, Intimidation or Bullying

#### Students

Consequences and remedial measures for a student who commits an act of harassment, intimidation or bullying shall be varied and graded according to the nature of the behavior; the nature of the student's disability, if any and to the extent relevant; the developmental age of the student and the student's history of problem behaviors and performance. Consequences shall be consistent with the board approved code of student conduct and N.J.A.C. 6A:16-7. Consequences and remedial measures shall be designed to:

- A. Correct the problem behavior;
- B. Prevent another occurrence of the problem;
- C. Protect and provide support for the victim of the act; and
- D. Take corrective action for documented systemic problems related to harassment, intimidation or bullying.

Consequences and appropriate remedial actions for a student who commits an act of harassment, intimidation or bullying may range from positive behavioral interventions up to and including short and long-term suspension or expulsion, as permitted by law. The consequences and remedial measures may include, but are not limited to:

#### A. Consequences

1. Admonishment;
2. Temporary removal from the classroom;
3. Deprivation of privileges;
4. Classroom or administrative detention;
5. Referral to disciplinarian;
6. In-school suspension during the school week or the weekend;
7. After-school programs;
8. Out-of-school suspension (short-term or long-term);



9. Legal action; and

10. Expulsion.

## B. Remedial Measures

### 1. Personal

a. Restitution and restoration;

b. Mediation;

c. Peer support group;

d. Recommendations of a student behavior or ethics council;

e. Corrective instruction or other relevant learning or service experience;

f. Behavioral assessment or evaluation, including, but not limited to, a referral to the child study team, as appropriate;

g. Behavioral management plan, with benchmarks that are closely monitored by a school disciplinarian;

h. Assignment of leadership responsibilities (e.g., hallway or bus monitor);

i. Involvement of school disciplinarian;

j. Student counseling;

k. Parent conferences;

l. Student treatment; or

m. Student therapy.

### 2. Environmental (Classroom, School Building or School District)

a. School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation or bullying;

b. School culture change;

c. School climate improvement;

d. Adoption of research-based, systemic bullying prevention programs;

e. School policy and procedures revisions;

f. Modifications of schedules;

g. Adjustments in hallway traffic;

h. Modifications in student routes or patterns traveling to and from school;

i. Supervision of students before and after school, including school transportation;

j. Targeted use of monitors (e.g., hallway, cafeteria, locker room, playground, school perimeter, bus);

- k. Teacher aides;
- l. Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
- m. General professional development programs for certificated and non-certificated staff;
- n. Professional development plans for involved staff;
- o. Disciplinary action for school staff who contributed to the problem;
- p. Supportive institutional interventions, including participation of the intervention and referral services team;
- q. Parent conferences;
- r. Family counseling;
- s. Involvement of parent-teacher organizations;

Classified students are subject to the same disciplinary procedures as nondisabled students and may be disciplined in accordance with their IEP. However, before disciplining a classified student, it must be determined that:

- A. The student's behavior is not primarily caused by his/her educational disability;
- B. The program that is being provided meets the student's needs.

### Staff

Consequences and appropriate remedial actions for any staff member who commits an act of harassment, intimidation or bullying may range from positive behavioral interventions up to disciplinary charges which could result in suspension or termination. The consequences and remedial measures may include, but are not limited to:

#### A. Consequences

- 1. Admonishment;
- 2. Temporary removal from the classroom;
- 3. Deprivation of privileges;
- 4. Referral to disciplinarian;
- 5. Withholding of Increment
- 6. Suspension;
- 7. Legal action; and
- 8. Termination

#### B. Remedial Measures

##### 1. Personal

- a. Restitution and restoration;

- b. Mediation, support and recommendations as identified by the building's union representative in consultation with an administrator;
- c. Support group;
- d. Recommendations of behavior or ethics council;
- e. Corrective action plan;
- f. Behavioral assessment or evaluation;
- g. Behavioral management plan, with benchmarks that are closely monitored;
- h. Involvement of school disciplinarian;
- i. Counseling;
- j. Conferences;
- k. Treatment; or
- l. Therapy.

## 2. Environmental (Classroom, School Building or School District)

- a. School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation or bullying;
- b. School culture change;
- c. School climate improvement;
- d. Adoption of research-based, systemic bullying prevention programs;
- e. School policy and procedures revisions;
- f. Modifications of schedules;
- g. Supervision;
- h. Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
- i. General professional development programs for certificated and non-certificated staff;
- j. Professional development plans for involved staff;
- k. Disciplinary action;
- l. Supportive institutional interventions, including participation of the intervention and referral services team;
- m. Conferences;
- n. Counseling.

The superintendent, principal and/or their designee shall be responsible for receiving complaints alleging violations of this policy.

The board shall allow reports to be anonymous, but no formal disciplinary action shall be based solely on an anonymous report. Any school employee, board member, contracted service provider, student, visitor or volunteer who has witnessed, or has reliable information that a student has been subject to harassment, intimidation or bullying, must report the incident to the building principal or his/her designee.

The following procedures shall apply to the reporting of incidents of harassment, intimidation and bullying committed by an adult or youth against a student:

- A. All acts of harassment, intimidation, or bullying shall be reported verbally to the school principal on the same day when the school employee or contracted service provider witnessed or received reliable information regarding any such incident;
- B. The principal shall inform the parents or guardians of all students involved in the alleged incident, and may discuss, as appropriate, the availability of counseling and other intervention services; and
- C. All acts of harassment, intimidation, or bullying shall be reported in writing to the school principal within two school days of when the school employee or contracted service provider witnessed or received reliable information that a student had been subject to harassment, intimidation, or bullying.

A board member, school employee, contracted service provider, student or volunteer who has witnessed, or has reliable information that a student has been subject to, harassment, intimidation or bullying shall report the incident to the building principal and any appropriate school official, or to any school administrator or safe schools resource officer, who shall immediately initiate the school district's procedures concerning school bullying.

A board member or a school employee who promptly reports an incident of harassment, intimidation or bullying, to the appropriate school official designated by the school district's policy, or to any school administrator or safe schools resource officer, and who makes this report in compliance with the procedures in this policy, shall be immune from a cause of action for damages arising from any failure to remedy the reported incident.

A school administrator who receives a report of harassment, intimidation, or bullying from a district employee, and fails to initiate or conduct an investigation, or who should have known of an incident of harassment, intimidation, or bullying and fails to take sufficient action to minimize or eliminate the harassment, intimidation, or bullying, may be subject to disciplinary action.

The school administrator shall take into account the circumstances of the incident when providing notification to parents and guardians of all students involved in the reported harassment, intimidation, or bullying incident. The circumstances of the incident shall be considered conveying the nature of the incident, including the actual or perceived protected category motivating the alleged offense.

#### District Anti-Bullying Coordinator

The superintendent shall appoint a district anti-bullying coordinator. The superintendent shall make every effort to appoint an employee of the school district to this position. The district anti-bullying coordinator shall:

- A. Be responsible for coordinating and strengthening the school district's policies to prevent, identify, and address harassment, intimidation, and bullying of students;
- B. Collaborate with school anti-bullying specialists in the district, the board of education, and the

superintendent to prevent, identify, and respond to harassment, intimidation, and bullying of students in the district;

C. Provide data, in collaboration with the superintendent, to the Department of Education regarding harassment, intimidation, and bullying of students; and

D. Execute such other duties related to school harassment, intimidation, and bullying as requested by the superintendent.

E. The district anti-bullying coordinator shall meet at least twice a school year with the school anti-bullying specialists in the district to discuss and strengthen procedures and policies to prevent, identify, and address harassment, intimidation, and bullying in the district.

#### School Anti-Bullying Specialist

For grades K through 8; the building principal in consultation with the school guidance counselor will serve as the School Anti-Bullying Specialists. In grades 9-12, the Assistant Principal will work in consultation with the guidance counselor of the students involved to serve as the School Anti-Bullying Specialists. The school anti-bullying specialist shall:

A. Chair the school safety/school climate team;

B. Lead the investigation of incidents of harassment, intimidation, and bullying in the school; and

C. Act as the primary school official responsible for preventing, identifying, and addressing incidents of harassment, intimidation, and bullying in the school.

#### School Safety/School Climate Team

The board shall form a school safety/school climate team in each school to develop, foster, and maintain a positive school climate by focusing on the on-going, systemic process and practices in the school and to address school climate issues such as harassment, intimidation, or bullying. The school safety team shall meet at least two times per school year.

The school safety/school climate team shall consist of the principal or his or her designee; a teacher in the school; the school anti-bullying specialist; a parent of a student in the school; and other members determined by the principal. The school anti-bullying specialist shall serve as the chair of the school safety team.

The school safety team shall:

A. Receive any complaints of harassment, intimidation, or bullying of students that have been reported to the principal;

B. Receive copies of any report prepared after an investigation of an incident of harassment, intimidation, or bullying;

C. Identify and address patterns of harassment, intimidation, or bullying of students in the school;

D. Review and strengthen school climate and the policies of the school in order to prevent and address harassment, intimidation, or bullying of students;

E. Educate the community, including students, teachers, administrative staff, and parents, to prevent and address harassment, intimidation, or bullying of students;

F. Participate in the training required pursuant to the provisions of (N.J.S.A.18A:37-13 *et seq.*) and other training which the principal or the district anti-bullying coordinator may request;

G. Collaborate with the district anti-bullying coordinator in the collection of district-wide data and in the development of district policies to prevent and address harassment, intimidation, or bullying of students; and

H. Execute such other duties related to harassment, intimidation, and bullying as requested by the principal or district anti-bullying coordinator.

A parent shall be on the school safety/school climate team only in regard to general school climate issues and shall not participate in activities that may compromise a student's confidentiality. Other members of the school safety/school climate team who are not authorized to access student records (see board policy 5125 Student Records) shall be on the team only in regard to general school climate issues and shall not participate in activities that may compromise a student's confidentiality.

#### Investigating Reported Harassment, Intimidation and Bullying

To protect the victim, the superintendent shall take into account the circumstances of the incident when communicating with parents/guardians and when following the investigation procedures.

All reported incidents of harassment, intimidation and bullying shall be investigated promptly and in accordance with law and the following procedures:

A. All investigations shall be thorough and complete, and documented in writing, and shall include, but not be limited to:

1. Taking of statements from victims, witnesses and accused;
2. Careful examination of the facts;
3. Support for the victim;
4. Determination if alleged act constitutes a violation of this policy; and
5. Determination of the alleged act requires the involvement of the police or County Prosecutor's Office.

B. The investigation shall be initiated by the principal or the principal's designee within one school day of the report of the incident and shall be conducted by a school anti-bullying specialist. The principal may appoint additional personnel who are not school anti-bullying specialists to assist in the investigation.

C. The investigation shall be completed as soon as possible, but not later than 10 school days from the date of the written report of the incident of harassment, intimidation, or bullying. In the event that there is information relative to the investigation that is anticipated but not yet received by the end of the 10-day period, the school anti-bullying specialist may amend the original report of the results of the investigation to reflect the information.

D. The results of the investigation shall be reported to the superintendent within two school days of the completion of the investigation, and in accordance with law and board policy. The superintendent may initiate intervention services, establish training programs to reduce harassment, intimidation, or bullying and enhance school climate, impose discipline, order counseling as a result of the findings of the investigation, or take or recommend other appropriate action.

E. The results of each investigation shall be reported to the board of education no later than the date of the next board meeting following the completion of the investigation, and include:

1. Any services provided;

2. Training established;
3. Discipline imposed; or
4. Other action taken or recommended by the superintendent.

F. The superintendent or his or her designee shall ensure that parents or guardians of the students who are parties to the investigation shall receive information about the investigation. This information shall be provided in writing within 5 school days after the results of the investigation are reported to the board and include:

1. The nature of the investigation;
2. Whether the district found evidence of harassment, intimidation, or bullying; or
3. Whether discipline was imposed or services provided to address the incident of harassment, intimidation, or bullying.

G. Investigations of complaints concerning adult conduct shall not be investigated by a member of the same bargaining unit as the individual who is the subject of the investigation.

#### Range of Ways to Respond to Harassment, Intimidation or Bullying

The board of education recognizes that some acts of harassment, intimidation or bullying may be isolated incidents requiring that the school officials respond appropriately to the individuals committing the acts and provide support programs for victims. Other acts may be so serious or parts of a larger pattern of harassment, intimidation or bullying that they require a response either at the classroom, school building or school district levels or by law enforcement officials.

In considering whether a response beyond the individual is appropriate, the principal, in conjunction with the school anti-bullying specialist shall consider the nature and circumstances of the act, the degree of harm, the nature and severity of the behavior, past incidences or past or continuing patterns of behavior, and the context in which the alleged incident(s) occurred. Institutional (i.e., classroom; school building; school district) responses include:

- A. School and community surveys;
- B. Mailings;
- C. Focus groups;
- D. Adoption of research-based bullying prevention program models;
- E. Training for certificated and non-certificated staff;
- F. Participation of parents and other community members and organizations;
- G. Small or large group presentations for staff, students, and the community for fully addressing a positive school climate and culture as well as the issues surrounding harassment, intimidation and bullying in the school community; and
- H. The involvement of law enforcement officers, including school resource officers.

For every incident of harassment, intimidation or bullying, the district shall respond to the individual who committed the act. Responses may include:

- A. Individual responses can include positive behavioral interventions (e.g., peer mentoring, short-term counseling, life skills groups) and punitive actions (e.g., detention, in-school or out-of-

school suspension, expulsion);

B. Classroom responses can include class discussions about an incident of harassment, intimidation or bullying, role plays, research projects, observing and discussing audio-visual materials on these subjects and skill-building lessons in courtesy, tolerance, assertiveness and conflict management;

C. School responses can include theme days, learning station programs, parent programs and information disseminated to students and parents, such as fact sheets or newsletters explaining acceptable uses of electronic and wireless communication devices;

D. District-wide responses can include community involvement in policy review and development, professional development programs, adoption of curricula and school-wide programs and coordination with community-based organizations (e.g., mental health; health services; health facilities; law enforcement; faith-based).

The range of ways in which the school shall respond once an incident of harassment, intimidation or bullying is identified shall be defined by the principal in conjunction with the school anti-bullying specialist, and shall include an appropriate combination of counseling, support services, intervention services, and other programs as defined by the commissioner.

#### Retaliation and Reprisal Prohibited

The board prohibits reprisal or retaliation or false accusation against any person who witnesses and/or reports an act of harassment, intimidation or bullying by any student, school employee, board member, contracted service provider, visitor or volunteer. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation or false accusation shall be determined by the superintendent and/or principal or their designee after consideration of the nature, severity and circumstances of the act, in accordance with case law and board policies and procedures.

Any act of retaliation or reprisal or false accusation against any person who reports an act of harassment, intimidation or bullying shall not be tolerated. Any student, school employee, board member, contracted service provider, volunteer or visitor who engages in the act of retaliation or reprisal or who falsely accuses another shall be subjected to consequence and appropriate remedial action. In cases where any state or federal law has allegedly been violated, the local law enforcement agency shall be notified.

#### A. Students

The consequences and appropriate remedial action for a student found to have engaged in retaliation, reprisal and/or falsely accused another as a means of harassment, intimidation or bullying shall be varied and graded according to the nature of the behavior, the developmental age of the student and the student's history of problem behaviors and performance, and shall be consistent with this policy. Consequences may include positive behavioral interventions, notification of the parents/guardians, up to and including short or long-term suspension or expulsion, as permitted by law;

#### B. School Employees

Consequences and appropriate remedial action for a school employee found to have engaged in retaliation, reprisal and/or falsely accused another as a means of harassment, intimidation or bullying shall be determined in accordance with district policies, procedures and agreements, up to and including suspension or dismissal from service;

#### C. Board Members

Consequences and appropriate remedial action for a board member found to have committed



an act of harassment, intimidation, or bullying; or found to have engaged in retaliation, reprisal and/or falsely accused another as a means of harassment, intimidation or bullying shall be determined in accordance with district policies, procedures and agreements, up to and including a public sanction or filed ethics charges;

#### D. Visitors, Volunteers, Contracted Service Providers, and All Other Persons

Consequences and appropriate remedial action for a visitor, volunteer, contracted service providers and all other persons found to have engaged in harassment, intimidation or bullying; or engaged in retaliation, reprisal and/or falsely accused another as a means of harassment, intimidation or bullying shall be determined by the superintendent after consideration of the nature, severity and circumstances of the act, including reports to appropriate law enforcement officials.

Consequences and remediation for students, employees, board members, visitors, volunteers, and contracted service providers, engaging in harassment, intimidation or bullying or engaged in retaliation, reprisal and/or false accusations may include the following:

#### A. Consequences

1. Admonishment;
2. Temporary removal from the classroom or school;
3. Deprivation of privileges;
4. Prohibited from access to the school facilities (visitors, vendors, board members, all other people);
5. Classroom or administrative detention;
6. Referral to disciplinarian;
7. In-school suspension during the school week or the weekend;
8. After-school programs;
9. Out-of-school suspension (short-term or long-term);
10. Legal action;
11. Withholding of Increment;
12. Suspension;
13. Expulsion;
14. Termination;
15. Termination of service agreements or contracts (vendors, volunteers);
16. Public sanction (board members);
17. Ethics charges (some administrators, board members).

#### B. Remedial Measures

1. Personal

- a. Restitution and restoration;
- b. Mediation;
- c. Peer support group;
- d. Recommendations of a student behavior or ethics council;
- e. Corrective instruction or other relevant learning or service experience;
- f. Supportive student interventions, including participation of the intervention and referral services team;
- g. Behavioral assessment or evaluation, including, but not limited to, a referral to the child study team, as appropriate;
- h. Behavioral management plan, with benchmarks that are closely monitored;
- i. Assignment of leadership responsibilities (e.g., hallway or bus monitor);
- j. Involvement of school disciplinarian;
- k. Counseling;
- l. Conferences;
- m. Treatment; or
- n. Therapy.

## 2. Environmental (Classroom, School Building or School District)

- a. School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation or bullying;
- b. School culture change;
- c. School climate improvement;
- d. Adoption of research-based, systemic bullying prevention programs;
- e. School policy and procedures revisions;
- f. Modifications of schedules;
- g. Supervision;
- h. Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
- i. General professional development programs for certificated and non-certificated staff;
- j. Professional development plans for involved staff;
- k. Disciplinary action;
- l. Supportive institutional interventions, including participation of the intervention and referral services team;

m. Conferences;

n. Counseling.

### Appeal Process

The parent or guardian may request a hearing before the board concerning the written information about a harassment, intimidation, or bullying investigation. The request for a board hearing shall be filed with the board secretary no later than 60 calendar days after the written information is received by the parents or guardians. The hearing shall be held within 10 days of the request. The board shall meet in executive session for the hearing to protect the confidentiality of the students. At the hearing the board may hear from the school anti-bullying specialist about the incident, recommendations for discipline or services, and any programs instituted to reduce such incidents.

At the next board of education meeting following its receipt of the report, the board shall issue a decision, in writing, to affirm, reject, or modify the superintendent's decision. The board's decision may be appealed to the Commissioner of Education, in accordance with law, no later than the 90 days after the issuance of the board's decision.

A parent, student, guardian, or organization may file a complaint with the Division on Civil Rights within 180 days of the occurrence of any incident of harassment, intimidation, or bullying based on membership in a protected group as enumerated in the "Law Against Discrimination."

### Approved Private Schools For Students With Disabilities (PSSDs)

The board is committed to ensuring that all district students that require placement in approved private schools for students with disabilities (PSSD) have the safe and civil environment in their school placement necessary for students to learn and achieve high academic standards. All approved PSSDs receiving students with disabilities from this district shall be committed to treating their students with civility and respect, and shall refuse to tolerate harassment, intimidation or bullying.

When an approved PSSD receives a complaint or report of an act of harassment, intimidation, or bullying involving a district student placed in the approved PSSD that occurred on a district school bus, at a district school-sponsored function and off school grounds, the approved PSSD shall notify the anti-bullying coordinator of the report or complaint.

The superintendent shall assign a school anti-bullying specialist to investigate a complaint or report of harassment, intimidation, or bullying, occurring on district school buses, at district school-sponsored functions, and off school grounds involving a student who attends an approved PSSD. The investigation conducted by the district anti-bullying specialist shall be in consultation with the approved PSSD.

The full-time non-teaching principal of the approved PSSD shall report to the anti-bullying coordinator and the child study team director, any complaint or report of an act of harassment, intimidation, or bullying involving a district student placed in the approved PSSD that occurred at the PSSD or an activity sponsored by the PSSD. The report shall include the names of the district students who are parties to the harassment, intimidation, or bullying investigation and the results of each investigation. The principal of the approved PSSD shall make this report to the district anti-bullying coordinator and to the student's parents/guardians no later than five school days following the investigation's completion. The report to the district shall include information on any service(s) provided; training established; and, discipline imposed or other action taken or recommended by the full-time non-teaching principal of the PSSD.

Once an incident of harassment, intimidation, or bullying is identified, the full-time non-teaching principal of the approved PSSD shall determine the appropriate response to address the individual circumstances in consultation and conjunction with appropriate district staff, as necessary. The

approved PSSD shall not, pursuant to N.J.A.C. 6A:14-7.6(f), unilaterally implement disciplinary action involving removal to an interim alternative educational setting, suspension of more than 10 consecutive or cumulative school days in a school year or termination of placement. Disciplinary action involving suspension and expulsion from the approved PSSD shall be implemented in conjunction with the district and according to law (N.J.A.C. 6A:14-2.8) and board policies 5114 Suspension and Expulsion and 6171.4 Special Education.

Parents or guardians of students who are parties to a harassment, intimidation, or bullying investigations conducted by this district or an approved PSSD in which their child is placed may request a hearing before the board of education concerning the information received about an investigation. Any request for a hearing before the board of education shall be filed within 60 calendar days after the written information about the harassment, intimidation, or bullying investigation is received by the district and the parents or guardians. The hearing before the board shall be scheduled in collaboration with the approved PSSD and held by the board within 10 business days of the request. The approved PSSD and the board shall coordinate the policies and procedures for conducting such hearings.

### Week of Respect

The week beginning with the first Monday in October of each year is designated as a "Week of Respect" in the State of New Jersey. The district, in order to recognize the importance of character education, shall observe the week by providing age-appropriate instruction focusing on preventing harassment, intimidation, or bullying as defined by law (N.J.S.A. 18A:37-14). Throughout the school year the district shall provide ongoing age-appropriate instruction focusing on preventing harassment, intimidation, and bullying in accordance with the Core Curriculum Content Standards.

### Training

#### A. School Leaders

Any school leader who holds a position that requires the possession of a superintendent, principal, or supervisor endorsement shall complete training on issues of school ethics, school law, and school governance as part of the professional development for school leaders required in accordance with State Board of Education regulations. This training shall also include information on the prevention of harassment, intimidation, and bullying (N.J.S.A. 18A:26-8.2).

#### B. Teaching Staff Development

Each public school teaching staff member shall complete at least two hours of instruction in suicide prevention, to be provided by a licensed health care professional with training and experience in mental health issues, in each professional development period. The instruction in suicide prevention shall include information on the relationship between the risk of suicide and incidents of harassment, intimidation, and bullying and information on reducing the risk of suicide in students who are members of communities identified as having members at high risk of suicide (N.J.S.A. 18A:6-112).

#### C. Board Members

Within one year after being newly elected or appointed or being re-elected or re-appointed to the board of education, a board member shall complete a training program on harassment, intimidation, and bullying in schools, including a school district's responsibilities as required by law (N.J.S.A. 18A:37-13 *et seq.*). A board member shall be required to complete the program only once (N.J.S.A. 18A:12-33).

#### D. Staff, Student and Volunteer Training

The school district shall:

1. Provide training on the school district's harassment, intimidation, or bullying policy to school employees and volunteers who have significant contact with students;
2. Provide ongoing staff training, in cooperation with the Department of Education, in fulfilling the reporting requirements;
3. Ensure that the training includes instruction on preventing bullying on the basis of the protected categories as required by law (N.J.S.A.18A:37-14) and other distinguishing characteristics that may incite incidents of discrimination, harassment, intimidation, or bullying; and
4. Develop a process for discussing the district's harassment, intimidation or bullying policy with students.

The board shall annually examine the training needs of school employees and volunteers who have significant contact with students for the effective implementation of the harassment, intimidation, or bullying policies, procedures, programs, and initiatives of the district board of education and implement training programs for school employees and volunteers who have significant contact with students. The annual examination of training needs shall take into consideration the findings of the annual review and update of the code of student conduct.

Information regarding the school district policy against harassment, intimidation or bullying shall be incorporated into a school's employee training program and shall be provided to full-time and part-time staff, volunteers who have significant contact with students, and those persons contracted by the district to provide services to students.

Throughout the school year, the district shall provide ongoing age-appropriate instruction on preventing harassment, intimidation and bullying, consistent with New Jersey Student Learning Standards.

#### Reporting to the Board

Two times each year between September 1 and January 1 and between January 1 and June 30, the school board shall hold a public hearing at which the superintendent will report to the board of education all acts of violence, vandalism, and harassment, intimidation, or bullying (HIB) which occurred during the previous reporting period. The report shall include the number of HIB reports in the schools, the status of all investigations, the nature of the HIB, and other data required by law.

- A. The number of reports of harassment, intimidation, or bullying;
- B. The status of all investigations;
- C. The nature of the bullying based on one of the protected categories identified in N.J.S.A. 18A:37-14 such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic;
- D. The names of the investigators;
- E. The type and nature of any discipline imposed on any student engaged in harassment, intimidation, or bullying; and
- F. Any other measures imposed, training conducted, or programs implemented, to reduce harassment, intimidation, or bullying.

#### Reporting to the Department of Education

The information, including but not limited to, oral reports, written reports or electronic reports shall also be reported once during each reporting period between September 1 and January 1 and between January 1 and June 30, to the Department of Education. The report shall include:

A. Data broken down by the enumerated categories including the protected categories as listed above and the type of harassment, intimidation and bullying (any gesture; any written, verbal or physical act; or any electronic communication, whether it be a single or series of incidents); and

B. Data broken down by each school in the district, in addition to district-wide data.

The report shall be used to grade each school for the purpose of assessing its effort to implement policies and programs consistent with law (N.J.S.A. 18A:37-13 *et seq.*). The district shall receive a grade determined by averaging the grades of all the schools in the district.

Each school shall post the grade received by the school and the overall district grade on the homepage of the school's website. The district shall post all the grades for each school of the district and the overall district grade on the homepage of the district's website. A link to the report shall be available on the district's website. The information shall be posted on the websites within 10 days of the receipt of a grade by the school and district.

It shall be a violation to improperly release any confidential information not authorized by federal or State law for public release.

The superintendent will annually submit the report to the Department of Education utilizing the Electronic Violence and Vandalism Reporting system (EVVRS). The superintendent shall accurately report on each incident of violence, vandalism, alcohol and other drug abuse, and incident of harassment intimidation and bullying 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).

The State Board of Education shall impose penalties on any school employee who knowingly falsifies the report. Therefore, the superintendent shall make a reasonable effort to verify reports of violence, vandalism, and harassment, intimidation, or bullying. The board shall provide ongoing staff training, in cooperation with the Department of Education, in fulfilling the reporting requirements. The majority representative of the school employees shall have access monthly to the number and disposition of all reported acts of school violence, vandalism, and harassment, intimidation, or bullying.

#### Program Assessment and Review

Each school and the school district shall annually establish, implement, document, and assess bullying prevention programs or approaches, and other initiatives involving school staff, students, administrators, volunteers, parents, law enforcement and community members. The programs or approaches shall be designed to create school-wide conditions to prevent and address harassment, intimidation, and bullying.

#### Policy Development and Review

The district harassment, intimidation and bullying policy shall be adopted through a process that includes representation of parents or guardians, school employees, volunteers, students, administrators, and community representatives.

The district shall annually conduct a re-evaluation, reassessment, and review of this policy, any report(s) and/or finding(s) of the school safety/school climate team(s). The board shall also make any necessary revisions and additions to this policy as required by law. The board shall include input from the school anti-bullying specialists in conducting its re-evaluation, reassessment, and review. The district shall transmit a copy of the revised policy to the appropriate executive county superintendent within 30 school days of the revision.

## Publication, Dissemination and Implementation

In publicizing this policy, the community including students, staff, board members, contracted service providers, visitors and volunteers, shall be duly notified that the rules detailed within apply to any incident of harassment intimidation and bullying that takes place on school grounds, at any school-sponsored function or on a school bus, or off school grounds that substantially disrupts or interferes with the orderly operation of the school or the rights of other students in accordance with law.

The superintendent shall take the following steps to publicize this policy:

- A. Provide a link to this policy on a prominent place on the district website;
- B. Provide a link to this policy on a prominent place on each school's website;
- C. Distribute this policy annually to all staff, students and parents/guardians; and
- D. Print this policy in any district publication that sets forth the comprehensive rules, procedures and standards of student conduct and in student handbooks;

The district shall notify students and parents/guardians that the policy is available on the district's website. The district shall publish the name, school phone number, school address and school email address of the district anti-bullying coordinator on the home page of the district website. Each school within the district shall publish the name, school phone number, school address and school email address of the district anti-bullying coordinator and their school anti-bullying specialist on the home page of the school's website. The information concerning the district anti-bullying coordinator and the school anti-bullying specialists shall also be maintained on the Department of Education's website.

Additionally, the district shall make available, in an easily accessible location of its website, the Department of Education's guidance document for the use by parent/guardians, students and district staff to assist in resolving complaints concerning student harassment, intimidation or bullying.

The superintendent shall ensure that the rules for this policy are applied consistently with the district's code of student conduct (N.J.A.C. 6A:16-7) and all applicable laws and regulations. All disciplinary sanctions shall be carried out with necessary due process.

This and all related policies shall be reviewed on a regular basis.

## Key Words

Harassment, Intimidation, Bullying, False Accusation, Retaliation, Reprisal, Conduct, Discipline, Student Conduct

## Legal References:

N.J.S.A. 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure

N.J.S.A. 10:5-1 *et seq.* Law Against Discrimination

N.J.S.A. 18A:6-112 Instruction on suicide prevention for public school teaching staff

N.J.S.A. 18A:11-1 General mandatory powers and duties

N.J.S.A. 18A:12-33 Training program; requirements

N.J.S.A. 18A:17-46 Reporting of certain acts by school employee; annual report; public hearing (acts of violence)

N.J.S.A. 18A:25-2 Authority over students

N.J.S.A. 18A:26-8.2 School leader defined; training as part of professional development

N.J.S.A. 18A:36-19 Student records; creation, maintenance and retention, security and access; regulations; nonliability

N.J.S.A. 18A:36-19a Student records (Newly enrolled students; transfers of records, identification)

N.J.S.A. 18A:37-1 *et seq.* Submission of Students to Authority (Discipline)

N.J.S.A. 18A:37-13 *et seq.* Anti-Bullying Bill of Rights Act

See particularly:

N.J.S.A. 18A:37-14, -15, -17 Harassment, intimidation, and bullying

N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

N.J.A.C. 6A:14-2.8 Discipline/suspension/expulsions (students with disabilities)

N.J.A.C. 6A:16-1.1 *et seq.* Programs to support student development (includes student conduct code)

See particularly:

N.J.A.C. 6A:16-7.1, -7.5, -7.6, -7.7

N.J.A.C. 6A:30-1.4 *et seq.* Evaluation process for the annual review

*Gebser v. Lago Vista Independent School District* 524 U.S. 274 (1989) United States Supreme Court addresses the standard by which a district will be held liable for sexual harassment of a student by a school employee under Title IX --requires actual notice and deliberate indifference.

*Davis v. Monroe County Board of Education* 526 U.S. 629 (1999) United States Supreme Court establishes the standard under which a school district may be liable under Title IX for sexual harassment of one student by another student. The district will be liable for damages only where the school officials are proven to have been deliberately indifferent to harassment of which it is actually aware. The harassment must be "severe, pervasive and objectively offensive."

*Saxe v. State College Area School District* 240 F.3d 200 (3<sup>rd</sup> Cir 2001) A Pennsylvania school district's anti-harassment policy was overly broad and therefore violated the Constitutional guarantee of freedom of speech.

*L. W. v. Toms River Regional Schools Board of Education* 189 N.J. 381 (2007) The New Jersey Supreme Court held that the standard under which a school district may be liable under the New Jersey Law Against Discrimination for student-on-student bullying or harassment is not the Title IX deliberate indifference standard, but is rather the same standard used under the NJLAD for hostile work environment cases. A district will be judged by whether the district's response met the "reasonable person" test: what would a reasonable person (teacher, supervisor, vice principal, principal, etc.) do in a similar situation. School districts will be shielded from liability under NJLAD when their preventive and remedial actions are reasonable in light of the totality of the circumstances.

**Possible Cross References:**



\*1220 Ad hoc advisory committees

\*1410 Local units

3517 Security

\*3541.33 Transportation safety

\*4131/4131.1 Staff development; inservice education/visitation conferences

4148/4248 Employee protection

\*4231/4231.1 Staff development; inservice education/visitation conferences

5000 Concepts and roles for students

5010 Goals and objectives for students

\*5020 Role of parents/guardians

\*5113 Attendance, absences and excuses

\*5114 Suspension and expulsion

\*5124 Reporting to parents/guardians

\*5131 Conduct and discipline

\*5131.5 Vandalism/violence

\*5131.6 Drugs, alcohol, tobacco (substance abuse)

\*5131.7 Weapons and dangerous instruments

5132 Dress and grooming

\*5142 Student safety

5145 Rights

5145.2 Freedom of speech/expression

\*5145.4 Equal educational opportunity

\*5145.6 Student grievance procedure

\*5145.1 Questioning and apprehension

\*5145.1 Search and seizure

\*6145 Extracurricular activities

\*6164.4 Child study team

\*6171.4 Special education

\*6172 Alternative educational programs

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

Revised and Adopted: August 8, 2011

NJSBA Review/Update: October 15, 2018

**Mountain Lakes School District**

## **5131.2 EXPECTATIONS FOR PUPIL CONDUCT**

The Board of Education believes that pupils should commit themselves to learning and to the development of their unique potential. Pupils should know that their attitudes and acts affect both their own and their classmates' learning and should accept responsibility for helping to create a positive school environment. With the support and assistance of school staff members and parents or legal guardians, all pupils can contribute to the effectiveness of the schools and the value of their education.

The Board expects all pupils in this school district, commensurate with their age and ability, to:

1. Prepare themselves mentally and physically for the process of learning;
2. Respect the person, property, and intellectual and creative products of others;
3. Take responsibility for their own behavior;
4. Use time and other resources responsibly;
5. Share responsibilities when working with others;
6. Meet the requirements of each course of study;
7. Monitor their own progress toward school objectives;
8. Adhere by the applicable school Honor Code; and
9. Communicate with parents or legal guardians and appropriate school staff members.

### Legal References:

Previously Policy No. 5500

Previously Policy No. 5131

Re-adopted as Policy No. 5131.2: June 5, 2006

LR07/10

**Mountain Lakes School District**

## **5131.3 USE OF CORPORAL PUNISHMENT**

The Board of Education cannot condone an employee's resort to force or fear in the treatment of pupils, even those pupils whose conduct appears to be in open defiance of authority. Each pupil is protected by law from bodily harm and from offensive bodily touching.

Teaching staff members shall not use physical force or the threat of physical force to maintain discipline or compel obedience except as permitted by law, but may remove pupils from the classroom or school by the lawful procedures established for the suspension and expulsion of pupils.

A teaching staff member who:

1. Uses force or fear to discipline a pupil except as such force or fear may be necessary to quell a disturbance threatening physical injury to others, to obtain possession of weapons or other dangerous objects upon the person or within the control of a pupil, to act in self-defense, or to protect persons or property;
2. Touches a pupil in an offensive way even though no physical harm is intended;
3. Permits pupils to harm one another by fighting; or
4. Punishes pupils by means that are cruel or unusual; will be subject to discipline by this Board and may be dismissed. All incidents will be reported by the district to the appropriate enforcement agencies, as required by law, regulation or memorandum of understanding with such agencies.

### Legal References

Previously Policy No. 3217

Adopted as Policy No. 5131 November 5, 2001

Re-adopted as Policy No.5131.3: June 5, 2006

LR07/10

**Mountain Lakes School District**

## **5131.4 PUPIL USE OF VEHICLES**

The Board of Education regards the operation by pupils of any vehicle for transportation to and from school as a matter subject to Board authority because pupil safety is of paramount concern to the Board.

The Board will permit the use of motor vehicles by properly licensed pupils. The Board will also permit the use of bicycles and scooters, in accordance with district rules.

The Board will not be responsible for any vehicle that is lost, stolen, or damaged.

Previously Policy No. 5514

Adopted as Policy No. 5131.3 January 3, 2006

Re-Adopted as Policy No. 5131.4: June 5, 2006

**Mountain Lakes School District**

## 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 Superintendent. 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 Superintendent 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 Superintendent. Staff will report accurately and not falsify information.

The Board shall provide ongoing staff training, in cooperation with the Department of Education, in fulfilling the reporting requirements pursuant to N.J.S.A. 18A:17-46.

Two times each school year between September 1 and January 1 and between January 1 and June 30, the school Board shall hold a public hearing at which the Superintendent reports to the Board of Education all acts of violence, vandalism, and harassment, intimidation, or bullying (HIB) which occurred during the previous reporting period. The report shall include the number of HIB reports in the

schools, the status of all investigations, the nature of the HIB, and other data required by law.

### 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 Superintendent 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 Superintendent 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 Superintendent 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

Revised and Adopted: August 8, 2011

**Mountain Lakes School District**



## 5131.6 DRUGS, ALCOHOL, STEROIDS, TOBACCO

It is the responsibility of the board of education to safeguard the health, character, citizenship, and personality development of the students in its schools. The board of education recognizes that the misuse of drugs, alcohol, steroids, and tobacco threatens the positive development of students and the welfare of the entire school community. We, therefore, must maintain that the use of drugs, alcohol, steroids, and tobacco and the unlawful possession of these substances is wrong and harmful. The board of education is committed to utilizing wellness strategies that encourage the prevention, intervention, and cessation of drug, alcohol, steroid, and tobacco abuse. The Board of Education is committed to the prevention of drug, alcohol, tobacco, and steroid use and the rehabilitation of identified users.

The board of education recognizes that tobacco is a gateway drug and highly addictive and that the use of tobacco products is a health, safety, and environmental hazard for students, employees, visitors, and school facilities. The board believes that the use of tobacco products on school grounds, in school buildings and facilities, on school property or at school-related or school-sponsored events is detrimental to the health and safety of students, faculty/staff and visitors. The board acknowledges that adult employees and visitors serve as role models for students. The board recognizes that it has an obligation to promote positive role models in schools and to promote a healthy learning and working environment, free from unwanted smoke and tobacco use for the students, employees, and visitors on the school campus. Finally, the board recognizes that it has a legal authority and obligation pursuant to P.L. 2005, Chapter 383 New Jersey Smoke-Free Air Act as well as the federal Pro-Children's Act, Title X of Public Law 103-227 and the No Child Left Behind Act, Part C, Environmental Smoke, Section 4303.

### Drugs, Alcohol, Steroids

#### A. Students

For the purpose of this policy, "drug" includes any vaping device, any vaping materials of any kind, and all controlled dangerous substances set forth in N.J.S.A. 24:21-1 *et seq.* and all chemicals that release toxic vapors set forth in N.J.S.A. 2C:35-10.4 *et seq.*

1. The board of education prohibits the use, possession and/or distribution of any drug, alcohol, or steroids on school premises, and at any event away from the school provided by the board. Compliance with a drug-free standard of conduct at all school functions is mandatory for all students. Pupils suspected of being under the influence of drugs, alcohol, or steroids will be identified, evaluated, and reported in accordance with the law. Assessment will be provided by individuals who are certified by the New Jersey State Board of Examiners as student assistance coordinators or by individuals who are appropriately certified by the New Jersey Board of Examiners and trained in alcohol and other drug abuse prevention. A pupil who uses, possesses, or distributes drugs, alcohol, or steroids on school premises or while attending a school-sponsored activity will be subject to discipline that may include suspension or expulsion, and may be reported to appropriate law enforcement personnel. Pupils suspected of involvement with alcohol, drugs or steroids away from school premises will be advised of appropriate treatment and remediation (N.J.S.A. 18A:40A-10). Treatment services for students who are affected by alcohol or other drug use will be provided by individuals who are certified as student assistance coordinators or who are otherwise appropriately trained in drug and alcohol prevention, intervention, and follow-up. Treatment will not be at the board's expense.
2. The board directs the establishment of a program designed to provide short-term counseling and support services for pupils who are in care or returning from care for alcohol and other drug dependencies. Pursuant to N.J.S.A. 18A:40A-16 the district shall establish a parent/guardian substance abuse program offered at times and places convenient to the parents/guardians of the district on school premises or other facilities.

## B. Law Enforcement for Drugs and Alcohol

### 1. Enforcement of Drug-Free School Zones

The board of education recognizes its responsibility to ensure continuing cooperation between school staff and law enforcement authorities in all matters relating to the use, possession, and distribution of controlled dangerous substances and drug paraphernalia on school property. The board further recognizes its responsibility to cooperate with law enforcement authorities in planning and conducting law enforcement activities and operations on school property. The board shall, therefore, establish a formal Memorandum of Agreement with the appropriate law enforcement authorities and set forth the following policies and procedures after consultation with the county prosecutor and approval by the executive county superintendent of schools. The Memorandum of Agreement shall be consistent with the *Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials*.

### 2. Law Enforcement Liaison

In order to ensure that such cooperation continues, the board directs the chief school administrator to designate a school district liaison(s) to law enforcement agencies and to prescribe the roles and responsibilities of the school liaison(s). Such assignment shall be in accordance with the district's collective bargaining agreement, if applicable.

As an implementation of this policy, the Superintendent shall develop and present procedural regulations to the Board for its approval. Such regulations will cover the following areas to the extent they are not provided for in an approved memorandum of understanding:

1. The roles and responsibilities of the liaison officer;
2. Staff cooperation with arrests made by law enforcement officers;
3. Searches on school premises;
4. Interviews of pupils suspected of possessing, using, or distributing a controlled dangerous substance;
5. The planning and conduct of undercover operations;
6. The handling of drugs and drug paraphernalia;
7. Notification of law enforcement authorities of suspected violations of the drug abuse laws;
8. Requesting uniformed police at extra-curricular events;
9. Notification of parents or legal guardians;
10. The resolution of disputes; and
11. Confidentiality.

### 3. Undercover Operations

The board hereby recognizes that the chief school administrator may request that law enforcement authorities conduct an undercover operation in the school if he/she has reason to believe that drug use and/or drug trafficking is occurring in the school and that a

less intrusive means of law enforcement intervention would be ineffective. The board hereby authorizes the chief school administrator to request such intervention under these circumstances. The board recognizes that the chief school administrator is not permitted to ask the board's approval for his/her action and is not permitted to discuss any aspect of the undercover operation until authorized to do so by law enforcement authorities.

The board recognizes that law enforcement authorities may contact the chief school administrator to request that an undercover operation be established in a district school. The board recognizes that the chief school administrator is prohibited from discussing the request with the board. The board hereby authorizes the chief school administrator to act upon any such request in the manner that he/she determines is in conformity with the law and the Attorney General's Executive Directive 1988-1 and that is in the best interests of the students and the school district.

The board directs the chief school administrator and school principal to cooperate with law enforcement authorities in the planning and conduct of undercover school operations. The chief school administrator, principal, or any other school staff or district board member who may have been informed about the undercover operation is required to immediately communicate information to the county prosecutor or designee if the integrity of the undercover school operation has been compromised in any way.

At the completion of an undercover operation in a school, and with the consent of the appropriate law enforcement authority, the chief school administrator shall report to the board regarding the nature of the operation, the result of the operation, and any serious problems encountered during the operation.

No law enforcement operation, program, or activity shall be permitted to unduly interfere with educational goals and prerogatives, which should always take precedence over traditional law enforcement objectives.

#### 4. Summoning Law Enforcement Authorities onto School Property for the Purpose of Conducting Investigations, Searches, Seizures, and Arrests

Any school employee who has reason to believe a student(s) or a staff member(s) is using or distributing controlled dangerous substances, including anabolic steroids, or drug paraphernalia on school premises shall bring that information to the school principal who, in turn, shall report same to the chief school administrator. The chief school administrator shall immediately report that information to the appropriate law enforcement agency. If, after consultation with the law enforcement official, it is determined that further investigation is necessary, the chief school administrator will cooperate with the law enforcement authorities in accordance with the law and administrative code. He/she will provide the officials with a room in an area away from the general student population in which to conduct their law enforcement duties. If law enforcement officials do not choose to investigate the incident, the chief school administrator may continue the investigation to determine if any school rules have been broken and whether any school discipline is appropriate.

If an arrest is necessary, and no exigent circumstances exist, the chief school administrator and staff will cooperate with the law enforcement officials and provide them access to the office of a school administrator or some other area away from the general student population. Every effort shall be made to enable law enforcement personnel to carry out the arrest in a manner that is least disruptive to the educational environment. The chief school administrator or the principal shall immediately notify the student's parent/guardian whenever a pupil is arrested for violating any laws prohibiting the possession, use, sale, or distribution of any controlled substance or drug paraphernalia.

Whenever the police have been summoned to a school building by the chief school administrator, the chief school administrator shall report the reason the police were summoned and any pertinent information to the board at its next regular meeting. If confidentiality is required, the report shall be made in executive session.

#### 5. Student Searches and Securing Physical Evidence

The principal or his/her designee may conduct a search of a student's person or belongings if the search is necessary to maintain discipline and order in the school, and the school official has a reasonable suspicion that the student is concealing contraband. All searches and seizures conducted by designated school staff shall comply with the standards prescribed by the United States Supreme Court in *State in re T.L.O.* 94 N.J. 331 (1983), reversed on other grounds, *New Jersey v. T.L.O.* 569 U.S. 325 (1985) and the New Jersey School Search Policy Manual.

If, as a result of the search, a controlled dangerous substance or drug paraphernalia is found, or if a controlled dangerous substance or drug paraphernalia is by any means found on school property, the individual discovering the item or substance shall immediately notify the building principal; the principal shall immediately notify the chief school administrator who shall immediately, in turn, notify the appropriate law enforcement agency. The principal shall ensure that the controlled or dangerous substance and/or drug paraphernalia is labeled and secured in a locked cabinet or desk until law enforcement officials pick it up. The principal shall then contact the student's parents/guardians to inform them of the occurrence.

Whenever law enforcement officials have been called into the school, and a search of a student's person or belongings is necessary, or an interrogation is to be conducted, the chief school administrator shall request that the law enforcement officials conduct the search, seizure, or interrogation.

#### 6. Police Presence at Extracurricular Activities

The chief school administrator is hereby authorized to contact the appropriate law enforcement agency and arrange for the presence of an officer(s) in the event of an emergency or when the chief school administrator believes that uniformed police presence is necessary to deter illegal drug use or trafficking or to maintain order or crowd or traffic control at a school function.

#### 7. Resolving Disputes Concerning Law Enforcement Activities

The board authorizes the chief school administrator to contact the chief executive officer of the law enforcement agency involved with any dispute or objection to any proposed or ongoing law enforcement operation or activity on school property. If for any reason the dispute or objection is not satisfactorily resolved with the chief executive officer of the agency, the chief school administrator shall work in conjunction with the county prosecutor and, where appropriate, the division of criminal justice to take appropriate steps to resolve the matter. Any dispute that cannot be resolved at the county level shall be reported to the board and shall be resolved by the attorney general whose decision will be binding.

#### 8. Confidentiality of Pupil Involvement in Intervention and Treatment Programs

Nothing in this policy shall be construed in any way to authorize or require the transmittal of any information or records that are in the possession of a substance-abuse counseling or treatment program including, but not limited to, the school district's own substance abuse programs. All information concerning a pupil's or staff member's involvement in a school intervention or treatment program shall be kept confidential. See 42 CFR 2 and N.J.A.C.

9. In cooperation with the Morris County Sheriff's Office, the Superintendent may authorize K-9 searches of school premises for any evidence of drugs or drug paraphernalia. Parents/Guardians will be provided with advance notification of any such searches.

## Tobacco

Tobacco use is now recognized as a chronic disease and public health hazard. Tobacco use is associated with conditions such as heart disease, emphysema, asthma, high blood pressure, diabetes, and many other chronic diseases. The most effective strategy for discouraging tobacco use by young people is a wellness strategy that supports prevention, intervention, and cessation.

### A. Tobacco Use and Possession

1. No student, faculty/staff member or school visitor is permitted to use any tobacco product or electronic smoking device:
  - a. In any building, facility, or vehicle owned, leased, rented or chartered by the district;
  - b. On any school grounds and property—including athletic fields and parking lots—owned, leased, rented, utilized (e.g., adjacent parking lots) or chartered by the board of education;
  - c. At any school-sponsored or school-related event on-campus or off-campus (e.g., field trips, proms, sporting events off campus, etc.).
2. In addition, school district employees, school volunteers, contractors or other persons performing services on behalf of the school district (e.g., bus drivers) also are prohibited from using tobacco products at any time while on duty in accordance with their contracts or in the presence of students, either on or off school grounds.
3. Further, no student is permitted to possess a tobacco product while in any school building, while on school grounds or property or at any school-sponsored or school-related event, or at any other time that students are under the authority of school personnel.

### B. Definition of Tobacco Products, Tobacco Use, and Electronic Smoking Device

For the purposes of this policy:

1. "Tobacco product" is defined to include but is not limited to cigarettes, cigars, blunts, bidis, pipes, chewing tobacco and all other forms of smokeless tobacco, rolling papers and any other items containing or reasonably resembling tobacco or tobacco products (excluding quit products);
2. "Tobacco use" includes smoking, chewing, dipping, or any other use of tobacco products;
3. "Electronic smoking device" means an electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, or pipe.

### C. Signage

Signs will be posted in a manner and location that adequately notify students, faculty/staff and visitors about the Comprehensive Tobacco-Free School Policy.

### D. Compliance for Students

In recognition that tobacco use is a public health issue and that tobacco is a gateway drug and highly addictive, the board of education recognizes that intervention rather than punishment is the most effective way to address violations of this policy. Students who violate the school district's tobacco-use policy will be referred to the student assistance coordinators (SAC), guidance counselor, a school nurse, or other health or counseling services for all offenses for health information, counseling, and referral. The administration will consult with appropriate health organizations in order to provide student violators with access to an Alternative-to-Suspension (ATS) program. The ATS program will provide up-to-date information on the many consequences of tobacco use, offer techniques that students can use to stop tobacco use at school, and provide referrals to local youth tobacco cessation programs.

Parents/guardians will be notified of all violations and actions taken by the school. Schools may also use community service as part of the consequences. Ordinarily, and consistent with a wellness strategy, suspension will only be used after a student has three or more prior violations or has refused to participate in other outlined measures.

#### E. Compliance for Faculty, Staff, and Visitors

As with students, intervention rather than punishment is the most effective way to address adult violations of this policy. Faculty or staff who violate the school district's tobacco-use policy will be referred to the Employee Assistance Program (EAP) or a tobacco cessation program. Employees who repeatedly violate the policy or do not comply with intervention or cessation referrals may be subject to consequences in accordance with district policy and their contract. Visitors using tobacco products will be informed about the policy and asked to refrain while on school property. Visitors who continue to violate the policy will then be asked to leave the premises. Law enforcement officers may be contacted to escort the person off the premises or cite the person for trespassing if the person refuses to leave the school property.

#### F. Opportunities for Cessation

The administration will consult with the county health department and other appropriate health organizations (e.g., American Lung Association, American Cancer Society, etc.) to provide students and employees with information and access to support systems, programs and services (e.g., NJDHSS Quitline 1 866 NJSTOPS (657-8677) and [njquitline.org](http://njquitline.org)) to encourage them to abstain from the use of tobacco products.

#### G. Prevention Education

The administration will consult with appropriate health organizations to identify and provide programs or opportunities for students to gain a greater understanding of the health hazards of tobacco use and the impact of tobacco use as it relates to providing a safe, orderly, clean and inviting school environment.

#### H. Procedures for Implementation

The administration will develop a plan for communicating the policy that may include information in student and employee handbooks, announcements at school-sponsored or school-related events, and appropriate signage in buildings and around campus. A process that identifies intervention and referrals for students, faculty/staff, and visitors who violate the policy will be created and communicated to all students, faculty/staff and parents.

### Ongoing Implementation of this Policy

#### A. Prevention Education for Students

The board will enforce the laws of New Jersey requiring a program of drug, alcohol, steroid, and tobacco education. The chief school administrator shall prepare and submit to the board for its

approval a comprehensive curriculum for such instruction in grades seven through 12 offering a minimum of 10 clock hours per school year of alcohol and other drug education in accordance with department of education chemical health guidelines, pursuant to N.J.S.A. 18A:40A-1 *et seq.* Drug, alcohol, steroid, and tobacco education shall be integrated with the health curriculum. Additionally, the district will offer a special class or course designed to meet the needs of pupils with alcohol or other drug use problems.

#### B. Faculty Education and Inservice Training

All district personnel shall be alert to signs of alcohol, drug, steroid, and tobacco use by pupils and shall respond to those signs in accordance with procedures established by the chief school administrator of schools. The board of education will provide inservice training to assist teaching staff members in identifying the pupil who uses drugs, alcohol, steroids, and/or tobacco and in helping pupils with drug-, alcohol-, steroid-, and tobacco-related problems in a program of rehabilitation. The Board directs the establishment of a program designed to provide short-term counseling and support services for pupils who are in care or returning from care for alcohol and other drug dependencies. The district shall establish an educational program for parents/Guardians on substance abuse, that will be offered at times and places convenient to the parents/guardians of the district on school premises or other facilities. The chief school administrator will ensure that all district employees receive annual inservice training to make them aware of their responsibilities in accordance with board policies and N.J.A.C. 6A:16-3.1.

#### C. Annual Review and Distribution of Policy

The board will review annually the effectiveness of these policies and the Memorandum of Agreement entered into with the appropriate law enforcement agency. As part of this review, the board will consult with the executive county superintendent, local community members, and the county prosecutor's office.

In accordance with N.J.S.A. 18A:40A-10, copies of the policy statement shall be distributed to pupils and their parents/guardians at the beginning of each school year. Board policy and procedures shall be disseminated annually to all school staff, students and parents through its website or other means (N.J.A.C. 6A:16-4.2).

#### D. Administrative Regulations

The chief school administrator may develop administrative regulations for:

1. A comprehensive program of drug, alcohol, steroid, and tobacco education;
2. The identification and remediation of pupils involved with drugs, alcohol, steroids, and tobacco;
3. The examination and treatment of pupils suspected of being under the influence of drugs, alcohol, steroids, or tobacco to determine the extent of the pupil's use or dependency;
4. The treatment of pupils who use, possess or distribute drugs, alcohol, steroids, and tobacco in violation of law or this policy through referral to an appropriate drug/alcohol/tobacco abuse program as recommended by the department of health; and
5. The readmission to school and treatment of pupils who have been convicted of drug, alcohol, steroid, or tobacco offenses.

#### E. Reporting and Liability

The Board of Education shall establish an annual process to review the effectiveness of its alcohol and other drug policies and procedures. The Board of Education shall solicit community input as well as consult with local agencies recommended by the state department of health in the review process. Alcohol and other drug policies and procedures for discipline, evaluation,

and treatment of pupils shall be made available annually to all school staff, pupils, and parent/guardians. This policy shall be in each building, and notification of its availability shall appear annually in the school handbook.

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 including harassment, intimidation and bullying, 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.

At an annual hearing the chief school administrator shall report to the board all acts of violence and vandalism and incidents of alcohol and other drug abuse that occurred during the previous school year.

Any staff member who reports a pupil to the principal or his/her designee in compliance with the provisions of this policy shall not be liable in civil damages as a result of making such a report as provided for under N.J.S.A. 18A:40A-1 *et seq.*

#### F. Confidentiality Requirements

All policies and procedures must comply with the confidentiality requirements established in federal regulation found at 42 CFR Part II.

#### G. Parental Compliance

Substance abuse in the district is considered a health risk. It is the expressed position of the district that when school rules have been violated, and when a student's health is at risk, we must notify the student's parents/guardians and attempt to involve the family in the rehabilitation plan subject to the confidentiality restrictions of 42 CFR Part II.

H. Refusal or failure by a parent/guardian to comply with the provisions of N.J.S.A. 18A:40A-12 shall be deemed a violation of the compulsory education (N.J.S.A. 18A:38-25 and 18A:38-31) and/or child neglect (N.J.S.A. 9:6-1 *et seq.*) laws.

#### Student Assistance Coordinator

The Board may employ a trained student assistance coordinator(s) whose functions shall include: providing assistance to pupils who demonstrate behaviors of concern; acting as a resource person to the school and community; providing pupils and staff with appropriate information regarding chemical use and non-use, including in-service programs; providing referral services for pupils; providing assistance to pupils returning to the community after completing therapy for chemical use problems, and providing the Board and Superintendent with timely status reports.

The high school principal shall establish a Student Assistance Core Team composed of the Student Assistance Coordinator, administrators, faculty, and the school nurse. The purpose of this Council shall be to assist students-at-risk through identification, intervention, referral, and provision for support services. Further, the Core Team shall be available to staff for information and consultation.

#### Optional Random Drug Testing of High School Students

School districts have the option to conduct random testing of high school students who possess a school parking permit or who participate in extracurricular activities, including sports, and school leadership positions, for alcohol or other drug use. Testing, if conducted, will comply with the requirements of N.J.A.C. 6A:16-4.4, "voluntary policy for random testing of student alcohol or other drug use." Before instituting testing, a public hearing will be held concerning the district's policy and



procedures. Collection and testing of specimens will be only by the individuals authorized by the regulations. The district's procedures will include a procedure whereby students or their parents may challenge a positive result from alcohol or other drug tests.

Legal References:

Use legal reference sheet.

Cross References:

List your appropriate policies. See legal reference sheet for possibilities.

Key Words

Drugs, Alcohol, Steroids, Tobacco, Substance Abuse, Smoking, Drinking, Drug Testing

Adopted: October 3, 2006

Revised: April 16, 2018

**Mountain Lakes School District**

## 5131.7 WEAPONS AND DANGEROUS INSTRUMENTS

The Board of Education prohibits the possession and/or use of firearms, other weapons, or instruments that can be used as weapons on school property, on a school bus, at any school function, or while en route to or from school or any school function.

For the purpose of this policy "**weapon**" includes but is not limited to those items enumerated in N.J.S.A. 2C:39-1r. The principal shall make the final determination that a particular object is a dangerous instrument in any case where there is a question of its possession or use posing a threat to students, staff or property.

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 on any school property, on a school bus, or at a school-based function shall be immediately removed from the school's regular education program pending a hearing before the board to remove the pupil from the regular education program for a period of not less than one calendar year.

The principal/designee shall be responsible for the removal of such a pupil and shall immediately report the removal to the superintendent. The Superintendent may modify a pupil's removal on a case-by-case basis. The principal shall also notify the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice.

A student found or observed on school property or at a school event in possession of a weapon or dangerous instrument other than a firearm shall be reported to the principal/designee immediately. The principal shall immediately inform the superintendent/designee and appropriate law enforcement officials with all known information concerning the matter, including the identity of the pupil involved.

Assault by a student with a weapon on a teacher, administrator, Board member or other employee of the Board is strictly prohibited and shall result in the student's immediate removal from the general education program for a period not exceeding one calendar year. Subject to a hearing before the Board, the student shall be placed in an alternative education program.

The Superintendent shall determine at the end of the year whether the student is prepared to return to the regular education program in accordance with procedures established by the Commissioner of Education.

Disciplinary action shall be taken against students who possess, handle, transmit or use firearms, other weapons, or dangerous instruments. Classified students shall be disciplined in accordance with their IEP and in compliance with law and administrative code. As in all disciplinary cases, due process will be provided (see policies 5114 Suspension and expulsion and 5131 Conduct/Discipline).

A violence and vandalism report shall be filed whenever a student is found to be in possession of a firearm, other weapon, or dangerous instrument.

### Implementation

The board directs the superintendent to develop regulations to implement this policy.

### Legal References

Adopted: June 5, 2006

## 5131.8 MOUNTAIN LAKES HIGH SCHOOL ATHLETIC TRAINING RULES

A member of a Mountain Lakes High School athletic team is expected to maintain the high ideals of personal integrity and team loyalty. To maximize the commitment to that goal, each athlete must adhere to the following rules:

1. The use and/or possession of drugs or alcohol by any team member is prohibited.
2. The use and/or possession of any tobacco product (including spit tobacco) by any team member is prohibited.
3. Any involvement with police or other authorities because of violations of local, state or federal law (with the exception of motor vehicle violations), by any team member is prohibited, if such violation is determined by the Principal or his/her designee, the Athletic Director and Head Coach to be of a sufficiently serious nature that punishment under this Policy is warranted (together with violations of rule 1 and 2, referred to herein as a "punishable violation"). In determining whether such violation is of a sufficiently serious nature that punishment under this Policy is warranted and/or the appropriate response to students who commit one or more acts under this paragraph, the following factors may need to be considered:
  - a) the levels of harm
  - b) the surrounding circumstances
  - c) the nature of the behaviors
  - d) past incidents or past or continuing patterns of behavior

The Principal or his/her designee, Athletic Director and Head Coach will be responsible for determining whether an alleged act constitutes a punishable violation of this Policy. The Principal or his/her designee shall conduct a prompt, thorough and complete investigation of the alleged incident. The Principal or his/her designee will maintain a record of each investigation regarding allegations of Training Rule Violations.

**Any athlete who commits a punishable violation will be removed from the team of which he/she was a member for the remainder of that season.** Also, if a punishable violation occurs, the athlete will be referred to the student assistance program and a drug/alcohol evaluation may be required.

In addition, an athlete's second punishable violation during that athlete's high school career will result, not only in the loss of eligibility for the remainder of that season, but also the following:

For 2nd and subsequent punishable violations involving tobacco, alcohol and/or drugs:

**A. For Alcohol and Drug Offenses: Mandated alcohol and drug assessment with an outside facility** approved by the Student Assistance Coordinator (SAC) **and**

**A1. Completion of any recommended program resulting from assessment by outside facility.** OR Concurrent active participation in such recommended program including compliance with all program policies and recommendations

**A2. Participation in the random drug-testing program, including the EtG 80-hour alcohol screen, for 90 days** while school is in session, unless such testing is specifically contrary to the recommendation of the outside facility or therapist.

**For Tobacco Offenses:** Mandatory three meetings with SAC and compliance with all

recommendations resulting from such meetings.

Except for those recommendations that result in concurrent active participation or on-going testing, the requirements under this paragraph A. must be completed before participating in another sport.

**B. Participation in Eligibility Meeting:** The Principal, Athletic Director, SAC and two members of the coaching staff will review the student athlete's compliance with the requirements under paragraph A. above and determine the student athlete's eligibility for participation in sports.

For 2nd and subsequent punishable violations **NOT** involving tobacco, alcohol and/or drugs:

**A. Participation in three mandated meetings** with the Student Assistance Coordinator. (SAC)

**B. Implementation of the recommendations of the SAC** based on the above mandated meetings.

**C. Completion of an individually prescribed restitution program** which may include 20-60 hours of community service **and/or adherence to a restriction of in school privileges** including free periods and open campus.

**D. Participation in Eligibility Meeting:** The Principal, Athletic Director, SAC and two members of the coaching staff will review the student athlete's compliance with A,B, and C above and determine the student athlete's eligibility for participation in sports.

These Athletic Training Rules shall apply to all athletes participating in a sport effective as of (a) the first day that practice for the sport is permitted by NJSIAA for all winter and spring sports and (b) the first announced official day of mandatory practice, but not earlier than August 15, for all fall sports, notwithstanding the fact that any athlete may not attend practice on such day with or without the permission of the coach of such sport.

I have read the above rules and will comply with them.

Athlete's Name  
(PRINT)\_\_\_\_\_

Athlete's  
Signature\_\_\_\_\_

Date\_\_\_\_\_ Sport\_\_\_\_\_ Grade\_\_\_\_\_

I have read and acknowledge receipt of the above rules.

Parent's Signature\_\_\_\_\_

Revised: June 2010

Adopted: August 12, 2010

**Mountain Lakes School District**

## **5132 DRESS AND GROOMING**

The Board of Education recognizes that each pupil's mode of dress and grooming is a manifestation of the pupil's personal style and individual preferences. The Board will impose its judgment on pupils and parents or legal guardians only when a pupil's dress and grooming affect the educational program of the schools.

Pupils may not wear clothing or engage in grooming practices that present a health or safety hazard to the individual pupil or to others; materially interfere with school work, create disorder, or disrupt the educational program; cause excessive wear or damage to school property; or prevent the pupil from achieving his or her own educational objectives because of blocked vision or restricted movement. The building principal shall determine whether the dress or grooming of pupils comes within these prohibitions.

Dress and grooming criteria are established in the Student Handbook of each school.

Previously Policy No. 5511

Adopted: January 3, 2006

**Mountain Lakes School District**

## **5134 MARRIED/PREGNANT PUPILS**

No pupil, married or unmarried, who is otherwise eligible for enrollment in this district will be denied an educational program because of pregnancy, childbirth, pregnancy-related disabilities, or actual or potential parenthood.

No married pupil, who is otherwise eligible to attend the district's schools shall be denied an educational program solely because of his/her marital status.

The Board of Education reserves the right to require as a prerequisite for participation in the regular instructional program and in the co-curricular program that a pregnant pupil present to the school principal her physician's written statement that such participation will not be injurious to her health or jeopardize her pregnancy.

The Superintendent shall develop a program of special instruction in health and nutrition and shall direct appropriate teaching staff members to counsel the pregnant pupil, to assist her in securing necessary medical services, to cooperate with community resources on her behalf, and to encourage her toward the completion of an appropriate educational program.

A pregnant pupil who does not wish to attend regular classes or is physically unable to do so during her pregnancy may, with her consent, be assigned to an alternate instructional program which may include home instruction or a program offered by another school district or institution.

The parents or legal guardians of a pregnant pupil under eighteen years of age shall be notified of any change in the pupil's regular educational program. A pregnant pupil under the age of 18 who wishes to withdraw from the district must have the written permission of her parents/guardians.

A pupil who has received an alternate instructional program for reasons associated with pregnancy shall be readmitted to the regular program upon her request and the written statement of her physician that she is physically fit for attendance.

### Legal References

Previously Policy No. 2416

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Revised: November 5 , 2007

LR2011

**Mountain Lakes School District**

## 5135 TRANSGENDER STUDENTS/FACULTY/STAFF

The Mountain Lakes Board of Education will not tolerate discrimination of any kind, including discrimination on the basis of gender identity or expression. The Board adopts this Policy in order to protect transgender students' rights to have equal access to the District's educational programs and activities, as well as inform students, parents, and District staff of the rights of transgender students in the school setting. The Board, Administration and all school staff members will comply with all Federal and State Laws and Regulations regarding transgender students.

### Definitions

For the purposes of this Policy:

1. The phrase "Gender Expression" refers to the manner in which a student represents his or her gender to others, often through clothing, hairstyles, activities, or voice.
2. The phrase "Gender Identity" refers to a student's true, internal sense of gender, whether or not coinciding with the student's biological and anatomical gender at birth.
3. The term "Transgender" describes students who have a Gender Identity that differs from their biological and anatomical gender at birth.

### Policy

A student's Gender Identity or Gender Expression is determined by the student and no one else. Thus, the Board will accept as true a student's declaration of his or her Gender Identity and will not disregard such an assertion. The Board does, however, authorize the Superintendent or his/her designee to discuss the matter with the student and, in cases where a student's claim appears suspect, to question him or her as to whether the Gender Identity is a sincerely held belief.

If, after discussing the matter with the student, the Superintendent or his/her designee maintains a credible basis for believing that the student is asserting the Gender Identity for a fraudulent or improper purpose, he or she may contact the student's parent(s)/guardian(s) or adult student and request a written statement that the student holds a particular Gender Identity that differs from his or her biological gender at birth. In the event that the parent(s)/guardian(s) refuses to provide such confirmation, the Superintendent or his/her designee will hold a meeting with the parent(s)/guardian(s) and student in order to come to a resolution.

The Board will handle each situation on a case-by-case basis in order to accommodate each student's needs and preferences as to how the student will be addressed in school. The Superintendent or his/her designee will meet with the student and his or her parent(s)/guardian(s) in order to discuss issues such as the following:

- A. Names/Pronouns - The District will honor the student's request to be addressed by a name or pronoun different from the student's name or gender at birth.
- B. Student Records - Unless the student has completed a legal name change, the District will continue to indicate the student's legal name and gender from the student's birth certificate on the student's official, permanent student record. For other school-related documents, such as student identification cards, student photographs, school library cards, or other publicly-displayed lists of student names, the District will refer to the student by the name the student requests.
- C. Restrooms - Transgender students are entitled access to the restroom that conforms to their Gender Identity. Students may be permitted to use a "gender neutral" restroom, if available, if the student prefers; however, the District will, under no circumstances, require the student to utilize

such a gender neutral restroom.

D. Locker Rooms - Transgender students are entitled to utilize the locker room facilities that conform to their Gender Identity. If the student wishes to use neither the men's or women's locker room facilities, the District will provide the student with an alternative changing area; however, the District will, under no circumstances, require the student to utilize a separate changing area.

E. Physical Education Classes - Transgender students may join in the physical education activities that correspond to the gender in which the student identifies.

F. Intramurals Programs - A transgender student's participation in the District's intramural athletic programs shall be in accordance with the eligibility requirements for participation in interscholastic athletics as determined by the New Jersey Interscholastic Athletic Association.

G. Interscholastic Athletics - A transgender student's participation in the District's interscholastic athletic programs shall be in accordance with eligibility requirements for participation in interscholastic athletics as determined by the New Jersey State Interscholastic Athletic Association.

H. Dress Codes - Transgender students must comply with the District's dress code requirements for the gender in which they identify.

If a Transgender student no longer identifies with his or her previously held Gender Identity, the student must contact the Superintendent or his/her designee and indicate same. Thereafter, the student will meet with the Superintendent or his/her designee in order to address the transition and confirm the name and pronoun in which the student wishes to be referenced, the restroom the student wishes to use, the locker room the student wishes to use, etc.

The school district will not disclose or reference a student's transgender status unless the student has authorized the district to do so, in writing or if Federal law, State law, or administrative code requires such disclosure.

Legal Reference:

N.J.S.A. 10:5-1 *et seq.*

Title IX, 20 U.S.C. Section 1681

Adopted: March 2016

**Mountain Lakes School District**



## 5136 FUNDRAISING ACTIVITIES

The Board of Education recognizes the value of having pupils participate in fundraising activities, both as individuals and as groups, in order to help defray the cost of certain non-curricular field trips, or other worthwhile programs, or in support of a Board approved charitable cause.

For purposes of this policy, "pupil fundraising" shall include the solicitation and collection of money by or from pupils for any purpose and shall include the collection of money in exchange for tickets, papers or any other goods or services except those goods and services which are part of a Board-approved program of the schools. Pupil fundraising shall not include fees payable by parents or students to participate in athletic activities that are not 100% funded by the Board.

The Board must approve all fund raising activities proposed to be conducted on school property.

The Board prohibits the collection of money in school or on school property or at any school-sponsored event by a pupil for personal benefit. Collection of money in school or on school property by school extracurricular organizations approved by the Board under Policy 6145 shall be approved by the Principal and the Superintendent. Collections by school connected organizations recognized by the Board under Policy 1230 in school, or on school property or at any school-sponsored event shall be approved by the Superintendent.

This policy is not intended to interfere with the exercise of civic and charitable activities by pupils individually in the community that are not connected with school related activities and not occurring on school property or at school sponsored events.

### Fully Funded Extracurricular Programs

The Board believes that the necessities of all fully funded extracurricular programs (including interscholastic athletics) are the responsibility of the district. In particular, uniforms for athletic programs should not be provided by parent funds raisers or school connected organizations; rather, they will be purchased from the annual school budget for the purpose of supporting these programs. These items remain property of the district, to be used and re-used in accordance with their useful lifetime and as necessary to provide safe equipment to the participants.

The Board also recognizes that extracurricular programs can be enhanced through fundraising activities, so long as these activities, taken in their totality do not become burdensome to the community and to the pupils and their families. Each extracurricular organization and athletic team may choose to conduct one fundraiser per school year, seeking approval from the Athletic Director and the Superintendent. The manner, duration and scope of the fundraiser must be approved by the Superintendent and then forwarded to the Board for approval. All funds collected and dispersed from athletic accounts require the signature of the Athletic Director. Fundraisers for the athletic teams may occur prior to the season.

### Partially Funded Extracurricular Activities

From time to time the Board may approve partially funded athletic programs or co-curricular activities in order to enhance the extracurricular activities available to pupils (see Policy 6145 Extracurricular Activities). Partially funded sports will be subject to this policy in terms of collection of money in school or on school property. These activities must be approved as provided above. The Board understands that partially funded activities by their nature may necessitate additional parental involvement, fundraising and community participation in order for the activity to continue and be successful. These activities may include participation fees, purchase of equipment and/or uniforms. The Board encourages each such organization to exercise discretion in their fundraising activities, with due deference for all other fundraising events in the community and for community values.

### Recognition Items

In addition, booster clubs or parent groups may request funds on a voluntary basis to provide for pupil meals (team dinners, sandwiches before games), team apparel that is not part of the uniform (e.g. sweatshirts), end of season banquets, trophies and recognition items, and coaches or advisor gifts.

### Employee Participation

Advisors, coaches and volunteer advisors or coaches may request from school-connected organizations (e.g. Lakers Sports Club, Friends of the Arts, etc.) any additional items that enhance an extracurricular activity.

Teachers and coaches may not solicit money from parents, pupils or the community on behalf of any school connected organization or any booster club or parent organization for any purpose.

The Board shall not be responsible for the protection of or the accounting of funds collected from pupils by extracurricular organizations outside the schools or by school-connected organizations either on school property or outside of schools. Funds raised by school-sponsored activities shall be deposited in the proper district accounts.

The Board reserves the authority to limit or terminate fundraising activities by school-sponsored groups or outside organizations that encourage or require door-to-door solicitation.

The Superintendent shall develop regulations regarding pupil fundraising that establish times and places in which pupil fundraising may be conducted and ensure adequate accounting of funds collected. Each building Principal shall distribute this policy and the Superintendent's regulations to each recognized pupil organization and school connected organization.

### Legal References

Adopted: February 11, 2008

LR2011

Re-adopted: December 9, 2013

**Mountain Lakes School District**

## 5141 HEALTH

The Board of Education believes that good health is vital to successful learning. In order to help district pupils achieve and maintain good health, the Board directs the Superintendent to develop pupil health services that employs professional personnel and interacts with both parents/guardians and community health agencies. The program shall include but not be limited to:

- A. Employment of a medical inspector to perform those duties required by law, and to advise the superintendent on all matters affecting the health of pupils, including serving as the health services director, providing consultation to district, and issuing standing order with respect to matters affecting the health of pupils. The medical inspector must be a licensed physician and have training and practice that includes child and adolescent health;
- B. Employment of at least one New Jersey certified school nurse to assist with physical examinations; conduct all screenings required by law, including vision, scoliosis, audiometric, health, weight, blood pressure and pulse screenings; maintain pupil health records; observe and recommend to the principal the exclusion of pupils who show evidence of communicable disease or who have not submitted acceptable evidence of immunizations; instruct teachers on communicable diseases, blood borne pathogens and other health concerns; train and supervise the emergency administration of epinephrine for school staff who have been designated as delegates; supervise other nursing tasks; provide appropriate response to Do Not Resuscitate (DNR) orders; maintain valid, current Cardiopulmonary Resuscitation (CPR) certification and Automatic External Defibrillator (AED) certification; review and summarize health and medical information for the Child Study Team; write and update annually the accommodation plan under Section 504 for any student who requires one;
- C. Provision of proper and adequate facilities, equipment and supplies for professional health personnel and other staff;
- D. Establishment of a system of pupil health records in compliance with state law;
- E. Implement the Core Curriculum Content Standards in physical education, health, family life, safety, and use of drugs, alcohol, tobacco and anabolic steroids; recommendations for appropriate equipment and supplies to teach such courses;
- F. Development of rules and procedures to foster good pupil health, and periodic dissemination of these rules and procedures to the staff;
- G. Development of a program to provide safe drinking water and otherwise to maintain the buildings, grounds, facilities and equipment of the district in sanitary condition in accordance with law;
- H. Development and enforcement of an eye protection program as required by statute and administrative code;
- I. A regular report to the board on progress and accomplishments in the field of pupil health;
- J. Health services to staff that support pupil health;
- K. Provision of emergency services for injury and sudden illness as well as emergency healthcare plans for any student with special needs;
- L. Provision for required physical examinations including an examination to certify that a pupil returning to school after suffering a contagious/infectious condition or illness is no longer a threat to the health of others;
- M. Development of all regulations and procedures necessary for evaluation of pupils suspected

of being under the influence of drugs/alcohol, tobacco or anabolic steroids;

N. Encouragement of correction of defects through fully informing parents/guardians and pupils over the age of 18, concerning the findings of health examinations for scoliosis.

O. Preparation for the potential disruption of a pandemic flu outbreak, such as avian flu, by filling out a school preparedness checklist available from [www.pandemicflu.gov](http://www.pandemicflu.gov) or NJSBA, with periodic reports to the school board on steps the district has already taken, as well as additional steps that need to be taken, to prepare for a flu pandemic.

The operation of the pupil health program shall be in compliance with the rules and regulations of the State Department of Education, local Board of Health and the State Department of Health and Senior Services, and State Department of Human Services. The Board shall review and adopt the regulations developed to implement the district's health services.

#### Nonpublic School Pupils

The board shall provide mandated nursing services to nonpublic school pupils as required by law. See policy 5200.

#### Legal References

Adopted: October 3, 2006

LR2011

**Mountain Lakes School District**

## 5141.1 ACCIDENTS

Each principal shall develop a program of accident prevention suited to his/her school. The Superintendent shall review and approve such programs. When unforeseen situations arise, and an accident occurs, a school nurse or other assigned staff member shall be responsible for providing emergency services to a child or staff member. The medical inspector shall prepare a list of first aid treatment for the most common minor injuries. This list shall be made known to the staff.

### Guidelines for Dealing with Accident/Injury

- A. The school nurse or another trained person shall be responsible for administering first aid. Universal precautions shall be taken in the handling of blood and body fluids to ensure the containment of bloodborne pathogens. (See policies and regulations 4112.4/4212.4 employee health and 5141.2 Illness).
- B. In all cases where the nature of an injury appears in any way serious, every effort shall be made to contact the parent/guardian and/or family physician immediately.
- C. Parents/guardians shall be requested to pick up their child. If a parent/guardian is unable to provide such transportation, no pupil who is injured shall be sent home alone. A pupil who is injured shall not be taken home unless it is known that someone is there to receive him/her.
- D. In extreme emergencies, the school nurse, school doctor or principal may make arrangements for immediate hospitalization of injured pupils, contacting parents/guardians in advance if at all possible.
- E. The teacher or other staff member who is responsible for a child at the time an accident occurs shall make out a report within 24 hours on an official form providing details about the accident. This shall be required for every accident whether first aid is necessary or not.
- F. Any injuries or accidents to pupils shall be reported as soon as possible to the superintendent and the board.

Staff shall be informed at the beginning of each school year of the accident prevention program and procedures to be followed in case of an accident/injury. The Superintendent is responsible for establishing the procedures required by law and by the district's insurance carrier to ensure the proper administration of insurance concerns that relate to accidents, injuries, and other health matters.

### Emergency Medical Procedures for Sports/Athletics

The board of education recognizes its responsibility for pupil safety encompassing all aspects of sports and athletic events in both intramural and interscholastic programs. The board directs the superintendent to develop and implement emergency medical procedures to ensure delivery of appropriate emergency medical services for all practice sessions, competitive contests, games, events, or exhibitions with individual pupils or teams of the schools of this district whether among themselves or with pupils of other districts.

### Emergency Medical Procedures

The Board of Education recognizes its responsibility for pupil safety on school property and during school related activities. The Board directs the Superintendent to develop and implement emergency medical procedures to ensure delivery of appropriate emergency medical services.

Procedures for use and maintenance of the school defibrillators are addressed in Policy 3516.1.

The Board further directs that all emergency medical procedures be disseminated to appropriate personnel within this district.

The Board directs the Superintendent, together with the school medical examiner and the school nurse to develop and adopt regulations to implement this policy and as otherwise required by law. These regulations should be reviewed and revised by the medical examiner as needed. The Superintendent should report on the effectiveness of the emergency medical procedures to the Board annually.

Legal References

Adopted: October 3, 2006

LR07/10

**Mountain Lakes School District**

## 5141.2 ILLNESS

X Monitored

X Mandated

X Other Reasons

When pupils are taken suddenly ill in school, they shall be sent or escorted to the nurse's office. If the nurse is not in the medical office, the pupil shall be sent or taken to the building principal's office. In general, the same procedures that apply to accidents shall apply to sudden pupil illness. The chief school administrator, in cooperation with the medical inspector, shall implement this policy.

### Control of Contagious Diseases or Conditions

In order to protect the health of the pupils in our schools, all regulations of the state department of education, the state department of health and the local board of health shall be scrupulously observed, particularly those dealing with contagious or infectious diseases or conditions. Pupils who have been absent because of contagious or infectious diseases or conditions must present a certificate of recovery from a licensed physician or be examined by the medical inspector.

The school nurse shall observe pupils who show evidence of communicable disease and recommend their exclusion to the school principal. Recommendations shall be consistent with reporting requirements on communicable diseases as set forth in the New Jersey Health Code. Such pupils shall be isolated in the nurse's office until a parent/guardian picks them up, and any necessary measures have been taken to prevent spread of the infection. The school nurse, under the direction of the medical inspector, shall instruct all teachers in the symptoms of the most common diseases or conditions at least once a year.

Any student with HIV infection or AIDS or who lives with or is related to someone with HIV or AIDS shall not be excluded from general education, transportation services, extracurricular activities, athletic activities, assigned to home instruction or classified as eligible for special education because of the HIV infection. The school nurse shall recommend the exclusion of any individual with weeping skin lesions that cannot be covered.

In addition to the review of health and safety measures required by law, the school nurse shall individually instruct teachers from whose classrooms a pupil has been excluded in the symptoms of the disease for which the pupil was excluded. Student rights and confidentiality shall be protected in accordance with law. No teacher shall attempt to diagnose any illness of a pupil, but shall refer suspected cases to the nurse immediately.

### Contact Tracing

Contact tracing is the process used to identify those who come into contact with people who have tested positive for many contagious diseases, including COVID-19. Contact tracing is used by health departments to prevent the spread of infectious disease. In general, contact tracing involves identifying people who have an infectious disease (cases) and their contacts (people who may have been exposed) and working with them to interrupt disease transmission. For COVID-19, this includes asking cases to isolate and contacts to quarantine at home voluntarily.

All procedures will adhere to applicable federal and state law and regulations regarding privacy and the confidentiality of records.

Contact tracing for COVID-19 typically involves:

- A. Interviewing people with COVID-19 to identify everyone with whom they had close contact during the time they may have been infectious;

- B. Notifying contacts of their potential exposure;
- C. Referring contacts for testing;
- D. Monitoring contacts for signs and symptoms of COVID-19; and
- E. Connecting contacts with services they might need during the self-quarantine period.

To prevent the further spread of disease, COVID-19 contacts are encouraged to stay home and maintain social distance (at least 6 feet) from others until 14 days after their last exposure to a person with COVID-19. Contacts should monitor themselves by checking their temperature twice daily and watching for symptoms of COVID-19.

The school nurse shall consult with the local health department in the development, review and revision of the district contact tracing policy and procedures. The school nurse and the building principal are the designated staff liaisons responsible for providing notifications and carrying out other components of the board's contact tracing policy.

The school nurse in consultation with the building principal shall establish measures for a system of open communication that allows staff, students, and families to self-report symptoms and/or suspected exposure.

A staff member shall immediately notify the principal and the school nurse when he/she observes symptoms consistent with COVID 19 or becomes aware that an individual who has spent time in a district facility tests positive for COVID-19. The school nurse will notify local health officials, and will follow their guidance with respect to the notification of staff and families of a confirmed case while maintaining confidentiality.

When the individual exhibits symptoms the school nurse will ensure that the student is taken to the designated isolation area. The nurse will examine the individual and may refer them for testing and treatment. A student exhibiting symptoms of COVID 19 may be required to submit to a COVID 19 test. The school nurse shall require the certification of a physician that the student is contagion free before readmitting a student to school. The nurse shall report all students testing positive for COVID 19 to the health department. The health department shall conduct the contact tracing.

Symptoms of COVID 19 include:

- A. A fever of 100.4° F or greater;
- B. Cough;
- C. Shortness of breath or difficulty breathing;
- D. Chills;
- E. Repeated shaking with chills;
- F. Muscle pain;
- G. Headache;
- H. Sore throat;
- I. New loss of taste or smell;
- J. Fatigue;
- K. Congestion or runny nose;
- L. Nausea or vomiting;
- M. Diarrhea

All school and district administrators, school safety specialists, counselors, and any other staff deemed appropriate by the school and district, shall be provided information regarding the role of contact tracing in keeping school communities safe from the spread of contagious disease.



The school nurse or his or her designee shall make information available and/or conduct virtual information sessions to educate the broader school community on the importance of contact tracing.

### Handling Blood and Body Fluids

The chief school administrator and medical inspector shall develop detailed routine procedures based on New Jersey administrative code and guidelines from the Centers for Disease Control for proper handling of blood and body fluids resulting from illness/accidents in the schools. These procedures shall be disseminated to all district staff and volunteers.

The medical inspector shall report all cases of communicable disease to the local board of health as required by law.

### Key Words

Illness, Sickness, Body Fluids

### Legal References:

- N.J.S.A. 18A:16-6 Indemnity of officers and employees against civil actions
- N.J.S.A. 18A:16-6.1 Indemnity of officers and employees in certain criminal actions
- N.J.S.A. 18A:40-3 Lectures to teachers
- N.J.S.A. 18A:40-7 Exclusion of pupils who are ill
- N.J.S.A. 18A:40-8 Exclusion of pupils whose presence is detrimental to health and cleanliness
- N.J.S.A. 18A:40-10 Exclusion of teachers and pupils exposed to disease
- N.J.S.A. 18A:40-11 Exclusion of pupils having communicable tuberculosis
- N.J.S.A. 18A:40-12 Closing schools during epidemic
- N.J.S.A. 18A:40-25 Boards of education to provide nursing care to students in nonpublic schools
- N.J.S.A. 26:2T-1 Newly diagnosed Hepatitis C case; information, reports
- N.J.S.A. 26:4-6 Prohibiting attendance of teachers or pupils
- N.J.S.A. 26:4-15 Reporting of communicable diseases by physicians
- N.J.S.A. 26:5C-1 *et seq.* AIDS Assistance Act
- N.J.A.C. 6A:16-1.1 *et seq.* Programs to Support Student Development

### See particularly:

- N.J.A.C. 6A:16-1.3, -2.1 *et seq.*
- N.J.A.C. 8:57-1.1 *et seq.* Reportable Communicable Diseases

### See particularly:

- N.J.A.C. 8:57-1.3, -1.7, -2
- N.J.A.C. 8:61-1.1 Attendance at school by pupils or adults infected by Human Immunodeficiency

Virus (HIV)

*Plainfield Board of Education v. Cooperman*, 105 NJ 587 (1987)

The NJDOE Guidance: *The Road Back: Restart and Recovery* at:  
<https://www.nj.gov/education/reopening/>

**Possible Cross References:**

\*1410 Local units

\*4112.4/4212.4 Employee health

\*4131/4131.1 Staff development; inservice education/visitations/conferences

\*5113 Attendance, absences and excuses

\*5125 Pupil records

\*5131.6 Drugs, alcohol, tobacco (substance abuse)

\*5141 Health

\*5141.1 Accidents

\*5141.4 Child abuse and neglect

\*5141.8 Sports related concussion and head injury

\*5200 Nonpublic school pupils

\*6142.13 HIV prevention education

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

Adopted: October 3, 2006

Revised: September 21, 2020

**Mountain Lakes School District**

## 5141.3 HEALTH EXAMINATIONS AND IMMUNIZATIONS

X Monitored

X Mandated

X Other Reasons

Pupils who enter the district schools for the first time shall have a medical examination conducted at the medical home of the student, and a full report sent to the school. If a student does not have a medical home, the district shall provide this examination at the school physician's office or other appropriately equipped facility. "Medical home" means a health care provider and that provider's practice site chosen by the student's parent/guardian for the provision of health care. As the school physician is also a health care provider, the parent/guardian may request that the school physician provide the medical examination.

A pupil shall be exempted from mandatory immunization if the parent/guardian objects to immunization in a written statement submitted to the principal, signed by the parent/guardian, explaining how the administration of immunizing agents conflicts with the pupil's exercise of bona fide religious tenets or practices. General philosophical or moral objection to immunization shall not be sufficient for an exemption on religious grounds.

Every pupil who enters the district schools for the first time shall present an immunization record as required by law. At the parent/guardian's request, these immunizations may be administered by the school physician.

NOTE: THIS IS PERMISSIVE, NOT REQUIRED.

In order to protect the health of the children and staff in district schools, all regulations of the state department of education, the state department of health and the local board of health shall be scrupulously observed, particularly those dealing with contagious/infectious diseases or conditions. Pupils seeking to enter school who have been identified as having a communicable/infectious disease or condition shall not be enrolled unless they qualify under the above agencies' rules pertaining to periods of incubation, communicability, quarantine, and reporting.

The chief school administrator or his/her designee shall formulate regulations that ensure immunization records are reviewed and updated annually pursuant to N.J.A.C. 8:57-4.1 through 4.16. The chief school administrator shall also formulate regulations for this policy and for regular pupil health examinations at appropriate grade levels; before participation in sports programs; and for tuberculosis, scoliosis, hearing loss, visual acuity and any other physical examinations required by law. Any health defects revealed by any examination given by the school health services must be reported to the parent/guardian. The board shall review the regulations and adopt those required by law.

### Pandemic Reopening and Recovery

#### A. Screening and Personal Protective Equipment (PPE)

1. Personal protective equipment (PPE) shall be available, accessible, and provided for use by staff and students.
2. School staff and visitors are required to wear face coverings unless doing so would inhibit the individual's health or the individual is under two years of age.
3. Students are required to wear face coverings while inside the school building, unless doing so would inhibit the student's health.
4. Staff, students, and visitors shall be screened for entry into the school building;
5. The principal or his or her designee shall develop a school entry plan that includes:

- a. Staff assigned to do the screening;
  - b. Designated entrances that will be used to admit students;
  - c. The assignment of classes and grades to designated entrances and/or designated entrance times;
6. Staff must visually check students for symptoms upon arrival (which may include temperature checks) and/or confirm with families that students are free of COVID-19 symptoms;
  7. Health checks must be conducted safely and respectfully, and in accordance with any applicable privacy laws and regulations;
  8. Results must be documented when signs/symptoms of COVID-19 are observed;
  9. Screening procedures shall take into account students with disabilities and accommodations that may be needed in the screening process for those students;
- B. Procedures for symptomatic staff and students:
1. The school principal or his or her designee shall establish an isolation space;
  2. Students and staff with symptoms related to COVID-19 shall be safely and respectfully isolated from others. Students should remain in isolation with continued supervision and care until picked up by an authorized adult;
  3. Staff must provide continuous monitoring of symptoms;
  4. The current Communicable Disease Service guidance for illness reporting shall be followed;
  5. If a staff member becomes aware that an individual who has spent time in a district facility tests positive for COVID-19, the staff members shall notify the principal and the school nurse. The school nurse will immediately notify local health officials, and will follow their guidance with respect to the notification of staff and families of a confirmed case while maintaining confidentiality.
- C. Preparations for when someone tests positive for COVID-19:
1. The school principal or his or her designee shall establish an isolation space;
  2. Students and staff with symptoms related to COVID-19 shall be safely and respectfully taken to the designated isolation space and isolated from others. Students should remain in isolation with continued supervision and care until picked up by an authorized adult;
  3. The current Communicable Disease Service guidance for illness reporting shall be followed;
  4. Readmittance to school shall be consistent with Department of Health guidance and information for schools and Department of Health/Communicable Disease Service's Quick Reference Guidance on Discontinuation of Transmission-Based Precautions and Home Isolation for Persons Diagnosed with COVID-19;
  5. Contact tracing shall be initiated by the local health official, including records of groups/cohorts, assigned staff, and daily attendance.
- D. Protocols to address a positive case:

Students and employees may be asked to leave or not come into school if they test positive for COVID-19 or exhibit one or more of the symptoms of COVID-19, based on CDC guidance, that is not otherwise explained:

1. A fever of 100.4° F or greater;
2. Cough;
3. Shortness of breath or difficulty breathing;
4. Chills;
5. Repeated shaking with chills;

6. Muscle pain;
7. Headache;
8. Sore throat;
9. New loss of taste or smell;
10. Fatigue;
11. Congestion or runny nose;
12. Nausea or vomiting;
13. Diarrhea.

#### Parent/Guardian Notice

In accordance with federal law, the Protection of Pupil Rights Amendment (PPRA), parents/guardians shall be notified annually of the opportunity for the parent/guardian to opt the student out of any non-emergency, invasive physical examination or screening that is:

- A. Required as a condition of attendance;
- B. Administered by the school and scheduled by the school in advance; and
- C. Not necessary to protect the immediate health and safety of the student, or of other students.

#### Key Words

Immunizations, Inoculations, Examinations, Pupil Physical Examinations, Student Physical Examinations, Health

#### Legal References:

N.J.S.A. 18A:35-4.6 through -4.8 Parents Right to Conscience Act of 1979

N.J.S.A. 18A:40-4 Examination for physical defects and screening of hearing of pupils; health records

N.J.S.A. 18A:40-4.3 Scoliosis; periodic examination; notice to parents or guardian

N.J.S.A. 18A:40-4.4 Exemption

N.J.S.A. 18A:40-4.5 Immunity from action of any kind due to provisions of act

N.J.S.A. 18A:40-5 Method of examination; notice to parent or guardian

N.J.S.A. 18A:40-6 In general

N.J.S.A. 18A:40-11 Exclusion of pupils having communicable tuberculosis

N.J.S.A. 18A:40-16 through -19 Tuberculosis infection; determination of presence ...

N.J.S.A. 18A:40-20 Immunization at public expense

N.J.S.A. 18A:61D-8 through -10 Findings, declarations relative to Hepatitis B vaccinations....

N.J.S.A. 26:1A-9.1 Exemption of pupils from mandatory immunizations

N.J.S.A. 26:4-6 Prohibiting attendance of teachers or pupils

N.J.S.A. 26:2T-5 through -9 Findings, declarations relative to Hepatitis C

N.J.A.C. 6A:14-3.4 Evaluation

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

See particularly:

N.J.A.C. 6A:16-1.3, -2.1, -2.2, -2.3, -2.4, -4.1, -4.3

N.J.A.C. 6A:32-9.1 Athletics Procedures

N.J.A.C. 8:57-2 Reporting of acquired immunodeficiency syndrome and infection with Human Immunodeficiency Virus

N.J.A.C. 8:57-4.1 Applicability

N.J.A.C. 8:57-4.2 Proof of immunization

N.J.A.C. 8:57-4.3 Medical exemptions

N.J.A.C. 8:57-4.4 Religious exemptions

N.J.A.C. 8:57-4.5 Provisional admission

N.J.A.C. 8:57-4.6 Documents accepted as evidence of immunization

N.J.A.C. 8:57-4.7 Records required

N.J.A.C. 8:57-4.8 Reports to be sent to the State Department of Health

N.J.A.C. 8:57-4.9 Records available for inspection

N.J.A.C. 8:57-4.10 Diphtheria and tetanus toxoids and pertussis vaccine

N.J.A.C. 8:57-4.11 Poliovirus vaccine

N.J.A.C. 8:57-4.12 Measles virus vaccine

N.J.A.C. 8:57-4.13 Rubella vaccine

N.J.A.C. 8:57-4.14 Mumps vaccine

N.J.A.C. 8:57-4.15 Haemophilus influenza type b (Hib) conjugate vaccine

N.J.A.C. 8:57-4.16 Hepatitis B virus vaccine

N.J.A.C. 8:57-4.17 Varicella virus vaccine

N.J.A.C. 8:57-4.18 Pneumococcal conjugate vaccine

N.J.A.C. 8:57-4.19 Influenza vaccine

N.J.A.C. 8:57-4.20 Meningococcal vaccine

N.J.A.C. 8:57-4.21 Providing immunization

N.J.A.C. 8:57-4.22 Emergency power of the Commissioner, Department of Health and Senior

N.J.A.C. 8:61-2.1 Attendance at school by students or adults infected by Human Immunodeficiency Virus (HIV)

20 U.S.C.A. 1232h Protection of Pupil Rights Amendment

*Plainfield Board of Education v. Cooperman*, 105 NJ 587 (1987)

Every Student Succeeds Act of 2015, Pub. L. 114-95, 20 U.S.C.A. 6301 *et seq.*

The NJDOE Guidance: *The Road Back: Restart and Recovery* at:  
<https://www.nj.gov/education/reopening/>

**Possible Cross References:**

\*1410 Local units

\*4123 Classroom aides

\*5111 Admission

\*5113 Absences and excuses

\*5131.6 Drugs, alcohol, tobacco (substance abuse)

\*5141 Health

\*5141.21 Administering medication

\*5200 Nonpublic school pupils

\*6142.4 Physical education and health

\*6145.1/6145.2 Intramural competition; interscholastic competition

\*6162.5 Research

\*6164.4 Child study team

\*6171.4 Special education

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

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**Mountain Lakes School District**

## 5141.4 CHILD ABUSE AND NEGLECT

The Board of Education believes that a child's physical and mental well-being must be maintained as a prerequisite to achievement through the formal educational process. The Board therefore believes that it is important to identify and investigate suspected child abuse or neglect immediately. The school district will cooperate with the New Jersey Division of Youth and Family Services (DYFS) in identifying and reporting all such cases, whether institutional or non-institutional. The Superintendent/designee shall act as liaison between DYFS and the district. The liaison shall facilitate communication and cooperation between the district and DYFS and act as primary contact between the schools and DYFS.

The Board directs the Superintendent/designee to gather, maintain, secure and make available to DYFS the relevant confidential district records of any pupil alleged either by school personnel or DYFS to be the victim of abuse or neglect as defined by law. The Board also directs the superintendent/designee to cooperate with DYFS in scheduling interviews with any employee, volunteer or pupil who may have information relevant to an investigation of child abuse.

In order to increase school employees' and volunteers' awareness of the symptoms of child abuse and neglect and cause them to be better informed on all aspects of abuse and neglect, the board directs the superintendent to provide information and inservice training on the subject to all school employees and volunteers.

The Superintendent is therefore directed to develop procedures for compliance with statutory requirements that child abuse and neglect be reported. All procedures as well as this policy shall be reviewed by the County Superintendent. Procedures shall:

- A. Impress on all staff members and volunteers having contact with pupils of their responsibility to report directly and immediately to DYFS all cases of suspected abuse, abandonment, cruelty or neglect resulting in physical or mental injury, and the penalties for failing to do so. Point out that institutional abuse--abuse alleged to have taken place in the school or other institutional setting by paid school staff or a volunteer--must be reported on the same basis as non-institutional abuse. Information reported shall include the name, age, and grade of the child, as well as the name and address of the child's parents/guardians. The report shall also include a description of the child's condition, nature and extent of his/her possible injuries, and any other information pertinent to the child abuse or neglect or identification of the suspected perpetrator;
- B. Provide for the annual delivery of information and inservice training to all school staff members and volunteers concerning child abuse and neglect. This shall include instructional methods and personnel responsibilities;
- C. Provide for the delivery of information and inservice training to all new school district employees, both paid and voluntary, as part of their orientation;
- D. Require all school personnel and volunteers to report suspected instances of child abuse or neglect to the building principal after reporting to DYFS, unless the reporting personnel believes that he/she may be endangering the welfare of the child or himself/herself or causing retaliation or discrimination against the child or himself/herself by such notice to the building principal;
- E. Require prompt action to secure treatment of such injuries as result from abuse or neglect so as to protect the health of the child;
- F. Provide for DYFS investigators to interview alleged victims in the presence of the school principal, his/her designee, or any staff member with whom the child is comfortable;
- G. Provide for cooperation with DYFS in scheduling interviews with any school personnel or volunteers who may have information relevant to the investigation;



H. Permit DYFS to remove pupils from school during the course of the school day when it is necessary to protect the child or take the child to a service provider. Removal shall take place

L. Fulfill all other procedural requirements of the law.

The Board assures all school personnel and volunteers that no one will be discharged from employment or discriminated against in any way as a result of making in good faith any reports of child abuse and neglect.

Due process rights will be provided to school personnel or volunteers who have been reassigned or suspended as a result of an accusation of child abuse or neglect. Temporary reassignment or suspension of school personnel or volunteers alleged to have committed an act of child abuse or neglect shall occur if there is reasonable cause to believe that the life or health of the alleged victim or other children is in imminent danger due to continued contact between the school personnel and a child.

All references to a report of child abuse or neglect against school personnel shall be removed from employee personnel records immediately following the receipt of an official notice from DYFS that such allegations were unfounded.

#### Legal References

Adopted: October 3, 2006

LR11/09

**Mountain Lakes School District**

## 5141.21 ADMINISTERING MEDICATION

The board shall not be responsible for the diagnosis and treatment of student illness. The administration of medication to a student during school hours will be permitted only when failure to take such medicine would jeopardize the health of the student, administration of the medication is necessary during school hours in order for the student to benefit from the instruction that is being provided, or the student would not be able to attend school if the medicine were not made available to him/her during school hours.

For purposes of this policy, "medication" shall include all medicines prescribed by a physician for the particular student, including emergency medication in the event of bee stings, medication for asthma, diabetes or other medical diagnosis requiring medication during the school day, and all non-prescription "over the counter" medication (see policy 5141).

Before any medication may be administered to or by any student during school hours, the board shall require the written consent of the parent/guardian which shall give permission for such administration and relieve the board and its employees of liability for administration of medication. In addition, the board requires the written order of the prescribing physician which shall include:

- A. The purpose of the medication;
- B. The dosage;
- C. The time at which or the special circumstances under which medication shall be administered;
- D. The length of time for which medication is prescribed;
- E. The possible side effects of the medication.

Both documents shall be kept on file in the office of the school nurse.

The district medical inspector shall develop procedures for the administration of medication which provide that:

- A. All medications, whether prescribed or "over the counter", shall be administered by the medical inspector, school nurse or substitute school nurse, the parent/guardian or the student himself/herself where the parent/guardian so permits and with the school nurse present;
- B. Medications shall be securely stored and kept in the original labeled container;
- C. The school nurse shall maintain a record of the name of the student to whom medication may be administered, the prescribing physician, the dosage and timing of medication and a notation of each instance of administration;
- D. All medications shall be brought to school by the parent/guardian or adult student and shall be picked up at the end of the school year or the end of the period of medication, whichever is earlier;
- E. A student may self-administer medication without supervision of the school nurse for asthma or other life-threatening illnesses. "Life-threatening illness" has been defined as an illness or condition that requires an immediate response to specific symptoms or sequelae that if left untreated may lead to potential loss of life such as, but not limited to, the use of an inhaler to treat an asthma attack or the use of an adrenalin injection to treat a potential anaphylactic reaction.

### Nebulizers

Each school in the district shall have and maintain at least one nebulizer in the office of the school nurse or at a similar accessible location. The chief school administrator shall prepare and the board shall adopt regulations on the administration of asthma medication through the use of a nebulizer by the school nurse or his/her designee(s). Regulations shall be in accord with New Jersey statute and administrative code and shall include, but not be limited to, the following:

- A. Requirement that each school nurse shall be authorized to administer asthma medication through use of a nebulizer;
- B. Requirement that each school nurse receive training in airway management and in the use of nebulizers and inhalers consistent with nationally recognized standards;
- C. Requirement that each student authorized to use asthma medication or a nebulizer have an asthma treatment plan prepared by the student's physician that identifies, at a minimum, asthma triggers and an individualized health care plan for meeting the medical needs of the student while attending school or a school-sponsored event.

#### Student Self-Administration of Medication

The board shall permit self-administration of medication for asthma, diabetes or other potentially life-threatening illnesses by students who have the capability for self-administration of medication, both on school premises during regular school hours and off-site or after regular school hours when a student is participating in field trips or extracurricular activities. Parents/guardians of the student must meet the following conditions:

- A. Provide the board with written authorization for the student's self-administration of medication;
- B. Provide written certification from the student's physician that the student has asthma or another potentially life-threatening illness and is capable of and has been instructed in the proper method of self-administration of medication;
- C. Sign a statement acknowledging that the district shall incur no liability as a result of any injury arising from the self-administration of medication by the student and that the parents/guardians shall indemnify and hold harmless the district and its employees or agents against any claims arising out of the self-administration of medication by the student.

The board shall:

- A. Inform the student and his/her parents/guardians that permission is effective for the school year for which it is granted and must be renewed for each subsequent school year upon fulfillment of requirements listed above;
- B. Inform parents/guardians in writing that the district and its employees or agents shall incur no liability as a result of any injury arising from the self-administration of medication; and
- C. Maintain the right to revoke a student's permission to self-medicate if he/she has failed to comply with all conditions of this policy and/or has violated in any way the tenets of the agreement to self-medicate.

The chief school administrator shall confer with the school physician and school nurse prior to recommending termination of a student's permission to self-medicate and shall also consult with the student, the student's parents/guardians and the student's physician.

Upon written request of the parent or guardian and as provided in the individual health care plan, the student shall be allowed to attend to the management and care of his/her diabetes in the classroom or on school grounds, if evaluated and determined to be capable of doing so consistent with the plan, and N.J.S.A. 18A:40-12.15 and board policy 5141 Health for specific rules regarding diabetes

management.

### Emergency Administration of Epinephrine

The board shall permit the school nurse or medical inspector to administer epinephrine via epi-pen or other pre-filled auto-injector mechanism in emergency situations. In their absence, a designee or designees who are employees of the board may do so.

The designees must be properly trained by the school nurse in the administration of the epi-pen or other pre-filled auto-injector mechanism using the standardized training protocol designated by the State Department of Education. Each designee shall receive individual training for each student for whom he/she is designated.

The board shall inform the student's parents/guardians in writing that if the specified procedures are followed, the district, its employees and agents shall have no liability as a result of any injury arising from the administration of the epi-pen or other pre-filled auto-injector mechanism to the student.

Parents/guardians shall provide the board with the following:

- A. Written orders from the physician that the student requires the administration of epinephrine for anaphylaxis and does not have the capability for self-administration of the medication;
- B. Written permission for the administration of epinephrine via epi-pen or other pre-filled auto-injector mechanism by the school nurse or designee(s);
- C. A signed statement acknowledging their understanding that if the specified procedures are followed, the district shall have no liability as a result of any injury arising from the administration of the epi-pen or other pre-filled auto-injector mechanism by the school nurse or designee(s) to the student and that the district, its employees, and agents shall be indemnified and held harmless against any claims arising out of the administration of the epi-pen or other pre-filled auto-injector mechanism to the student.

Permission for the administration of epinephrine via epi-pen or other pre-filled auto-injector mechanism shall be granted annually and must be renewed each school year upon the fulfillment of the above requirements.

### Placement and Availability of Epinephrine, and Transportation to Hospital Emergency Room

Pursuant to N.J.S.A. 18A:40-12.6, school policy requires:

- A. The placement of a student's prescribed epinephrine in a secure but unlocked location easily accessible by the school nurse and designees to ensure prompt availability in the event of an allergic emergency at school or at a school-sponsored function. The location of the epinephrine shall be indicated on the student's emergency care plan. Back-up epinephrine shall also be available at the school if needed;
- B. The school nurse or designee to be promptly available on site at the school and school-sponsored functions in the event of an allergic reaction; and
- C. The transportation of the student to a hospital emergency room by emergency services personnel after the administration of epinephrine, even if the student's symptoms appear to have resolved.

### Emergency Administration of Epinephrine for First Time Allergic Reactions at School

The school nurse or trained designee shall be permitted to administer epinephrine via a pre-filled auto-injector mechanism to any student without a known history of anaphylaxis. This includes students

whose parents/guardians have not submitted prior written permission or obtained prescribed medication as indicated in the rules above. Epinephrine may be administered to any student without a known history of anaphylaxis when the nurse or trained designee in good faith believes that the student is having an anaphylactic reaction

The district shall maintain a supply of epinephrine auto-injectors that is prescribed under a standing protocol from a licensed physician or an advanced practice nurse in a secure but unlocked and easily accessible location. The supply of epinephrine auto-injectors shall be accessible to the school nurse and trained designees for administration to a student having an anaphylactic reaction.

### Liability

No school employee, including a school nurse, or any other officer or agent of a board, or a physician or an advanced practice nurse providing a prescription under a standing protocol for school epinephrine shall be held liable for any good faith act or omission consistent with the provisions of law for the administration of epinephrine (N.J.S.A. 18A:40-12.5 *et seq.*). No action shall be taken before the New Jersey State Board of Nursing against a school nurse for any such action taken by a person designated in good faith by the school nurse to administer epinephrine according to law (N.J.S.A. 18A:40-12.6). Good faith shall not include willful misconduct, gross negligence or recklessness.

### Emergency Administration of Opioid Antidote

“Opioid antidote” means any drug, regardless of dosage amount or method of administration, which has been approved by the United States Food and Drug Administration (FDA) for the treatment of an opioid overdose. Opioid antidote includes, but is not limited to, naloxone hydrochloride, in any dosage amount, which is administered through nasal spray or any other FDA-approved means or methods.

“Opioid overdose” means an acute condition including, but not limited to, extreme physical illness, decreased level of consciousness, respiratory depression, coma, or death resulting from the consumption or use of an opioid drug or another substance with which an opioid drug was combined, and that a layperson would reasonably believe to require medical assistance.

The school physician shall include an opioid antidote in the prescribed standing order for the schools of the district that include any of the grades nine through twelve. The chief school administrator, in consultation with the building principal of any school other than those including grades nine through twelve, shall determine whether the school physician shall include an opioid antidote in the prescribed standing order for such schools and shall report that determination to the board. The opioid antidote may be administered to any student, school personnel or other person reasonably believed to be experiencing an opioid overdose. The opioid antidotes shall be accessible in the school during regular school hours and during school-sponsored functions that take place in the school or on school grounds adjacent to the school building. The chief school administrator, in consultation with each building principal regardless of grade, shall determine whether to make opioid antidotes accessible during school-sponsored functions that take place off school grounds and shall report each school’s determination to the board.

The opioid antidote shall be stored in a secure but unlocked and easily accessible location, and according to the manufacturer’s directions regarding the heat and cold sensitivity of the medication. To the extent that is safe and practical, the opioid antidote shall be stored at a reasonable proximity of an automated external defibrillator (AED). The school nurse shall be responsible for monitoring the on-site inventory of the opioid antidote, arranging for the replacement of the opioid antidote supply and ensuring the appropriate and safe disposal of administered and expired opioid antidote applicators.

Any student suspected of being under the influence of drugs or alcohol including students suspected of an opioid overdose shall be subject to board policy 5131.6 Drugs, Alcohol, Steroids and Tobacco and law (N.J.A.C. 6A:16-3) regarding prevention, identification, examination, treatment, intervention and referral for substance abuse.

The school nurse shall be responsible for the assessment of any student suspected of being under the influence of drugs or alcohol including any student suspected of an opioid or other drug overdose. When the school nurse has assessed that a student is experiencing an opioid overdose the school nurse, or board approved school employee or volunteer trained to administer the opioid antidote or other appropriately licensed school health professionals, may administer the opioid antidote.

The school nurse or his or her designee shall immediately call 911 upon suspecting an overdose, and notify the parents/guardians as soon as practicable. The school nurse or designee shall notify the building principal of any suspected overdose and all actions taken including the administration of opioid antidote and the notification of emergency medical services.

An overdose victim shall be transported by emergency services personnel to the nearest hospital emergency room, including where the victim's symptoms appear to have resolved. The principal shall designate a member of the school staff to accompany the student to the hospital. The principal shall notify the chief school administrator whenever an opioid antidote is administered.

The school nurse shall document the incident including but not limited to:

- A. Date, time and location of the incident;
- B. Names of any staff members or students reporting the incident;
- C. A description of the incident;
- D. Description of the evaluation conducted;
- E. The administration of naloxone including the form and dosage;
- F. All actions taken, including, when 911 was called, when emergency services arrived, staff assigned to accompany the student.

The documentation shall be in the same manner as the documentation of administration of other medications under a non-patient specific order.

### Training

The school nurse shall have the primary responsibility for the emergency administration of an opioid antidote. The board shall designate additional employees or volunteers to administer the opioid antidote who shall be authorized to administer the antidote only after receiving training on standardized protocols for the administration of the opioid antidote and information regarding overdose prevention pursuant to the Overdose Prevention Act. (P.L. 2013, c. 46). The school nurse shall not be solely responsible to train designated individuals. The policy guidelines developed by the New Jersey Department of Education in consultation with the New Jersey Department of Human Services shall specify an appropriate entity or entities to provide the training. A school may enter into a shared services agreement for the provision of opioid antidotes if the arrangement will result in cost savings.

### Parent Notification

Written notification of the board opioid overdose policy shall be distributed annually to parent's/guardian's and adult students and shall provide a means for the student's parent/guardian or the adult student. The notification shall inform parents/guardians and adult students that the board authorizes the certified school nurse or other appropriately licensed school health professionals deemed capable of administering naloxone by a health care professional, to administer naloxone. In addition, the notification shall also include that volunteer, unlicensed school personnel appropriately trained through a Department of Human Services (DHS) endorsed program may also be authorized to administer naloxone (see attachment).

The school nurse, in consultation with the chief school administrator, shall be responsible for the development and regular review of policies and procedures regarding the naloxone. The policies and procedures for the use of opioid antidote shall be included in district emergency response procedures.

#### Liability for the Administration of Opioid Antidote

No school employee, including a school nurse, or any other officer or agent of a board of education, charter school, or nonpublic school, or a prescriber of opioid antidotes for a school through a standing order, shall be held liable for any good faith act or omission consistent with the provisions of this act. Good faith shall not include willful misconduct, gross negligence, or recklessness.

#### Policy Implementation

The board may adopt additional regulations on all aspects of the administration of medication. When implementing school policy and N.J.S.A. 18A:40-12.6, staff will consult these New Jersey Department of Education guidance documents:

- A. Training Protocols for the Emergency Administration of Epinephrine (9/08);
- B. Guidelines for the Management of Life-Threatening Food Allergies in Schools (9/08).

#### Legal References:

- N.J.S.A. 18A:11-1: General mandatory powers and duties
- N.J.S.A. 18A:40-1 Employment of medical inspectors, optometrists and nurses; salaries; terms; rules
- N.J.S.A. 18A:40-3.2 Findings, declarations relative to school nursing, clinical nursing services
- N.J.S.A. 18A:40-4 Health records; examinations for physical defects, hearing
- N.J.S.A. 18A:40-7 Exclusion of pupils who are ill
- N.J.S.A. 18A:40-12.3 Self-administration of medication by pupil permitted
- N.J.S.A. 18A:40-12.5 Development of policy for emergency administration of epinephrine to students
- N.J.S.A. 18A:40-12.6 Policy for administration of epinephrine to pupil
- N.J.S.A. 18A:40-12.7 Nebulizer required in schools
- N.J.S.A. 18A:40-12.8 Regulations for use of nebulizer in schools
- N.J.S.A. 18A:54-20: Powers of board
- N.J.S.A. 24 6J-1 *et seq.* Overdose Prevention Act
- N.J.S.A. 45 11-23: Definitions
- N.J.A.C. 6A 16-1.1 *et seq* Purpose
- N.J.A.C. 6A 16-1.3 Definitions
- N.J.A.C. 6A 16-2.1 Health services policy and procedural requirements

N.J.A.C. 6A 16-2.2 Required health services

N.J.A.C. 6A 16-2.3 Health services personnel

N.J.A.C. 6A 16-2.4 Required student health records

*Bernards Township Education Association v. Bernards Township Board of Education*, 1981 S.L.D. (9/29/81), aff'd State Board, 1982 S.L.D. 4/7/82, aff'd App. Div., unpublished opinion (A-4211-81T3, 5/18/83)

*Communications Workers of America, Local 1033, On behalf of Karen Norton, Barbara Woolston, Mary Ellen Schoen et al. v. New Jersey State Department of Education, Marie H. Katzenbach School for the Deaf*, State Board Docket #52-91

Protocol and Implementation Plan for the Emergency Administration of Epinephrine by a Delegate Trained by the School Nurse, New Jersey State Department of Education, October, 1998

P.L. 2018. C.106 (A542, S1830), an act concerning the emergency administration of opioid 1 antidotes in schools, supplementing chapter 40 of Title 18A of 2 the New Jersey Statutes, and amending P.L.2013, c.46

Overdose Prevention Act, P.L. 2013, c. 46

#### Possible Cross References:

5131.6 Drugs, alcohol, tobacco (substance abuse)

5141 Health

5141.1 Accidents

5141.2 Illness

5141.3 Health examinations and immunizations

6153 Field trips

#### Key Words

Administering Medication, Medication in School, Nebulizer, Epinephrine, Anaphylaxis, Asthma, Opioid Antidote

Date: October 3, 2006

Revised: January 12, 2015

Adopted: January 20, 2015

Revised: February 28, 2017

Revised: October 15, 2018

Revised: January 3, 2019



## 5141.22 MEDICAL MARIJUANA

The board of education recognizes that physical discomfort associated with certain debilitating medical conditions can negatively impact a student's ability to benefit from educational services provided by the school district. The board of education also recognizes that a student diagnosed with a debilitating medical condition may, through the legally prescribed use of medical marijuana, alleviate physical symptoms associated with the debilitating condition that occur during school hours, potentially increasing the student's availability to receive instruction. Therefore in accordance with law (P.L. 2015, c.158), a student who is legally prescribed medical marijuana and who possesses a current registry identification card from the New Jersey Department of Health (NJDOH), may be administered prescribed marijuana by a NJDOH registered primary caregiver.

The New Jersey Compassionate Use Medical Marijuana Act (N.J.S.A. 24:6I-3) provides that medical marijuana may be prescribed for the following debilitating medical conditions:

- A. Seizure disorder, including epilepsy; intractable skeletal muscular spasticity; or glaucoma if any of these conditions are resistant to conventional medical therapy;
- B. Positive status for human immunodeficiency virus; acquired immune deficiency syndrome; or cancer; if any treatment of these conditions cause severe or chronic pain, severe nausea or vomiting, cachexia, or wasting syndrome;
- C. Amyotrophic lateral sclerosis, multiple sclerosis, terminal cancer, muscular dystrophy, or inflammatory bowel disease, including Crohn's disease;
- D. Terminal illness, if the student's physician has determined a prognosis of less than 12 months of life; or
- E. Any other medical condition or its treatment that is approved by the NJDOH by regulation.

### **New Jersey Department of Health Medical Marijuana Program Authorization**

Students authorized to use medical marijuana, including adult students, are not authorized by law to self-administer the medication on school grounds, on the school bus or at school sponsored activities. In all cases, a primary caregiver shall be required to assist with the administration of the prescribed medical marijuana on school grounds, on the school bus, or at school sponsored activities subject to law and this board policy.

In order for the prescribed medical marijuana to be legally administered, the student and primary caregiver shall possess a current registry identification card. The NJDOH shall issue a registry identification card only upon certification from a licensed physician in the State with whom a qualifying patient has a bona fide physician-patient relationship. The physician must be registered with the New Jersey Medical Marijuana Program to legally prescribe medical marijuana.

According to the Medical Marijuana Program the primary caregiver:

- A. Shall be a resident of New Jersey who is at least 18 years old;
- B. Has agreed to assist with a registered qualifying patient's medical use of marijuana, is not currently serving as primary caregiver for another qualifying patient, and is not the qualifying patient's physician;
- C. Has never been convicted of possession or sale of a controlled dangerous substance, unless such conviction occurred after July 19, 2010 and was for a violation of federal law related to possession or sale of marijuana that is authorized under the Compassionate Use Medical Marijuana Act;

D. Has registered with the NJDOH, and has satisfied the criminal history record background check requirement; and

E. Has been designated as primary caregiver on the qualifying patient's application or renewal for a registry identification card or in other written notification to the NJDOH.

### **Verification of Registration Status**

The chief school administrator shall submit a written request to the NJDOH Medical Marijuana Program seeking verification of the registration status of the student and the caregiver.

Verification of the registration status of the student and the caregiver shall be requested not less than annually. Documentation of the request made to the NJDOH and any response the district receives from the NJDOH shall be kept in the student's confidential medical records and maintained in the office of the school nurse.

### **Administration of the Prescribed Medical Marijuana**

While on school grounds, the primary caregiver shall be permitted to administer the prescribed medical marijuana in the office of the school nurse. The school nurse may designate other locations on school grounds. When an alternate location on school grounds other than the nurse's office is requested or required for the administration of the prescribed medical marijuana, the school nurse shall document the designated location in the appropriate student record (i.e. confidential medical record, individualized health care plan).

No student shall be permitted to carry the prescribed marijuana medication on school grounds, on school buses or at school sponsored activities. The prescribed medical marijuana shall not be stored on school grounds. It shall be the sole responsibility of the primary caregiver to maintain and administer the medication.

A primary caregiver shall bring the medication to school to administer the medication in the school nurse's office and shall leave school grounds with any remaining medication. Any packaging, containers or other materials associated with the caregiver's administration of the prescribed medical marijuana to the student shall be disposed of in the appropriate receptacle for hazardous materials in the nurse's office and at no other location on school property.

Any form of medical marijuana that is smoked is prohibited on school grounds, on school buses or at school sponsored events.

### **Liability**

Any person in possession of prescribed medical marijuana or using prescribed medical marijuana and acting within the provisions of N.J.S.A. 2C:35-18 Exemption, Burden of Proof and in accordance with the Compassionate Use of Medical Marijuana Act (N.J.S.A. 24:6I-1) shall be immune from criminal liability and professional disciplinary action.

Possession of, or application for, a registry identification card shall not alone constitute probable cause to search the person or property of the person possessing or applying for the registry identification card, or otherwise subject the person or his/her property to inspection.

### **Key Words**

Marijuana, Medical Marijuana, Primary Caregiver

Adopted: January 16, 2018

## Mountain Lakes School District

## 5141.8 SPORTS RELATED CONCUSSION AND HEAD INJURY

**NOTE:** *This policy is mandated for each school whose students participate in an interscholastic sports program.*

A concussion is a traumatic brain injury (TBI) caused by a direct or indirect blow to the head or body.

### Requirements

- A. A student who participates in interscholastic athletics and who sustains or is suspected of sustaining a concussion or other head injury shall be immediately removed from the completion or practice. A student-athlete may not return to play until they obtain medical clearance in compliance with local school district return-to-play policy;
- B. All Coaches, School Nurses, School/Team Physicians and Certified Athletic Trainers must complete and Interscholastic Head Injury Training Program;
- C. The Athletic Head Injury training program must include:
  - 1. The recognition of the symptoms of head and neck injuries, concussions, and injuries related to second impact syndrome; and
  - 2. Describe the appropriate time to delay the return-to-sports competition or practice of a student-athlete who has sustained a head injury or other head injury, but if no additional time is specified for a particular age-group or sport, the student-athlete may return when written medical clearance is given the student-athlete stating that he/she is asymptomatic, and the student-athlete has completed an appropriate graduated individualized return-to-play protocol.
- D. An Athletic Head Injury Training program such as the National Federation of State High Schools Association online "Concussion in Sports" training program or a comparable program that meets mandated criteria shall be completed by the above-named staff or others named by local district policy;
- E. Distribution of NJ Department of Education Concussion and Head Injury fact sheet to every student-athlete who participates in interscholastic sports. Each district must obtain a signed acknowledgement of the receipt of the fact sheet by the student-athlete's parent/guardian and keep on file for future reference.

### Model Concussion Protocol for the Prevention and Treatment of Sports Related Concussions and Head Injuries

- A. A student-athlete who is suspected of sustaining a sports related concussion or other head injury during competition or practice shall be immediately removed from play and may not return-to-play that day.
- B. Possible Signs and Symptoms of Concussion
  - 1. Signs (Could be observed by Coaches, Athletic Trainer, School/Team Physician, School Nurse):
    - a. Appears dazed, stunned or disoriented;
    - b. Forgets plays, or demonstrates short term memory difficulty;
    - c. Exhibits difficulties with balance or coordination;

d. Answers questions slowly or inaccurately;

e. Loses consciousness;

2. Symptoms (reported by the student-athlete to Coaches, Athletic Trainer, School/Team Physician, School Nurse, Parent/Guardian):

a. Headache;

b. Nausea/Vomiting;

c. Balance problems or dizziness;

d. Double vision or changes in vision;

e. Sensitivity to light or sound/noise;

f. Feeling sluggish or foggy;

g. Difficulty with concentration and short term memory;

h. Sleep disturbance.

C. To return to competition and practice the student-athlete must follow the protocol:

1. Immediate removal from competition or practice;

2. School personnel (Athletic Trainer, School Nurse, Coach, etc.) shall make contact with the student-athlete's parent/guardian and inform them of the suspected sports related concussion or head injury;

3. School personnel (Athletic Trainer, School Nurse, Coach, etc.) shall provide student-athlete with local school district approved information/medical checklist to provide their parent/guardian and physician or other licensed healthcare professional.

4. Student-athlete must receive written clearance from their physician that student is asymptomatic and may begin the local district's graduated return-to-play protocol. School personnel (Athletic Trainer, School Nurse, Coach, etc. may consult with school/team physician after medical clearance is given from student-athlete's physician).

#### Graduated Return to Competition and Practice Protocol

A. After written medical clearance is given the student-athlete stating that they are asymptomatic, the student-athlete may begin a graduated individualized return-to-play protocol such as:

1. Step 1: No activity, complete physical and cognitive rest. The objective of this step is recovery.

2. Step 2: Light aerobic exercise, which includes walking, swimming, or stationary cycling, keeping the intensity < 70% maximum percentage heart rate: no resistance training. The objective of this stop is increased heart rate;

3. Step 3: Sport-specific exercise including skating, and/or running; no head impact activities. The objective of this step is to add movement;

4. Step 4: Non-contact training drills (e.g. passing drills). The student-athlete may initiate progressive resistance training;

5. Step 5: Following medical clearance (consultation between school personnel and student athlete's physician), participation in normal training activities. The objective of this step is to restore confidence and assess functional skills by the coaching staff;

6. Step 6: Return-to-play involving normal exertion or game activity.

B. Symptom checklists, baseline testing and balance testing may be utilized;

C. If the student-athlete exhibits a re-emergence of any post concussion signs or symptoms once he or she returns-to-play, they will be removed from exertion activities and returned to their school/team physician or primary care physician;

D. If concussion symptoms reoccur during the graduated return-to-play protocol, the student-athlete will return to the previous level of activity that caused no symptoms.

#### Temporary Accommodations for Student-Athletes with Sports Related Head Injuries

A. Consideration of the cognitive effects in returning to the classroom is also an important part of the treatment of sports related concussions and head injuries.

B. Mental exertion increases the symptoms from concussions and affects recovery.

C. To recover, cognitive rest is just as important as physical rest. Reading, studying, testing, texting - even watching movies if a student is sensitive to light - can slow down a student's recovery.

D. In accordance with the Centers for Disease Control's toolkit on managing concussions local boards of education may look to address the student's cognitive needs in the following ways.

E. Students who return to school after a concussion may need to:

1. Take rest breaks as needed;
2. Spend fewer hours at school;
3. Be given more time to take tests or complete assignments;
4. Receive help with schoolwork;
5. Reduce time spent on the computer, reading and writing;
6. Be granted early dismissal from classes to avoid crowded hallways.

#### Implementation of the Interscholastic Sports Related Concussions and Head Injuries Policy

A. A training program and policy for the prevention and treatment of sports related concussions and head injuries shall be completed by the school/team physician, coaches, athletic trainer, school nurse, and any other school employee the local district deems necessary;

B. The district is required to monitor the above-named school district employees in the completion of an Interscholastic Head Injury Training program such as the National Federation of State High Schools Association's online, "Concussion in Sports" program, which includes:

1. The recognition of the symptoms of head and neck injuries, concussions, and injuries related to second-impact syndrome;
2. The protocol for a return to competition or practice, which may specify an appropriate amount of time to delay the return to sports competition or practice of a student-athlete

who has sustained a concussion or other head injury.

C. The educational fact sheet shall be distributed annually to the parents or guardians of student-athletes. A signed acknowledgement of the receipt of the fact sheet shall be obtained from the student-athlete and his parent or guardian and retained by the school district;

D. The school district will implement this policy on the prevention and treatment of sports-related concussions and other head injuries among student-athletes by the 2011-2012 school year;

E. Students who participate in an interscholastic sports program and are suspected of sustaining a concussion or other head injury in competition or practice shall be immediately removed from the sports competition or practice. A student-athlete who is removed from competition or practice shall not participate in further sports activity until he is evaluated by a physician or other licensed healthcare provider trained in the evaluation and management of concussions, and receives written clearance from a physician trained in the evaluation and management of concussions to return to completion or practice.

Legal References: Use legal reference sheet.

#### Key Words

Health, Concussion, Head Injury, Interscholastic Sports

Date: May 20, 2014

**Mountain Lakes School District**

## 5142 PUPIL SAFETY

The Board of Education recognizes the safety of its pupils as a consideration of utmost importance. The Superintendent shall consult law enforcement agencies, health and social service providers, emergency management planners and other school and community resources in the development of the plans, procedures and mechanisms for school safety. The Superintendent shall oversee development of a district wide safety program with emphasis on accident prevention.

### Facilities

The Superintendent shall maintain all facilities and equipment in proper condition to provide a safe learning environment, ensuring compliance with state law on the handling, labeling and storing of hazardous substances. Safety shall be maintained with respect to playground equipment and all aspects of playground activity will be supervised in compliance with law and code.

### Staff Education and Training

All teachers shall be familiar with the provisions of this program that particularly concern them. Regulations concerning use and maintenance of eye protective devices shall be scrupulously enforced by all staff.

The Superintendent shall inform all newly employed staff of school safety rules and regulations within 60 days of the effective date of their employment. All district employees will receive the appropriate inservice training to recognize and respond appropriately to safety concerns, including emergencies and crises, in accordance with the district safety plans, procedures and mechanisms. The Superintendent will update the district safety plan annually and notify all employees of updates and changes to the safety plan in writing.

### Student Supervision

The staff must maintain complete classroom and playground supervision during regular school hours. The Superintendent shall seek the cooperation of parents/guardians to prevent any children being unsupervised on school property during lunch hour and during morning arrival and afternoon dismissal times. Further, the Superintendent shall seek the cooperation of the police and other appropriate agencies in providing for the safety of pupils on or around school property. The Board shall adopt the necessary regulations governing supervision of pupil safety.

No pupil shall leave the school before the end of the school day without permission of the principal. The principal may grant permission by school regulation or rule to a group or groups of students in the ordinary course (e.g. senior open campus).

No pupil shall run errands on school business off the school property.

The curriculum shall include courses in safety as required by state law. The Superintendent shall oversee development and implementation of a vocational education safety program correlated with coursework. In development of courses, the safety of participating pupils shall be a primary consideration.

Employers of work/study pupils are required to report to the Guidance Director if a pupil has not reported for work within one hour of the expected arrival time. Other pupils leaving before regular dismissal must be met in the school office and signed out by a parent/guardian or a person authorized to act in his/her behalf.

A record shall be kept indicating the legal custodian of each pupil. Such custodian shall be responsible for informing the superintendent of any change in the pupil's custody. If one parent/guardian has been awarded custody of the pupil in a divorce, the other parent/guardian shall



present to the principal a letter authorizing him/her to accompany the child from school before the child may be released. The principal may take reasonable steps to verify the letter. It is the responsibility of the person or agency having custody to inform the school that such authorization will be required.

### Voluntary Fingerprinting Program

The Board of Education may provide a voluntary fingerprinting program for the protection of its pupils. This program shall be carried out in cooperation with the county sheriff's office and local law enforcement officials in accordance with the requirements of law.

All pupils in grades kindergarten through nine shall be eligible to participate with written authorization of their parent/guardian. Completed fingerprint cards shall be given to the parent/guardian and shall not be retained by the school district or the law enforcement agency.

The Superintendent is directed to provide an orientation program for those pupils for whom fingerprinting has been authorized, and to develop appropriate administrative regulations for the implementation of the voluntary fingerprinting program in the district.

### Potentially Missing Children

Attendance practices, the dismissal precautions addressed in this policy and voluntary fingerprinting are part of the district's effort toward early identification of potentially missing children.

The Superintendent will develop procedures that ensure cooperation with law enforcement for substances, weapons and safety. This may include cooperation with law enforcement in the activation of an "Amber Alert" which provides for the rapid dissemination of information, including a description of the missing child through broadcast media.

### Release to an Individual Impaired by Drugs/Alcohol Prohibited

The Board believes that allowing a child to be released into the custody of a parent/guardian or other authorized individual who appears to be impaired by drugs or alcohol can have tragic consequences. Therefore, the Board prohibits release of a pupil into the custody of any person who appears to be physically and/or emotionally impaired to the extent that harm could come to the pupil if released to such a person. The Superintendent/designee shall make the final determination as to whether an individual is impaired.

### Possessions

Parents/guardians are requested not to permit their children to bring expensive or fragile objects to school and to label or otherwise identify clothing, books and personal items. The Board is not responsible for items destroyed or stolen from lockers.

### Megan's Law

Only law enforcement agencies in the community receive notification of the presence of Tier One offenders. The superintendent and principals in affected schools shall receive notification from the county prosecutor's office or local law enforcement officials when Tier Two or Tier Three sex offenders move into the district. Principals shall inform those employees/ volunteers whose duties regularly put them in a position to observe unauthorized persons on or near the property of the school. Principals shall determine who to notify on the basis of this definition, as well as on specific job duties carried out in their schools. If private vendors perform any of these functions, the principal shall inform the vendor. Notification may include, but is not limited to:

A. Aides

B. Bus drivers

- C. Coaches
- D. Maintenance staff
- E. Professional support staff
- F. School level administrative staff
- G. Security personnel
- H. Teachers' aides
- I. Teachers

School personnel are notified only in their capacity as such and shall not disseminate information about an offender to anyone not specifically identified by the county prosecutor or Attorney General. Any school employee who does so may be disciplined. If a school employee has reason to believe that an offender who has been the subject of a notification is a danger to someone outside the school environs, he/she shall immediately contact the local law enforcement agency or the county prosecutor.

District personnel shall not notify the following of the presence of Tier Two or Tier Three offenders:

- A. Members of PTO, PTA, HSA, etc.
- B. Organizations using school facilities
- C. Other schools
- D. Press

The principal shall provide registration forms to any organization that uses the school facilities, including parent-teacher organizations, that wishes to be notified by the county prosecutor's office of the presence of a Tier Two or Tier Three offender in the community.

In addition to the school personnel identified by the principal, students and parents/guardians shall be notified of the presence of Tier Three offenders. The prosecutor's office and local law enforcement shall supply the school with notices for them when a school is located in the area where a vulnerable population is likely to encounter a Tier Three offender. Dissemination of these notices shall be in accord with law and accomplished in cooperation with the county prosecutor's office. Confidentiality shall be a prime consideration in all communications with students and parents/guardians, and all directives of the county prosecutor and Attorney General's offices shall be observed.

When a student has been identified as a sex offender, all procedures of notification shall apply. When a parent/guardian has been identified as an offender, he/she may continue to participate in all appropriate parent/guardian activities, unless prohibited by legal constraint.

Newly hired staff and newly enrolled students and their parents/guardians shall be trained and informed of the presence of Tier Two and Tier Three offenders, unless the county prosecutor has notified the principal that notice cannot be given.

Students and district employees shall not be liable in any civil or criminal action for providing or failing to provide information relevant to notification. The Superintendent shall prepare regulations to implement this policy and all directives of the county prosecutor's office to ensure careful adherence to Megan's Law.

#### School Violence Awareness Week and Annual Public Hearing

The school shall observe "School Violence Awareness Week". This week will include discussions,

presentations, and training for both students and staff, focused on the topic of preventing violence in school. Law enforcement personnel will be invited to join school teaching staff presenting age appropriate opportunities for students to discuss issues including but not limited to conflict resolution, student diversity and tolerance.

The Board of education shall hold a public hearing on violence and vandalism pursuant to N.J.S.A. 18A:17-46 and N.J.A.C. 6A: 16-5.3. The requirements of the public hearing are covered in greater detail in file code 5131.5 of this manual.

#### Legal References

Adopted: January 16, 2006

Revised: November 5, 2007

LR2011

**Mountain Lakes School District**

## 5142.1 SAFETY PATROLS

The Board believes that students should develop leadership skills and good traffic habits. The Board believes that the Superintendent should have discretion to decide whether safety patrols should be added as a student activity in the district.

Therefore, if the Superintendent decides to establish safety patrols, the Superintendent shall first develop regulations to govern the formation of safety patrols.

These regulations shall include, but not be limited to, provisions for:

- A. Appointing a faculty advisor to select, instruct and discipline members of the safety patrol;
- B. Informing candidates and their parents/guardians of the purpose and activities of the patrol and the possible hazards;
- C. Obtaining signed, written consent from the parent/guardian for the student's involvement in the safety patrol;
- D. An outline of duties suitable to each school building; and
- E. Cooperation with the police.

### Legal References

Adopted: January 2, 2012

**Mountain Lakes School District**

## 5142.2 PUPIL SUICIDE PREVENTION

The Board of Education recognizes that depression and self-destruction are problems of increasing severity among children and adolescents. A pupil under severe stress cannot benefit fully from the educational program and may pose a threat to himself or herself or others.

The Board directs all school personnel to be alert to the pupil who exhibits signs of potential self-destruction or who threatens or attempts suicide. Any such signs or the report of such signs from another pupil or staff member should be taken with the utmost seriousness and reported immediately to the building principal, who shall notify the pupil's parent or legal guardian and other professional staff members in accordance with administrative regulations.

A potentially suicidal pupil shall be referred to the Child Study Team or the Student Assistance Counselor for appropriate evaluation and/or recommendation for independent medical or psychiatric services. In the event that the parent or legal guardian objects to the recommended evaluation or indicates an unwillingness to cooperate in the best interests of the pupil, the Child Study Team or the Student Assistant Counselor will contact the New Jersey Division of Youth and Family Services (as well as local law enforcement) to request that agency's intervention on the pupil's behalf.

Additionally, any school personnel, who, as a result of information obtained in the course of the person's employment, has reasonable cause to believe that a student has attempted or contemplated suicide, shall promptly report such information to the Division of Mental Health Services in the Department of Human Services pursuant to N.J.S.A. 30:9A-24(a).

The student shall not return to school without a written verification from a medical/psychiatric professional that the pupil has undergone an emergency psychiatric evaluation and is no longer a threat to him or herself and /or to others. This evaluation shall be completed on the day the student was sent out. Once cleared parent/guardian will notify the school and arrange a re-entry meeting to coordinate the in-school support plan and any additional outside resources.

In accordance with New Jersey Law every teaching staff member must complete two hours of instruction in suicide prevention, to be provided by a licensed health care professional with experience in mental health issues. The instruction in suicide prevention shall include information on the relationship between the risk of suicide and incidents of harassment, intimidation and bullying and information on reducing the risk of suicide in students who are members of communicates identified as having high risk of suicide.

The core curriculum content standards shall continue to address social problem solving and appropriate decision making skills as well as suicide prevention instruction in grades K-12 as per statute.

In addition the cost of the treatment resulting from the psychiatric evaluation shall be the sole responsibility of the parent/guardian.

The Superintendent shall prepare and disseminate regulations for the guidance of staff members in recognizing the pupil who contemplates suicide, in responding to threatened or attempted suicide and in preventing contagion when a pupil commits suicide, and shall provide training to staff members as required by law.

The Board of Education recognizes that depression and self-destruction are problems of increasing severity among children and adolescents. A pupil under severe stress cannot benefit fully from the education program and may pose a threat to himself or herself and others. The purpose of this policy is to protect the health and well being of all district students by having procedures in place to prevent, assess the risk of, intervene in and respond to suicide. The Board is committed to keeping the students healthy and safe.

Mountain Lakes School District recognizes:

1. that physical, behavioral and emotional health is an integral component of a student's success,
2. further recognizes that suicide is a leading cause of death among children and adolescents.
3. has an ethical responsibility to take a proactive approach in preventing deaths by suicide.

The Board directs all school personnel to be alert to the pupil who exhibits signs of potential self-destruction or who threatens or attempts suicide.

Procedure when a student confides in a staff member that he or she is having suicidal thoughts or thoughts of harming himself or herself:

The staff member should indicate concern for the student and offer to help him/her through the Child Study Team or Student Assistance Counselor. The faculty member should walk with the student to the Guidance office.

Procedures when a student is suspected of suicidal thoughts or of harming himself or herself: (see flow chart)

## **ASSESSING STUDENTS FOR SUICIDAL RISK**

The assessment of suicidal risk is the responsibility of the student assistance counselor, school psychologist or social worker. If none of these people are available in the building, a call to Special Services should be made to have one of the district's school psychologists or school social workers sent to the building.

The goal of the initial interview by the assessor needs to be twofold:

1. to assist the student in increasing a sense of life and hope and,
2. to assess the level of suicidal risk. It is important for the assessor to recognize that the initial screening can be used as a way to move the student toward further help.

There is a continuum of suicidal behavior, which starts with thoughts and moves through ideation, gestures, attempts and completions. **It cannot be emphasized enough that any and all suicidal statements brought to the attention of staff members should be taken seriously and result in an immediate assessment to ascertain level of risk. At no time should a student who is seen for an assessment of suicidal risk be allowed to leave the school building without the parents being made aware of the assessment regardless of the level of risk assigned.**

When conducting the assessment of suicidal risk, the assessor should at the minimum gain information from the student about:

- stresses and stress level
- ability to problem solve
- support systems available to the student
- allied behaviors such as substance abuse, acting out, eating/sleeping disturbances in which the student engages
- any past or present self-injurious behaviors

Once the interview has been conducted, if possible, there will be a second assessor that will meet with the student. After this second assessment both assessors will confer and assign a level of risk and complete the **Report of Risk Form** with copies sent to the appropriate personnel.

## I - LEVEL ONE

The lowest level of risk, **Level One**, is one whereby the student entertains suicidal thoughts, or the student has written intent to engage in a suicidal act. Suicidal thoughts are defined as fleeting reactions to specific depression and stress. In a **Level One** risk, the assessor ascertains that the student has been able to verbalize some specific areas of emotional concern. However, the student generally has good coping skills and an adequate support system with friends and family. The student does not engage in any allied suicidal behaviors such as substance abuse, behavioral acting out, eating and/or sleeping disturbances and overall saddened and depressed affect and has not made any previous gestures and/or attempts.

After assessing the level of risk to be at **Level One**, the assessor shall contact the student's parents by telephone immediately after the assessment. **This action must not be overlooked and must not be used as a bargaining tool between the assessor and the student.** In the telephone conversation the assessor shall provide the parent with information regarding the assessment and provide the parent with the names of mental health resources to the Morris County area. The assessor shall also instruct the parents that they must take the student for a psychiatric consultation immediately at either a local hospital or to a private psychiatrist.

The student shall not return to school without a written verification from a medical/psychiatric professional that the pupil has undergone an emergency psychiatric evaluation and is no longer a threat to him or herself and/or to others. This evaluation shall be completed on the day the student was sent out. Once cleared parent/guardian will notify the school and arrange a re-entry meeting to coordinate the in-school support plan and any additional outside resources.

**The following forms must be completed:**

**Report of Risk - Form 1**

**Permission to Release Obtain Contact - Form 2**

**Confirmation of Contact (Level I-III) - Form 3**

The **Report of Risk Form** must be sent in a confidential envelope to the Director of Special Services and building Principal. The **Confirmation of Contact (Level I)** form must also be sent to the parents, return receipt requested, for signature and return to the assessor. This returned **Parent Contact Form** should also be forwarded to the Director of Special Services and building Principal.

## II - LEVEL TWO

The next level of risk is assigned a Level Two. In this level the fleeting reaction or thought about dying or written statements about dying are turned into a scenario, with plans on how to commit the suicidal act. Level Two should also be designated when during the assessment the student shows low coping skills, describes an inadequate support system with family and friends and/or engages in an allied suicidal behavior such as substance abuse, behavioral acting out, eating and/or sleeping disturbances, or presents with an overall saddened and depressed affect. Any student who indicates that he/she have had previous suicidal thoughts or who indicates a previous suicide gesture or attempt should be assigned at least a Level Two risk.

After assessing the level of risk to be at **Level Two**, the assessor shall insure that the student is kept under continuous adult supervision. The assessor shall contact the building Principal or designee and inform him/her of the assessment. The student's parent or guardian is to be contacted and requested to come to the school immediately. The Student Resource Officer shall be notified and if not available Mountain Lakes Police shall be notified. If the student's parent or guardian is not available or cooperative, the assessor should contact the Division of Youth and

Family Services (1-877-652-2873) to intervene on behalf of the student.

**The following forms must be completed:**

**Report of Risk- Form 1**

**Permission to Release Obtain Contact- Form 2**

**Confirmation of Contact (Levell-111) - Form 3**

Once the parent arrives at school, the assessor shall meet to discuss the areas of concern and provide the parent with a list of mental health resources in the community and instruct the parents they must take the student for a psychiatric consultation immediately either at a local hospital or to a private psychiatrist. The parent should sign **the Confirmation of Contact** form. The **Confirmation of Contact** and **Report of Risk** forms should be completed by the assessor and copies sent in a confidential envelope to the Director of Special Services and building Principal.

If an assessment is indicated, the parent should be informed that a report from the evaluator, as listed above, shall be provided to the assessor or other designated personnel indicating that the student can safely return to school without the need for continual supervision. A re-entry meeting with the student, parent and school administration must be held immediately upon return to school.

The student shall not return to school without a written verification from a medical/psychiatric professional that the pupil has undergone an emergency psychiatric evaluation and is no longer a threat to him or herself and /or to others. This evaluation shall be completed on the day the student was sent out. Once cleared parent/guardian will notify the school and arrange a re-entry meeting to coordinate the in-school support plan and any additional outside resources.

### **III - LEVEL THREE**

**Level Three** is the highest level of assessed risk. There are two behaviors grouped within this level. The first is a suicidal gesture. A student gestures a suicide when he threatens to do so with a method in hand or reports that he had intended to commit suicide with a method in hand. In a suicidal gesture the student either does not make an actual attempt, although they indicate they possess the means, or makes an attempt, which has a low level of lethality.

The second behavior is a suicide attempt. A suicide is determined when the student indicates or exhibits that he has attempted to harm himself with a method having a moderate to high level of lethality. Suicide attempts may occur either on school grounds or be reported to have occurred off school grounds by the student or

With a Level Three risk indicated by a suicidal gesture, the assessor shall insure that the student is kept under continuous adult supervision. The school nurse shall be informed to provide any medical treatment when indicated by any type of cuts, scars, or physical symptoms. The assessor shall contact the building principal or designee and inform him/her of the assessment. The student's parent or guardian is to be contacted and requested to come to school immediately. If the student's parent or guardian is not available or cooperative, the assessor should contact the Division of Youth and Family Services (1-877-652-2873) to intervene on behalf of the student. The School Resource Officer should be notified and if not available Mountain Lakes Police shall be notified.

The student shall not return to school without a written verification from a medical/psychiatric professional that the pupil has undergone an emergency psychiatric evaluation and is no longer a threat to him or herself and /or to others. This evaluation shall be completed on the day the student was sent out. Once cleared parent/guardian will notify the school and arrange a re-entry



meeting to coordinate the in-school support plan and any additional outside resources.

**The following forms must be completed:**

**Report of Risk- Form 1**

**Permission to Release Obtain Contact- Form 2**

**Confirmation of Contact (Level 1-111) - Form 3**

The parent should sign the **Confirmation of Contact** form. The **Confirmation of Contact** and **Report of Risk** forms should be completed by the assessor and copies sent in a confidential envelope to the Director of Special Services and building Principal.

With a **Level Three Risk** indicated by a suicide attempt **off school grounds** the student should be asked if there are any physical cuts or scars and if so, should be seen by the school nurse to ensure proper medical treatment is provided. The student is to be kept under continuous adult supervision. The assessor shall contact the building Principal or designee and inform him/her of the assessment. The student's parent or guardian is to be contacted and requested to come to school immediately. If the student's parent or guardian is not available or cooperative, the assessor should contact the Division of Youth and Family Services to intervene on behalf of the student. The School Resource Officer should be notified and if not available Mountain Lakes Police shall be notified.

With a **Level Three Risk** indicated by a suicide attempt **on school grounds**, the School Resource Officer or if not available the Mountain Lakes Police shall be notified. The school nurse shall ensure that emergency medical treatment is provided, either through the use of first aid techniques if necessary or by telephoning the local rescue squad. If the student is extremely difficult to control, the appropriate authorities shall also be telephoned. The student's parents shall be immediately notified to either come to school or be told where the student has been transported. At no time shall a district employee transport a student who has made a suicide attempt on school grounds to a medical facility for treatment.

Once the parent arrives at school, the assessor shall meet to discuss the areas of concern and the parents should be instructed to take the student for a psychiatric consultation immediately without stopping either to a local hospital or to a private Psychiatrist.

The parent should be informed that a report from the evaluator, as listed above, shall be provided to the assessor or other designated personnel indicating that the student can safely return to school without the need for continual supervision. A re-entry meeting with the student, parent and school administration must be held immediately upon return to school.

- The Department of Special Services maintains a record of all risk assessments conducted throughout the district. Prior to making a determination of level of risk, the department should be consulted to determine if previous assessments have been done. This may change the risk status determination, due to the criteria concerning multiple reports of ideation.
- There is a possibility that when identifying a student at risk, the outcome of your recommendation may impact on siblings. The school principal or designee should call his or her colleague in buildings where a sibling is in attendance and inform the principal of the report of risk.

\* Parents should be encouraged to sign this form, which may be submitted after an evaluator is chosen.

All school personnel shall be provided with training on this subject 2 hours yearly, as required by

law.

## **Crisis Intervention**

Recognition of potential suicide risk factors:

All faculty, shall be alert to any sign that a pupil may be contemplating suicide, such signs include but are not necessarily limited to, a pupil:

1. overt suggestion, both regardless of its context, that he or she is or has considered suicide or has worked out a plan of a suicide attempt.
2. the pupils feelings of hopelessness or helplessness and the length of time the pupil has had such feelings
3. obsession with death and the afterlife
4. evidence of preparation of a will, intention to dispose of his or her effects and belongings.
5. considered alternative course of action to resolve his/her problems.
6. lethargy or despondency, or a tendency to be more impulsive or aggressive than usual.
7. dramatic drop in academic performance, or an increase inability to focus on studies and extra curricular activities.
8. excessive isolation from other friends and family
9. loss of weight, appetite and sleep
10. substance abuse
11. low self esteem or poor problem solving or coping skills

In the event of a suicide:

1. All district principals will be promptly informed
2. A meeting of all immediate response (crisis team) faculty should be held
3. Each Principal will assemble faculty prior to the opening of school and provide accurate information, plans for the school day and guidelines for handling the concerns of pupils and if necessary alert the traumatic coalition for loss and other local mental health providers.
4. Pupils will be provided with accurate information and will be given the opportunity to discuss their feelings of loss and their memories of the victim both good and bad, without penalty.
5. The suicide will not be given prominence by public announcement or a school wide assembly.
6. Teachers will respond to the needs of students with as little interruption as possible. Helping pupils recognize that suicide is irreversible and permanent and does not truly resolve the problem.

7. Counseling services will be made available to students, teachers, staff and parents. Students that are identified as being more affected by the death than the general population, and their parent/legal guardian, shall be offered additional counseling and notified of available community mental health providers.

8. All personnel shall be especially alert to signs of contagion and the signs of contemplated suicide among the victim's peers.

9. All media enquires should be managed through the office of the Superintendent.

Adopted: April 27, 2015

**Mountain Lakes School District**

## **CONFIRMATION OF CONTACT (LEVEL I-III) - FORM 3**

View or print [CONFIRMATION OF CONTACT \(LEVEL I-III\) - FORM 3](#).

**Mountain Lakes School District**

## **5145.1 PUPIL RIGHTS**

The Board of Education recognizes that pupils possess both the right to a free public education and the rights of citizenship. In granting pupils the educational opportunities to which they are entitled, the Board shall provide them with the nurture, counsel, and custodial care appropriate to pupils' ages and maturity. At the same time, the Board will respect the right of each pupil to equal treatment and equal access to the educational program, the due process of law, freedom of expression and association, and the privacy of his or her own thoughts.

Attendant on the rights guaranteed to each pupil are certain responsibilities, which include respect for the rights of others, obedience to properly constituted school authority, and compliance with the policies and regulations of this district.

As pupils differ in age and maturity, so they differ in the ability to assume both the rights and the concomitant responsibilities of citizenship. Accordingly, the exercise of each right will be granted with due regard for the degree of responsibility possessed by the pupil and the pupil's need for continuing guidance and control.

A pupil who has reached the age of majority and is emancipated possess the full rights of an adult and may issue authorizations previously delegated to his or her parent or legal guardian. The adult pupil is fully responsible for his or her educational performance, attendance, compliance with district regulations, and care of school property. The parent or legal guardian of each adult pupil will be informed of the rights of the pupil and will continue to be informed of the pupil's progress in school.

Adopted: October 3, 2006

**Mountain Lakes School District**

## 5145.4 EQUAL EDUCATIONAL OPPORTUNITY

The district shall provide equal and bias-free access for all pupils to all school facilities, courses, programs, activities and services and give them maximum opportunity to achieve their potential regardless of race, creed, color, national origin, ancestry, age, sex, affectional or sexual orientation, marital status, liability for service in the Armed Forces of the United States, nationality, place of residence within the district, social or economic condition, or disability. Enforcement of other district affirmative action/equity policies (2224, 4111.1, 4211.1 and 6121) contribute to this legally required equality of educational opportunity.

Staff members shall maintain professional relationships with pupils at all times and develop wholesome and constructive relationships with them. Staff members shall be expected to regard each pupil as an individual and to accord each pupil the rights and respect that are his/her due.

Staff members shall promote a learning environment that encourages fulfillment of each pupil's potential in regard to his/her program, consistent with district goals and with optimal opportunities for pupils. This goal may be reached by adapting instruction to individual needs, by:

- A. Insisting on reasonable standards of scholastic accomplishment for all pupils;
- B. Creating a positive atmosphere in and out of the classroom;
- C. Extending the same courtesy and respect that is expected of pupils;
- D. Treating all pupils with consistent fairness.

The Board of Education guarantees all pupils equal access to all academic programs within the learning environment.

Pupils shall respect the rights of other pupils to receive an education in an environment that is conducive to learning and personal growth. No pupil shall have the right to abridge another pupil's right to privacy or right to hold personal beliefs which are different from those of the mainstream.

### Service Animals

Individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of the school facilities where members of the community, participants in services, programs or activities, or invitees, as relevant, are allowed to go.

### Harassment

The district's affirmative action program is part of each academic program regarding all pupils. No one, including pupils, staff members, vendors, volunteers, or visitors--shall commit an act of harassment/discrimination of any kind against any member of the school community on any of the grounds prohibited by law.

"Harassment, intimidation or bullying" is defined as any gesture, any written, verbal or physical act, or any electronic communication, whether it be a single incident or a series of incidents, that is reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic, that takes place on school grounds, at any school-sponsored function or on a school bus, or off school grounds, in accordance with law, that substantially disrupts or interferes with the orderly operation of the school or the rights of other students, and that:

- A. A reasonable person should know, under the circumstances, will have the effect of physically or emotionally harming a student or damaging the student's property, or placing a student in

reasonable fear of physical or emotional harm to his/her person or damage to his/her property;  
or

B. Has the effect of insulting or demeaning any student or group of students; or

C. Creates a hostile educational environment for the student by interfering with the student's education or by severely or pervasively causing physical or emotional harm to the student.

All reported incidents of harassment, intimidation or bullying shall be handled according to law and board policy 5131.1 Harassment, Intimidation and Bullying. Harassment may be claimed by a third party. That is, individuals who are not directly involved in the behavior may experience a hostile environment. They shall have the same legal rights to act under this policy as those directly victimized.

Any member of the student body may file a formal grievance related to harassment. The school anti-bullying specialist will receive all complaints and initiate a thorough investigation and will protect the rights of both the pupil making the complaint and the alleged harasser. If the victim is from a protected class, the affirmative action officer will be included in the investigation. Filing of a grievance or otherwise reporting harassment of any kind will not reflect upon the pupil's status nor affect future grades or class assignments.

The administration will inform all pupils that sexual harassment is prohibited in the educational setting. Specifically, no person employed by the district or by a vendor, or acting in a voluntary capacity, shall threaten or insinuate, either directly or indirectly, that a pupil's refusal to submit to sexual advances will adversely affect the pupils standing in the school setting. Pupils are forbidden to harass other pupils or staff members or vendors or volunteers through conduct or communications of a sexual nature within the school setting.

Findings of discrimination in the form of harassment will result in appropriate disciplinary action.

### Equity in School

The board of education shall maintain an academic environment that is free from harassment and provide equal and bias free access for all students to all school facilities, courses, programs activities and services, regardless of race, creed, color, national origin, ancestry, age marital status, affectional or sexual orientation, gender, religion, disability or socioeconomic status. The board shall ensure that:

A. School classrooms and facilities will be barrier free;

B. Attention will be directed at attaining minority representation within each school that approximates the district's overall minority representation. Exact appointment is not required. The ultimate goal shall be to achieve the greatest degree of racial balance that is feasible and consistent with sound educational values and procedures;

C. Utilizing on an annual basis a State-approved English language proficiency measure for determining the special needs of English language learners and their progress in learning English;

D. Utilizing bias-free multiple measures for determining the special needs of students with disabilities,

E. The district curriculum will be aligned with the New Jersey Learning Standards and address the elimination of discrimination by narrowing the achievement gap by:

1. Providing equity in educational programs and by providing opportunities for students to interact with others proactively regardless of status:

2. Ensuring there are no differential requirements for completion of course offerings or

programs of study solely on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status;

3. Ensuring courses shall not be offered separately on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status;

4. Reducing or preventing the underrepresentation of minority, female, and male students in all classes and programs, including gifted and talented, accelerated, and advanced classes;

5. Ensuring schools demonstrate the inclusion of a multicultural curriculum in its instructional content, materials, and methods, and ensuring students understand the basic tenets of multiculturalism;

6. Ensuring African-American history, as well as the history of other cultures, is infused into the curriculum and taught as part of U.S. history;

7. Ensuring instruction on the Holocaust and other acts of genocide is included in the curriculum of all elementary and secondary schools, as developmentally appropriate.

8. Ensuring that students are not discriminated against because of a medical condition.

F. All students shall have support services, including intervention and referral services, school health services and counseling services; and

G. Physical education program and athletic programs shall be equitable and co-educational and do not discriminate based on protected class status.

Procedures shall be made available for pupils and/or parents/guardians who wish to file a grievance protesting alleged discriminatory or sexually (or other) harassing action. An immediate report of the allegation should be made to the affirmative action officer or Superintendent. Violations of this policy or its related procedures shall be cause for appropriate disciplinary action.

#### Bias-Related Incidents

An employee of the Board who becomes aware in the course of his/her employment that a student or other staff person has committed a hate crime or is about to commit one shall immediately inform the building principal and superintendent. All incidents of hate/bias shall be reported whether they occur during school hours on school grounds or otherwise. The principal or his or her designee shall promptly notify the local police department and the bias investigation officer for the county prosecutor's office.

The principal or his or her designee shall immediately notify the local police department and the bias investigation officer for the county prosecutor's office where there is reason to believe a bias-related act that involves an act of violence has been or is about to be physically committed against a student, or there is otherwise reason to believe a life has been or will be threatened.

All incidents shall be reported utilizing the Student Safety Data System according to board policy 5131.5 Violence and Vandalism.

#### Appeals

Grievances related to equity in school and classroom shall be submitted to the affirmative action officer. Any individual may petition the Commissioner in writing to resolve a dispute arising related to equity in school and classroom.



## Implementation

The Superintendent shall direct development of procedures regarding the implementation of this policy to include sanctions, protection of individual rights to confidentiality and due process, and notification procedures. The Superintendent shall ensure that, annually, all staff and all pupils (in means and terms that are age-appropriate) be thoroughly informed of this policy, their right to file grievances under this policy and the law and the procedures relative to filing. Further, all staff and pupils shall be informed annually of the identity of the district's affirmative action officer and how he/she may be contacted.

The Superintendent shall also ensure that staff and pupils participate in educational programs relating to this policy and the maintenance of a safe and nurturing educational environment.

The Superintendent shall use all customary methods of information dissemination to ensure that the community is informed of its policies on educational equity.

## Legal References:

N.J.S.A. 2C:16-1 Bias Intimidation

N.J.S.A. 2C:33-4 Harassment

N.J.S.A. 10:5-1 *et seq.* Law Against Discrimination

N.J.S.A. 18A:36-20 Discrimination; prohibition

N.J.S.A. 18A:37-14 Electronic communication, harassment, intimidation or bullying defined

N.J.S.A. 18A:38-5.1 No child to be excluded from school because of race, etc.

N.J.A.C. 6A:7-1.1 *et seq.* Managing for Equality and Equity in Education

## See particularly:

N.J.A.C. 6A:7-1.4, -1.7

N.J.A.C. 6A:16-6.3(e) Reporting students or staff members to law enforcement Authorities

N.J.A.C. 6A:17-1.1 *et seq.* Education of Homeless Children and Students in State Facilities

N.J.A.C. 6A:30-1.1 *et seq.* Evaluation of the Performance of School Districts

*Davis v. Monroe County Board of Education*, 526 U.S. 629 (1999)

*State v. Mortimer*, 135 N.J. 517 (1994)

20 U.S.C.A. 1681 - Title IX of the Education Amendments of 1972

20 U.S.C.A. 794 *et seq.* - Section 504 of the *Rehabilitation Act of 1973*

20 U.S.C.A. 1400 *et seq.* - *Individuals with Disabilities Education Act* (formerly Education for All Handicapped Children Act) -Part B

42 U.S.C.A. 12101 *et seq.* - *Americans with Disabilities Act (ADA)*

28 C.F.R. 35 - Nondiscrimination on the Basis of Disability in State and Local Government Services (covers service animals)

*Hawkins-Stafford Elementary and Secondary School Improvement Act of 1988*, (Pub. L. No.

100-297) amending *Elementary and Secondary Education Act of 1965*.

*Saxe v. State College Area School Dist.*, 240 F. 3d 200 (3d Cir. 2001)

*Every Student Succeeds Act*, Pub. L. 114-95, 20 U.S.C.A. 6301 *et seq.*

*L.W. v. Toms River Regional Schools Board of Education*, N.J., No. A-111-05 (Feb. 22, 2007), 2007 N.J. Lexis 184. The New Jersey Supreme Court ruled that a school district may be held liable under the New Jersey Law Against Discrimination (LAD), N.J.S.A. 10:5-1 to -49, when students harass another student because of his perceived sexual orientation. A district school will be liable for such harassment if it knew or should have known of the harassment but failed to take reasonable remedial actions. The matter was remanded to the Director of the Division on Civil Rights.

Comprehensive Equity Plan, New Jersey State Department of Education

Possible Cross References:

\*2224 Nondiscrimination/affirmative action

\*4111.1 Nondiscrimination/affirmative action

\*4211.1 Nondiscrimination/affirmative action

\*5134 Married/pregnant pupils

\*6121 Nondiscrimination/affirmative action

\*6141 Curriculum design/development

\*6145 Extracurricular activities

\*6161.1 Guidelines for evaluation and selection of instructional materials

\*6171.4 Special education

Adopted: October 3, 2006

Revised: May 20, 2019

**Mountain Lakes School District**

## 5145.5 PHOTOGRAPHS OF PUPILS

Taking pictures of district pupils and buildings for commercial purposes is prohibited without written approval of the Superintendent.

"*Commercial purposes*" in this context is defined to mean for sale or for use in connection with the advertisement or promotion of goods or services.

"*School pupils*" in this context means boys and girls enrolled in the school during that part of the day they are at school, on the school grounds, or engaged in any activity under the direction and supervision of the school.

Pictures of children shall not be disseminated in any way unless permission is granted by parents/guardian.

### **Photographs on the District Website**

Pictures of district pupils shall not be posted on the website, except under the following conditions:

- A. Prior written permission has been obtained from the pupil's parent/guardian or from the adult pupil;
- B. Group photographs may identify the group, but not the individuals in the group;
- C. Prior written permission has been obtained from the pupil's parent/guardian or from the adult pupil, if the pupil is receiving an award or special recognition.

### **Drones/Unmanned Aerial Vehicles (UAV)**

In compliance with New Jersey state and federal law and consistent with the policy of the New Jersey State Interscholastic Athletic Association (NJSIAA), and in an effort to maintain the safety, security and privacy of students, staff and visitors, the operation of unmanned aerial vehicles (UAV), also known as drones, is prohibited by any persons on or over district property during school hours and at district sponsored events.

For the purposes of this policy, a UAV is any aircraft without a human pilot aboard the device.

An exception to this policy may be made in specific cases where circumstances warrant, but must be approved in advance by the superintendent or designee.

#### Legal References:

N.J.S.A. 18A:11-1 General mandatory powers and duties

N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

#### Possible Cross References:

\*1100 Communicating with the public

\*1100 Media

\*1120 Board of Education meetings

\*1140 Distribution of materials by pupils and staff

\*1250 Visitors

1320 Participation in out-of-school community activities

\*5125 Pupil records

\*5141.4 Child abuse and neglect

\*5145.12 Search and seizure

6142.10 Technology

6145.3 Publications

6145.4 Public performances and exhibitions

\*6171.4 Special education

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

Adopted: February 2, 2004

Re-adopted: January 3, 2006

Revised: November 6, 2017

**Mountain Lakes School District**

## 5145.6 PUPIL GRIEVANCE

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

For the purposes of this policy, a pupil grievance means any complaint that arises out of the acts or policies of this Board or the acts of its employees.

A pupil grievance will be heard in the following manner:

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

Each school shall establish procedures consistent with this policy for the consideration of pupil problems and for the processing of their complaints and appeals. These procedures should be developed through the cooperative efforts of pupils, faculty and administrators. The superintendent or designee shall establish and maintain procedures for appeals beyond the decision of the principal. Details of those procedures should be made known to pupils and staff, and pupils who wish to use them should be assured of access to the appropriate personnel within a reasonable period of time.

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

Previously Policy No. 5710

Adopted: January 3, 2006

Re-adopted: June 5, 2006

**Mountain Lakes School District**

## 5145.11 QUESTIONING AND APPREHENSION

In order to protect pupils' rights during the time they are under school control, the principal shall interview every person who wishes to question a pupil on school property during the school day. The Superintendent shall be informed of such incidents.

The Board of Education acknowledges that the law compelling school attendance vests in the Board a custodial responsibility for the children in its charge and a duty to protect those children from persons not associated with the school district. The Board further recognizes that its interest in helping children understand and respect the law is best served by a close and cooperative relationship with local law enforcement agencies and directs the Superintendent to institute a program of such communication and cooperation. The Superintendent shall develop regulations to implement this policy that protect the interests of pupils and serve the legitimate needs of law enforcement.

### Law Enforcement Officers

A. If a law enforcement officer has an arrest warrant, the principal shall ensure that all procedural safeguards as prescribed by law are observed. No pupil shall be taken from the school without the knowledge of the principal or other person in charge of the school. The principal shall make every reasonable effort to notify parents/guardians. The Superintendent shall be informed whenever such apprehensions take place.

B. As far as possible, questioning of pupils by police in pursuing an investigation shall take place outside of school hours. If a law enforcement officer has a juvenile complaint or wants to question a student on school property, the principal shall request that the questioning be delayed if possible until the parents/guardians can be present. If the officer refuses and the principal is convinced that the situation justifies questioning, he/she must attempt to have the parents/guardians informed immediately and shall remain with the student during the questioning.

C. If the law enforcement officer is an agent of the Division of Youth and Family Services (DYFS), the agent shall determine whether the presence of a parent/guardian or school employee is appropriate.

### Private Persons

If a private person wishes to question a pupil on school property during the school day, generally parents/guardians shall be notified of the request and give their permission before the principal will permit the private person to question the pupil. In cases involving possible harm to another pupil which might be prevented by early information, the principal may permit such questioning if the parent/guardian cannot be reached. The principal shall be present during the questioning.

### Weapons and Substance Abuse Questioning by Staff

When questioning any pupil about possible possession, use, or distribution of proscribed substances, drug paraphernalia, alcohol, firearms or other deadly weapons, staff shall follow the procedures adopted by the board in compliance with administrative code.

### Generally

The Superintendent shall notify the Board president when the police have sought to question a pupil in school, and the outcome of the incident. The district shall make every effort to establish close and cordial relationships with local law enforcement and other agencies, while ensuring that the parents/guardians are informed and pupil rights protected.

### Legal References

Adopted: October 3, 2006

LR11/09

**Mountain Lakes School District**

## 5145.12 SEARCH AND SEIZURE

School lockers remain the property of the district even when used by pupils. Lockers are subject to administrative search in the interests of school safety, sanitation, discipline, enforcement of school regulations and to search by law enforcement officials on presentation of a proper warrant. Pupils and their parents/guardians shall be informed of this policy when lockers are assigned.

A pupil's person and possessions may be searched by a school official provided that the official has reasonable grounds to suspect that the search will turn up evidence that the pupil has violated or is violating either the law or the rules of the school. Under no circumstances shall a search be conducted based solely upon an anonymous tip and/or a rumor that contraband is present. The extent or scope of the search shall be reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the pupil and the nature of the infraction. A physical search may only be conducted by a staff member of the same sex as the pupil. Before instituting such a search, except in cases of emergency, the principal shall try to inform the parents/guardians and request their presence.

School personnel shall not conduct strip searches or body cavity searches of any pupils under any circumstances.

### Searches for Controlled Dangerous Substances/Drug Paraphernalia/Alcohol/Firearms/Other Deadly Weapons

Searches conducted by staff when there is suspicion that laws and policies on safe and drug free schools are being violated shall be based on the reasonable grounds required by this policy. When law enforcement officials conduct the search, the more stringent grounds required by law must be applied. See policies 5131.6 and 5131.7.

### Legal References

Adopted: October 3, 2006

**Mountain Lakes School District**



## 5145.41 SEXUAL HARASSMENT OF PUPILS

The Board of Education will not tolerate sexual harassment of pupils by school employees, other pupils, or third parties. Sexual harassment of pupils is a form of prohibited sex discrimination. School district staff will investigate and resolve allegations of sexual harassment of pupils engaged in by school employees, other pupils (peers), or third parties.

The Board shall establish a grievance procedure through which school district staff and/or pupils can report alleged sexual discrimination, including sexual harassment which may include quid pro quo harassment and hostile environment.

### Definitions:

1. Quid pro quo harassment occurs when a school employee explicitly or implicitly conditions a pupil's participation in an educational program or activity or bases an educational decision on the pupil's submission to unwelcomed sexual advances, requests for sexual favors, or other favors, or other verbal, nonverbal, or physical conduct of a sexual nature. Quid Pro Quo Harassment is equally unlawful whether the pupil resists and suffers the threatened harm or submits and thus avoids the threatened harm.
2. Hostile environment sexual harassment is sexually harassing conduct (which can include unwelcomed sexual advances, requests for sexual favors, or other favors, or other verbal, nonverbal, or physical contact of a sexual nature) by an employee, by another pupil, or by a third party that is sufficiently severe, persistent, or pervasive to limit a pupil's ability to participate in or benefit from an educational program or activity, or to create a hostile or abusive educational environment.

This Policy protects any "person" from sex discrimination; accordingly both male and female pupils are protected from sexual harassment engaged in by school district employees, other pupils, or third parties. Sexual harassment, regardless of the gender of the harasser, even if the harasser and the pupil being harassed are members of the same gender is prohibited. Harassing conduct of a sexual nature directed toward any pupil, regardless of the pupil's sexual orientation, may create a sexually hostile environment and therefore constitute sexual harassment. Nonsexual touching or other nonsexual conduct does not constitute sexual harassment.

The regulation and grievance procedure shall provide a mechanism for discovering sexual harassment as early as possible and for effectively correcting problems.

The Superintendent, or designee, will take steps to avoid any further sexual harassment and to prevent any retaliation against the pupil who made the complaint, was the subject of the harassment, or against those who provided the information or were witnesses. The school district staff can learn of sexual harassment through notice and any other means such as from a witness to an incident, an anonymous letter or telephone call.

This policy and regulation on sexual harassment of pupils shall be published and distributed to pupils and employees to ensure all pupils and employees understand the nature of sexual harassment and that the Board will not tolerate it. The Board shall provide training for all staff and age-appropriate classroom information for pupils to ensure the staff and the pupils understand what type of conduct can cause sexual harassment and that the staff know the school district policy and regulation on how to respond.

In cases of alleged harassment, the protections of the First Amendment must be considered if issues of speech or expression are involved. Free speech rights apply in the classroom and in all other programs in the public schools. The Superintendent, or designee, will formulate, interpret, and apply the policy so as to protect free speech rights of staff, pupils and third parties.

In addition, if the Board accepts federal funds, the Board shall be bound by Title IX of the Education Amendments of 1972 prohibiting sexual harassment of pupils. Title IX applies to all public school districts that receive federal funds and protects pupils in connection with all the academic, educational, extra-curricular, athletic, and other programs of the school district, whether they take place in the school facilities, on the school bus, at a class or training program sponsored by the school in a school building or at another location.

United States Department of Education - Office of Civil Rights Sexual Harassment Guidance:  
Harassment of Students by School Employees, Other Students, or Third Parties (1997)

Adopted: October 3, 2006

**Mountain Lakes School District**

## **5200 NONPUBLIC SCHOOL PUPILS**

New Jersey statutes and regulations of the state Board of education require the Board of Education to provide certain services and supplies to those New Jersey children whose parents/guardians enroll them in nonpublic schools within the confines of the district. The law does not apply to out-of-state pupils enrolled in nonpublic schools within the district.

### Nursing Services

The Board of Education shall, within the funding limitations as determined by the state's appropriations and nonpublic school enrollment, provide the mandated nursing services for pupils enrolled full-time in nonpublic schools located within the district. Specified nursing services include:

- A. Assistance with medical examinations including dental screening;
- B. Hearing screenings;
- C. Maintenance of student health records and notification of local or county health officials of improperly immunized pupils;
- D. Conducting of scoliosis examinations for pupils between the ages of 10 and 18.

The district shall extend to pupils enrolled full-time in nonpublic schools in the district who are injured or become ill at school or during participation on a school team or squad the emergency care provided to public school pupils up to the limit of state aid provided.

The district shall not be required to make expenditures for these purposes in excess of the amount of state aid received for these purposes.

### Federal Requirements

The district shall observe all requirements of federal law , particularly those addressed in provision of Title 1 program services, and IDEA. (See policies 6171.3 At-risk and Title 1 and 6171.4 Special Education.)

### Implementation

The Superintendent shall develop rules, regulations and procedures for the efficient and economical delivery of such services and supplies as are mandated by law. Wherever possible, the Superintendent shall utilize the means and procedures used for delivering those same supplies and services to the pupils attending the district's public schools.

### Legal References

Adopted: November 5, 2007

LR2011

## 5337 SERVICE ANIMALS

In compliance with Title II of the Americans with Disabilities Act (ADA) as amended by the ADA Amendments Act of 2008, it is the Policy of the Board to permit use of a service animal by an individual with a disability in all areas of the district where the public is normally permitted: in district buildings; on district property; and on vehicles owned, leased, or controlled by the district. (28 CFR §35.136)

### A. Definitions

1. "Act" means the Americans with Disabilities Act (ADA) as amended by the ADA Amendments Act of 2008.
2. "Designated administrator" means Principal or person designated by the Principal to coordinate these activities.
3. "District" means this school district.
4. "Handler" means the animal's owner who is an individual with a disability or a person, such as a trainer, assisting the owner with control of the service animal.
5. "Service animal" means a dog individually trained to do work or perform a specific job or task for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. (28 CFR §36.104)
  - a. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition.
  - b. The work or tasks performed by a service animal must be directly related to the individual's disability (e.g. navigation, alerting physical support and assistance, preventing or interrupting impulsive or destructive behaviors).
  - c. Work or tasks for the purposes of this definition do not include the provision of emotional support, well-being, comfort, therapy, companionship, or crime deterrence.

### B. Generally

1. The district shall permit the use of a service animal by an individual with a disability unless:
  - a. The animal is out of control and the animal's handler does not take effective action to control it;
  - b. The animal is not housebroken.
2. A service animal shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g. voice control, signals, or other effective means). (28 CFR §35.136(d))
3. If an animal is properly excluded, the district shall give the individual with a disability the opportunity to participate in the service, program, or activity without having the service animal on the premises. (28 CFR §35.136(b))
4. If there are places in the district where it is determined to be unsafe for a handler and service animal, reasonable accommodations will be provided to assure the individual with a disability has equal access to the activity.
5. Unless the need for a service animal is readily apparent, the individual with a disability or his/her parent will be required to provide the district with information that:
  - a. The service animal is required because of a disability; and
  - b. What work or task the animal has been trained to perform.
6. The district may not require documentation, including proof that the animal has been

certified, trained, or licensed as a service animal; nor that the dog demonstrates its ability to perform the work or task. (28 CFR §35.136(f))

7. Individuals with a disability who have service animals are not exempt from local animal control or public health requirements.
8. Service animals must be licensed and registered in accordance with State and local laws.

#### C. Delegation of Responsibility

1. The district is not responsible for the care or supervision of a service animal, in accordance with 28 CFR §35.136(e).
  - a. The district is not responsible to pay for or provide a handler to aid the individual with a disability in the control of the service animal.
  - b. The district is responsible to provide assistance to an individual with a disability in performing the tasks required of the individual for the care and maintenance of the service animal.
2. If the district normally charges individuals for damage they cause, an individual with a disability may be charged for damage caused by his or her service animal. (28 CFR §35.136(h))
3. The district will designate relief areas for the service animal which will be included in mobility training and orientation of students and animals new to the school.

#### D. Notification and Responsibilities

1. In the event a service animal will be introduced as part of the school community, the designated administrator will develop a comprehensive implementation plan prior to introduction of the service animal into the school to include:
  - a. Notification to parents of students who may be in contact with the service animal;
  - b. Appropriate accommodations:
    - (1) For students who are allergic to the service animal; and/or
    - (2) For students who have fears regarding the service animal.
  - c. Appropriate etiquette regarding service animals to include:
    - (1) Never pet a service animal while it is working;
    - (2) Never feed a working service animal;
    - (3) Do not deliberately startle, tease, or taunt a service animal;
    - (4) Do not hesitate to ask the handler if he or she would like assistance regarding directions for navigating the facility.
2. The use of a service animal introduced as part of the school community will require inclusion into the student's Individualized Education Plan (IEP) or the student's Section 504 Accommodation Plan.
3. The district may request, but cannot require, the owner of a service animal introduced as part of the school community and, as included in the student's IEP or Section 504 Accommodation Plan, maintain liability insurance for the service animal. The School Business Administrator/Board Secretary will ensure the school district has appropriate insurance in the event a service animal is introduced as part of the school community.

#### E. Miniature Horses

1. Miniature horses, although not included in the Act under the definition of “service animal,” may only be permitted if individually trained to do work or perform tasks for the benefit of the individual with a disability and if they meet the assessment factors outlined in 3. below. (28 CFR §35.136(i))
2. Ponies and full size horses are not considered miniature horses.
3. Assessment factors to determine whether the district can reasonably modify its policies, practices, and procedures to allow for the use of miniature horses on its property, facilities, or vehicles include:
  - a. Type, size, and weight of the miniature horse and whether the facility can accommodate those features;
  - b. Whether the handler has sufficient control of the miniature horse;
  - c. Whether the miniature horse is housebroken; and
  - d. Whether the miniature horse’s presence compromises legitimate safety requirements necessary for safe operation.
4. All requirements for the use of service animals also apply to the use of miniature horses.

28 CFR §35.136

28 CFR §36.104

Adopted: September 3, 2019

**Mountain Lakes School District**

**Series 6000 - INSTRUCTION**

**Mountain Lakes School District**

## 6010 GOALS AND OBJECTIVES

Our vision is to establish an environment for the Mountain Lakes School District whereby our students can achieve their full potential. We are dedicated to the development of the intellectual/academic, extra-curricular, social, physical and emotional well being of every student. We are committed to accomplishing this in a safe and caring environment with a dynamic curriculum, excellence in teaching, and learning in partnership with family and community.

The Board accepts the responsibility for coordinating the available resources of home, school and community in a mutual effort to guide every pupil's growth towards becoming a self-respecting individual who can effectively function politically, economically and socially in a democratic society.

The Board is dedicated to ensuring that all students in the district are provided with the necessary skills and competencies for achievement of the Core Curriculum Content Standards. The following are goals of the district:

A. The high school graduation rate shall be at least 98 percent.

1. The district shall provide least restrictive, alternative programs for pupils who cannot succeed in the regular high school environment, including those students with disabilities.
2. The district shall provide dropout prevention programs for pupils at risk.

B. Pupils shall leave grades four-12 having demonstrated competency in challenging subject matter including language arts/literacy, mathematics, science, social studies, health and physical education, visual and performing arts and world languages.

1. The district shall implement the state-approved Core Curriculum Content Standards and appropriate assessments to enable pupils to succeed and to evaluate their performance.
2. The district shall provide staff development opportunities to ensure that teachers are adequately equipped to teach challenging and up-to-date subject matter and to implement effective teaching techniques. It shall monitor teaching staff member's progress toward achievement of the required at least 20 hours of professional development each school year of continuing education to ensure that they are obtaining and maintaining the skills to help all students achieve the Core Curriculum Content Standards. Administrators shall consult with teachers in developing their individualized professional development plans (PDPs) and support teachers in creating yearly professional learning communities (PLCs) among their colleagues (as per PD Regulations Code N.J.A.C. 6A:9C).

C. Pupils shall be taught to use their minds well, so that they may be prepared for responsible citizenship, further learning, and productive employment in our modern economy.

1. The district shall provide students with experiences in higher level thinking, information processing, the responsibilities of citizenship, and employability skills.
2. All pupils shall demonstrate competency in the skills identified in the cross-content college and career readiness standards.
3. All pupils shall demonstrate respect for diversity, including without limitation, disabilities, sexual orientation and racial, cultural, ethnic or religious diversity.

D. All pupils shall be exposed to instruction designed to increase their achievement levels in science and mathematics.

1. The district shall revise its curriculum offerings in all curricular areas according to state standards; the district shall maintain a five year cycle for all curricular revisions.



2. The district shall provide staff training to increase teachers' understanding of and ability to teach their subject matter

E. District schools shall be free of drugs and violence and offer a safe, disciplined environment conducive to learning.

1. The district shall develop partnerships with parents to establish the responsibilities of each to create and maintain safe and healthy educational environments for all pupils.

2. The district shall provide programs and staffing to deal with pupils at risk.

3. The school and community shall expand their cooperative efforts to create drug and violence-free environments.

4. All students shall develop a positive view of self and learn to use effective interpersonal skills.

The Board shall develop, in consultation with the superintendent and teaching staff members, a written educational plan for the district. This plan shall be reviewed and adopted annually and shall include:

A. Written educational goals;

B. An assessment of pupil needs;

C. Specific annual objectives based on identified needs and action plans to implement them;

D. Standards for assessing and evaluating the achievement of objectives;

E. An educational program consistent with these goals, objectives, standards and needs;

F. Evaluation of pupil progress.

#### Legal References:

N.J.S.A. 18A:7A-10 Evaluation of performance of each school

N.J.S.A. 18A:7C-2 Boards of education; establishment of standards

N.J.S.A. 18A:7F-43 *et seq.* School Fun Reform Act of 2008

N.J.A.C. 6A:23A-1.1 *et seq*

#### See Particularly:

N.J.A.C. 6A:23A-19.1 *et seq*

N.J.S.A. 18A:33-1 District to furnish suitable facilities; adoption of courses of study

N.J.S.A. 18A:35-1 *et seq.* Curriculum and Courses

N.J.A.C. 6A:8-1.1 *et seq.* Standards and Assessment

#### See particularly:

N.J.A.C. 6A:8-1.2 through -1.3, -2.1, -3.1, -4.4

N.J.A.C. 6A:9-15.1 *et seq.* Required Professional Development for Teachers

N.J.A.C. 6A:23-1.1 *et seq.* Finance and Business Services

See particularly:

N.J.A.C. 6A:26-1.1 *et seq.* Educational Facilities

N.J.A.C. 6A:30-1.1 *et seq.* Evaluation of the Performance of School Districts

N.J.A.C. 6A:32-2.1 Definitions

N.J.A.C. 6A:32-12.1 Reporting requirements

N.J.A.C. 6A:32-12.2 School-level planning

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

N.J.A.C. 6A:9C PD Regulations Code

Adopted: September 11, 2006 LR2011

Revised: January 2017

Revised: March 20, 2017

**Mountain Lakes School District**

## **6111 SCHOOL YEAR**

The Board of Education recognizes that the preparation of a school calendar is essential to orderly educational planning and to the efficient operation of the district.

The Board shall determine annually the days when the schools will be in session for instructional purposes. The school calendar will provide no fewer than the number of instruction days required by law.

When an interruption in educational programming causes a disabled student's performance to revert to a lower level of functioning that cannot be recouped within a reasonable length of time, an extended school year shall be provided in accordance with the student's IEP. In any case, the school year shall be at least as long for students with disabilities as for nondisabled students.

The Board shall adopt annually a list of religious holidays that will include, but need not be limited to, those holidays designated by the Commissioner of Education. Staff members shall avoid, whenever possible, scheduling a test on a religious holiday commonly observed by residents of the district.

The Superintendent shall annually prepare and submit to the Board a school calendar in consultation with teacher and administrator association representatives and the county superintendent. The Board reserves the right to alter the school calendar when such alteration is feasible and serves the best interests of the pupils of this district.

### Legal References

Previously Policy No. 8210

Adopted: January 3, 2006

Last Revised : January 22 ,2008

**Mountain Lakes School District**

## **6112 SCHOOL DAY**

The length of the school day and the length of periods of instruction at various levels shall be recommended by the Superintendent and set by the Board, and shall be in keeping with requirements of the state Board of Education.

The particular opening and closing hours for levels and/or schools shall also be subject to Board approval. These opening and closing times shall be as uniform as possible at comparable levels throughout the district. The length of the school day shall be at least as long for students with disabilities as for non-disabled students.

The Superintendent shall recommend for Board approval the length of class periods and the frequency of instruction in individual subjects.

School administrators shall not dismiss school for any part of the school day without the approval of the Superintendent.

### Legal References

Revised and Adopted: January 22, 2008

LR2011

**Mountain Lakes School District**

## 6114 EMERGENCIES AND DISASTER PREPAREDNESS

\_\_\_ Monitored

\_\_\_ Mandated

\_\_\_ Other Reasons

The Superintendent shall direct the development of plans, procedures and mechanisms for responding to emergencies and crises in the schools. The Superintendent shall consult with law enforcement agencies, health and social services agencies and emergency management planners in developing these plans. The plans shall be designed to provide for the protection of the health, safety and welfare of the school population as well as supportive services for staff, students and their families.

Plans and procedures shall include the following elements:

- A. Manner of cooperation with local government agencies in developing and carrying out a school/community disaster plan, including procedures for building lockdowns when necessary;
- B. Mechanisms for the orderly evacuation of buildings in case of fire or other emergencies;
- C. Means to provide protection for children at school and on their way to and from school;
- D. Training in individual self-protection and survival techniques for pupils and staff;
- E. Manner of communicating specific instructions to pupils and staff so that the school emergency plan may be carried out with the greatest possible speed and safety.

The Superintendent shall develop and provide an inservice training program for school staff to enable them to recognize and appropriately respond to crises, consistent with the district's plans, procedures and mechanisms for managing crises. The inservice program shall be reviewed and updated annually.

### School Safety and Security Plan

The board directs the chief school administrator and his or her designees to develop and implement comprehensive plans, procedures, and mechanisms that provide for safety and security in the schools. Written plans and procedures and mechanisms shall, at a minimum, provide for:

- A. The protection of the health, safety, security and welfare of the school population;
- B. The prevention of, intervention in, response to and recovery from emergency and crisis situations;
- C. The establishment and maintenance of a climate of civility; and
- D. Support services for staff, students and their families.

The chief school administrator shall consult with law enforcement agencies, health and social services provider agencies, emergency management planners, and school and other community resources, as appropriate, in the development of the district's plans, procedures, and mechanisms for school safety and security.

The plans, procedures, and mechanisms shall be consistent with the format and content established by the Domestic Security Preparedness Task Force and the Commissioner. The plans, procedures, and mechanisms shall be reviewed annually and updated as appropriate.

The chief school administrator shall disseminate a copy of the school safety and security plan to its employees. In addition:

- A. New employees shall receive a copy of the school safety and security plan, as appropriate, within 60 days of the effective date of their employment;
- B. All employees shall be notified in writing, as appropriate, regarding updates and changes to the school safety and security plan;
- C. All employees shall attend an in-service training program designed to allow all district board of education employees to recognize and appropriately respond to safety and security concerns, including emergencies and crises, in a manner consistent with the district board of education's plans, procedures and mechanisms for school safety and security.

### Fire Drills and School Security Drills

Fire drills shall be held at least once each month for all pupils. The first emergency evacuation drill of each school year shall be conducted within 10 days of the beginning of classes. Emergency evacuation drills shall be conducted at different hours of the day or evening, during the changing of classes, when the school is at assembly, during the recess or gymnastic periods, or during other times to avoid distinction between drills and actual fires. Outdoor assembly areas shall be designated and shall be located a safe distance from the building being evacuated as to avoid interference with the fire department operations. The assembly areas shall be arranged to keep each class separate to provide accountability of all individuals.

Regular courses of instruction in accident prevention and fire prevention shall be given and shall be adapted to the understanding of the several grades and classes in the schools.

There shall also be at least one school security drill per month. This includes any summer months during which the school is open for instructional programs. A school security drill shall be conducted within the first 15 days of the beginning of the school year. A law enforcement officer shall be present at a minimum of one school security drill each school year in order to make recommendations on any improvements or changes to school security drill procedures that the officer may deem advisable.

A "school security drill" means an exercise, other than a fire drill, to practice procedures that respond to an emergency situation including, but not limited to, a bomb threat, non-fire evacuation, lockdown, or active shooter situation and that is similar in duration to a fire drill.

The building principal shall provide emergency responders with a friendly notification at least 48 hours prior to holding a security drill.

All full-time employees shall receive training on school safety and security that includes instruction on school security drills. New staff members shall receive this training within 60 days of the commencement of that staff member's employment. The annual training provided to employees shall be conducted collaboratively by the district and emergency responders, including law enforcement, fire, and emergency medical services personnel, in order to identify weaknesses in school safety and security policies and procedures and to increase the effectiveness of emergency responders.

### Required Drills

- A. The district shall be required to conduct a minimum of two drills per year for each of the following:
  - 1. Active shooter
  - 2. Evacuation (non-fire)

### 3. Bomb threats

### 4. Lockdowns

Students are not required to participate in two of the eight mandated drills.

#### Reporting

By June 30<sup>th</sup> of each year the chief school administrator shall submit to the executive county chief school administrator an annual "Statement of Assurance" report on the forms provided by the Department of Education.

#### Emergency Closings; Delayed Openings

The Superintendent is authorized by the Board to close the schools, open them late or dismiss them early in hazardous weather or in other circumstances which, in the Superintendent's opinion, would endanger the health or safety of pupils or school employees.

Each year, parents/guardians, pupils, and staff members shall be informed in advance of how they shall be notified in event of emergency closings. Parents/guardians shall be required to make alternative arrangements for their children in case no one is home to receive a child after an unscheduled early closing.

#### Legal References:

N.J.S.A. 18A:6-2 Instruction in accident and fire prevention

N.J.S.A. 18A:11-1 General mandatory powers and duties

N.J.S.A. 18A:40-12 Closing schools during epidemic

N.J.S.A. 18A:41-1 *et seq.* Fire drills and fire protection

N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

N.J.A.C. 6A:16-1.4(a)14 District policies and procedures

N.J.A.C. 6A:16-5.1 *et seq.* School Safety and Security

N.J.A.C. 6A:16-6.3 Reporting students or staff members to law enforcement agencies

N.J.A.C. 6A:26-12.2 Policies and procedures for school facility operation

N.J.A.C. 8:57-1.7 Reporting of diseases occurring in schools

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

Adopted: January 22, 2008

Revised: October 15, 2018

**Mountain Lakes School District**

## 6115 CEREMONIES AND OBSERVANCES

The Board of Education requires that the pledge of allegiance to the flag of the United States be conducted during each day's opening exercises in each school classroom in accordance with law. A pupil who has conscientious objections that interfere with his or her full participation in the salute to the flag and the pledge of allegiance shall be exempted from the exercise but shall be required to maintain a respectful attitude throughout the ceremony.

The parent or legal guardian of any pupil who refuses to salute the flag shall be so informed by the building principal, and any such parent or legal guardian or the adult pupil shall be required to furnish a written statement of the pupil's conscientious objection.

Appropriate recognition shall be given in all schools to the following holidays on a school day that precedes the holiday or the following Monday if the holiday falls on a Sunday:

- A. Martin Luther King Jr.'s Birthday;
- B. Lincoln's Birthday;
- C. Washington's Birthday;
- D. Memorial Day;
- E. Constitution Day and Citizenship Day (Sept. 17);
- F. Columbus Day;
- G. Veterans' Day;
- H. Thanksgiving Day.

Suitable exercises are also required by law in all New Jersey public schools in observance of Flag Day (June 14, day of adoption the American flag by the Continental Congress in 1777), Arbor Day (last Friday in April), and Commodore John Barry Day (September 13th). The Board authorizes the Superintendent to conduct school observances in commemoration of other persons and events of special historical significance.

Pupils shall be encouraged to develop and/or take part in events and activities in connection with special "days," "weeks" or "months" proclaimed by the nation, state or community.

Holidays and special events may be recognized in the district's schools so long as such recognition respects the rights and feelings of others and is consistent with law.

Songs and customs which have come to us from the various elements of our national population may be used to broaden our pupils' awareness of the many elements that make up our American culture.

The Board shall not prevent, or otherwise deny participation in, constitutionally protected prayer in any district school, consistent with guidance issued by the United States Department of Education and applicable judicial decisions interpreting the religion clauses of the First Amendment of the U.S. Constitution.

This policy supersedes any other board policy that is inconsistent with it.

### Legal References

Adopted: September 11, 2006



## Mountain Lakes School District

## **6121 NONDISCRIMINATION/AFFIRMATIVE ACTION FOR SCHOOL AND CLASSROOM PRACTICES**

No pupil enrolled in the district schools shall be excluded from participation in, denied the benefits of, or be subjected to discrimination in any educational program or activity of this district on the basis of race, color, creed, national origin, ancestry, age, marital status, domestic partnership status, affectional or sexual orientation, gender identity or expression, genetic information, sex, disability or atypical hereditary cellular or blood trait of any individual, or because of liability for service in the armed forces of the United States, nationality, national origin, place of residence in the district, social or economic condition, nonapplicable disability or because of genetic information or refusal to submit to or make available the results of a genetic test or pregnancy. The affirmative action team as led by the affirmative action officer shall be responsible for planning, implementing and monitoring the district's affirmative action program with respect to school and classroom practices.

Reporting to the Superintendent, the affirmative action team shall review the following areas for compliance with State Department of Education regulations and shall make suggestions and/or recommendations to the Superintendent, when appropriate.

### **A. Access**

The district provides equal and bias-free access to all school facilities, courses, programs, activities, and services by:

1. Ensuring equal and barrier-free access to all school and classroom facilities;
2. Implementing a reasonable plan for achieving the greatest degree of racial balance that is feasible and consistent with sound educational values and procedures. The goal of the plan shall be to attain within each school, minority representation that approximates the school district's overall minority representation. Exact apportionment is not required;
3. Utilizing on an annual basis a State-approved English language proficiency measure for determining the special needs of English language learners and their progress in learning English;
4. Utilizing bias-free multiple measures for determining the special needs of students with disabilities;
5. Ensuring support services, including intervention and referral services and school health services are available to all students;
6. Ensuring a student is not discriminated against because of a medical condition. A student shall not be excluded from any education program or activity because of a long-term medical condition unless a physician certifies such exclusion is necessary. If excluded, the student shall be provided with equivalent and timely instruction that may include home instruction, without prejudice or penalty (see board policy 6173 Home instruction); and
7. Ensuring that pregnant students are not excluded from the access to the educational programs, activities and services.

### **B. Curriculum content**

The team shall examine the following areas to ensure that curricula eliminate discrimination and promote understanding and mutual respect among students, regardless of race, color, creed, religion, gender, affectional or sexual orientation, ancestry, national origin, socio-economic status or disability:

1. School climate
2. Courses of study
3. Instructional materials
4. Instructional strategies
5. Library materials
6. Technology/Software and audio-visual materials
7. Guidance and counseling
8. Extracurricular programs and activities
9. Testing and other assessments
10. Reducing or preventing the under representation of minority, female and male students in classes and programs.

The team shall monitor the curriculum to ensure inclusion of instruction on African-American history in teaching of United States history and inclusion of instruction on the Holocaust and genocide in the curriculum for all elementary and secondary school pupils.

#### B. Curriculum

The district's curriculum and instruction shall be aligned to the New Jersey Learning Standards. The curriculum and instruction shall address the elimination of discrimination by narrowing the achievement gap, by providing equity in educational programs, and by providing opportunities for students to interact positively with others regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status. The district shall:

1. Ensure there are no differential requirements for completion of course offerings or programs of study solely on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status;
2. Ensure courses shall not be offered separately on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status. Portions of classes that deal exclusively with human sexuality may be conducted in separate developmentally appropriate sessions for male and female students, provided the course content for such separately conducted sessions is the same;
3. Reduce or prevent the underrepresentation of minority, female, and male students in all classes and programs, including gifted and talented, accelerated, and advanced classes;
4. Ensure schools demonstrate the inclusion of a multicultural curriculum in its instructional content, materials, and methods, and ensuring students understand the basic tenets of multiculturalism;
5. Ensure African-American history, as well as the history of other cultures, is infused into the curriculum and taught as part of U.S. history;
6. Ensure instruction on the Holocaust and other acts of genocide is included in the curriculum of all elementary and secondary schools, as developmentally appropriate.

## C. Counseling Services

Students shall have access to adequate and appropriate counseling services:

1. When informing students about possible careers or professional or vocational opportunities options presented shall not be restricted or limited on the basis race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status;
2. Tests or guidance or counseling materials that are biased or stereotyped shall not be used.

## D. Physical Education, Athletic Programs, Extracurricular Activities

The district's physical education and athletic programs shall be equitable and co-educational and shall not discriminate on the basis of protected class status including:

1. Separate restroom, locker room, and shower facilities on the basis of gender, but such facilities provided for students of each gender shall be provided and shall be comparable;
2. Separate teams for the two sexes may be operated in one or more sports or single teams open competitively to members of both sexes, as long as the athletic program as a whole provides equal opportunities for students of both sexes to participate in sports at comparable levels of difficulty and competency; and
3. The activities comprising the school athletic programs shall receive equitable treatment, including, but not limited to, staff salaries, purchase and maintenance of equipment, quality and availability of facilities, scheduling of practice and game time, length of season, and all other related areas or matters.
4. Supports Policy 5131 Transgender Students/Faculty/Staff as it relates to restrooms, locker rooms, Physical Education Classes, Intramural Programs and Interscholastic Athletics.

## E. Staff training

The affirmative action team shall suggest a program of inservice training for school personnel designed to identify and solve problems of bias in all aspects of the school program. An equity inservice program shall be held annually for all staff. Programs for parents and community members shall be held as needed to facilitate their participation and support.

## F. Pupil access

The affirmative action team shall review all school facilities, courses, programs, activities and services to ensure that all pupils are provided equal and bias-free access to them. The team shall pay particular attention to the following:

1. Ensuring equal access and barrier-free to all school and classroom facilities;
2. Assigning pupils in such a way that the racial/national origin composition of each school's enrollment reflects the composition of the district wide enrollment at each grade level;
3. Refraining from locating new facilities in areas that will contribute to imbalanced, isolated or racially identifiable school enrollments;

4. Assigning pupils so that school and classroom enrollments are not identifiable on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability or socioeconomic status;
5. Ensuring that pupils are not separated or isolated within schools, courses, classes, programs or extracurricular activities;
6. Ensuring that minority and male pupils are not over-represented in detentions, suspensions, dropouts or special needs classifications;
7. Ensuring equal and bias-free access for all pupils to computers, computer classes and other technologically-advanced instructional assistance;
8. Ensuring that all limited English-proficient pupils and pupils with disabilities have equal and bias-free access to all school programs and activities;
9. Ensuring equal and bias-free access for language-minority pupils and pupils with disabilities to multiple measures for determining special needs;
10. Ensuring that pupil support services (such as school-based youth services, health care, tutoring and mentoring) are available to all pupils, including LEP pupils;
11. Ensuring that all pregnant pupils are permitted to remain in the regular school program and activities.

#### G. District support

The affirmative action team shall ensure that similar aspects of the school program receive similar support in terms of staff (number and compensation), purchase and maintenance of facilities and equipment. In addition, access to programs facilities and equipment shall be comparable for each grade within the district in terms of district support.

#### Appeals

Grievances related to equity in school and classroom shall be submitted to the affirmative action officer. Any individual may petition the Commissioner in writing to resolve a dispute arising related to equity in school and classroom.

The Superintendent will report to the Board annually on continuing compliance with this Policy.

#### Legal References:

N.J.S.A. 10:5-1 *et seq.* Law Against Discrimination

N.J.S.A. 18A:4A-1 *et seq.* New Jersey Commission on Holocaust Education

N.J.S.A. 18A:18A-17 Facilities for handicapped persons

N.J.S.A. 18A:35-1 Course in history of the United States in high school

N.J.S.A. 18A:36-20 Discrimination; prohibition

N.J.A.C. 6A:7-1.1 *et seq.* Managing for Equality and Equity in Education

#### See particularly:

N.J.A.C. 6A:7-1.1, -1.4, -1.7, -1.9

N.J.A.C. 6A:30-1.1 *et seq.* Evaluation of the Performance of School Districts

N.J.A.C. 6A:32-12.1 Reporting requirements

N.J.A.C. 6A:32-14.1 Review of mandated programs and services

20 U.S.C.A. 1681 *et seq.* - Title IX of the Education Amendments of 1972

29 U.S.C.A. 794 *et seq.* - Section 504 of the Rehabilitation Act, of 1973

20 U.S.C.A. 1401 *et seq.* - Individuals with Disabilities Education Act (IDEA)

42 U.S.C.A. 12101 *et seq.* - Americans with Disabilities Act (ADA)

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

*Gebser v. Lago Vista Indep. School Dist.* 524 U.S. 274 (1998)

*Davis v. Monroe County Bd. of Ed.* 526 U.S. 629 (1999)

*The Comprehensive Equity Plan*, New Jersey State Department of Education

Revised and Adopted: January 22, 2008

Revised: August 13, 2018

**Mountain Lakes School District**

## **6122 ARTICULATION**

In order to optimize student achievement of the Core Curriculum Content Standards, the Board of Education shall be responsible for the delivery of educational programs at the elementary and secondary levels using a coherent sequence of activities to prepare all students for employment or postsecondary study upon their graduation.

The Superintendent shall develop programs whereby teachers of the various levels of the district's schools cooperate to achieve smooth transitions from level to level; whereby pupils in the district's schools receive instruction in the same subjects at the same levels as pupils in other districts who will be attending the same high schools; and whereby the transition for district pupils from our elementary schools to the high school is accomplished without unnecessary difficulty for any pupil.

Further, the Superintendent will make every effort to develop a similar relationship with nursery schools from which district kindergarten pupils come.

The Board shall make reasonable efforts to develop articulation agreements with New Jersey colleges and universities to facilitate the delivery of college credit courses to qualified students in the high school.

### Legal References

Adopted: January 16, 2006

LR2011

**Mountain Lakes School District**

## **6130 SCHOOL ORGANIZATION**

The Board of Education directs the organization of the instructional program of this district in the following schools and grades:

**Schools:**

**Grades:**

Wildwood

K - 5

Briarcliff

6 - 8

Mountain Lakes High School

9 - 12

Lake Drive

Special Education

Grades 7 and 8 are organized as secondary grades for the provision of departmentalized instruction.

The Superintendent shall continually monitor the effectiveness of the district organizational plan and recommend to the Board such modifications in the plan as may be in the best interest of pupils, make most effective use of district resources, and serve the educational goals of the Board.

Previously Policy No. 8130

Adopted: January 3, 2006

**Mountain Lakes School District**



## 6140 CURRICULUM ADOPTION

The Board of Education shall provide a comprehensive instructional program to serve the needs of the children of this district. Pursuant to law, in furtherance of this goal the Board shall annually adopt the existing courses of study which includes both content and credit allocation. The Board's policy in this respect is to:

- A. Adopt those courses of study mandated by the state in a form acceptable to the state department of education. Such courses must include the Core Curriculum Content Standards adopted by the state Board of education;
- B. Adopt additional courses of study recommended by the teaching staff and administration in a form acceptable to the state department of education and within the financial means of the district;
- C. Adapt and revise existing courses of study to meet the changing needs of pupils and the community.

The Board shall review existing courses at regular intervals and may direct that they be revised as necessary. No course of study shall be adopted, revised or eliminated without the approval of the Board.

The Board directs that the curriculum of this district:

- A. Be consistent with written goals, objectives and identified pupil needs;
- B. Strive to develop individual talents and interests and serve diverse learning styles to motivate pupil achievement;
- C. Provide for continuous learning through effective articulation;
- D. Provide all pupils continuous access to sufficient programs and services of a library/media facility, classroom collection, or both, to support the educational program;
- E. Provide all pupils guidance and counseling to assist in career and academic planning;
- F. Provide a continuum of educational programs and services for pupils with disabilities as required by law and regulation;
- G. Provide bilingual programs for pupils whose dominant language is not English as required by law and regulation;
- H. Provide all pupils equal educational opportunity as required by law and regulation;
- I. Provide career awareness and vocational education as required by law and regulation;
- J. Provide educational opportunities for exceptionally gifted and talented pupils.

The Superintendent shall maintain a current list of all courses of study offered by this district; shall furnish each member of the Board of education with a copy upon request; and shall provide a copy in the district office for public perusal.

Adoption of courses shall be by a recorded roll call majority vote of the full membership of the Board. This includes the courses in the special education and ESL/bilingual programs, and those for the adult high school, if any.

### Legal References

Adopted: January 22, 2008

LR2011

**Mountain Lakes School District**

## 6141 CURRICULUM DESIGN/DEVELOPMENT

The Superintendent shall be responsible to the board for the development of curriculum to meet identified pupil needs. The Board shall ensure that curriculum and instruction are designed and delivered in a way that all pupils are able to demonstrate the knowledge and skills set out in the Core Curriculum Content Standards. In addition, the Board shall ensure that appropriate instructional adaptations are designed and delivered for pupils with disabilities, for pupils with limited English proficiency, and for pupils who are gifted and talented.

The Superintendent shall establish procedures for curriculum development that ensure the effective participation of teaching staff members; pupils, as appropriate to their age and grade; parents/guardians; the community; members of the Board; and the use of all available resources.

Care shall be taken that certified staff shall not be assigned to teach material outside the limits of their certification and endorsements.

The Superintendent shall report to the board the objectives, evaluative criteria and costs of each proposed program before seeking board adoption. New programs and courses of study shall not be acted upon by the board until the meeting following their presentation, in order for Board members to have an opportunity to review the proposed program. If necessary for the smooth operation of the schools, the Board may schedule a special meeting to act on any new programs and courses after their initial presentation.

The Superintendent may conduct experimental programs that are not part of the duly adopted curriculum and are deemed to be necessary to the continuing growth of the instructional program; he or she shall report to the Board any such pilot program conducted, along with its objectives, evaluative criteria, and costs, before each such program is initiated.

Criteria by which the Board will judge the acceptability of new course offerings include, but are not limited to:

- A. Does it address an identified pupil need?
- B. Is it relevant to the board's philosophy and goals and does it offer real possibilities for progress toward these goals?
- C. Does it satisfy the requirements of the board's school and classroom practices regarding bias and stereotyping?
- D. If the proposed course replaces an existing program, what defect in the previous program is it designed to overcome?
- E. Does it include measures for determining progress?
- F. Does it address the necessary study skills?
- G. Has it been thoroughly studied and/or tested by district staff or by another district? What were the results?
- H. Has a curriculum guide been completed? If not, when can it be expected?
- I. Have the accompanying textbooks been recommended to the Board?
- J. Have the costs and time of implementation been reviewed, including inservice training?

A 5-year plan for updating curriculum shall be developed and implemented. The Superintendent shall report annually on all progress in curriculum development and the implementation of the 5-year

curriculum plan at the time of the Board's annual adoption of curriculum.

Legal References

Adopted: September 11, 2006

LR2011

**Mountain Lakes School District**

## **6141.2 RECOGNITION OF RELIGIOUS BELIEFS AND CUSTOMS**

The Board directs that no religious belief or non-belief shall be promoted in the regular curriculum or in district-sponsored courses, programs or activities, and none shall be disparaged.

However, the Board recognizes that a genuine and broad secular program of education is furthered by advancement of pupils' knowledge of our society's cultural and religious heritage. Therefore, the several holidays throughout the year that have both a religious and a secular basis may be recognized in the school by use of material having secular or cultural significance.

The instructional program of the school should inform pupils of the many beliefs and customs stemming from religious, racial, ethnic and cultural heritages. Such instruction should be designed to broaden the pupils' understanding of and tolerance for the multiple ways of life enjoyed by the peoples of the world.

Songs and customs that have come to us from the various ethnic, religious and racial elements of our population should be used to broaden our pupils' awareness of the contributions that each segment has made to the composite American culture.

Music, art, literature and drama having religious themes or bases are permitted as part of the curriculum for school-sponsored activities and programs if presented in an objective manner and as a traditional part of the cultural and religious heritage of the particular holiday.

The use of religious symbols such as a cross, menorah, crescent, Star of David, creche, symbols of Native American religions or other symbols that are part of a religious holiday is permitted as a teaching aid or resource, provided such symbols are displayed as an example of the cultural and religious heritage of the holiday and are temporary in nature.

If a parent feels that any aspect of the school curriculum is contrary to his/her child's religious beliefs, he may seek to have his/her child excused from such aspects of the curriculum by making a request in writing to the building principal.

The Board shall not prevent, or otherwise deny participation in, constitutionally protected prayer in any district school, consistent with guidance issued by the United States Department of Education and applicable judicial decisions interpreting the religion clauses of the First Amendment of the U.S. Constitution.

This policy supersedes any other Board policy that is inconsistent with it.

Adopted: September 11, 2006

LR11/09

**Mountain Lakes School District**

## **6141.4 INDEPENDENT STUDY**

The Board of Education will permit a properly qualified pupil to earn credit toward high school graduation by completion of a program of independent study in accordance with rules of the State Board of Education and this policy.

A program of independent study shall consist of curricular activities and may include, but need not be limited to, enrollment in a course offered by an approved institution of higher learning.

The Board shall approve each program of independent study and designate the number of credits toward graduation to be awarded upon successful completion of each such program. Credit shall be awarded only on the Principal's certification to the Board that the pupil has met the specific instructional objectives established for the program of independent study.

The Board directs that only those pupils shall be admitted to a program of independent study who have demonstrated academic proficiency, maturity of judgment, a strong motivation to learn, and self-reliance. Applicants shall be limited to pupils enrolled in high school. Programs of independent study need not be limited to participation by a single pupil but may involve more than one group or a group of pupils, subject to Board approval.

The Principal shall offer aid and counsel to qualified pupils who wish to explore and initiate independent projects. The Principal shall develop specified, measurable instructional objectives and assign appropriate staff guidance for each individually planned program of independent study as well as decide how the independent project will be graded.

Each recommendation for Board approval of a program of independent study must include the qualifications of the pupil; the objectives established for the program; a description of the method of study and research to be undertaken, if any; the staff member or members assigned to advise the project; the manner in which the program of study will be evaluated; and a proposal for the number of credits to be awarded for the program.

The Superintendent shall maintain a file of independent projects for such review as the Board or the Commissioner may require.

### Legal References:

Previously Policy No. 2320

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Re-adopted: September 11, 2006

LR11/09

**Mountain Lakes School District**

## 6142 SUBJECT FIELDS

The Board of Education directs that the district schools offer a comprehensive curriculum to provide for the intellectual, social and emotional growth of all pupils, pre-kindergarten through grade 12, giving them the basic body of skills, understandings, attitudes and knowledge needed for living in the US democracy.

The Board believes this program should focus first on those subjects included in the Core Curriculum Content Standards and the skills emphasized by the Cross-Content Workplace Readiness Standards, in addition to those courses mandated by statute.

The Superintendent shall direct development of and present to the board for adoption a written curriculum for each element of the instructional program for the district to include:

- A. All courses mandated by New Jersey statute or administrative code;
- B. Such other courses as shall implement the Board's intent as expressed in this policy.

The total curriculum, when adopted, shall be adapted to suit the applicable requirements of the administrative code and shall provide basic, advanced, enriched, or technical instruction or experience to meet the identified needs of the pupils of the district.

A listing of all courses and programs comprising the instructional program shall be available in the district office.

### Legal References

Adopted: September 11, 2006

LR2011

**Mountain Lakes School District**

## **6142.1 FAMILY LIFE EDUCATION**

The Board of Education shall maintain a family life education curriculum that provides material suited to each grade level, presented in a manner intended to foster respect for the human body and an understanding of how human sexuality affects personal and family relationships in conformance with the Core Curriculum Content Standards.

The curriculum, developed under the supervision of the Superintendent with the active participation of teachers, administrators, pupils, parents/guardians, physicians, members of the clergy and representative members of the community, shall be available to all parents/guardians. The Board shall ensure compliance with all requirements of state and federal law concerning the content of the curriculum and distribution of materials. An outline of the curriculum and list of instructional materials for the grades of their children shall be sent to parents/guardians annually.

The Superintendent shall ensure that the curriculum developed is articulated to that of the elementary school(s), so that the transition from elementary to secondary approaches to this material will be easy for all pupils.

Any pupil whose parent/guardian presents to the school principal a signed statement that any part of the instruction in health, family life education or sex education is in conflict with their conscience, or moral or religious beliefs, shall be excused from that portion of the course where such instruction is being given, and no penalties as to credit or graduation shall result therefrom.

The Board urges all parents/guardians to become familiar with these courses and to participate in their development.

The Board of Education alone, upon recommendation of the superintendent, shall determine the content, sequence and materials of family life education.

### Legal References

Adopted: September 11, 2006

LR2011

**Mountain Lakes School District**



## **6142.2 ENGLISH AS A SECOND LANGUAGE; BILINGUAL PROGRAMS**

The Board shall provide English as a second language (ESL) and/or bilingual programs of instruction for pupils who:

- A. Do not speak English and need instruction toward mastery of the English language;
- B. Speak a language other than English, are more capable of performing school work in that language, and need their basic educational program taught in that language.

The Superintendent shall develop procedures in accordance with administrative code to determine which pupils would benefit from ESL and/or bilingual programs and to involve school staff, parents/guardians and community members in reviewing programs to determine which would best meet these pupils' needs.

The goal of ESL programs is to assist pupils to achieve fluency (including listening, comprehension, speaking, reading, and writing skills) in English. The goal of the bilingual program is to permit pupils to learn subject matter in their primary language while developing English language skills. The goal of all such programs shall be achievement of the Core Curriculum Content Standards.

All district high school students of limited English proficiency shall satisfy both state and district requirements for graduation, except that any LEP student may demonstrate attainment of state minimum levels of proficiency through passage of the Special Review Assessment process in his/her native language and an English fluency assessment approved by the Department of Education or passage of the SRA process in English with appropriate accommodations.

Parents/guardians of pupils of limited English speaking ability shall be notified by mail of the fact that their child has been identified as eligible for enrollment in a bilingual, ESL or English language services education program. This written notice shall include the information that the parents may choose to decline to enroll their child into the bilingual program.

Communication with parents/guardians of pupils in these programs shall be in writing and in both English and their primary speaking language. Reports of pupil progress shall be made to parents/guardians on the same schedule as reports of pupils in the regular program.

The Superintendent shall direct development of an annual plan for ESL and/or bilingual education that is in compliance with state guidelines. The Board will review and approve the plan at a public meeting.

The Board must adopt the courses of study for ESL and bilingual programs in the same manner in which it adopts the curriculum for the regular program. In order to receive the state-endorsed high school diploma, Limited English Proficient (LEP) pupils must meet the district's graduation requirements.

Pupils enrolled in district bilingual or ESL programs shall be assessed annually for exit from such programs, using indicators described in the administrative code. Whenever it is determined that a pupil should exit from the bilingual program, parents/guardians shall be notified by mail.

Parents/guardians may remove a pupil who is enrolled in a bilingual education program at any time; except that during the first three years of the pupil's participation in a bilingual education program, he/she may only be removed at the end of each school year. Removal prior to the end of the school year shall be approved by the county superintendent. If the County Superintendent determines that the pupil should remain in the bilingual education program until the end of the school year, the parents/guardians may appeal that decision to the Commissioner of Education/designee pursuant to law. The Commissioner shall render a decision within 30 days of the filing of the appeal.

The Board may petition the commissioner of education to waive the requirement for a full-time

bilingual program when it can demonstrate that it would be impractical to provide such a program, due to the age range, grade span or geographic location of the eligible pupils.

#### Legal References

Adopted: September 11, 2006

LR2011

**Mountain Lakes School District**

## **6142.4 PHYSICAL EDUCATION AND HEALTH**

The Board directs that the district's curricular and extracurricular programs of physical education and activities comply with the district's affirmative action resolution and equity plan for school and classroom practices as stipulated in policies 2224, 5145.4, 6121 and 6145 in this manual. The Board shall ensure that the comprehensive health and physical education curriculum addresses all elements required by the Core Curriculum Content Standards.

In general, physical education classes shall not be divided on the basis of sex. The quality and quantity of teachers, equipment and facilities shall be equivalent among the schools and comparable from level to level, taking into account the needs of the pupils.

Members of district interscholastic athletic teams may be excused from participation in the physical activities part of their physical education program without loss of graduation credit on the request of their coach on any day on which they are designated to participate in a regularly scheduled game. The Superintendent shall approve procedures by which coaches will inform the physical education department, on the day in question, of the specific pupils to be excused. Such pupils shall be scheduled for a study hall period instead.

The Board will consider on a case-by-case basis requests from pupils or their parents/guardians in the case of minors for permission to satisfy the physical education requirement through an alternative program of athletics or physical education activities that meets the requirements of law and is consistent with the district's physical education program goals and instructional objectives.

### Legal References

Adopted: September 11, 2006

LR2011

**Mountain Lakes School District**

## **6142.6 BASIC SKILLS**

In order to provide district pupils with the basic tools necessary for achievement of the Core Curriculum Content Standards, the board directs development of strong basic skills courses at all levels of the schools.

The Superintendent shall work with staff to:

A. Infuse instruction in basic skills into courses of study at all grade levels and ensure the articulation of those skills from grade to grade.

B. Actively seek innovative and remedial programs to ensure that all district pupils acquire the basic skills suited to their grade level and capacity.

The district shall administer state tests as required by law and code and may administer standardized tests as appropriate to determine student achievement levels in basic skills. A child shall participate in a remedial education program as long as he/she does not meet minimum proficiency levels.

### Legal References

Adopted: September 11, 2006

LR11/09

**Mountain Lakes School District**

## **6142.9 ARTS**

The Superintendent shall ensure that curriculum in the arts, including both visual and performing, are developed appropriately for each grade level.

### Legal References

Adopted: September 11, 2006

LR2011

**Mountain Lakes School District**

## **6142.10 INTERNET SAFETY AND TECHNOLOGY**

The board shall develop a technology plan that effectively uses electronic communication to advance and promote learning and teaching. This system of technology shall be used to provide local, statewide, national and global communications opportunities for staff and students. Educational technology shall be infused into the district curriculum to maximize student achievement of the Core Curriculum Content Standards.

It is the policy of the district to establish safe and effective methods for student and staff users of the district's technological resources and to:

- A. Prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications;
- B. Prevent unauthorized access and other unlawful online activity;
- C. Prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and
- D. Comply with the Children's Internet Protection Act (CIPA).

### **ACCEPTABLE USE OF THE INTERNET**

#### **Purpose**

To support its commitment to providing avenues of access to the universe of information available, the district's system of electronic communication shall include access to the Internet for students and staff.

#### **Limitation of Liability**

The Internet constitutes an unregulated collection of resources that change constantly, so it is not possible to totally predict or control the resources that users may locate. The board cannot guarantee the accuracy of the information or the appropriateness of materials that a user may encounter. Furthermore, the board shall not be responsible for any damage users may suffer, including but not limited to, loss of data or interruptions of service. Nor shall the board be responsible for financial obligations arising through the use of the system.

#### **District Rights and Responsibilities**

The computer system is the property of the district, and all computer software and hardware belong to it. Therefore, the district retains the right to monitor all access to and use of the Internet.

The board designates the Superintendent as the coordinator of the district system. He/she shall recommend to the board of education qualified staff persons to ensure provision of individual and class accounts necessary for access to the Internet, designation of quotas for disk usage on the system, establishment of a document retention schedule, establishment of a virus protection process and coordination of other activities as required to maintain the system.

The Superintendent or his or her designee shall approve all activities in the school; ensure that teachers receive proper training in the use of the system; ensure that students are adequately supervised when using the system; maintain executed user agreements; and interpret this acceptable use policy.

#### **Access to the System**

This acceptable use policy shall govern all use of the system. Sanctions for student misuse of the system shall be included in the disciplinary code for students, as set out in regulations for policy 5131

Conduct/Discipline. Employee misuse may result in appropriate discipline in accord with the collective bargaining agreement and applicable laws and regulations.

The board shall ensure the acquisition and installation of blocking/filtering software to deny access to certain areas of the Internet.

#### World Wide Web

All students and employees of the board shall have access to the Web through the district's networked or stand alone computers. An agreement shall be required. To deny a child access, parents/guardians must notify the building principal in writing.

### **COMPLIANCE WITH CIPA**

#### Filters Blocking Access to Inappropriate Material

To the extent practical, technology protection measures (or "Internet filters") shall be used to block or filter Internet, or other forms of electronic communications, access to inappropriate information.

Specifically, as required by the Children's Internet Protection Act, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors. Subject to staff supervision, technology protection measures may be disabled or, in the case of minors, minimized only for bona fide research or other lawful purposes.

#### Inappropriate Network Usage

To the extent practical, steps shall be taken to promote the safety and security of users of the school district online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications.

Specifically, as required by the Children's Internet Protection Act, prevention of inappropriate network usage includes:

- A. Unauthorized access, including so-called "hacking," and other unlawful activities; and
- B. Unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

#### Education, Supervision and Monitoring

It shall be the responsibility of all members of the school district staff to educate, supervise and monitor usage of the online computer network and access to the Internet in accordance with this policy and the Children's Internet Protection Act. Procedures for the disabling or otherwise modifying any technology protection measures shall be the responsibility of the Superintendent or his or her designee.

The Superintendent or his or her designee shall ensure that students and staff who use the school internet facilities receive appropriate training including the following:

- A. The district established standards for the acceptable use of the internet;
- B. Internet safety rules;
- C. Rules for limited supervised access to and appropriate behavioral expectations for use of online resources, social network websites, and chat rooms;
- D. Cyber bullying (board policy 5131.1 Harassment, Intimidation and Bullying) awareness and response.

Student use of the Internet shall be supervised by qualified staff.

### Policy Development

The district Internet Safety and Technology policy shall be adopted and revised through a procedure that includes reasonable public notice and at least one public hearing.

### Individual E-mail Accounts for District Employees

District employees shall be provided with email access. Access to the system will be provided for staff members who have signed the acceptable use policy agreement. Email will be monitored and archived for three years. Employee email is discoverable and will be released if subpoenaed within the archival period set forth in this policy.

### District Web Site

The board authorizes the Superintendent to establish and maintain a district web site. The purpose of the web site will be to inform the district educational community of district programs, policies and practices.

### Parental Notification and Responsibility

The Superintendent shall ensure that parents/guardians are notified about the district network and the rules governing its use. Parents/guardians shall sign an agreement to allow their child(ren) to have an individual account. Parents/guardians who do not wish their child(ren) to have access to the Internet must notify the principal in writing.

### Student Safety Practices

Students shall not post personal contact information about themselves or others. Nor shall students engage in any kind of personal contact with individuals they meet online. Attempts at contact from such individuals shall be reported immediately to the staff person monitoring that child's access to the Internet. Personal contact information includes but is not limited to names, home/school/work addresses, telephone numbers, or personal photographs.

### Prohibited Activities

Users shall not attempt to gain unauthorized access (hacking) to the district system or to any other computer system through the district system, nor shall they go beyond their authorized access. This includes attempting to log in through another individual's account or accessing another's files.

Users shall not deliberately attempt to disrupt the district's computer system performance or destroy data by spreading computer viruses, worms, "Trojan Horses," trap door program codes or any similar product that can damage computer systems, firewalls, servers or network systems.

Users shall not use the district system to engage in illegal activities.

Users shall not access material that is profane or obscene, that advocates illegal acts, or that advocates violence or hate. Inadvertent access to such material should be reported immediately to the supervising staff person.

Users shall not plagiarize material that is available on the Internet. Plagiarism is presenting another's ideas/words as one's own.

Users shall not infringe on copyrighted material and shall follow all dictates of copyright law and the applicable policies of this district.

### Prohibited Language



Prohibited language applies to public messages, private messages, and material posted on web pages.

Users shall not send or receive messages that contain obscene, profane, lewd, vulgar, rude, inflammatory, or threatening language.

Users shall not use the system to spread messages that can reasonably be interpreted as harassing, discriminatory or defamatory.

### System Security

Users are responsible for their accounts and should take all reasonable precautions to prevent unauthorized access to them. In no case should a user provide his/her password to another individual.

Users shall immediately notify the supervising staff person or data processing department if they detect a possible security problem. Users shall not access the system solely for the purpose of searching for security problems.

Users shall not install or download software or other applications without permission of the supervising staff person.

Users shall follow all district virus protection procedures when installing or downloading approved software.

### System Limits

Users shall access the system only for educational, professional or career development activities. This applies, but not limited to discussion group mail lists, instant message services and participation in Internet "chat room" conversations.

Users shall check e-mail frequently and delete messages promptly.

### Privacy Rights

Users shall respect the privacy of messages that they receive and refrain from reposting messages without the approval of the sender.

Users shall not publish private information about another individual.

### Implementation

The Superintendent may prepare regulations to implement this policy.

Date: January 7, 2013 Adopted

Legal References: Use legal reference sheet.

Cross References:

### Key Words

Acceptable Use, Blocking/Filtering Software, E-mail, Internet, Internet Safety, Technology, Web Site, World Wide Web, CIPA

## **INTERNET SAFETY AND TECHNOLOGY**

### **Mandated:**

47 U.S.C. 254(h), known as the Children's Internet Protection Act (CIPA) and the implementing federal regulations, require board policy on acceptable use of the Internet for districts receiving certain federal funds, as well as the installation of blocking software to prevent access to unacceptable areas of the Internet.

The Children's Internet Protection Act is a federal law enacted by Congress to address concerns about access to offensive content over the Internet on school and library computers. CIPA imposes certain types of requirements on any school or library that receives funding for Internet access or internal connections from the E-rate program - a program that makes certain communications technology more affordable for eligible schools and libraries. In early 2011, the FCC issued rules implementing CIPA.

### **What CIPA Requires:**

A. Schools and libraries subject to CIPA may not receive the discounts offered by the E-rate program unless they certify that they have an Internet safety policy that includes technology protection measures. The protection measures must block or filter Internet access to pictures that are: (a) obscene; (b) child pornography; or (c) harmful to minors (for computers that are accessed by minors). Before adopting this Internet safety policy, schools and libraries must provide reasonable notice and hold at least one public hearing or meeting to address the proposal;

B. School subject to CIPA are required to adopt and enforce a policy to monitor online activities of minors;

C. Schools and libraries subject to CIPA are required to adopt and implement an Internet safety policy addressing: (a) access by minors to inappropriate matter on the Internet; (b) the safety and security of minors when using electronic mail, chat rooms and other forms of direct electronic communications; (c) unauthorized access, including so-called "hacking," and other unlawful activities by minors online; (d) unauthorized disclosure, use, and dissemination of personal information regarding minors; and (e) measures restricting minors' access to materials harmful to them.

An eligible school or library may not directly or indirectly solicit or accept any gift, gratuity, favor, entertainment, loan, or any other thing of value from a service provider participating in or seeking to participate in the schools and libraries universal service program. Gift prohibitions are applicable year-round, not just during the competitive bidding process. This prohibition includes an applicant soliciting and receiving any gift or other thing of value from an E-rate service provider.

47 CFR § 54.503(d) of the federal competitive bidding regulations restricts district personnel, board members and contracted service providers from receiving gifts from vendors in excess of \$20.00 for any single item such as meals, pencils, pens, hats, t-shirts etc. Total gifts received by any individual during a one year period from any one vendor shall not exceed \$50.00. These restrictions apply to any employee, board member or contracted service provider of a district that participates in the Schools and Libraries Program of the Universal Service Fund (E-rate Program). Failure to comply is a violation of FCC rules and will result in expulsion from the E-rate program.

No Child Left Behind also requires policy on safe student access to the Internet.

### **Other Reasons:**

N.J.S.A. 18A:36-35 prohibits the publication on district web sites of "personally identifiable information" about students without prior written parental consent. "Personally identifiable information" is defined as student names, photos, addresses, email addresses, phone numbers and locations and times of class trips.

This is a topic of critical concern, because technology has important implications for all aspects of district operations.

### **Recommendation:**

A policy directing the development of a technology plan that effectively integrates technology into district programs, practices and operations. The policy should include a section on the entire system of electronic communications and whatever other sections apply to your district system - acceptable use of the Internet, web sites, e-mail for staff and/or students, district rights and responsibilities, parental responsibilities, etc. Include assurances of the installation of blocking software if your district receives E-rate discounts for Internet access or federal funds for some other technological uses. According to federal law, filters should block visual depictions that are obscene, child pornography, or harmful to minors. All forms of "hacking" should be prohibited. Assure monitoring of student online activities.

Sanctions for student misuse of the system should be included in your student code of conduct or regulations for policy 5131 Conduct/Discipline. Sanctions for staff misuse would be addressed in negotiated agreements and applicable laws and regulations. List other related policies in your cross references.

### **Legal References**

#### **Possible Cross References:**

- \*1111 District publications
- \*3514 Equipment
- 3543 Office services
- \*3570 District records and reports
- 4118.2/4218.2 Freedom of speech (staff)
- \*5114 Suspension and expulsion
- \*5124 Reporting to parents/guardians
- \*5131 Conduct/discipline
- \*5131.5 Vandalism/violence
- \*5142 Pupil safety
- 5145.2 Freedom of speech/expression (students)
- \*6144 Controversial issues
- \*6145.3 Publications
- 6161 Equipment, books and materials

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

## 6142.12 CAREER EDUCATION

The Board of Education believes that constructive attitudes and concepts involving the dignity of all kinds of work belong in the curriculum from the beginning grades. Therefore, in fulfillment of the Core Curriculum Content Standards, the Board shall develop and implement a comprehensive guidance and counseling system that facilitates career awareness and exploration for all students. The Board shall ensure that educational programs shall continuously expose pupils to the nature of the wide variety of careers available. The cross-content workplace readiness standards shall be infused into the curriculum throughout the grades in age appropriate activities. When any hands-on experience requires use of power tools, etc., all eye protection and other appropriate safety regulations shall be observed.

### Career Education and Counseling

The Board shall develop and implement a comprehensive guidance and academic counseling program for all students to facilitate career awareness, exploration, and preparation. This program shall:

- A. Be linked to the Core Curriculum Contents Standards;
- B. Be infused throughout the K-12 curriculum;
- C. Be supported by professional development programs;
- D. Take into consideration the academic, career and personal/social development of the student; and
- E. Ensure that students with disabilities (age 14 or younger), if determined appropriate by IEP, have career and academic counseling coordinated with transitional services in accordance with N.J.A.C. 6A:14-3.7.

The Board shall develop and implement curriculum and instructional methods that:

- A. Are integrated with technological literacy;
- B. Provide all students with an understanding of the career application of knowledge and skills learned in the classroom; and
- C. Provide all students with the opportunity to apply knowledge and skills learned in the classroom to real or simulated career challenges.

The Board will develop and implement for all students a system of career development activities that:

- A. Offers the opportunity to explore career interests within, but not limited to, arts and humanities; business and information systems; mathematics, science and technology; and health and human services;
- B. Addresses district resources, community needs and student interest;
- C. Allows the Board to select an appropriate delivery format that may include an integrated curriculum based on the Core Curriculum Content Standards or specialized programs that reflect the needs of students and the community;
- D. Instills the concept of the need for continuous learning throughout one's life.

The Board shall offer all high school students the opportunity to explore career interests by participation in structured learning experiences that are linked to the Core Curriculum Content

Standards. The structured learning experiences shall:

- A. Have identifiable educational goals which support the CCCS particularly in the areas of career education; consumer, family and life skills; and technological literacy;
- B. Provide that students are supervised by school personnel in accordance with the requirements identified in the Professional Licensure and Standards rules at N.J.A.C. 6A:9-13.19 through 13.22.
- C. Be conducted at sites registered with the Department of Education via the work Registration System.

#### Vocational-Technical Education Programs

For purposes of this policy, "**vocational-technical education**" means an organized educational program that offers a sequence of courses that provides individuals with the academic and technical knowledge and skills the individuals need to prepare for further education and for careers in current or emerging employment sectors. It includes competency-based applied learning that contributes to the academic knowledge, higher-order reasoning and problem-solving skills, work attitudes, general employability skills, technical skills, and occupation-specific skills of individuals. To ensure that all students have access to vocational-technical instruction the board shall:

- A. Guarantee all students the right to apply and, if accepted, attend a county vocational school. The sending district shall be responsible for the tuition and transportation cost;
- B. Permit students to enroll in programs of vocational instruction outside the residence district as long as the resident district agrees to pay tuition and transportation costs, does not offer an identical type of program; and the program of vocational instruction has space available;
- C. Provide that students shall be admitted for enrollment in classes and provided instruction on the basis of their potential for achieving the occupational or other objectives of such instruction; and
- D. Allow county vocational schools and their designated representatives reasonable opportunity, during school hours, to present information about the county vocational schools' programs to students in local districts in grades six through twelve.

#### Vocational-Technical Instruction

Vocational-technical instruction shall be designed to prepare individuals:

- A. For life skills and paid employment as skilled workers or technicians or paraprofessionals in recognized occupations and in new or emerging occupation;
- B. For enrollment in advanced or highly skilled vocational-technical education programs;
- C. For making informed and meaningful occupational choices; and
- D. To achieve and combination of the above objectives.

The district Board of Education or institution of higher education responsible for vocational technical education shall:

- A. Employ and supervise teachers;
- B. Determine whether students qualify for admission to classes;
- C. Determine the content and organization of courses and curricula;

D. Provide vocational-technical education for students with disabilities in accordance with the student's individual education plan;

E. Include special education programs and services designed to enable academically or economically limited students or students with disabilities to achieve the vocational-technical education programs' objectives;

F. Provide academically or economically limited students or students with disabilities, who cannot benefit from regular vocational-technical education programs, special programs of vocational instruction that include special instructional devices and techniques and supplementary services as are necessary to enable those students to achieve their career objectives;

G. Work in coordination with the State Board of Education and in cooperation with local private agencies, organization and institutions having responsibility for the education of academically or economically limited students or students with disabilities to plan, develop, establish and administer vocational-technical education programs and services; and

H. Ensure soundness and quality of vocational-technical instruction by the application of the content standards required by law according to N.J.A.C. 6A:19-6.8.

The Superintendent shall seek and use all available state, federal and private sources of revenue for the financial support of vocational-technical education in this district. The CSA will develop regulations by which the vocational-technical education program shall be annually evaluated. This evaluation shall consist of the following as defined in N.J.A.C. 6A:19-2.6:

A. An analysis of the achievement of academic competencies of program concentrators and completers;

B. An analysis of the achievement of technical competencies of program concentrators;

C. An analysis of program completion;

D. An analysis of gender equity and student participation in programs leading to nontraditional training and employment;

E. An analysis of placement status of program completers; and

F. A plan to improve each of the program elements if they fall below the specified program performance indicators.

All pupils participating in vocational-technical education programs supervised by this board or in shared-time programs are considered to be regularly enrolled in the schools of this district, and subject to the policies and rules of this board, including rules regarding attendance for those periods when they are not assigned to outside work projects or other classes.

### Legal References

Adopted: September 11, 2006

LR2011

## **6142.13 HIV PREVENTION EDUCATION**

The Board of Education believes HIV education should be integrated into the comprehensive health education curriculum, but may also be applied to other curriculum areas.

The district HIV education program must address, at a minimum, the nature, transmission, prevention and effects of the disease. The program shall be provided through a coordinated sequential elementary and secondary curriculum, taking into consideration the age, growth, development and maturity of the pupils and the subject matter of the course. Development of the program should take into account the instructional needs of all pupils in the district.

The Superintendent shall ensure that the information presented as a part of the HIV prevention education program is articulated in such a way that transition from grade to grade in the elementary schools and from elementary to secondary approaches to the material will be appropriate for all pupils.

The Superintendent shall be responsible for the preparation and development of an HIV prevention education program, with active consultation and participation of an advisory committee consisting of teachers, administrators, parents/guardians, pupils (as appropriate), physicians, members of social and health service agencies, members of the clergy and representative members of the community. The Board shall appoint the members of the committee upon the recommendation of the Superintendent. The advisory committee shall be responsible for reviewing the instructional program and all materials to be used and, through the superintendent, of recommending same for board adoption.

The Superintendent shall ensure that all staff involved in teaching the HIV prevention education program are properly certified for the subject area in which they are teaching and adequately prepared to teach the material. As necessary, appropriate staff training shall be provided.

The Superintendent shall establish a process for evaluating and updating the HIV prevention education program to incorporate new information. Any such revisions shall be implemented after consultation with and review by an advisory committee as described above.

The Board of Education alone, upon the recommendation of the Superintendent, shall determine the content, sequence, and materials of the HIV prevention education program. The Board shall ensure compliance with all requirements of state and federal law concerning the content of the curriculum and distribution of materials.

### Legal References

Adopted: September 11, 2006

**Mountain Lakes School District**

## 6143 CURRICULUM GUIDES

The Board of Education directs the preparation of a guide for each approved course of study in order to direct and assist teaching staff members toward the attainment of goals addressed by that course.

The Superintendent shall oversee development of curriculum guides for every course and area of study for every grade level. Each guide shall contain objectives for concepts and skills to be taught and attitudes to be developed; necessary study skills; suggested materials and activities designed to achieve all of these; and evaluation criteria intended to test the extent to which learning objectives have been met. Curriculum guides shall include all requirements of the Core Curriculum Content Standards.

The Superintendent shall be responsible for the preparation of course guides, and shall develop a plan for such preparation that includes the participation of appropriate staff members and resource personnel; the participation of members of the community; the participation of pupils at appropriate grade levels; continuing research in instructional methods, materials, and activities; systematic review of all course guides to ensure their continuing usefulness in achieving goals set by the Board; and a system of administrative review to ensure that course guides are being followed by teaching staff members to the degree of conformity desired by the Board.

Teachers shall use the guides as the core of their instructional planning. Unless otherwise provided in the plan developed by the Superintendent, it shall be the responsibility of the building principal to ensure that curriculum guides are being followed.

A copy of each guide in use shall be kept on file at the Board office. Such guides shall be available for public inspection.

Because curriculum guides are the means of implementing instruction in courses adopted by the Board as the curriculum of the district, the Board shall approve any new curriculum guides or any revision to an existing guide before they are put into effect.

### Legal References

Adopted: January 22, 2008

LR2011

**Mountain Lakes School District**



## **6143.1 LESSON PLANS**

All teachers are required to maintain and use an updated curriculum guide for preparation of lesson plans for each subject taught. Lesson plans must include objectives that specify what pupils should know, or be able to do, at the completion of that lesson. Lesson plans should be prepared in enough detail with enough clarity to enable a substitute teacher to carry on the program during the absence of a teacher.

When the teacher plans to use materials not included in the curriculum guide, he/she should list these materials in the lesson plan.

The building principal shall check lesson plans on a regular basis.

### Legal References

Adopted: January 16, 2006

LR2011

**Mountain Lakes School District**

## 6144 CONTROVERSIAL ISSUES

The Board of Education believes that the consideration of controversial questions has a legitimate place in the work of the public schools. Sooner or later the young people must meet and face such questions. It is important that they have experiences with such questions under circumstances which promote consideration of all pertinent factors. Such treatment of such questions should not only promote a fair and many-sided study of those questions, it should also help the pupil develop techniques for considering controversial questions—techniques which he or she will habitually use in later life.

A question shall be considered to be controversial when one or more of the proposed answers are objectionable enough to a section of the citizenry to arouse strong reaction. The immediate course of this reaction may be personal conviction or interest, or allegiance to an interested group. The most critically controversial questions are those characterized by current importance and by group opinion and interest.

The Superintendent shall prepare regulations to ensure the following method of handling controversial issues in the schools is followed:

1. The handling of controversial questions should be free from the assumption that there is one correct answer which would emerge from the discussion and be taught authoritatively to the pupil. Indoctrination is not the purpose. Rather, the purpose is to have the pupil see as fully as possible all sides of the question and to instruct the pupils in study techniques that enhance objectivity and present the material fairly.
  2. A controversial question should be handled in an appropriate setting by a teacher prepared for such a responsibility. Such a question is always related to many things in the past and present, which are important to any profitable study of it. The wise teacher avoids going into a controversial question beyond his or her own depth. A pupil would better be uninformed about a question than misinformed about it.
  3. The decision as to whether a controversial question shall become a matter for school study should be based on such considerations as the timeliness of the question, the maturity of the pupils, the needs of the pupils and the purposes of the school. The administration must determine how much time and how much emphasis shall be given the question.
- In addition to the planned discussions of the controversial question, there are occasions when such a question arises unexpectedly. The teacher has the responsibility of discerning its controversial nature and handling it accordingly.
4. The proper avenues by which arguments on controversial questions reach pupils in school are the teachers holding appropriate certificates, the pupils themselves, and the materials furnished by direction of the Board. No individual or group can claim the right to present arguments directly to pupils in school. Such a "right" would make the school a battleground for dozens of controversies.
  5. Pupils shall be provided with adequate and varied instructional materials which present fully all sides of the controversial questions to be considered.
  6. Pupils shall be assured of their own right to form an opinion on controversial issues without jeopardizing their relationship with the teacher or the school.

The Superintendent shall inform the staff that when public employees make statements pursuant to their official duties (in the classroom, at board meetings, and at other meetings related to educational issues affecting the district) the employees are not speaking as citizens for First Amendment purposes.

### Legal References

Previously Policy No. 2240

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Last Revised: January 22 ,2008

**Mountain Lakes School District**

## 6145 EXTRACURRICULAR ACTIVITIES

The Board believes that the educational goals and objectives of the district are best achieved by a diversity of learning experiences, some of which are more appropriately conducted outside the regular classroom program.

The purpose of extracurricular activities shall be:

- A. To develop useful new capabilities in pupils that can lead to extension of career opportunities;
- B. To develop pupil initiative and provide for the exercise of responsibility;
- C. To develop leadership capabilities and good organizational skills;
- D. To aid pupils in the social skills;
- E. To enable pupils to explore a wider range of individual interests than might be available in the regular program.

For purposes of this policy, "**extracurricular activities**" shall be those activities that are sponsored or approved by the Board but are not offered for credit toward graduation. Such activities shall generally be conducted outside the regular school program, available to pupils who voluntarily elect to participate, marked by pupil participation in the processes of initiation, planning, organizing and execution and shall ordinarily include jazz band, clubs, dramatic or musical presentations, other co-curricular activities, and intramural and interscholastic sports.

Equal access to school facilities shall be granted to all activities that meet this definition.

The Superintendent shall prepare procedures to implement an extracurricular program which shall:

- A. Assess the needs and interests of the pupils of this district;
- B. Ensure the provision of competent guidance and supervision by staff;
- C. Guard against the exploitation of pupils;
- D. Provide for a variety of experiences and a diversity of organizational models;
- E. Provide for the continuing evaluation of the extracurricular program and staff;
- F. Ensure that all extracurricular activities are open to all eligible pupils and that all pupils are fully informed of the opportunities open to them.

The guidance goal for each pupil shall be a balanced program of appropriate academic studies and activities to be determined by the school, the parents/guardians and the pupil. Guidance is necessary to encourage non-participants, and to prevent the overenthusiastic from emphasizing activities at the cost of their academic performance.

Only persons in the employ of the Mountain Lakes Board of Education or volunteers approved by the Board shall be permitted to organize district pupils during school time or during any recess in the school day for purposes of instruction or coaching or for conducting games, events, or contests in physical education or athletics.

No activity shall be considered to be under the sponsorship of this Board unless it has been approved by the Board on recommendation of the Superintendent. Fund-raising activities of extracurricular groups must be approved by the Board in accordance with Policy 5136.

All pupils in good disciplinary and academic standing shall have equal access to all extracurricular

activities regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status.

### Good Disciplinary Standing

Good disciplinary standing shall mean that a pupil is not eligible to participate while serving a detention or suspension.

- A. When a pupil already participating in an extracurricular activity is reported for an infraction of the rules for pupil conduct, the principal shall appoint a staff committee to consider whether the pupil shall be removed from any or all extracurricular activities.
- B. If a pupil was in bad disciplinary standing the previous term, the principal shall refer the matter to a staff committee to determine whether the pupil shall be permitted to participate during the current term.

### Good Academic Standing

Good academic standing at the beginning of the school year for all grades, six through 12, means successful completion of the previous year's requirements, with no failures. In addition, the previous year's requirements are:

- A. For grade 10, completion in grade nine of at least 1/4 of the credits required to receive a Mountain Lakes School District state-endorsed high school diploma,;
- B. For grade 11, completion in grade 10 of the same requirements as in A above;
- C. For grade 12, completion in grade 11 of the same requirements as in A above.

Continuing good academic standing requires maintenance of passing grades in all subjects during the current year, and in grade 12 taking enough course credits to complete the high school graduation requirement by the end of the academic year.

A pupil who begins the year not in good academic standing, who maintains a passing grade in every subject may request consideration to participate in extracurricular activities at the beginning of the second semester.

Participation in interscholastic sports is governed by NJSIAA eligibility standards, which standards supersede this Policy to the extent they are more stringent than set forth herein.

Good academic standing for classified students shall be determined in accordance with the student's EIP and the relevant provisions of Policy 6171.4, Special Education.

### Attendance

The district's attendance policy shall also apply. In particular, a pupil shall not participate in a performance, exhibition, practice or athletic event unless he/she has been present in school that day or has been absent for an excused reason other than for sickness.

### Implementation

The Superintendent shall direct development of detailed regulations to ensure equitable implementation of this policy. Particular care shall be taken to ensure that all extra-curricular programs and their operation comply with district equity requirements. Participation in academically related coaching or tutoring groups may be exempt from the eligibility requirement at the Superintendent's discretion.

### Legal References

Adopted: February 11, 2008

LR2011

**Mountain Lakes School District**

## **6145.1/6145.2 INTRAMURAL COMPETITION; INTERSCHOLASTIC COMPETITION**

The Board considers all competitive extracurricular activities--academic, artistic and athletic--an integral part of the total educational program. Competitive activities shall be under the same administration and control as the rest of the school program and closely articulated with it.

Competitive activities can provide pupils with valuable experiences, opportunities and exercises involving teamwork. In this district, the emphasis in any competition--intramural or interscholastic--shall be on providing such experiences and opportunities rather than on producing winning teams or providing entertainment. Practice for or performance in any competitive event shall not interfere with the regular educational program.

The Board shall approve all proposed interscholastic competition, either as a schedule or as a discrete event, whichever is appropriate. The Board must approve membership in any leagues, associations and conferences, and any agreements with other schools for a series of games or events. Contests of any kind between and among the schools of the district shall be approved by the Superintendent.

The Board shall appoint coaches, volunteers, advisors, physicians and other necessary supervisory personnel upon recommendation of the Superintendent. The Superintendent shall also ensure that training programs/regulations are developed for all extracurricular athletic activities and that all physical facilities involved in any competition in which district schools take part shall be adequate, safe and sanitary.

Public recognition shall be given to participants in academic or artistic competitions in the same measure as to athletic competitors. The district's affirmative action resolution and plan for equity in school and classroom practices shall apply to determining eligibility for competition, approval of each competitive activity in which pupils officially represent the district, and district expenditure to provide facilities and coaches.

### Parental Consent

No pupil may participate in a school-sponsored physical activity outside the regular physical education curriculum without a signed consent form from a parent/guardian naming the activity and acknowledging that the activity may be hazardous.

### Academic Eligibility

Academic standards for eligibility shall be those established by policy 6145 Extracurricular Activities.

### Attendance Standards

Attendance standards shall be those set in policy 5113 Absences and excuses. In particular, a pupil shall not participate in a performance, exhibition, practice or athletic event unless he/she has been present in school that day or has been absent for an excused reason other than for sickness.

### Disciplinary Standards

Disciplinary standards are based on Board policies 5114 Suspension and expulsion and 5131 Conduct/Discipline. Pupils on disciplinary probation or serving a detention or suspension may not practice, perform or compete. The Superintendent and the building principal shall decide at the end of a probation or suspension whether the pupil may return to practice and competition.

### Special Education Pupils

To participate in interscholastic competition, special education pupils must meet the same requirements listed above in conformity with IEPs.

To participate in interscholastic competition, special education students must meet the same requirements listed above and the physical eligibility requirements. Reasonable modifications must be provided to each qualified student seeking to participate in an extra-curricular activity. However, a modification may be denied if, based on an individualized assessment, the modification presents an objective health or safety risk to the student or to others, or where the modification would result in a fundamental alteration to the nature of the program. A fundamental alteration is a modification that provides an objective advantage or disadvantage or requires a change in the rules of competition.

*\*The following section on charter school students is required for school districts with grades 9-12 only.*

#### Charter School Students

A district resident student enrolled as a full-time student in grades 9-12 at a charter school who wishes to participate in a particular sport that is not offered by the charter school may participate in the sport if offered by this district upon agreement of both principals. The number of sports programs offered at the charter school shall not factor into the agreement to allow the student to participate.

Charter school students shall be subject to the eligibility requirements and rules for participation for the sport and the district code of student conduct.

#### Equality and Equity in Athletic Programs

The district athletic programs shall be operated equitably with regard to the male and female teams including:

- A. Relatively equal numbers of varsity and sub-varsity teams for male and female students;
- B. Equitable scheduling of night games, practice times, locations and number of games for male and female teams;
- C. Equitable treatment that includes staff salaries, purchase and maintenance of equipment and supplies;
- D. Comparable facilities for male and female teams.

#### Physical Eligibility

All pupils in grades six through 12 participating in intramural or interscholastic athletics must be given a medical examination within 365 days prior to the first practice session, with a health history update if the examination was completed more than 60 days prior to the first practice session of the first sport participated in. The medical examination shall be given at the student's medical home, as defined in file code 5141.3 Health Examinations and Immunizations. If a student does not have a medical home, the school physician shall conduct the medical examination. Examinations shall be made available throughout the school year consistent with the district athletic schedule. The examination shall be documented on the form approved by the commissioner of education and include, as a minimum, the components listed in the administrative code. In the event a private physician is used, the medical examination shall not be at the expense of the Board of education.

The parents/guardians shall be sent written notification signed by the examining physician testifying to the pupil's physical fitness to participate in athletics. The reason for the physician's disapproval of the pupil's participation shall be included in the notification. The health findings of the medical examination for participation in athletics shall be made part of the general health examination record.

The Superintendent shall present to the Board for adoption procedures for administration of the required medical examination. The procedures for the medical examination to determine the fitness of a pupil to participate in athletics shall include a form for a medical history to be filled out and



returned by a parent/guardian and a form to be filled out by the examining physician.

The medical examination to determine the fitness of a pupil to participate in athletics shall include, as a minimum, the following:

A. A medical history questionnaire, completed by the parent/guardian of the pupil, to determine if the pupil:

1. Has been medically advised not to participate in any sport, and the reason for such advice;
2. Is under a physician's care and the reasons for such care;
3. Has experienced loss of consciousness after an injury;
4. Has experienced a fracture or dislocation;
5. Has undergone any surgery;
6. Takes any medication on a regular basis, the names of such medication and the reasons for such medication;
7. Has allergies including hives, asthma and reaction to bee stings;
8. Has experienced frequent chest pains or palpitations;
9. Has a recent history of fatigue and undue tiredness;
10. Has a history of fainting with exercise;
11. Has a history of family members dying suddenly.

B. A physical examination which shall include, as a minimum, no less than:

1. Measurement of weight, height, and blood pressure;
2. Examination of the skin to determine the presence of infection, scars of previous surgery or trauma, jaundice, and purpura;
3. Examination of the eyes to determine visual acuity, use of eyeglasses or contact lenses, and examination of the sclera for the presence of jaundice;
4. Examination of the ears to determine the presence of acute or chronic infection, perforation of the eardrum and gross hearing loss;
5. Examination of the nose to assess the presence of deformity which may affect endurance;
6. Assessment of the neck to determine range of motion and the presence of pain associated with such motion;
7. Examination of chest contour;
8. Auscultation and percussion of the lungs;
9. Assessment of the heart with attention to the presence of murmurs, noting rhythm and rate;

10. Assessment of the abdomen with attention to the possible presence of hepatomegaly, splenomegaly, or abnormal masses;
11. Assessment of the back to determine range of motion and abnormal curvature of the spine;
12. Examination of extremities to determine abnormal mobility or immobility, deformity, instability, muscle weakness or atrophy, surgical scars and varicosities;
13. Examination of the testes to determine the presence and descent of both testes, abnormal masses or configurations, or hernia;
14. Assessment of physiological maturation;
15. Neurological examination to assess balance and coordination and the presence of abnormal reflexes.

*\*The following section on varsity letters is required for school districts with grades 9-12 only.*

### **Varsity Letters**

A student enrolled in grades 9-12 who participates in any school-sponsored, interscholastic extracurricular activity that includes competitions in which the student competes against students enrolled in schools outside of the district may be eligible to earn a varsity letter awarded by the district. The activity leader or athletic coach may as he or she deems appropriate, submit criteria for awarding varsity letters to the chief school administrator or his or her designee for approval. The chief school administrator or his or her designee shall approve the criteria for each school-sponsored, interscholastic extracurricular activity that includes competitions prior to varsity letters being awarded.

The activity leader or the athletic coach shall be responsible for development of the criteria for determining outstanding performance that qualifies a student to earn a varsity letter in the activity. The criteria shall apply to all participants in the activity and may include but are not limited to:

- A. The number of participants in the activity;
- B. The length of time the student has participated;
- C. The percentage of competitions the student has participated in;
- D. Attendance at practices and competitions;
- E. Indicators of outstanding effort, performance and teamwork.

The district shall not be required to award a varsity letter or to establish any school-sponsored, interscholastic extracurricular activity.

### **Insurance**

The Board will cover each participant in school activities with insurance coverage as recommended by the current insurance carrier. All other interscholastic activities shall be covered at the recommendation of the insurance advisor and Superintendent.

Parents/guardians shall be strongly encouraged to participate in the supplemental pupil accident insurance program offered by the Board.

### **Pamphlet on Sudden Cardiac Arrest**

Once each school year, the chief school administrator or designee shall distribute to

parents/guardians of students participating in school sports, the New Jersey Department of Education's pamphlet on sudden cardiac death. The pamphlet includes a description of early warning signs and privately available screening options.

#### Fact Sheet on the Use and Misuse of Opioid Drugs

Once each school year, the chief school administrator or designee shall distribute to parents/guardians of students participating in the interscholastic sports program or cheerleading program the educational fact sheet developed by the Commissioner of Education in consultation with the Commissioner of Health that provides information concerning the use and misuse of opioid drugs in the event that a student-athlete or cheerleader is prescribed an opioid for a sports-related injury. The district shall obtain a signed acknowledgment of the receipt of the fact sheet by the student-athlete or cheerleader and his/her parent or guardian.

#### Good Sportsmanship

The Board believes that instilling habits of good sportsmanship should be one of the primary goals of athletic endeavors and that all district employees should model good behaviors in this area.

It is especially important that the athletic director and coaches accept the responsibility for encouraging young athletes to handle themselves in a sportsmanlike way and be models of self-control and dignity for players and spectators. Coaches shall include discussions on courtesy and sportsmanlike behavior as part of pre-game activities. Student fans shall be reminded that their conduct reflects on the schools of this district and that poor sportsmanship will be disciplined.

Parents/guardians and other adult spectators shall also be encouraged to act as models for young people by demonstrating self-control and dignity at all athletic events.

Unsportsmanlike behavior as exhibited through verbal abuse, rude or obscene gestures, taunts, obscenities, thrown objects, etc., shall not be tolerated in students, staff or any persons in attendance at district athletic competitions. Discipline may include, but not be limited to, eviction from the competition and prevention from attending further competitions.

Failure to exhibit good sportsmanship shall include, but not be limited to the following conduct:

1. Striking or physically abusing an official, coach, player or spectator;
2. Intentionally inciting participants or spectators to abusive action;
3. Using obscene gestures or unduly provocative language or actions towards officials, coaches, opponents or spectators;
4. Engaging in conduct which exhibits bias based on race, ethnicity or gender;
5. Engaging in pre-event activities of an intimidating nature, e.g. use of fog machines, blaring sirens, unusual sound effects or lighting, or similar activities; and
6. Any violation of the rules of the New Jersey State Interscholastic Athletic Association.

The Superintendent shall prepare regulations on good sportsmanship and ensure their dissemination to students, parents/guardians and the community.

#### Legal References:

N.J.S.A. 5:17-1 *et seq.* Athletic code of conduct permitted; "youth sports event" defined...

N.J.S.A. 18A:11-3 Voluntary associations regulating conduct of student activities; membership;

rules and regulations; appeals

N.J.S.A. 18A:26-2.1 *et al.* Supervisory certificate required for appointment as director of athletics

N.J.S.A. 18A:36-20 Discrimination; prohibition

N.J.S.A. 18A:40A-1 *et seq.* Substance abuse

See particularly:

N.J.S.A. 18A:40A-9, -10, -11

N.J.S.A. 18A:42-2 School orchestra not to compete with civilian musicians; exceptions

N.J.S.A. 18A:43-1 Accident insurance for pupils authorized

N.J.A.C. 6A:7-1.4 Responsibilities of the district board of education

N.J.A.C. 6A:7-1.7 Equality in school and classroom practices

N.J.A.C. 6A:9-5.19 Athletics personnel

N.J.A.C. 6A:16-1.4(a)6 District policies and procedures

N.J.A.C. 6A:16-2.1 *et seq.* General Provisions for School Health Services

See particularly:

N.J.A.C. 6A:16-2.2

N.J.A.C. 6A:30-1.1 *et seq.* Evaluation of the Performance of School Districts

N.J.A.C. 6A:32-9.1 *et seq.* Athletic Procedures

See particularly:

N.J.A.C. 6A:32-9.1(c), -9.1(d), -9.1(f)

N.J.A.C. 6A:32-14.1 Review of mandated programs and services

N.J.A.C. 6A:16-1.4(a)8

20 U.S.C.A. 1681 *et seq.* - Title IX of the Education Amendments of 1972

29 U.S.C.A. 794 *et seq.* - Section 504 of the Rehabilitation Act of 1973

*Krupp v. Bd. of Ed. of Union County Reg. H.S. Dist. #1*, 278 N.J. Super. 31 (App. Div. 1994)  
cert. den. 140 N.J. 277 (1994)

NJSIAA Constitution, Bylaws, Rules and Regulations

*The Comprehensive Equity Plan*, New Jersey State Department of Education

Adopted: February 11, 2008

Revised: January 9, 2018

Revised: November 19, 2018

**Mountain Lakes School District**

## 6145.2A HOMESCHOOL STUDENT ATHLETES

The following is the proposed policy for the evaluation of homeschooled students residing in Mountain Lakes for the purpose of participating in interscholastic athletics. It is the goal of this policy to establish fair and objective standards for the homeschooled student athlete.

The current New Jersey state language in statute N.J.S.A. 18A:38-25 requires that **"every parent, guardian or other person having custody and control of a child between six and 16 ensures that such child regularly attends the public school of the district or a day school in which there is given instruction equivalent to that provided in the public school for children of similar grades and attainments or to receive equivalent instruction elsewhere than at school."**

The provision, "to receive equivalent instruction elsewhere than at school" in N.J.S.A. 18A:38-25 permits a parent/guardian to educate the child at home.

The N.J.S.A. does not establish grading policies or standards for granting credits. The Mountain Lakes Board of Education has the exclusive authority to address such matters within the parameters of the State Board of Education guidelines. Therefore, a homeschooled student must meet the equivalent of the following NJSIAA academic requirements with regard to credits earned.

To be eligible for athletic competition during the first semester (September 1 to January 31) of the 10th grade or higher, or the second year of attendance in the secondary school or beyond, a pupil must have passed 25% or 30 credits per year beginning with the class of 2014 during the immediate preceding academic year.

To be eligible for athletic competition during the second semester (February 1 to June 30) of the 9th grade or higher, a pupil must have passed the equivalent of 12 ½ % or 15 credits per year beginning with the class of 2014 at the close of the preceding semester (January 31).

Simply stated, a student must have passed six full courses the previous year to be eligible for fall and winter sports and be passing six full year courses at the end of the first semester (January 31) to be eligible for spring sports.

The New Jersey Department of Education states that when a child returns to school following a period of homeschooling, the local board of education treats the child as any other new or returning child (i.e. assessed as to the acceptance of credits and the appropriated grade level for purposes of placement). There are no special provisions made for the child who was educated at home. Placement should be based on an objective assessment that is given to all students for that subject or grade. In assessing the child educated elsewhere than at school, the child may not be held to a higher standard than similarly situated students within the district or transferring from other public schools. Additionally, if a child educated elsewhere than at school re-enrolls in the public school in order to obtain a high school diploma, an assessment is made as to the child's compliance with state and local requirements, as the board of education would with any new or returning student, since no diploma can be issued when such requirements are not met. The assessment for high school students would be the High School Proficiency Assessment (HSPA) or the Alternate Proficiency Assessment (APA).

**Although not required, it is highly recommended that homeschooled students complete an accredited online or correspondence program of studies where formal credits can be certified as earned.** The Mountain Lakes School District recognizes that in many cases homeschooled students have been taught, challenged and guided by someone whose dedication is equaled only by the students' desire to learn. Therefore, each applicant for athletic eligibility is evaluated carefully on an individual basis, taking into account all methods of learning and assessments. In doing so, The Mountain Lakes School District will make every effort to be fair while keeping in mind the need to maintain those same standard, to which our enrolled students are held.

Reading list, curricular information, teacher narratives about courses of study, and copies of papers or projects can be used in place of traditional transcript. The NJSIAA does not have a distribution requirement of academic course in high school. However, enrolled students must meet core course content standards in Mathematics, English, Social Studies, Science and World Language. In addition, Physical Education, Financial Literacy, Fine and Practical Art courses are required for graduation.

**Applicants without traditional transcripts must provide information about their program of study and how various competency levels were achieved in the equivalent core content areas of instruction.**

The academic evaluation of a homeschooled student will focus on the following guidelines of suggested documentation for credits earned:

1. Proof of Residency
2. A complete description of high school course work and texts used. The homeschool instructor should detail the syllabi and time dedicated to each discipline. Course should conform to or exceed the standards of the New Jersey and Mountain Lakes recommended high school curricula (four years of English, Math through Algebra II, three years of History, three years of Laboratory Sciences including Physical and Life Science, one year of a Foreign Language, one half year of Financial Literacy, four years of Physical Education and one each of Fine and Practical Arts).
3. A detailed written evaluation of the student covering academic and personal areas from the homeschooled teacher.
4. Outside recommendation from people who have known the applicant in context other than academics (i.e., employer, minister, conductor, coach). When appropriate, letters of recommendation from individuals who have worked with the student in academic settings (summer programs, local colleges or university programs, etc.) should be included. MLHS student-athlete must abide by a Code of Conduct that applies to all MLHS athletes. Students who violate the Code of Conduct are excluded from participation. This step serves to evaluate the behavior and character of the homeschooled student.
5. The homeschool teacher should provide a summary of the student's academic performance: grades or other evaluation in whatever format the homeschool teacher has provided for the student. Results from course work outside the homeschool setting should also be provided.
6. Writing samples: perhaps a short piece and a longer research paper.
7. Standardized test scores (PSAT,SAT,ACT/PLAN) may be used to enhance a student portfolio.
8. A certified teacher may sign off on academic preparedness regarding specific Core Content subjects. If a certified teacher is utilized, his or her certification must coincide with the subject that he or she is signing off on. A notarized report highlighting what was accomplished and when it was accomplished along with a copy of his or her Teacher Certification must be included with the student portfolio.
9. Any additional documentation, which will assist the committee.

If coursework was taken through an established nontraditional program (i.e., correspondence, internet, tutoring, etc.) that evaluates your coursework and issues transcripts, please have that program provide a copy of your transcript and provide contact information so the review committee can obtain further information, if necessary.

With non-traditional records, some kind of outside assessment is helpful. Many homeschool

candidates, for example have had an opportunity to take a course at a local community college during high school years. The community college transcripts can be an outside validation of particular levels of achievement. Some type of standard credential can help in the assessment of a student with no formal high school transcript.

In the absence of a traditional high school transcript, the Athletic and Guidance Directors along with a Department Supervisor will meet to assess a student's academic progress in an equivalent educational program. The purpose of this meeting will be to determine academic/athletic eligibility. If academic/athletic eligibility is granted on a per season basis, this in no way correlates to a high school diploma being issued.

#### Additional Requirements:

All MLHS homeschooled student athletes will abide by all NJSIAA and MLHS rules and regulations. These include but are not limited to the Suggested New Jersey Home School Guidelines as established by the NJSIAA and approved by the MLHS BOE.

As part of the initial application process, the homeschooled student and his or her parents or legal guardians are to meet with the Athletic and Guidance Directors prior to the specific athletic season application date listed below. The purpose of this meeting is to determine what has been accomplished academically and to review future course. Failure to meet will automatically render the homeschooled student ineligible for the athletic season in question.

Initial determination of eligibility will be by the Athletic and Guidance Directors and an Academic Supervisor. If denied, the following appeal process will apply: The homeschooled student and his or her parent(s) or guardian will inform either the Athletic or Guidance Director of their decision to appeal. A committee will be formed consisting of the Athletic and Guidance Directors, a teacher, administrator and coach, not related to the sport or sports that the prospective homeschooled student plays. The purpose of this committee will be to review the decision of the Athletic and Guidance Directors and the Academic Supervisor and to consider any additional documentation that the home-schooled student may supply. If denied by this committee, a final appeal may be made to the Superintendent of Schools.

#### Time lines:

All application materials including the academic portfolio must be submitted by the following dates: For a fall sport, the second Tuesday of June; for a winter sport, the second Tuesday of October; for a spring sport; the second Tuesday of February. The pre-determined meeting with the Athletic and Guidance Directors must be held prior to the above meeting date. For the multi sport homeschooled student, the determination of eligibility will be by athletic season. In other words, application must be made per season for the homeschooled student to be considered for athletic participation. A decision of eligibility will be rendered within two calendar weeks of submission of Application and the student portfolio.

Students are expected to provide their own transportation to meet practice obligations. Students are expected to ride on all school provided transportation to and from athletic contests. Exceptions may be made with prior written notification and approval from the head coach.

All forms are to be on file with the head coach prior to tryouts.

Any attempts to circumvent eligibility rules will result in immediate dismissal from the MLHS athletic program.

Homeschooled athletes will be eligible for all post-season awards with the exception of All Academic League recognition.

Should the homeschooled student/athlete aspire to gain NCAA academic eligibility the following



standards would need to be documented.

NCAA Requirements for the Homeschooled Student-Athlete:

Division 1 Core Course: English 4 years, Math 3 years, Science 2 years, including 1 lab science if available, Social Science, 2 years of History, and an additional 1 year of English, Math or Science plus 4 years of any of the above or a Foreign Language.

Division 11 Core Course: English 3 years, Math 2 years, Science 2 years including 1 lab science if available, Social Science, 2 years of History, etc plus 2 additional years of English, Math or Science plus 3 years of any of the above and or a Foreign Language.

The NCAA will require the following documentation: Homeschool transcript that includes the Course Title, Course Grades, Unit of Credit, Grading Scale, and Signature of the homeschool administrator; Any transcript from any other high school, college and or non-traditional program that the student attended; Proof of high school graduation including the specific graduation date (month/day/year); Evidence that homeschooling was conducted in accordance with state laws, a written statement from homeschool administrator verifying compliance with state homeschool legislation; A statement of who taught and evaluated the coursework, awarded grades and issued credit; A list of textbooks used throughout the home schooling experience; Awarded grades and issued credits; A list of Publisher, Name of Book and level if applicable and a description of the homeschool teaching environment.

Legal References:

Adopted: March 5, 2012

**Mountain Lakes School District**

## 6145.3 PUBLICATIONS

The Board of Education sponsors pupil publications as important elements of the instructional program. Pupils are encouraged to develop skills of written and verbal communication and to exercise the right to express their opinions freely and responsibly.

The rights of free speech, and free expression of pupils in public schools pursuant to the First Amendment, are not automatically coextensive with the rights of adults in other settings and shall be applied in light of the special characteristics of the school environment. The Board of Education reserves the right to exercise prepublication control over school-sponsored publications through administrative staff and faculty. Pupils shall have the right to appeal the exercise of censorship by school district staff to the Board of Education.

Pupil expression may be restricted, if it can be determined that such expression is inconsistent with the basic educational mission of the school district and when censorship action is reasonably related to legitimate educational concerns.

Pupils who violate this policy by expression, publication or distribution of any materials which are biased or prejudiced, vulgar or profane, unsuitable for immature audiences, or which do not meet the school district's high standards of learning and propriety consistent with its educational goals and objectives may be subject to appropriate discipline.

This policy shall be implemented in accordance with regulations to be developed by the Superintendent. The regulations shall:

- A. Identify school district staff responsible for pupil publications;
- B. Establish procedures for prepublication review; and
- C. Specify procedures for appeal by pupils to the Board of Education with provisions for prompt decisions to be made at each level.

Pupils shall not be subject to discipline or loss of privileges for published material that is submitted for review by administrative staff or faculty in accordance with the procedures established by the Superintendent.

### Websites

School-sponsored web sites are also subject to this policy and to the same regulatory constraints as are print publications.

### Legal References

Adopted: January 5, 2009

**Mountain Lakes School District**

## 6145.3 SCHOOL SPONSORED PUBLICATIONS

The Board of Education permits and encourages the preparation and distribution of school sponsored publications under staff direction in order that pupils learn the rights and responsibilities of the press in a free society.

No school sponsored publication may contain materials that:

1. Are clearly prejudicial to an ethnic, national, religious, or racial group or to either gender;
2. Libel any person or persons;
3. Infringe rights of privacy protected by law or regulation;
4. Seek to establish the supremacy of a particular religious denomination, sect, or point of view over any other;
5. Advocate the use or advertise the availability of any substance or material that constitutes a direct and substantial danger to the health of pupils;
6. Contain obscenity or material otherwise deemed to be harmful to impressionable pupils;
7. Incite violence, advocate the use of force, or urge the violation of law or school regulations;
8. Advertise goods or services for the benefit of profit-making organizations;
9. Solicit funds for non-school organizations when such solicitations have not been approved by the Board;
10. Promote, favor or oppose any candidate for election to the Board or the adoption of any bond issue, proposal, or question submitted at any school election; or
11. Except as may be required for literary purposes, do not conform to acceptable standards of grammar, clear expression, and responsible research.

Issues on which opposing points of view have been responsibly promoted may be introduced in a school sponsored publication provided that all proponents are given an equal opportunity to present their views.

In order to ascertain that school sponsored publications do not violate the standards established by this policy, the Board requires that each publication be submitted to the Principal for review in advance of its distribution. A publication that contains material in violation of this policy may not be distributed.

Where the Principal cannot show, within two school days, that the publication violates the prohibitions of this policy, the publication must be released for distribution. The Principal's determination, if any, that the publication violates this policy must be supported by references to specific material in the publication. Material cannot be censored merely because it is personally offensive to the reviewer or may tend to embarrass the Board. Pupils must be offered the opportunity to modify or delete any material that violates this policy.

The Principal's determination may be appealed to the Superintendent and the Board.

The Board requires that the distribution of school publications take place only at the places and during the times established by regulation in order that the instructional program is not disrupted.

Previously Policy No. 2432

Adopted: November 5, 2001

Re-adopted: January 3, 2006

**Mountain Lakes School District**

## **6145.4 PUBLIC PERFORMANCES BY PUPILS**

The Board of Education recognizes the value to pupils and to the community of the demonstration of pupil talents and skills in performances of pupil organizations in public events. The Board endorses such performances when they contribute to the instructional program, do not interfere with scheduled school activities, and do not exploit or endanger participating pupils.

Public performances of pupil organizations conducted during the day or night may be approved by the Principal, but events which will take pupils out of the school district overnight or longer must be approved in advance by the Board. Approval for a public performance will not be granted unless the staff advisor determines that the number of pupils who agree to participate is sufficient to represent the school fairly.

No pupil may be compelled to participate in an elective public performance or penalized for his or her failure to participate. The members of a pupil organization invited to perform shall be polled for their willingness to perform.

No pupil, pupil organization, or employee of this Board shall receive compensation for the performance in public of pupils organized for a school activity.

Previously Policy No. 5880

Adopted: January 3, 2006

**Mountain Lakes School District**

## **6145.5 SECRET SOCIETIES**

The Board of Education affirms the legislative prohibition of pupil organizations with closed membership practices as hostile to the democratic ideals of public education.

No social organization of pupils will be granted the use of school facilities or permitted the use of the name of the school or this district unless that organization has first been approved by the Principal. The application for such approval will set forth the purposes, constitution, and bylaws of the organization; its membership qualifications; and the process by which a person becomes a member. No organization will be approved if its purposes conflict with the authority and goals of this Board or the best interests of the pupils of this district; if membership is drawn from outside the currently enrolled student body; if membership qualifications are based on considerations of race, creed, political beliefs, or any other consideration not appropriate to the purpose of the organization; or if any qualifying pupil who applies may be denied membership.

A pupil who seeks to form or is a member of a fraternity, sorority, or other secret organization formed in whole or in part of pupils enrolled in this district may be disciplined by this Board. The Board reserves the right to require that any pupil attest as to his or her membership in a secret organization.

Previously Policy No. 5841

Adopted: January 3, 2006

**Mountain Lakes School District**

## **6145.6 STUDENT PARTICIPATION IN SCHOOL GOVERNANCE**

The Board of Education believes that pupils should be encouraged to participate appropriately in the governance of various school activities. As institutions fundamental to the operation of a democratic society, the schools should strive to exemplify the democratic ideal of citizen participation in decision making.

Suggestions for the improvement of the schools may be offered by any pupil. Suggestions should be constructive and contribute toward the realization of the educational goals of the district.

Previously Policy No. 5810

Adopted: January 3, 2006

Reviewed and Renumbered May 11, 2009

**Mountain Lakes School District**

## **6146 GRADUATION REQUIREMENTS**

In order to be graduated from the Mountain Lakes School District high school, and receive a state-endorsed board of education diploma, a pupil must:

- A. Meet both state and district proficiency standards in the core curriculum content areas; achieve or exceed passing grade on New Jersey Department of Education approved high school proficiency assessment;
- B. Complete successfully any course requirements stated in the administrative code, unless those of the district are greater, in which case the district's standard must be met. The proficiencies required must include the New Jersey Student Learning Standards approved by the State Board of Education;
- C. Select and complete successfully enough elective credits to meet the district minimum of 122.5 credits.

Successful completion means that the pupil has demonstrated the degree of proficiency required by the district to indicate achievement of the district goals for the particular course, and has attended the required number of course sessions.

Transfer pupils must meet all state and local requirements in order to receive a Mountain Lakes High School diploma.

The chief school administrator shall put into effect the procedures necessary to assess each pupil upon entry into the system, and, annually thereafter, to identify those pupils not meeting the state or district proficiency requirements. He/she shall develop the programs necessary to remedy these deficiencies at the lowest possible grade level.

### **Remediation and Basic Skills**

Pupils who do not pass the New Jersey Department of Education approved statewide proficiency assessment, the elementary assessment component for grades three through five and the middle school components for grades six through eight shall be provided appropriate remediation.

Twelfth-grade pupils who have satisfied all other graduation requirements but have repeatedly failed the statewide examination shall receive a special review assessment as provided by law.

### **Pupils with Limited English Proficiency**

Pupils with limited English proficiency must be provided with the program opportunities required by law, and must fulfill the regular state and district requirements for graduation.

### **Special Education Pupils**

A disabled pupil must meet all state and local high school graduation requirements in order to receive a state-endorsed high school diploma unless exempted in his/her IEP with the written approval of the chief school administrator.

A pupil who qualifies may take the New Jersey Department of Education approved alternate proficiency assessment, if alternate requirements for graduation have been specified in his/her IEP.

By June 30 of a disabled pupil's last year in the elementary program, the pupil's case manager, parent/ guardian and teacher(s) shall meet to review the instructional guide and basic plan of the pupil's IEP in view of the transition to the secondary program. Input from appropriate staff from the secondary school shall be part of the review.



The basic plan of the IEP for the pupil exiting the elementary program will address all the elements required in the administrative code. The description of the educational program will include exemptions, if any, from regular education program options or state and local graduation requirements including PARCC, along with the rationale for the exemptions. The exemptions must be approved in writing by the chief school administrator.

Required reviews of the IEP shall continue to address graduation requirements and shall explain why the proficiencies required for graduation are not part of the IEP.

Because graduation with a state-endorsed diploma is a change of placement that requires written notice, all procedures described in the administrative code shall be followed scrupulously. Procedures shall include written notice to parents/guardians that includes a copy of procedural safeguards published by the State Department of Education and opportunity for mediation or a due process hearing.

## **Proficiency**

In consultation with appropriate professional staff, the chief school administrator shall develop and present to the board for adoption indicators of achievement and standards of proficiency and attendance demonstrating successful completion of each course offered at every level of the high school.

The subject matter and standards of proficiency shall be articulated with the district's elementary schools and with sending elementary districts.

In accordance with law, the board of education shall have copies of this policy distributed to all ninth-grade or otherwise entering pupils) and their parents/guardians.

They shall also be informed as to the examinations, demonstrated proficiencies, course and credit hour requirements, attendance policies, and any other state and local requirements.

Proficiency requirements for each individual course shall be given to pupils upon registering for the course.

The yearly program of studies for each pupil in the high school must be approved and signed by the parent/guardian, except in the case of 18-year-old pupils.

## **Early Graduation**

Pupils who have clearly demonstrated a scholastic aptitude, an unusual readiness for the world of work, a financial need, or a serious health or family concern may be considered for early graduation. Minimal graduation requirements must be completed early. Approval must be obtained from the parents/guardians and the administration.

## **Individualized Student Learning Opportunities**

The board shall establish a process to approve individualized student learning opportunities that meet or exceed the New Jersey Student Learning Standards.

A. Individualized student learning opportunities areas include, but are not limited to, the following:

1. Independent study;
2. Online learning;
3. Study abroad programs;

4. Student exchange programs; and

5. Structured learning experiences, including, but not limited to, work-based programs, internships, apprenticeships, and service learning experiences.

B. Individualized student learning opportunities based upon specific instructional objectives aimed at meeting or exceeding the New Jersey Student Learning Standards shall:

1. Be based on student interest and career goals as reflected in the Personalized Student Learning Plans;

2. Include demonstration of student competency;

3. Be on file in the school district and subject to review by the Commissioner or his or her designee.

To earn credit toward high school graduation for individualized student learning opportunities, the student shall successfully complete assessments that verify student achievement in meeting or exceeding the New Jersey Student Learning Standards at the high school level. Achievement may be verified by assessments including standards achieved by means of the individualized student learning opportunities. Such programs or assessments may occur all or in part prior to a student's high school enrollment.

No assessments administered shall preclude or exempt student participation in applicable Statewide assessments at grades three through twelve.

## **Pupil Enrollment in College Courses - Option 2**

The board shall make reasonable efforts to develop articulation agreements with New Jersey colleges and universities to facilitate the delivery of college credit courses to qualified pupils.

The board shall establish a process to approve post-secondary learning opportunities that may consist of Advanced Placement (AP) courses, College-Level Examination Program (CLEP), or concurrent/dual enrollment at accredited higher education institutions. Students shall receive credit for successful completion of an approved, accredited college course that assures achievement of knowledge and skills that meets or exceeds the New Jersey Student Learning Standards.

The board shall determine eligibility requirements for these pupils and monitor the quality of the courses offered and college faculty who teach the courses.

## **Reporting and Monitoring**

The chief school administrator shall report annually at a public meeting, not later than September 30, to the board and to the commissioner:

A. The total number of students graduated in the aggregate and disaggregated according to subgroups described in federal law;

B. The number of students graduated who took the New Jersey Department of Education approved alternate high school proficiency assessment;

C. The number of students receiving state-endorsed high school diplomas as a result of meeting any alternate requirements for graduation as specified in their IEP's;

D. The total number of students denied graduation from the 12th grade class;

E. The number of students denied graduation from the 12th grade class solely because of failure

to pass the New Jersey Department of Education approved high school proficiency assessment or the approved alternate high school proficiency assessment, based on the provisions of administrative code.

This information shall be reported to the board at a public meeting prior to the date prescribed by law.

The board shall review this policy annually and shall adopt all regulations required by law.

#### Key Words

High School Graduation, Early Warning Test, HSPT, Graduation, Graduation Requirements

#### Legal References:

N.J.S.A. 18A:4-25 Prescribing minimum courses of study for public schools; approval of courses of study

N.J.S.A. 18A:7C-1 Commissioner of education to develop a program of standards and guidelines

N.J.S.A. 18A:7C-2 Boards of education; establishment of standards

N.J.S.A. 18A:7C-4.1 Operation Recognition; purpose; eligibility; application procedure

N.J.S.A. 18A:7C-5.1 Boards of education prohibited from excluding students from graduation ceremony or from obtaining yearbook for inability to pay fees

N.J.S.A. 18A:33-1 District to furnish suitable facilities; adoption of courses of study

N.J.S.A. 18A:35-1 *et seq.* Curriculum and courses

N.J.S.A. 18A:36-17 Credit of seniors in active military and naval service, etc.

N.J.A.C. 6:30-3.7 Graduation

N.J.A.C. 6A:8-1.1 *et seq.* Standards and Assessment

#### See particularly:

N.J.A.C. 6A:8-1.2, -2.1, -3.1, -3.3, -4.1, -4.2, -4.3, -5.1, -5.2

N.J.A.C. 6A:14-3.7 Individualized education program

N.J.A.C. 6A:15-1.11 Graduation requirements for limited English proficient Students

N.J.A.C. 6A:30-1.1 *et seq.* Evaluation of the Performance of School Districts

N.J.A.C. 6A:32-2.1 Definitions

N.J.A.C. 6A:32-12.1 *et seq.* Annual Reporting and Planning Requirement

N.J.A.C. 6A:32-13.1 *et seq.* Student Behavior

N.J.A.C. 6A:32-14.1 *et seq.* State and Federally Mandated Programs and Services

N.J.S.A. 18A:7F-46 Review, update of core curriculum content standards; Educational Adequacy Report

N.J.A.C. 6A:14-4.11

N.J.A.C. 6A:23A-9.5

The Department of Education Website, <http://www.nj.gov/njded/assessment/> (Lists the state assessment components)

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

Adopted: January 22, 2008 LR2011

Revised: January, 16, 2018

**Mountain Lakes School District**

## **6146.2 PROMOTION AND RETENTION**

The Board recognizes that personal, social, physical and educational growth of children will vary and that they should be placed in the educational setting most appropriate to their needs at the various stages of their growth.

The Superintendent shall direct development of and the Board shall adopt detailed regulations to govern progress of pupils through levels K-12. The regulations shall include:

- A. Standards of proficiency related to district goals and objectives;
- B. Standards of attendance, and provision for review of mastery;
- C. Timely efforts to help all pupils achieve acceptable levels of proficiency;
- D. Timely notification of parents/guardians when there is a possibility of failure and immediate consultation with the parent/guardian if the pupil's progress is not sufficient to meet promotion and remediation standards;
- E. Procedures for parents/guardians and adult pupils to appeal promotion/retention decisions;
- F. Procedures for involving parents/guardians in the design of the remedial program.

Parents/guardians shall be notified whenever exceptions are contemplated in a pupil's normal progression from level to level. The final decision in all cases will rest with school authorities.

### Legal References

Adopted: January 22, 2008

LR2011

**Mountain Lakes School District**

## **6147 STANDARDS OF PROFICIENCY**

The Superintendent, in consultation with teaching staff, shall develop criteria for evaluation, indicators of achievement of the criteria, and acceptable standards of achievement for all grade levels, courses and programs offered by the district. The criteria, indicators and standards must be related to district goals and objectives. Parents/guardians shall be informed in a timely manner whenever their child appears in danger of failing to meet required proficiency levels. Parents/guardians shall be strongly encouraged to participate in designing remedial plans for their children.

These standards of proficiency shall include but not be limited to those Core Curriculum Content Standards identified by the State Department of Education and shall form the basis for the district's grading system. The specific indicators of achievement and standards of proficiency developed for all courses and programs accepted for credit toward high school graduation shall be given to pupils and parents/guardians, in writing, at the time the pupil registers for the course.

By the date required by law, the Superintendent shall annually report to the Board and the community at a regularly scheduled meeting an evaluation of pupil achievement toward meeting district and school goals and objectives.

Low pupil achievement shall be regarded by the Board as an indication that revisions are needed in educational programming, general strategy, staff resources use, staff evaluation, and/or other aspects of the learning program.

### Legal References

Adopted: March 15, 2004

Re-adopted: January 3, 2006

LR2011

**Mountain Lakes School District**

## 6147.1 EVALUATION OF INDIVIDUAL STUDENT PERFORMANCE

### Grading

The Superintendent, in consultation with the teaching staff, shall develop a marking system to be used uniformly in the same grade level throughout the schools. The system should be clear, easily understood by parents/guardians and pupils, and able to be applied with consistency of interpretation. Computation of grade-point average and rank in class shall be uniform throughout the district. Evaluation and grading symbols shall be intended to appraise the pupil's progress toward established goals, and shall be a factor in promotion/graduation decisions.

The Board of Education encourages the certified staff, under the direction of the Superintendent, to employ a comprehensive approach to the use of appraisal and evaluative techniques in monitoring pupil progress, including, but not limited to, written and oral teacher-made tests, performance observation, parent/guardian interviews, formal and informal evaluation techniques, use of cumulative pupil records, and medical examinations. Recognized standardized achievement tests may also be used in grades designated by the Board.

The Superintendent shall have the right to review disputed grades and with Board approval to adjust them.

### Testing

In addition to testing procedures established in policy 5120 Assessment of individual needs, the school district shall establish and maintain a general testing program to:

- A. Improve the instructional program to assist pupils in achieving the Core Curriculum Content Standards;
- B. Measure the needs and progress of individual pupils;
- C. Measure the achievement of grade levels;
- D. Allow comparison of district pupils with national or other norms;
- E. Aid in evaluation of programs.

The district testing program shall embody at least the tests required by state and federal law. The administration shall continually review the applicability and effectiveness of tests being used in the district.

School personnel shall not use tests, procedures or other guidance and counseling materials that are differentiated or stereotyped on the basis of race, color, creed, religion, gender, affectional or sexual orientation, ancestry, national origin or social or economic status.

Any requests for surveys, pupil observations, or pupil questionnaires must be forwarded through the principal's office to the Superintendent's office for approval before any survey or observation can be conducted. If the survey concerns any of the topics described in NJSA 18A:36-34, the Superintendent shall obtain written consent from parents/guardians or the students being surveyed at least two weeks prior to its administration.

Individual results of standardized tests, including intelligence tests, shall be made available to parents/guardians upon their request, but shall be considered confidential information to be available only to authorized persons. Aggregate school and district test results shall be discussed in a public meeting.

### Determining Class Rank

If applicable, the Superintendent shall develop procedures for determining class ranking that take into account:

A. Records of transfer pupils;

B. Honors and advanced courses.

Legal References

Adopted: January 22, 2008

LR2011

**Mountain Lakes School District**



## 6151 CLASS SIZE

The Board of Education directs that the number of pupils assigned to any one class be governed by consideration of instructional quality, economy of operation, and the space-per-pupil requirements of the State Department of Education.

The Board will strive to maintain class sizes that do not exceed the following guidelines:

Grades K-2 23 or fewer students per class

Grades 3-12 25 or fewer students per class

The Superintendent will inform the Board of any class with fewer than ten pupils. The Board, in consultation with the Superintendent, reserves the right to cancel any class when the number of students makes the class economically unfeasible.

In any case where a grade K-2 class exceeds 23 pupils, or where a grade 3-12 class exceeds 25 pupils, the Superintendent shall inform the Board so that the Board can conduct a review of the impact that class size has on the quality of instruction and determine if additional faculty or staff should be engaged to reduce class size and/or offer additional support in the classroom.

This policy shall not be construed to apply to classes of special education, remedial or online instruction.

### Legal References:

N.J.S.A. 18A:11-1 General mandatory powers and duties

N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

N.J.A.C. 6A:8-2.1 Authority for educational goals and standards

N.J.A.C. 6A:14-4.7 Program criteria: special class programs, Secondary and vocational rehabilitation

N.J.A.C. 6A:23A-9.5 Secondary and vocational rehabilitation

N.J.A.C. 6A:26-2.1 *et seq.* Long-Range Facilities Plans

N.J.A.C. 6A:32-8.2 School enrollment

N.J.A.C. 6A:32-8.3 School attendance

Previously Policy No. 2312

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Revised: January 22, 2008

Revised: April 24, 2017

Revised: June 5, 2017

## **6152 PUPIL GROUPING**

The Board of Education believes that each pupil should be provided with the instruction that will best suit his or her intellectual, physical, emotional, and social capabilities. The Board authorizes the Superintendent to develop a schedule and class organization that will provide for the placement of pupils in instructional groups that will offer them the greatest educational benefit.

The grouping of pupils should be flexible and should take into consideration the age, mental ability, past academic record, emotional needs, physical maturity, and interests of each pupil.

Previously Policy No. 2310

Adopted: November 5, 2001

Re-adopted: January 3, 2006

**Mountain Lakes School District**

## 6153 FIELD TRIPS

The Board of Education recognizes that field trips, used as a device for teaching and learning integral to the curriculum, are an educationally sound and important ingredient in the instructional program of the school.

For purposes of this policy, a field trip shall be defined as any journey by a group of pupils away from the school premises, under the supervision of a teacher, which is an integral part of an approved course of study and conducted for the purpose of affording a first-hand educational experience not available in the classroom.

The Board of Education shall approve those field trips that are planned to keep pupils out of the district overnight or longer. The Superintendent shall approve all other field trips.

The Board may authorize field trips for which all or part of the costs are borne by the pupils' parents or legal guardians, except that no pupil in a special education class or pupil unable to pay the cost assessed shall be prohibited from attending a field trip. N.J.S.A. 18A:36-21

Pupils on field trips remain under the supervision of the Board and are subject to its rules and regulations.

A pupil who violates rules or disregards the authority of supervisors on a field trip significantly endangers the safety of other pupils and may be summarily dismissed from the trip. The teaching staff member in charge will make arrangements for the dismissed pupil's transportation to home or school as appropriate. The cost of any such transportation will be borne by the parents or legal guardians of the pupil. The Board reserves the right to take further disciplinary measures in accordance with Policy No. 5131.

When field trips and excursions are to be arranged, the following guidelines apply:

- A. All trips, and the arrangements for them, must have advance approval. This includes whether district buses will be used; whether these may be supplemented by private vehicles; the route to be followed; and parking arrangements if necessary.
- B. Costs must be ascertained.
- C. Each child who goes on a field trip or excursion must have written parental permission.
- D. Pupil safety must be of prime concern, and adequate supervision must be provided by staff aided by other adult chaperones if necessary.
- E. All trips must be well planned, properly timed, and related to regular learning activities, or to district goals and objectives.
- F. Each field trip should be evaluated by pupils, teachers, and the administration.

The Board shall bear all expenses of field trips included in the curriculum guides. Parents/guardians shall be asked to bear the expense of all other excursions. No pupil is to be denied the right to participate because of inability to pay.

The Superintendent shall develop guidelines for planning trips suitable to the various grade levels, and regulations governing frequency, distance and expense.

The Board does not endorse, support or assume liability in any way for any staff member of this district who takes pupils on trips not approved by the board. No staff member may solicit pupils of this district for such trips within the facilities or on the school grounds of this district without board permission.

### Pupil Self-Administration of Medication

The Board shall permit self-administration of medication on field trips for asthma or other potentially life-threatening illness by pupils in grades K through 12. All conditions established by law and Board policy shall be met (see policy 5141.21).

Epinephrine shall be administered via epi-pen to pupils in emergencies on field trips by the school nurse, his/her designee(s), the student's parent/guardian or the student himself/herself, in accordance with policy 5141.21 Administering Medication.

### Legal References

Adopted: November 6, 2006

**Mountain Lakes School District**

## **6153.1 SOCIAL EVENTS**

The Board of Education recognizes the value of social events that will enhance and enrich the school experience for the pupils of this district.

The Board will make school facilities available and assign staff members as appropriate for the conduct of social events on or off school premises that have been approved by the Principal.

The Board will permit persons not enrolled in this district to participate in social events as guests of pupils, provided the Principal has approved such participation in advance.

Pupils who participate in approved social events are subject to district rules for pupil conduct; infractions of the rules will be subject to discipline in the same manner as are infractions of rules during the regular school program.

The Superintendent will develop regulations governing the conduct and safety of all participants in social events and will distribute them to pupil and adult participants.

Adopted: November 6, 2006

**Mountain Lakes School District**

## 6154 HOMEWORK

The Board of Education acknowledges the educational validity of work assigned to pupils for completion outside the classroom as an adjunct to and extension of the instructional program of the schools.

The Superintendent shall develop regulations for the assignment of homework according to these guidelines:

1. Homework should be a properly planned part of the curriculum, extending and reinforcing the learning experience of the school;
2. Homework should help children learn by providing practice in the mastery of skills, experience in data gathering and integration of knowledge, and an opportunity to remediate learning problems;
3. Homework should help develop the pupil's responsibility and provide an opportunity for the exercise of independent work and judgment;
4. The number, frequency, and degree of difficulty of homework assignments should be based on the ability and needs of the pupil and take into account other activities that make a legitimate claim on the pupils' time;
5. As a valid educational tool, homework should be clearly assigned and its product carefully evaluated and that evaluation should be reported to the pupil;
6. The schools should recognize the role of parents or legal guardians by suggesting ways in which parents or legal guardians may assist the school in helping a child carry out assigned responsibilities;

Homework should always serve a valid learning purpose; it should never be used as a punitive measure.

Previously Policy No. 2330

Adopted: November 5, 2001

Re-adopted: January 3, 2006

**Mountain Lakes School District**

## **6156 INSTRUCTIONAL PLANNING/SCHEDULING**

The Superintendent and staff shall keep abreast of developing technologies and teaching methodologies, investigating those likely to be of benefit to district pupils, and recommending them for board consideration.

The Board recognizes that district pupils vary in learning styles and in ability. Therefore, the superintendent shall ensure that teaching staff adapt their instructional methods and arrangements to meet identified pupil needs and encourage maximum individual progress.

The Superintendent shall ensure that district personnel, time and facilities are used in such a way as to provide the most favorable learning environment for all pupils, thus fostering achievement of district goals, objectives and standards.

Because the Board believes that pupils can learn better and faster when the skills learned in one discipline are integrated into another, programs, projects and units of study shall be encouraged that require the use of reading, writing and mathematics skills in conjunction with other areas of study, such as music, art, science, etc. The Board also encourages programs that call on various skill levels of several grades in one discipline, such as musical presentations, science fairs, and other similar efforts.

Every effort should be made to further district affirmative action/equity goals in developing instructional arrangements.

The Board directs that instruction be planned and scheduled in such a way that there is minimum disruption of the school day, including movement between classes and conflicting activities.

### Nonpublic School Pupils

Required instructional services shall be delivered to nonpublic school pupils in facilities that are acceptable and convenient to staff and students.

### Legal References:

Adopted: January 16, 2006

**Mountain Lakes School District**

## **6160 INSTRUCTIONAL SERVICES AND RESOURCES**

The Board of Education shall supply each teaching staff member with the supplies, technology materials and equipment necessary for the implementation of the approved program and each pupil with the supplies and technology materials required for the successful completion of courses of study.

The board of education directs the Superintendent to distribute curriculum materials and instructional supplies as required federal law, in a way that equivalence of such materials is ensured among the schools. The Board also directs the Superintendent to make staff assignments that comply with the equivalence required by federal law.

When a school fails to achieve adequate yearly progress as defined by the state for two consecutive years, the Superintendent shall follow all applicable provisions of federal law..

The board will endeavor to provide the supportive resources and personnel necessary for teachers to implement the approved curriculum in their classrooms and work effectively with children.

The Superintendent shall develop regulations for the selection and utilization of instructional supplies that include effective consultation with teaching staff members at all appropriate levels. The administration shall be responsible for setting up and maintaining such central services for curriculum materials, including audiovisual materials, as are needed, and providing the appropriate channels through which teachers and pupils will be supplied with these resources. The administration shall provide a media resource center and media specialist in each school to offer children instruction and teachers assistance in selecting and using learning resources.

### Legal References

Adopted: January 22, 2008

LR2011

**Mountain Lakes School District**



## 6161.1 GUIDELINES FOR EVALUATION AND SELECTION OF INSTRUCTIONAL MATERIALS

The Board of Education believes that textbooks should support and enrich the curriculum and make possible the achievement of the district's instructional goals. The Superintendent shall develop procedures for on-going review of new texts being offered and evaluation of those already in use to ensure that the textbooks used in this district are up to date in the factual matter they present and further the district's instructional goals. Textbooks and instructional materials should be judged by additional standards which shall include, but not be limited to:

- A. Does the material reflect the district's affirmative action/equity policy, which prohibits the teaching or encouragement of bias based on any categories listed in law or Board policy?
- B. Does it help pupils develop abilities in critical reading and thinking?
- C. Does it provide effective basic or advanced education for the pupils for whom it is intended?

The review process shall:

- A. Be conducted by teaching staff members, particularly those teachers who will be using the materials as an integral part of the instructional program;
- B. Include a written review of the material which shall reflect the consensus of the teaching staff;
- C. Provide an opportunity for public inspection of the recommended text.

The Superintendent shall develop administrative rules outlining a procedure for the selection of instructional materials that meets the above criteria. Instructional materials used within the district should be sufficient in quantity and scope to meet the needs of every pupil in the district.

The Board, by law, makes the final textbook selection decision. However, prior to final adoption, the recommendations resulting from each review will be given thorough consideration.

Any citizen who objects to the final selections made by the Board should follow the procedures outlined in regulation 6161.2 Complaints regarding instructional materials.

Public law 2005, c. 266: Animal dissection is not required and alternative education to be provided.

The Board will allow pupils to refuse to participate in animal dissection and will offer an alternate education program for a course or portion of a course involving dissection of animals

1. A public school pupil from kindergarten through grade 12 may refuse to dissect, vivisect, incubate, capture or otherwise harm or destroy animals or any parts thereof as part of a course of instruction.

**"Animal"** means any living organism that is an invertebrate, or is in the phylum chordata or organisms which have a notochord and includes an animal's cadaver or severed parts of an animal's cadaver.

2. The school shall notify pupils and their parents or guardians at the beginning of each school year of the right to decline to participate in the activities enumerated in paragraph 1 above and shall authorize parents or guardians to assert the right of their children to refuse to participate in these activities. Within two weeks of the receipt of the notice, the pupils, parents or guardians shall notify the school if the right to decline participation in the enumerated activities will be exercised.

3. Any pupil who chooses to refrain from participation in or observation of a portion of a course

of instruction in accordance with this policy shall be offered an alternative education project for the purpose of providing the pupil with the factual knowledge, information or experience required by the course of study. A pupil may refuse to participate in an alternative education project which involves or necessitates any harmful use of an animal or animal parts. "Alternative education project" means the use of video tapes, models, films, books, computers, or any other tools which provide an alternative method for obtaining and testing the knowledge, information, or experience required by a course of study.

4. A pupil shall not be discriminated against, in grading or in any other manner, based upon a decision to exercise the rights afforded pursuant to this Policy act.

#### Legal References

Adopted: January 22, 2008

LR2011

**Mountain Lakes School District**

## **6161.2 COMPLAINTS REGARDING INSTRUCTIONAL MATERIALS**

The Board recognizes that opinions may differ on the appropriateness of any given instructional materials and equipment. Occasionally an individual or group may find instructional materials used in the schools that conflict with their views. Any resident of this district shall have the right to present a request, suggestion or complaint in reference to the physical plant, playgrounds, subject matter or instructional materials.

The Superintendent shall develop procedures to give careful consideration to such requests, suggestions or complaints. These procedures shall provide that:

- A. All such requests, suggestions or complaints be in writing;
- B. Whenever possible the process be initiated and solved at the lowest effective level;
- C. District response be courteous and prompt;
- D. Successive steps of appeal and mechanisms for review are available when necessary.

The use of challenged materials or equipment by class or school shall not be restricted until a final decision has been reached.

The final decision on controversial reading matter shall rest with the board after careful examination and discussion of the book or reading matter with school officials or others the Board may wish to involve.

### [Legal Reference](#)

Adopted: January 16, 2006

**Mountain Lakes School District**

## **6161.3 MUSICAL INSTRUMENTS**

The Board of Education will purchase and maintain a supply of musical instruments for pupils enrolled in the instrumental music program.

District-owned instruments will be available to pupils, in the order in which requests are made, until the supply is exhausted. If necessary, instruments will be redistributed among schools to satisfy the demand.

No fee will be charged for the loan of district-owned musical instruments.

Previously Policy No. 2551

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Last Revised: January 22 , 2008

Reviewed: December 7, 2009

**Mountain Lakes School District**

## 6162.4 COMMUNITY RESOURCES AND VOLUNTEERS

The Board may draw on the knowledge and opinions of the community in developing mandated policies and programs in compliance with statute and administrative code, and to aid in meeting the district's identified needs.

The Board of Education encourages local businesses and individual residents who are especially qualified because of training, experience or interest to take an active part in the district's educational programs. Those persons and representatives of businesses identified by the Superintendent and the staff and approved by the Board may be invited to act as advisors in groups or individually in appropriate circumstances and situations.

The district shall also take advantage of the physical and financial resources of the community and of organizations including businesses when such facilities or locations provide learning and enrichment opportunities not otherwise available to our pupils. Pupil safety shall be a primary concern in making use of such resources.

In accordance with law, the administration shall identify and establish working relationships with licensed community agencies that are involved in evaluation and treatment of drug/alcohol problems.

### School Volunteers

The Board recognizes that the services of community volunteers can enrich the educational program, assist teaching staff members in the performance of their duties, and enhance the relationship between the school district and the community. The Board directs the Superintendent to institute a program for the utilization of volunteer services in the schools of this district.

The building principal shall be responsible for the recruitment and screening of volunteers, may delegate the assignment of volunteers to specific tasks and must submit their names for Board approval.

Volunteers must be persons of known character, responsibility, and integrity.

Neither the Superintendent nor any Principal shall be obligated to utilize the proffered services of a volunteer whose abilities or interests do not serve the needs of pupils.

The following guidelines shall govern the service of school volunteers:

1. Volunteers may serve only under the direction and supervision of a teaching staff member;
2. Volunteers should clearly understand their duties and responsibilities and perform no service outside those duties;
3. Volunteers serve only in a support capacity; only teaching staff members are responsible for educational planning and decisions and the teaching of new concepts;
4. Volunteers shall respect the individuality, dignity, and worth of each child;
5. Volunteers are not permitted access to pupil records;
6. Volunteers should exercise discretion in discussing their school activities with others in the community;
7. Volunteers may consult with the Principal regarding their duties and responsibilities;
8. Volunteers shall receive no financial remuneration from the Board.

The Superintendent shall report periodically to the Board on the number of volunteers serving in the schools of the district, the duties performed by volunteers, and the number of volunteer hours served, by school.

Legal References

Adopted: February 13, 2006

Revised and Adopted: April 30, 2007

LR2011

**Mountain Lakes School District**

## 6162.5 RESEARCH

The Board of Education recognizes that educational research, including student surveys, can be a valuable tool in answering educational questions, changing educational practices and developing instructional programs, as well as identifying and applying strategies to enhance student achievement and in identifying factors that could prevent students from becoming contributing members of society. Therefore, the superintendent is authorized to approve research projects in the district, and cooperate, when feasible with colleges, universities, and recognized research agencies to collaborate with potentially useful research.

All educational research/surveys must be approved in advance by the Superintendent. The Board of Education shall be informed. Educational research/survey is defined as:

1. Research projects or surveys conducted by students in college programs
2. Research projects or surveys conducted by non-district agencies, professional researchers, community agencies or individuals
3. District-originated surveys or research projects.

Research involves the gathering of information with the intent of publicizing the findings. Research should not be construed as restricting faculty members from implementing the district curriculum and conducting their instructional program.

Students and parents/guardians retain certain rights, however, in the administration of surveys or research project. The Board shall ensure that prior written consent is obtained from parents/guardians or emancipated students before any survey is administered that is funded in whole or in part by any program administered by the United States Department of Education, if the survey (analysis or evaluation) is designed to reveal information on any of the following:

- A. Political affiliations or beliefs of the student or the student's parents/guardians;
- B. Mental and psychological problems of the student or the student's family;
- C. Sex behavior or attitudes;
- D. Illegal, anti-social, self-incriminating, or demeaning behavior;
- E. Critical appraisals of other individuals with whom respondents have close family relationships;
- F. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, or ministers;
- G. Religious practices, affiliations, or beliefs of the student or the student's parent/guardian; or
- H. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Written informed consent shall also be obtained from parents/guardians or emancipated students prior to the administration of any academic or nonacademic survey, assessment, analysis or evaluation that would reveal the student's social security number.

Parents/guardians shall be given the opportunity to inspect any survey, analysis or evaluation that solicits information in any of the above areas. If parents/guardians object to their child(ren)'s participation in the survey, the child(ren) shall be allowed to opt out.

Prior approval of the Superintendent is required for all other surveys on topics not listed. Anyone seeking approval of a proposed survey must provide the superintendent with details of the survey methodology, its specific educational purpose and a description of how results will be disseminated and applied.

For all surveys the identity of the respondent shall remain confidential.

The Superintendent shall develop regulations to implement this policy that include reasonable timelines for parents/guardians to access and review surveys as prescribed by law, and arrangements to protect student privacy in the administration of a survey.

This policy and the regulations shall be made available to the public at least annually at the beginning of the school year, especially to parents/guardians and to district staff. The public shall be informed within a reasonable period of time if substantive change is made to policy and regulations. The public shall also be informed of specific or approximate dates, if known, when surveys may be administered.

#### Legal References

Adopted: November 6, 2006

**Mountain Lakes School District**



## **6163.1 MEDIA CENTER/LIBRARY**

The district's media centers shall contain a wide range of materials on all levels of difficulty, appealing to diverse tastes, and presenting different points of view. Every pupil shall have access to a media collection containing materials appropriate to age level, interests and courses of study.

The Superintendent has final responsibility for the selection of media center materials by professionally trained personnel--media specialists, teachers, principals and supervisors. Requests from faculty and pupils shall be given consideration.

In selecting materials to recommend for purchase, the media specialist shall evaluate the existing collection and consult reputable, unbiased, professionally prepared selection aids, and specialists from all departments and/or all grade levels.

In addition to standard book materials, the Board shall provide for the use of a wide variety of audiovisual materials and equipment to enhance the curriculum.

The media centers shall offer a continuous program of instruction in library and study skills, preparing pupils for independent use of learning resources and for development of reading, listening and viewing abilities and tastes.

The Superintendent shall develop and present for board approval a media center/library program to provide necessary space, personnel and material to implement this policy.

### Legal References

Adopted: January 16, 2006

LR2011

**Mountain Lakes School District**

### **6163.3 LIVE ANIMALS IN SCHOOL**

The Board of Education recognizes that the appropriate use of live animals as instructional resources can enrich the educational program. The observation and nurture of live animals can help children learn specific biological and behavioral principles and gain respect for all living things.

A staff member who uses live animals shall observe proper precautions for the safety of pupils and the animals. The Principal must approve the use of any animal in a course of instruction or the establishment of an animal habitat in a classroom or elsewhere in the building.

Any animal used in school must have been lawfully acquired in accordance with applicable state law and local ordinance. An animal susceptible to rabies must have been vaccinated against rabies.

A teacher or other qualified adult must assume primary responsibility for the animal, its nourishment, and its sanitary living conditions. The staff member in charge must make proper arrangements for the animal's care and feeding over weekends, holidays, and school vacation periods.

Any experiment that deprives the animal of nourishment or exposes the animal to harm must be conducted under strict supervision and as humanely as possible. The effects of the experiment must be reversed as quickly as possible. If correction is not possible or feasible, the animal must be disposed of by humane methods.

Previously Policy No. 2560

Adopted: November 5, 2001

Re-adopted: January 3, 2006

**Mountain Lakes School District**

## 6164.1 INTERVENTION AND REFERRAL SERVICES FOR STUDENTS

The Board of Education directs the establishment and implementation of procedures in each school building for the delivery of intervention services for pupils who are experiencing difficulties in their classes and who have not been determined to be in need of special education programs and services pursuant to N.J.S.A. 18A:46-1 *et seq.* and N.J.A.C. 6A:14.

The school district will:

1. Identify pupils in need, and plan and provide for appropriate intervention or referral services and/or referral to school and community resources, based on desired outcomes;
2. Identify the roles and responsibilities of the building staff who participate in planning and providing intervention and referral services;
3. Provide support, guidance and professional development to school staff who identify and refer pupils and to school staff who participate in planning and providing intervention and referral services;
4. Actively involve parent(s) or legal guardian(s) in the development and implementation of intervention and referral plans;
5. Coordinate the access to and the delivery of school services for identified pupils;
6. Coordinate the services of community-based social and health provider agencies; and
7. Annually, review and assess the effectiveness of the services provided in achieving the outcomes identified in the intervention and referral plan.

### Pupil INRS Committee

For each student, the school district will establish a pupil intervention and referral services (INRS) committee to provide the delivery of intervention and referral services. Each pupil INRS committee will be composed of the Principal or a regular teaching staff member appointed by the Principal to act in his/her place; the school nurse; a regular teaching staff member; an educational services staff member; a guidance counselor; the staff member who referred a pupil in need of assistance or identified an issue requiring remediation; and such other staff members as may be required to assist the pupil or study the issue.

The pupil INRS committee will identify pupils in need and plan for appropriate intervention or referral services and/or referral to community resources, based on desired outcomes.

When a pupil is referred to the pupil INRS committee, the committee may provide support and guidance to the pupil's classroom teachers, plan and provide for appropriate interventions, coordinate access to and delivery of school services to the pupil, and coordinate the services of community based social and health provider agencies. A pupil assistance plan may be developed, implemented, and monitored for each referred pupil who requires assistance.

Parent(s) or legal guardian(s) shall be notified whenever a pupil is referred to the pupil assistance committee, except as such notice may be waived by laws protecting abused children and the confidentiality of persons seeking drug or alcohol rehabilitation. Parent(s) or legal guardian(s) shall be offered an opportunity to participate in the development and implementation of intervention and referral plans.

### Legal Reference

Previously Policy No. 2417

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Revised: January 22 ,2008

**Mountain Lakes School District**

## **6164.2 GUIDANCE SERVICES**

A guidance program shall be incorporated into the district's educational program to aid pupils in making informed and responsible decisions and in using effective decision-making processes. The guidance program shall be developed and coordinated by the Superintendent in consultation with teaching staff members he/she has identified as possessing necessary skills and abilities, to help pupils acquire the insights and knowledge they need to become autonomous, mature members of adult society in a democratic nation.

The purpose of the guidance program shall be to help pupils in learning to make their own decisions concerning life's many choices--personal, educational, and career/vocational.

The guidance program shall provide, as fully as possible, the information needed to make the best decisions concerning the pupil's educational program. Such information shall include facts such as test scores, grades and educational history.

Pupils shall be encouraged to avail themselves of the help of the guidance department's personnel.

The guidance department in the high school shall encourage the visits of educational and occupational representatives, including military recruiters. The administration shall have a positive attitude toward granting permission to seniors to visit schools, colleges and places of employment during school time. Pupils must have prior approval of the guidance department for the scheduled visit.

Pupils shall be aided in finding part-time jobs when in school, and permanent employment upon graduation.

Guidance services shall include establishment of a referral system that guards the privacy of the pupil and monitors the efficacy of such referrals, when district resources are not sufficient, as in drug or alcohol counseling.

### Legal References

Adopted: January 22, 2008

LR2011

**Mountain Lakes School District**

## 6164.4 CHILD STUDY TEAM

The Board of Education shall provide the services of Child Study Team personnel in numbers sufficient to ensure implementation of pertinent law and regulation. The superintendent shall present to the board for approval job descriptions, qualifications and evaluation criteria for positions required, and shall present to the board for hiring the best qualified applicants.

When complete evaluations of pupils are necessary, the Superintendent shall recommend for Board approval qualified persons or agencies to supplement the district team. Appropriate staff members, such as the nurse and teachers assigned to the pupil, shall also be involved.

Pupils who have been identified by any professional staff member, the parents/guardians of the child, a child welfare agency or by the health services staff as possibly having an educational disability shall be considered for evaluation.

Teachers and administrators shall provide intervention resources (e.g., adaptive teaching methods and materials, schedule changes, modified workloads, corrective or remedial instruction, etc.) in order to discover whether an observed difficulty is the result of problems within the educational delivery system. Parents/guardians shall be notified of such interventions. The members of the child study team shall be available to discuss problems informally with teachers and parents/guardians.

If the problems persist despite these intervention techniques, a formal referral, requiring due process procedures, shall be initiated. The examination of each such pupil shall proceed promptly in strict accordance with law. The Board shall review and adopt the regulations governing the referral process.

Examination of each identified child shall consist of a physical examination, a psychological examination, an educational examination, a social case study, and such other examinations as may be deemed necessary by the Child Study Team.

### Disaffected Pupils

In addition to the educationally disabled, the Child Study Team shall consider and recommend appropriate remedies and/or programs for pupils exhibiting disaffected behavior patterns. A survey of needs shall be conducted for each such pupil. If the survey indicates the advisability of a complete evaluation, a referral shall be initiated and due process followed. If the survey indicates a change in program, the Child Study Team shall cooperate with the teaching staff in developing an appropriate program, including, if necessary, alternative programs.

### Disruptive Pupils

All staff members shall be familiar with and implement the discipline policies and procedures adopted by this Board. This implementation will identify the pupil who is disruptive. Staff members shall report the names of pupils who disrupt the educational program to the appropriate administrator who shall initiate actions that will ensure the involvement of the pupil's family and the provision of counseling and assessment services, so as to determine the causes of the pupil's disruptive behavior. A request for pre-referral intervention or for referral for evaluation may be made to the child study team. Throughout this process, administrators, support staff, teachers, parents/guardians, and if prudent, the pupil are to be involved. If all strategies prove unsuccessful, referral to the appropriate outside agency may be made.

In accordance with state law and board policy, disruptive pupils whose continuing attendance interrupts the educational program and/or threatens harm to themselves and others may be suspended and considered for expulsion.

### Legal References

Adopted: January 16, 2006

**Mountain Lakes School District**

## **6171 SPECIAL INSTRUCTIONAL PROGRAMS**

The regular curriculum of the district's schools is designed to accomplish the district's educational goals and objectives for a thorough and efficient system of education for all pupils.

When necessary, the regular program shall be altered or supplemented or other means used to provide for the identified needs of the following pupils:

- A. The classifiable educationally disabled
- B. The gifted and talented
- C. Those requiring compensatory or remedial programs
- D. The disaffected and alienated
- E. Pregnant pupils
- F. Pupils requiring home instruction
- G. The physically disabled
- H. Those with limited English proficiency
- I. The disruptive

### Legal References

Adopted: January 16, 2006

LR2011

**Mountain Lakes School District**



## 6171.1 REMEDIAL INSTRUCTION FOR NON-CLASSIFIED STUDENTS

Pupils who perform below acceptable levels on statewide assessments of the Core Curriculum Content Standards shall participate in remedial programs. Proficiency shall also be evaluated through multi-skills assessment, standardized tests, diagnostic instruments, teacher observation and pupil progress reports.

The programs shall include procedures to evaluate pupil achievement related to the remedial program objectives and standards. Continuous communication between teaching staff members and parents/guardians of pupils participating in remedial educational programs shall be coordinated by the chief school administrator. These programs shall be supplemental to the regular program and designed to assist students who have academic, social, economic or environmental needs that impede them from succeeding in regular school programs.

All parents/guardians shall be notified in writing of a pupil's need for a remedial/skill maintenance program and shall be encouraged to participate in its design.

Regulations governing these programs and procedures shall be reviewed and adopted by the Board as required by law.

The Superintendent shall evaluate the remedial education programs each school year and report to the board of education as to their effectiveness in achieving and maintaining acceptable levels of pupil proficiency.

### Legal References

#### Possible Cross References:

- \* 4138.2 Private tutoring
- \* 5120 Assessment of individual needs
- \* 6141 Curriculum design/development
- \* 6142 Subject fields
- \* 6142.6 Basic skills
- \* 6146 Graduation requirements
- \* 6146.2 Promotion/retention
- \* 6147 Standards of proficiency
- \* 6171.3 At-risk and Title 1

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

Adopted: March 15, 2004

Re-adopted: January 3, 2006

Revised: January 22 ,2008

LR2011

## Mountain Lakes School District

## **6171.2 GIFTED AND TALENTED**

The Superintendent shall develop and the Board shall approve criteria for identifying all gifted and talented students in kindergarten through grade 12. Gifted and talented students shall be provided with appropriate instructional adaptations and services to encourage development of their special abilities in achieving the Core Curriculum Content Standards. Programs shall provide educational challenges to students identified as gifted and talented and shall be reviewed annually.

Gifted and Talented programs shall be designed to meet varied learning styles as well as to build the capacity of a gifted student to create concepts, respond to stimuli in a unique and creative manner, develop higher levels of thinking and influence the behavior of others.

"Gifted and talented students" shall mean those exceptionally able students who possess or demonstrate significantly higher levels of ability in one or more content areas, when compared to their chronological peers in the local district and who require modifications of their educational program if they are to achieve in accordance with their capabilities.

Because early discovery of a gift or talent is important, it is essential that the identification of these students be carried on as a continuing process, since special abilities and skills appear at different times in the development of many children.

The Superintendent shall coordinate development of appropriate curricular and instructional modifications used for gifted and talented students indicating content, process, products, and learning environment.

He/She shall devise indicators of achievement to evaluate success of each gifted and talented program presented to the Board for adoption. Programs for the individual gifted and talented student shall be periodically evaluated for their continuing efficacy, and may be adjusted as needed.

### Legal References

Adopted: January 22, 2008

Re-adopted: March 21, 2013

**Mountain Lakes School District**

## 6171.3 TITLE I - IMPROVING ACADEMIC ACHIEVEMENT AND PARENT AND FAMILY ENGAGEMENT

The district shall comply with all state and federal requirements in developing, implementing, administering and evaluating funded compensatory education programs and in particular programs and activities provided with Title I funds.

The purpose of Title I funding is to provide all children significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps.

### Definitions

A Title I targeted assistance program provides supplemental Title I services to eligible students who are identified failing or most at risk of failing to meet the New Jersey Student Learning Standards and have the “greatest need” for academic assistance. Categorizing students with “the greatest need” is based entirely on academic need (low achievement) and poverty is not a factor. Title I, Part A funds may only be used to upgrade the educational program for the targeted group identified as academically at risk. Schools with targeted assistance programs do not meet the 40% poverty threshold required for a schoolwide program.

A Title I schoolwide program permits a school to use Title I, Part A funds to upgrade the entire educational program of the school in order to raise academic achievement for all students. A school is eligible to have a schoolwide program when the school meets the 40% or greater poverty threshold and has as a goal upgrading the entire educational program with Title I, Part A funds.

*(Note: the 40% or greater poverty threshold is waived for propriety and focus schools under the approved New Jersey ESEA flexibility waiver.)*

### District Educational Plan

The district educational plan shall be developed with timely and meaningful consultation with teachers, principals, other school leaders, paraprofessionals, specialized instructional support personnel, charter school leaders, administrators, other appropriate school personnel, and with parents of children in schools receiving Title I funds. As appropriate, the district educational plan shall be coordinated with other federal programs as detailed in the Every Student Succeeds Act of 2015, the Individuals with Disabilities Education Act (20 U.S.C.A. 1400 *et seq.*), the Rehabilitation Act of 1973 (20 U.S.C.A. 701 *et seq.*), the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C.A. 2301 *et seq.*), the Workforce Innovation and Opportunity Act (29 U.S.C.A. 3101 *et seq.*), the Head Start Act (42 U.S.C.A. 9831 *et seq.*), the McKinney-Vento Homeless Assistance Act (42 U.S.C.A. 11301 *et seq.*), the Adult Education and Family Literacy Act (29 U.S.C.A. 3271 *et seq.*), and other Acts as appropriate.

The district educational plan shall describe:

A. How student progress in meeting the New Jersey Student Learning Standards shall be monitored. To ensure that students are successful in achieving the New Jersey Student Learning Standards the district shall:

1. Develop and implement a well-rounded program of instruction that meets the academic needs of all students;
2. Identify students who may be at risk for academic failure;
3. Provide additional educational assistance to individual students determined to need help in meeting the New Jersey Student Learning Standards; and

4. Identify and implement instructional and other strategies intended to strengthen academic programs and improve school conditions for student learning;

B. How the district shall identify and address any disparities that result in low-income students and minority students being taught at higher rates than other students by ineffective, inexperienced, or out-of-field teachers;

C. How the district shall carry out its responsibilities when the district is identified as needing comprehensive support and improvement and targeted support and improvement;

D. The poverty criteria that will be used to select school attendance areas under the federal law (section 1113);

E. The nature of the programs to be conducted by the district schools including school-wide and targeted assistance programs (sections 1114 and 1115) and, where appropriate, educational services provided outside the schools for children living in local institutions for neglected or delinquent children, and for neglected and delinquent children in community day school programs;

F. The services the district will provide homeless children and youths, including services to support the enrollment, attendance, and success of homeless children and youths, in coordination with the services the district is providing under the McKinney-Vento Homeless Assistance Act (42 U.S.C.A. 11301 *et seq.*);

G. The strategy the district will use to implement effective parent and family engagement;

H. If applicable, how the district will support, coordinate, and integrate Title I services with early childhood education programs, including plans for the transition of participants in preschool programs to elementary school programs;

I. How teachers and school leaders, in consultation with parents/guardians, administrators, paraprofessionals, and specialized instructional support personnel, in schools operating a targeted assistance school program, will identify the eligible children most in need of services;

J. How the district will implement strategies to facilitate effective transitions for students from middle grades to high school and from high school to postsecondary education including, if applicable coordination with institutions of higher education, employers, and other local partners; and increase student access to early college high school or dual or concurrent enrollment opportunities, or career counseling to identify student interests and skills;

K. How the district will support efforts to reduce the overuse of discipline practices that remove students from the classroom;

L. As appropriate, how the district will support programs that coordinate and integrate academic and career and technical education content through coordinated instructional strategies; and

M. Any other information on how the district proposes to use funds to meet the purposes of the federal Title I program including identifying and serving gifted and talented students; and developing effective school library programs to provide students an opportunity to develop digital literacy skills and improve academic achievement.

If the district educational plan is not satisfactory to the parents/guardians of participating children, the district shall submit the parent/guardian comments with the plan to the New Jersey Department of Education.

#### Parent and Family Engagement

The chief school administrator or his or her designees shall ensure that parents/guardians and family members are involved in developing the district Title I educational plan. The district shall provide the coordination, technical assistance, and other support necessary to assist and build the capacity of all participating schools within district in planning and implementing effective parent and family involvement activities to improve student academic achievement and school performance. In providing coordination, technical assistance, and other support, the chief school administrator or his or her designee may obtain meaningful consultation with employers, business leaders, and philanthropic organizations, or individuals with expertise in effectively engaging parents and family members in education. To the extent feasible and appropriate, parent and family engagement strategies shall be coordinated and integrated with other relevant Federal, State, and local laws and programs. The chief school administrator shall ensure that an annual evaluation of the content and effectiveness of the parent and family engagement policy is conducted annually.

Parents/guardians shall be involved in the activities of the schools. These activities may include establishing a parent advisory board comprised of a sufficient number and representative group of parents or family members of the district schools to adequately represent the needs of the district population for the purposes of developing, revising, and reviewing the board parent and family engagement policy.

#### School Level Parent and Family Engagement

Each district school served by Title I funds shall convene an annual meeting at a convenient time, to which all parents/guardians of participating children shall be invited and encouraged to attend. The purpose of this meeting shall be to inform parents/guardians of programs and activities provided with Title I funds, to explain the federal requirements for participation in the federal Title I program, and inform parents/guardians of their right to be involved.

The building principal or his or her designee shall ensure that parents/guardians are involved, in an organized, ongoing and timely way, in the planning, review, and improvement of Title I programs. Parents/guardians shall be included in the planning, review, and improvement of the school parent and family engagement effort consistent with board policy for targeted assistance programs and/or the joint development of the schoolwide program plan.

A flexible number of meetings shall be offered, such as meetings in the morning or evening. Transportation, child care, or home visits, as such services relate to parental involvement may be provided with Title I funds.

The parents/guardians and family members of all participating children shall be invited to attend and participate in district Title I programs. The principal or his or her designee shall ensure opportunities are provided for the informed participation of parents and family members (including parents and family members who have limited English proficiency, parents and family members with disabilities, and parents and family members of migratory children), including providing information and school reports required by law in a format and, to the extent practicable, in a language parents/guardians understand.

Specifically parents/guardians of participating children shall:

- A. Receive timely information about programs and activities provided with Title I funds;
- B. Receive a description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the achievement levels of the New Jersey Student Learning Standards; and
- C. If requested by parents/guardians, be provided opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such suggestions as soon as practicably possible.

If the schoolwide program plan is not satisfactory to the parents/guardians of participating children, the principal or his or her designee shall submit any parent/guardian comments with the schoolwide plan to the chief school administrator and the board.

This parent and family engagement policy shall be distributed to parents and family members of participating children.

#### Building Capacity for Parent and Family Engagement

The chief school administrator shall ensure effective involvement of parents/guardians and implement appropriate measures to support a partnership among the schools, parents/guardians, and the community to improve student academic achievement. The chief school administrator or his or her designee shall ensure that each of the district schools shall at a minimum:

- A. Provide assistance to parents/guardians in understanding New Jersey Student Learning Standards, the New Jersey Department of Education approved statewide proficiency assessments, school administered assessments, the requirements under federal law, and how to monitor a child's progress and work with educators to improve the achievement of their children;
- B. Provide materials and training to help parents to work with their children to improve their children's achievement;
- C. Educate teachers, specialized instructional support personnel, principals, and other school leaders, and other staff, with the assistance of parents, in the value and utility of contributions of parents, and in how to reach out to, communicate with, and work with parents as equal partners, implement and coordinate parent programs, and build ties between parents and the school;
- D. Coordinate and integrate parent involvement programs and activities to the extent feasible, with other Federal, State, and local programs, including public preschool programs, and conduct other activities, that support involvement;
- E. Ensure that information related to school and parent programs, meetings, and other activities is sent to the parents of participating children in a format and, to the extent practicable, in a language the parents can understand; and
- F. Provide such reasonable support as requested by parents/guardians.

#### School-Parent Compact

High student achievement is a shared responsibility. Each school receiving Title I funds shall jointly develop a school-parent compact that outlines how parents, the entire school staff, and students will share the responsibility for improved student academic achievement and the means by which the school and parents will build and develop a partnership to help children achieve the State's high standards. Such compact shall:

- A. Describe the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables the children to meet the challenging State academic standards;
- B. Describe the ways in which each parent will be responsible for supporting their children's learning; volunteering in their child's classroom; and participating, as appropriate, in decisions relating to the education of their children and positive use of extracurricular time; and
- C. Address the importance of communication between teachers and parents/guardians on an ongoing basis through, at a minimum:

1. Parent-teacher conferences in elementary schools, at least annually, during which the compact shall be discussed as the compact relates to the individual child's achievement;
2. Frequent reports to parents on their children's progress;
3. Reasonable access to staff, opportunities to volunteer and participate in their child's class, and observation of classroom activities; and
4. Ensuring regular two-way, meaningful communication between family members and school staff, and, to the extent practicable, in a language that family members can understand.

### Annual Evaluation

An annual evaluation of the content and effectiveness of the parent and family engagement policy in improving the academic quality of all schools shall be conducted with the meaningful involvement of parents and family members. The annual evaluation shall identify:

- A. Barriers to greater participation by parents in activities authorized with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background;
- B. The needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers; and
- C. Strategies to support successful school and family interactions.

The findings of the evaluation shall be used to design evidence-based strategies for more effective parental involvement, and to revise, if necessary, the parent and family engagement policy.

### Comparability of Services

*\*Note: This section shall not apply to a district that has only one building for each grade span.*

As a condition of receiving Title I funds, State and local funds shall only be used in the schools to provide services that, taken as a whole, are at least comparable to services in schools that are not receiving Title I funds. When all the schools of the district are served by Title I funds, the district will use State and local funds to provide services that, taken as a whole, are substantially comparable in each school. Comparability may be on a grade-span by grade-span basis or a school-by-school basis.

To be in compliance with the requirements of federal law the board of education shall establish a district-wide salary guide.

The board directs the chief school administrator to assign teachers, administrators, and other staff to the schools in such a way that equivalence of personnel is ensured among the schools. In addition, the board directs the chief school administrator to distribute curriculum materials and instructional supplies to the schools in such a way that equivalence is ensured among the schools.

#### A. Equivalence

In order to meet the requirements for equivalence the board shall file with the New Jersey Department of Education a written assurance that the following has been established and implemented in the district:

1. A district-wide salary schedule;
2. A policy to ensure equivalence among schools in teachers, administrators, and other



staff; and

3. A policy to ensure equivalence among schools in the provision of curriculum materials and instructional supplies.

#### B. Determination of Expenditures

In the determination of expenditures per pupil from State and local funds, or instructional salaries per pupil from State and local funds, staff salary differentials for years of employment shall not be included in such determinations.

#### C. Exclusion

Unpredictable changes in student enrollment or personnel assignments that occur after the beginning of a school year shall be excluded in determining comparability of services.

#### D. Procedures and Records

The chief school administrator shall develop procedures for compliance with these requirements and maintain records that are updated biennially documenting the district's compliance.

### Supplement not Supplant

The Mountain Lakes School District shall use Title I funds only to supplement and to the extent practical increase the level of funds that would, in the absence of Title I funds, be made available for the education of pupils participating in Title I or state compensatory education projects. In no case shall Title I funds be used to supplant those non-Title I or non-state compensatory education funds.

### Maintenance of Effort

The board of education will maintain a combined fiscal effort per pupil or aggregate expenditures of state and local funds with respect to the provision of the public education for the preceding fiscal year that is not less than 90% of the required amount of the combined fiscal effort per pupil or the aggregate expenditures for the second preceding fiscal year.

### Eligibility for State and Federal Funds

The chief school administrator shall ensure that all requirements for receiving state and federal funds shall be fulfilled in an accurate and timely manner.

Control over such funds and title to all equipment and supplies purchased with such funds shall remain with the board of education. Procurement, control, use and disposition of equipment and supplies purchased with state/federal funds shall be in full compliance with the law.

### General

The chief school administrator shall direct appropriate administrative personnel to pursue vigorously all possible sources of funding, either state or federal, that support such compensatory services, and shall keep abreast of all changes in the law which restrict or expand the district's use of state or federal funds.

Programs especially designed for migrant children shall be provided as necessary.

### Key Words

State/Federal Funds, Federal Funds, Compensatory Instruction, Basic Skills, Maintenance of Effort, Supplement not Supplant, Comparability, At-risk Pupils

### Legal References:

N.J.S.A. 18A:35-4.9 Pupil promotion and remediation; policies and procedures

N.J.S.A. 18A:59-1 through -3 Apportionment and distribution of federal funds; exceptions

42 U.S.C.A. 2000d - 2000d4 - Title VI of the *Civil Rights Act of 1964*

Hawkins-Stafford Elementary and Secondary School Improvement Amendments of 1988 (P.L. 100-297)

*Every Student Succeeds Act of 2015*, Pub. L. 114-95, 20 U.S.C.A. 6301 *et seq.*

### Resources:

New Jersey Department of Education Every Student Succeeds (ESSA) Guidance Document located at:

<http://www.state.nj.us/education/ESSA/guidance/njdoe/DistrictGuide.pdf> (Last accessed 1/2/2018.)

New Jersey Department Of Education Webinar: *An Introduction To Title I Targeted Assistance Programs*. Located at:

<http://www.state.nj.us/education/title1/grants/> (Last accessed 1/2/2018.)

New Jersey Department Of Education Webinar: *Transition from a Targeted Assistance Title I Program of Schoolwide Program*. Located at:

<http://www.state.nj.us/education/title1/grants/> (Last accessed 1/2/2018.)

### Possible Cross References:

\*3220/3230 State funds; federal funds

\*3514 Equipment

\*5120 Assessment of individual needs

\*5200 Nonpublic school pupils

\*6122 Articulation

\*6141 Curriculum design/development

\*6142.2 English as a second language; bilingual/bicultural

\*6142.6 Basic skills

\*6171.1 Remedial instruction

\*6171.4 Special education

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

Adopted: January 22, 2008

Revised: January 3, 2019

**Mountain Lakes School District**

## 6171.4 SPECIAL EDUCATION

In compliance with the State of New Jersey Department of Education's interpretation of the New Jersey Administrative Code on special education, the Mountain Lakes Board of Education adopts the following policies to assure compliance with Part B of the Individuals with Disabilities Education Act (IDEA) and the New Jersey Administrative Code 6A:14-1 *et seq.* Furthermore, the Board directs the Superintendent and the Director of Special Services to have programs and procedures in effect to properly address the following:

1. The District will locate, identify, and evaluate all students with disabilities, who are in need of special education and related services, including students with disabilities attending nonpublic schools, regardless of the severity of their disabilities, in accordance with the provisions of N.J.A.C. 6A:14-3.3.
2. The District will locate, identify, and evaluate homeless students in accordance with the provisions of N.J.A.C. 6A:14-3.3, and provide special education and related services to homeless students in accordance with the IDEA, including the appointment of a surrogate parent for unaccompanied homeless youths as defined in 42 U.S.C. §§ 11431 *et seq.*
3. The District will evaluate students with disabilities in accordance with the provisions of N.J.A.C. 6A:14-2.5 and 3.4.
4. An Individualized Education Program (IEP) will be developed for each student with disabilities. This program will be reviewed and/or revised as appropriate. The development, review, and revisions to the program shall be undertaken in accordance with the provisions of N.J.A.C. -6A:14-3.6 and 3.7.
5. The Board intends to educate students with disabilities in the least restrictive environment to the maximum extent appropriate, as required by N.J.A.C. 6A:14-4.2.
6. Students with disabilities shall be included in statewide and district-wide assessment programs, with the appropriate accommodations, where necessary, as provided in N.J.A.C. 6A:14-4.10. All students with disabilities shall participate in statewide assessments or the applicable alternate assessment, in grades 3,4,5,6,7,8 and high school in the applicable courses.
7. Students with disabilities shall be afforded the procedural safeguards required by N.J.A.C. 6A: 14-2.1 *et seq.*, including the appointment of a surrogate parent as set forth in N.J.A.C. 6A:14-2.2., when appropriate.
8. In accordance with N.J.A.C. 6A:14, the District will provide a free and appropriate public education to all students with disabilities between the ages of three and twenty-one, including students with disabilities who have been suspended or expelled from school.
  - a. The obligation to make a free, appropriate public education available to each eligible student begins no later than the student's third birthday, and the Board intends to use best efforts to ensure that an IEP is in effect for the student by that date;
  - b. If a child's third birthday occurs during the summer, the child's IEP team shall determine a date when services under the IEP will begin;
  - c. A free, appropriate public education is available to any student with a disability who needs special education and related services, even though the student is advancing from grade to grade;
  - d. The services and placement needed by each student with a disability to receive a free,

appropriate public education are based on the student's unique needs and not on the student's disability; and

e. The services and placement needed by each student with a disability to receive a free, appropriate education are provided in appropriate educational settings as close to the student's home as possible, and when the IEP does not describe specific restrictions, the student is educated in the school he or she would attend if not a student with a disability.

9. Children with disabilities participating in early intervention programs assisted under IDEA Part C, who will participate in preschool programs under this chapter will experience a smooth transition and have an IEP developed and implemented according to N.J.A.C. 6A:14-3.3 (e) and N.J.A.C. 6A:14-3.7.

10. The District shall provide full educational opportunities to all students with disabilities.

11. The District shall compile, maintain, and provide access to confidential student records in accordance with N.J.A.C. 6A:32-7.

12. The District shall provide special education services for students with disabilities who are placed by their parent(s) or legal guardian(s) in nonpublic schools in accordance with the provisions of N.J.A.C. 6A:14-6.1 and 6.2.

13. Student with disabilities who are placed in private schools by the Board shall be provided special education and related services at no cost to their parent(s) or legal guardian(s) in accordance with N.J.A.C. 6A:14-1.1 (d) and N.J.A.C. 6A:14-7.5 (b) 3.

14. All personnel serving students with disabilities shall be highly qualified and appropriately certified and licensed, where a license is required in accordance with State and Federal law, pursuant to N.J.A.C. 6A:14-1.2(b)13.

15. Pursuant to N.J.A.C. 6A:14-1.2(b)4, the District shall identify the in-service training needs and provide appropriate training for professional and paraprofessional staff who provide special education, general education, or related services. The Superintendent is required to maintain information to demonstrate its efforts to:

a. Prepare general education and special education personnel with the content knowledge and collaborative skill needed to meet the needs of children with disabilities;

b. Enhance the ability of teachers and others to use strategies, such as behavioral interventions, to address the conduct of students with disabilities that impedes the learning of students with disabilities and others;

c. Acquire and disseminate to teachers, administrators, school board members, and related service personnel significant knowledge derived from educational research and other sources and how the district will, if appropriate, adopt promising practices, materials and technology;

d. Assure that the in-service training is integrated to the maximum extent possible with other professional development activities; and

e. Provide for joint training activities of parents and special education, related services and general education personnel.

16. The District shall provide instructional materials to blind or print disabled students in a timely manner, consistent with a plan developed by the District.

17. For students with disabilities who are potentially eligible to receive services from the

Division of Developmental Disabilities in the Department of Human Services, the District will provide, pursuant to the Developmentally Disabled Uniform Application Act, N.J.S.A. 30:4-25.10 *et seq.* and N.J.A.C. 6A:14-1.2(b)17, the necessary materials to the parent to apply for such services.

18. The Director of Special Services shall develop procedures for parent use of electronic mail to submit requests to school officials regarding referral, identification, evaluation, classification, and the provision of a free, appropriate public education. These procedures must be disseminated to parents of children with disabilities. Parents shall also be informed of the procedures to access the electronic mail system and that they MAY NOT utilize electronic mail to provide written consent when the District provides written notice and seeks parental consent as required by N.J.A.C. 6A:14.

19. The District shall provide teacher aides and the appropriate general or special education teaching staff time for consultation on a regular basis as specified in each student's IEP, pursuant to N.J.A.C. 6A:14-4.5(d).

20. The District has a plan in effect to establish stability in special education programming. The plan takes into account the consistency of the location, curriculum, and staffing in the provision of special education services as required by N.J.A.C. 6A:14-3/7(c)4.

21. The District screens students who have exhibited one or more potential indicators of dyslexia or other reading disabilities in accordance with N.J.S.A. 18A-40.51 *et seq.*

#### Legal References:

N.J.S.A. 10:5-1 *et seq.* Law Against Discrimination

N.J.S.A. 18A:46-1 *et seq.* Classes and Facilities for Handicapped Children

#### See particularly:

N.J.S.A. 18A:46-13

N.J.S.A. 18A:46A-1 *et seq.* Auxiliary Services

N.J.A.C. 5:23-7 Barrier free subcode of the uniform construction Code

N.J.A.C. 6A:7-1.7 Equality in school and classroom practices

N.J.A.C. 6A:8-1.2 Scope

N.J.A.C. 6A:8-1.3 Definitions

N.J.A.C. 6A:8-3.1 Curriculum and instruction

N.J.A.C. 6A:8-4.1 *et seq.* Implementation of the Statewide Assessment System

N.J.A.C. 6A:8-5.1 *et seq.* Implementation of Graduation Requirements

N.J.A.C. 6A:9-1.1 *et seq.* Professional Licensure and Standards

N.J.A.C. 6A:23A-1.1

#### See particularly:

N.J.A.C. 6A:23A-17.4 to -17.7, -18.1 *et seq.*

See particularly:

N.J.A.C. 6A:9-11.3

N.J.A.C. 6A:14-1.1 *et seq.* Special Education

N.J.A.C. 6A:15-1.4 Bilingual programs for limited English proficient students

See particularly:

N.J.A.C. 6A:26-6.1 *et seq.* Planning and Construction Standards for School Facilities

N.J.A.C. 6A:30-1.1 *et seq.* Evaluation of the Performance of School Districts

N.J.A.C. 6A:32-7.1 *et seq.* Student Records

N.J.A.C. 6A:32-8.3 School attendance

N.J.A.C. 6A:32-12.1 Reporting requirements

N.J.A.C. 6A:32-14.1 Review of mandated programs and services

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

20 U.S.C.A. 1400 *et seq.* - 1990 Individuals with Disabilities Education Act, P.L. 101-476 (formerly Education for All Handicapped Children Act--Part B)

29 U.S.C.A. 794 *et seq.* - Section 504 of the Rehabilitation Act of 1973

34 CFR 76.1 *et seq.* - General Administrative Regulation EDGAR

34 CFR 77.1 *et seq.* - General Administrative Regulation EDGAR

34 CFR 300 - Assistance to States for the Education of Children with Disabilities (IDEA Regulations)

*Agostini v. Felton*, 521 U.S. 203 (1997), overruling *Aguilar v. Felton*, 473 U.S. 402 (1985)

*Honig v. Doe*, 484 U.S. 305 (1988)

*Oberti v. Board of Education of Clementon School District*, 995 F.2d 1204, 1216-17 (C. A.3 1993)

*Cedar Rapids Community School District v. Garrett F.*, 526 U.S. 66 (1999)

Previously Policy No. 2460

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Revised: March 30, 2009

Revised: May 1, 2017

LR2011

## Mountain Lakes School District



## 6171.5 INDEPENDENT EDUCATIONAL EVALUATION

Special education law permits a parent to request an independent educational evaluation (IEE) for their child if there is disagreement with any evaluation provided by the Board of Education. An "independent educational evaluation" is an evaluation conducted by a qualified examiner who is not an employee of the public school district responsible for the education of the child in question. Such IEEs shall be provided at no cost to the parent unless the school district initiates a due process hearing in accordance with the provisions of N.J.A.C. 6A:14-2.7 *et seq.* to show that its evaluation is appropriate and a final determination to that effect is made following the hearing. If it is determined the school district's evaluation is appropriate, the parent still has the right to an IEE, but not at the school district's expense.

Upon written receipt of a parental request to the Director of Special Services for an IEE, the school district shall provide the parent with information about where an IEE may be obtained and the criteria for IEEs according to N.J.A.C. 6A:14-2.5(c)3 and (c)4 and the additional criteria outlined below in this Policy:

1. Any IEE paid for with public funds shall:
  - a. Be conducted according to the provisions of N.J.A.C. 6A:14-3.4; and
  - b. Be obtained from another public school district, educational services commission, jointure commission, a clinic or agency approved under N.J.A.C. 6A:14-5, or private practitioner, who is appropriately certified and/or licensed, where a license is required.
2. An independent medical evaluation may be obtained according to N.J.A.C. 6A:14-5.1(e).

Additional criteria for an IEE shall be as follows:

1. The Board will not pay for an IEE unless it complies with the following criteria unless the parent can show that unique circumstances warrant deviation from same:
  - a. The independent evaluator must be appropriately certified and/or licensed in the State of New Jersey. In instances where no applicable certification/license exists, the evaluator must provide the Board with documentation of extensive and recent training and experience related to the assessment of the known or suspected disability;
  - b. The independent evaluator may only charge fees for educational evaluation services that, in the judgment of the Board, are reasonable in accordance with 2. below;
  - c. The independent evaluator must be free from any conflict of interest;
  - d. The independent evaluator and members of the Child Study Team must be permitted to directly communicate and share information with each other. The independent evaluator must also agree to release the assessment information, results, and report(s) to the school district prior to receipt of payment for services;
  - e. For any independent evaluation, whether paid for with public or private funds, the school district shall permit the evaluator to observe the pupil in the classroom or other educational setting, as applicable; and
  - f. The independent evaluator shall make at least one contact with the pupil's case manager for the purpose of determining how the pupil is progressing in his/her current programming.
2. The maximum allowable cost for an independent evaluation will be limited to the reasonable and customary rate, as determined and approved by the Board annually as per the County fee

schedule for outside evaluations. This rate shall be in the range of what it would cost the Board to provide the same type of assessment through either another public school district, educational services commission, jointure commission, a clinic or agency approved under N.J.A.C. 6A:14-5, or private practitioner, who is appropriately certified and/or licensed, where a license is required. This Board-approved rate shall be provided to the parent upon their request for an IEE. The Board shall not be responsible for any costs beyond the IEE, such as transportation, lodging, food, etc.

- a. The parent may provide documentation to the Board demonstrating unique circumstances to justify an IEE that exceeds the maximum allowable cost established by the Board. If, in the Board's judgment, there is no justification for the excess cost, the Board may agree to fund the IEE up to the school district's maximum allowable cost with the parent responsible for any remaining costs. In the alternative, the Board may request a due process hearing to enforce its established maximum allowable cost.

Upon receipt of a parental request for an IEE, the school district shall take steps to ensure the IEE is provided without undue delay or not later than twenty calendar days after receipt of the parental request, the school district shall request a due process hearing in accordance with the provisions of N.J.A.C. 6A:14-2.7 *et seq.* to show that its evaluation is appropriate.

If a parent requests an IEE, the school district may ask the parent to explain why he or she objects to the school district's evaluation. However, the school district shall not require such an explanation and shall not delay either providing the IEE or initiating a due process hearing to defend the school district's evaluation.

Any IEE submitted to the district, including an IEE obtained by the parent at private expense, shall be considered in making decisions regarding special education and related services.

If an Administrative Law judge orders that an IEE be conducted, the IEE shall be obtained by the district in accordance with the decision or Order of the Administrative Law Judge, and the Board of Education shall pay the cost of the IEE in accordance with the provisions of this Policy.

A parent is entitled to only one IEE paid for by the Board each time the school district conducts and evaluation with which the parent disagrees.

#### Legal References:

N.J.A.C. 6A:14-2.5 Protection in evaluation procedures

N.J.A.C. 6A:14-2.7 Due process hearings

Adopted: December 9, 2013

**Mountain Lakes School District**

## 6172 ALTERNATIVE EDUCATIONAL PROGRAMS

The Board endeavors to provide an educational program adjusted to the needs of the individual child within the financial means of the district. Grouping enables a more efficient use of staff in meeting these needs. Program adaptations provide another means of using staff efficiently and effectively to meet the needs of many children.

When the needs of special individuals or groups cannot be met through adaptation or independent study, the Superintendent shall investigate and propose to the Board for approval alternative programs and facilities. Alternative education programs shall be approved by the Commissioner of Education.

Each alternative education program shall fulfill the program criteria that are specified in N.J.A.C. 6A:16-9.2 including but not limited to:

1. A maximum student-teacher ratio of 12:1 for high school programs,
2. A maximum student-teacher ratio of 10:1 for middle school programs,
3. An Individualized Program Plan (IPP) shall be developed for each general education student enrolled in the program,
4. For students with disabilities the alternate education program shall be consistent with the student's Individualized Education Plan (IEP).

### Required Services for Home Schooled Students

The Board acknowledges the right of parents/guardians to educate their children at home. At the Board's request, parents/guardians who choose this option shall submit adequate evidence that they are providing a curriculum that is equivalent to that provided by this district.

### Disruptive/Disaffected Children

The Board of Education recognizes that the active engagement of each pupil is a primary requisite for sound teaching and learning to take place. When a child is unable to benefit from the educational program because he/she is either disruptive or disaffected, then the educational goals of the district for that child will not be realized and the efforts of other pupils may be impeded.

In an effort to optimize the educational experience for each child, the Superintendent shall develop procedures to identify and work with disruptive/disaffected pupils.

When it is determined by the child study team that a disruptive/disaffected pupil is not classifiable, the Board shall consider some other program as an alternative to regular classroom attendance. When the district does not have a suitable alternative program available, the Superintendent shall recommend to the Board placement in a program of another district, or home instruction.

In accordance with state law and Board policy, disruptive pupils whose continuing attendance interrupts the educational program and/or threatens harm to themselves and others may be suspended and considered for expulsion (see policy 5114).

### Removal for Weapons Offenses or Assault

Any pupil who is convicted or found to be delinquent for the following offenses shall be immediately removed by the principal from the district's regular education 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:

- A. Possessing a firearm on any school property, on a school bus, or at a school-sponsored

function; or

B. Committing a crime while possessing a firearm.

The Superintendent shall determine at the end of the year whether the pupil is to return to the district's regular education program, in accordance with procedures established by the Commissioner of Education.

Any pupil who assaults a pupil, teacher, administrator, Board member, or other district employee 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 school or program, pending a hearing before the Board. The Superintendent shall determine when the child shall return to the regular education program.

### Potential Dropouts

While statute requires attendance of each pupil only until 16 years of age, it is in the best interests of both pupils and the community that they complete the educational program that will equip them with skills and increase their chances for a successful and fulfilling life beyond the schools.

The Board directs that whenever a pupil wishes to withdraw, or has been identified as a potential withdrawal, effort should be made to determine the underlying reason and the resources of the district should be used to assist the pupil in reaching his/her career goals. No pupil under the age of 18 will be permitted to withdraw without the written consent of a parent/guardian.

The Superintendent shall develop procedures for withdrawal from school that:

- A. Make counseling services available to any pupil who wishes to withdraw;
- B. Make every effort to satisfy the pupil's future educational needs;
- C. Help the pupil define his/her own educational life goals and help plan the realization of those goals;
- D. Inform the pupil of the high school equivalency program;
- E. Point out to the pupil the opportunities available in the armed forces.

### Legal References

Adopted: January 22, 2008

**Mountain Lakes School District**

## 6173 HOME INSTRUCTION

To provide uninterrupted education for pupils unable to attend their regular classes because of illness, disability, court order or administrative action, the Board of Education shall provide away-from-school instruction when proper application has been made and subject to the following restrictions:

- A. The period of absence must be expected to be longer than two weeks except in special circumstances.
- B. A parent/guardian or appropriate adult authority must be present during the period of instruction.
- C. In cases of illness or disability, medical certification is required both of the necessity for the pupil's absence and his/her fitness to benefit from the instruction.

Each case must be approved by Board action; all requirements for receipt of state aid must be fulfilled.

The Board shall provide home or out-of-school instructional services no later than five (5) days after notification of the student's absence from the general education program.

The Superintendent or his/her designee shall select the instructors and oversee coordination between the home instructor and the regular classroom teacher in determining the pupil's instructional program. The home or out-of-school instructional services shall meet the minimum standards that are specified in N.J.A.C. 6A:16-10.1 (c) including but not limited to:

### General Education Students

1. The school district, for a student without disabilities shall establish a written plan for the delivery of instruction and maintain a record of delivery of instructional services and student progress.
  - a. For a student without disabilities whose projected confinement will exceed 30 consecutive calendar days, the school district shall develop an individualized Program Plan (IPP) for the student within no more than 30 calendar days from the date on which the school district receives the school physician's verification that the period of confinement would likely exceed this 30 consecutive calendar day threshold.
2. The teacher providing instruction shall be appropriately certified for the subject, grade level and special needs of the student
3. The teacher shall provide one-on-one instruction for no fewer than five (5) hours each week or one (1) hour per subject on three separate days of the week and, if the student is physically able, no fewer than 10 additional hours per week of guided learning experience.

### Special Education Students

1. The teacher shall provide one-to-one instruction for no fewer than then (10) hours each week or two (2) hours per subject on three separate days and, if the student is physically able, no fewer than ten (10) hours per week for additional guided experience.
2. The Home Instruction shall be consistent with the students Individualized Education Plan (IEP) to the extent appropriate and shall meet the Common Core Curriculum Standards pursuant to N.J.A.C. 6A:8, Standards and Assessment. When the provision of home instruction will exceed 30 consecutive school days in a school year, the IEP team shall convene a meeting to review and, if appropriate, revise the student's IEP.

The home or out-of-school instructional services for a general education student for reasons other than a temporary or chronic health condition shall meet the minimum standards that are specified in N.J.A.C. 6A:16-10.2(d) including but not limited to:

1. The school district shall develop an Individualized Program Plan (IPP) for delivery of instruction and maintain a record of delivery of instructional services and student progress.
2. The teacher providing instruction shall be appropriately certified for the subject and grade level.
3. The teacher shall provide one-to-one instruction for no fewer than ten (10) hours per week on three separate days of the week and no fewer than ten (10) hours per week of additional guided learning experiences.
4. The instruction shall meet the Common Core Curriculum Standards

A pupil receiving home instruction is not considered absent.

Legal References:

Adopted: January 22, 2008

Re-Adopted: December 9, 2013

**Mountain Lakes School District**

## 6174 SUMMER SCHOOL

### Summer Make-up Work

If a student fails a subject, he or she will be required to repeat the work during the following year in order to receive credit (this is not the case for an elective course). However, if the Guidance Department recommends that the pupil make-up deficiency through summer study, the student must meet one of the following requirements:

1. Attend an accredited summer school and earn a passing grade.
2. Attend a non-accredited summer school and sit for re-examination in Mountain Lakes High School during the last week in August, taking the test under the prescribed conditions.
3. Take the appropriate number of hours of instruction under the direction of a certified teacher approved by the Director of Guidance. The teacher will certify in writing as to the time spent and the topics covered satisfactorily. The pupil must pass a comprehensive examination covering the work of the entire year. This examination will be administered by a guidance counselor during the last week of August. The classroom teacher (a Mountain Lakes High School instructor) will evaluate the examination and report the results and grade to the Guidance Department.

### Legal References:

Previously Policy No. 2440

Adopted: November 5, 2001

Re-adopted: January 3, 2006

LR11/09

**Mountain Lakes School District**

## **6200 COMMUNITY EDUCATION**

The Board of Education may establish and maintain a program of community education and shall utilize its school facilities for accomplishing the legitimate educational purposes of serving the vocational, avocational, and cultural interests of the community.

N.J.S.A. 18A:7F-47 Total Stabilization aid, limit to increase

N.J.S.A. 18A:7F-58 Adjustment aid; educational adequacy aid

Previously Policy No. 2452

Adopted: November 5, 2001

Re-adopted: January 3, 2006

LR2011

**Mountain Lakes School District**



## **6300 EVALUATION OF THE INSTRUCTIONAL PROGRAM**

The Board directs the Superintendent to develop and implement a systematic short-range and long-range plan for the continuing assessment of the progress of the educational program toward the goals established by the district. To this end, the Superintendent shall recommend tests and methods of assessment indicated by his/her best professional judgment.

The Board reserves the right to review each test and to approve those that serve a legitimate purpose without infringing upon the personal rights of the pupils or their parents/guardians. The results of any evaluation may be released by the Superintendent using district wide data. Parents/guardians may obtain an explanation of the results of their child's test from qualified school personnel.

The Superintendent shall annually recommend improvements in the program and staff based upon the evaluation of the district's program. He/she will ensure that all required data is submitted to the Commissioner for inclusion in the school report card.

The Board will cooperate with the Commissioner in the conduct of such state-wide assessment programs as are required by the State Board of Education and shall use the data gained thereby toward the improvement of the schools of this district.

### Legal References

Adopted: January 22, 2008

LR2011

**Mountain Lakes School District**

**Series 7000 - CONSTRUCTION, REMODELING, RENOVATION**

**Mountain Lakes School District**

## 7110 LONG-RANGE FACILITIES PLANNING

To ensure that district facilities will be able to meet the future needs of the educational program, the board directs the Superintendent to develop procedures for collecting relevant information, including but not limited to:

- A. The changing educational needs of the district;
- B. Relations with the total community;
- C. Plant and site aesthetics;
- D. Changing makeup of district population as to age distribution, educational levels, etc.;
- E. Community planning and zoning;
- F. Financial ability of the school district;
- G. Safety and welfare of pupils;
- H. True economy reflecting full value for each tax dollar expended;
- I. Optimum access for disabled pupils;
- J. Relationship between projected new facilities and those already in existence.

Planning for major rehabilitation and remodeling will be incorporated into the school district master plan on a scheduled basis.

### Substandard Facilities

All existing school facilities will be evaluated annually for their suitability to current district needs. Any facilities found to be substandard according to the administrative code shall be corrected as quickly as possible in compliance with law.

### Legal References

Date: January 5, 2009

LR2011

**Mountain Lakes School District**

## **7113.1 SCHOOL CLOSING**

The Board of Education recognizes its responsibility to provide a thorough and efficient program of free public education and appropriate facilities to house that program. The Board further recognizes that declining enrollments, diminished resources, district reorganization or other good cause for educational purposes be abandoned.

The Board will not commit itself to the closing of any school facility without first having collected and considered appropriate information regarding pupil enrollments, the educational adequacy of school facilities, relevant safety and traffic factors, district revenues, and alternative district organizational plans. The Board will invite citizen participation in the analysis of that information and the formulation of recommendations. Information on any proposed district reorganization will be disseminated to the public, and public response will be invited by all appropriate means.

Ultimately the Board alone is responsible for the organization of the school district and the establishment and abandonment of school facilities. Formal action to accomplish those ends shall be taken only by the Board duly convened.

### Legal References:

Previously Policy No. 7130

Adopted: January 3, 2006

LR11/09

**Mountain Lakes School District**

## 7115 DEVELOPING EDUCATIONAL SPECIFICATIONS

Educational needs should determine the plan and design of the schools. Therefore, the Superintendent shall develop comprehensive educational specifications for any projected facilities--whether built or altered, owned or leased, temporary or permanent--for consideration by the Board.

In developing the specifications, the Superintendent shall draw on recommendations of citizens, professionals and support staff, pupils, and other appropriate sources. The factors on which the specifications are based shall include but not be limited to:

- A. The plan of school organization and estimated size and type of enrollment in the proposed facility;
- B. Provisions for the disabled;
- C. Space requirements for all functions, including an indication of relative locations of various spaces;
- D. Desired layout of special areas and the equipment needed for such areas;
- E. Mechanical features and special finishes desired;
- F. Standard codes and regulations (school district, community, county, and state) affecting planning;
- G. Other requirements under existing law and regulation;
- H. Pertinent budget and related factors.

The board needs the specifications to:

- A. Clarify and consolidate the thinking of the administration, the Board, and the community on the needs, desires, and objectives of the educational program to be conducted within the proposed new facility;
- B. Organize this important information in a manner that can be easily and clearly interpreted by the architect.

### Legal References

Adopted: January 16, 2006

LR2011

**Mountain Lakes School District**

## **7115.1 SUPERVISION OF CONSTRUCTION**

The Board of Education directs that the Supervisor of Buildings and Grounds be responsible for the supervision of all building construction in this district. Supervision shall include field inspection of the contractor's operations, administrative review of the activities of the architect relating to the construction, and any other construction matters relating to the interests of the school district.

The Supervisor of Buildings and Grounds shall report periodically to the Board that by his or her personal knowledge the work of the construction contractor and the architect is being performed in accordance with the plans, specifications, and contracts approved by the Board. The Supervisor of Buildings and Grounds shall recommend to the Board any additional staffing requirements necessitated by a major construction project.

A change order involving additional cost of over \$10,000 will be submitted for Board prior approval by the Director of Buildings and Grounds and the School Business Administrator/Board Secretary. All change orders must be approved in advance by the Director of Building and Grounds, and the School Business Administrator after notifying the Chair of the Facilities Committee and the President of the Board. A change order not involving monetary considerations may be acted upon solely by the Supervisor of Buildings and Grounds and the architect and reported to the Board.

Upon completion of a building project and a final inspection of all its aspects by the architect, contractors, and school officials, a recommendation for acceptance shall be made to the Board by the Supervisor of Buildings and Grounds through the School Business Administrator/Board Secretary.

Previously Policy No. 7243

Adopted: January 3, 2006

Revised and Renumbered January 5 , 2009

**Mountain Lakes School District**

## **7250 SCHOOL AND FACILITY NAMES**

School buildings and separate school facilities, both on school grounds and within school buildings, may be named or renamed in honor of a Board member, employee, distinguished person, individual, family, family trust, foundation, corporation, or any other entity. In addition, a plaque or other suitable recognition may be placed in a school facility or on school grounds as an alternate form of honorary recognition. Each such instance of recognition shall be submitted to the Superintendent of Schools for approval as well as formal action of the Board.

In recognizing past service the Board shall strive to honor persons whose extraordinary accomplishment especially distinguished his or her service to this school district.

Previously Policy No. 7250

Adopted: January 3, 2006

Reviewed February, 2009

Reviewed and Renumbered May 11, 2009

Revised May 16, 2016

**Mountain Lakes School District**

## **7251 MEMORIALS**

The Board of Education recognizes that each Board member, employee, and distinguished personage of this district is important not only to the school district but to the community at large. The loss of any such person by death is a loss that the Board and the district share with the community.

### Observance of Death

In order to memorialize that loss of a Board member, employee, or distinguished person in a fitting manner, the Board directs that, whenever notice is received of such a person's death the flag of the United States at each school district building may be flown at half mast for one school day. Written notice may be posted in an appropriate manner in each district building on that day in order that pupils, staff members, and visitors are informed of the purpose of the memorialization.

The Superintendent may, in his or her discretion, grant an employee of this district a brief absence without loss of pay or personal leave for the purpose of attending the funeral of his or her direct supervisor or subordinate provided that no disruption in the educational program will be caused by any such absence.

Previously Policy No. 8860

Adopted: January 3, 2006

Reviewed and Renumbered: May 11, 2009

**Mountain Lakes School District**



# 7511 ATHLETIC FIELD LIGHT USAGE

## Policy Principles

The policy for the use of field lights is established to provide the administration with guidance for the planning of the field usage and to guide their day-to-day decision-making regarding lighting use. Prudent use and management of school facilities outside of the regular operating schedules allows the community to benefit more broadly from use of its own property. The schedule will be developed to ensure student athletes can maintain their primary focus on academics. However, such community will strive to respect the rights of others, particularly the rights of those residents whose properties adjoin or are close to school properties.

## Major Considerations

1. The lighting of the fields should serve the needs of the school district and its students.
2. The light usage policy should strive to increase the utilization of our fields for the benefit of our students and their activities.
3. The use of lighting should be based on the scheduling needs of the Principals, Athletic Director, and Administration. This may vary from day-to-day, week-to-week, or year-to-year. The policy will enforce a hard stop of 8:30 PM (Monday through Thursday) and 10:30 PM on Friday evenings with an override component allowing the completion of varsity sports as per NJSIAA regulations for all evening competitions. At the discretion of the Athletic Director, a maximum of four nights of light usage per week will be permitted with priority given to high school sports.
4. The Board of Education will allow Mountain Lakes Recreation usage of the lights with the following guidelines: Each season the Athletic Director will present the Recreation Director with several dates and hours for possible recreation usage. These dates will average 3-4 hours per week and will consist of 14-16 separate dates. While every effort will be made to maintain the established schedule, Recreation may be requested to return allotted slots should a high school sports program need to schedule the space for a makeup game. The lights will be turned off in accordance with a hard cut-off time of 8:30pm. The Board of Education shall review this provision after one year to determine if it should be continued.
5. The policy will be reviewed annually by the Board of Education as part of January reorganization or as circumstances may change which in turn require changes to the policy. The Administration, Extra/Co-Curricular and Facilities committees will report out usage reports provided by the Athletic Director at public board meetings. It will provide interested parties an opportunity to present their comments.
6. Summer Usage will be limited to August school athletic competitions and practices. The above timelines would apply.
7. Opportunities to host school competitions for high school sports, co-curricular activities, and college competitions will be considered based upon the time considerations of this policy and must be approved by the Administration.
8. Utilization of the lights for use by the Borough of Mountain Lakes will be determined by the Athletic Director, the Principal or the Superintendent with an hourly rate lighting charge to be determined annually by the School Business Administrator. All of the above conditions shall apply
9. No outside group will be permitted to use the BOE sound system, nor will they be permitted to bring in a portable one. The Board will adhere to Borough of Mountain Lakes ordinance 160-2 regarding noise (Ordinance 160-2).

10. All of the above provisions are subject to change or override by approval of the Athletic Director and the Superintendent of Schools. Any such change or override must be logged (with specifics of the change along with any such reason) and presented to the Administration, Extra/Co-Curricular and Facilities Committees on a quarterly basis.

Adopted: October 19, 2015

Revised: November 6, 2017

Resources: Borough of Mountain Lakes Ordinance Noise 160-2. Loud, disturbing and unnecessary noise

**Mountain Lakes School District**

**Series 9000 - BYLAWS**

**Mountain Lakes School District**

## **9000 ROLE OF THE BOARD**

The general mandatory powers and duties of the Board are defined in Title 18A of New Jersey statutes. The Board of Education has full power to operate the local public schools as it deems fit in compliance with state and federal mandates and pertinent laws of the municipality. The Board functions only when in session.

The Board sees these as its required functions:

### **A. Policy oversight**

The Board is responsible for the development of policy and for the employment of a Superintendent who shall carry out its policies through the development and implementation of regulations. The Board is responsible for evaluating the effectiveness of its policies and their implementation. This includes setting and evaluating goals in educational and financial areas.

### **B. Educational planning**

The Board is responsible for requiring and acquiring reliable information from responsible sources that will enable it and the staff to work toward the continuing improvement of the educational program.

### **C. Provision of financial resources**

The Board has major responsibilities for the adoption of a budget that will provide the wherewithal--in terms of buildings, staff, materials, and equipment--to enable the school system to carry out its functions.

### **D. Interpretation**

The Board is responsible for providing adequate and direct means for keeping the local community informed about the school and for keeping itself and the school staff informed about the wishes of the public. All plans will be presented to the public to enable the local community to understand and support the school program.

The Board believes that, by diligently exercising these functions, it will be able to provide the best educational opportunities possible for our children within the financial resources of the community. The Board shall exercise its powers through the adoption of bylaws and policies for the organization and operation of the school district.

The Board shall be responsible for the operation of the school but shall delegate the administration to the Superintendent, who shall be appointed by a recorded roll-call majority vote of the full board.

The Board may hear appeals of complaints, grievance and disciplinary actions, as set forth in these policies and as provided by the law.

### Legal References

Adopted: May 11, 2009

## **9010 ROLE OF A BOARD MEMBER**

It is understood that the members of the Board have authority only when acting as a Board which is in session. The Board shall not be bound in any way by any action or statement on the part of any individual board member, except when such statement or action is in pursuance of delegated power or specific instructions from the Board.

Members of the Board shall adhere to the code of ethics for Board members that is set forth in Bylaw 9271.

No Board member, by virtue of his/her office, shall exercise any administrative responsibility with respect to the schools or as an individual command the services of any school employee.

Board members visiting the schools shall observe district policies and regulations that apply to all school building visitors.

### Legal References

Adopted: May 2009

**Mountain Lakes School District**

## **9020 PUBLIC STATEMENTS**

Only the Board president is authorized to make statements of official Board positions.

No other member of the Board of education individually will speak for, or in the name of, the Board unless he or she has been authorized to do so by explicit statement of the Board or of the President. Board members should emphasize that they can only speak as individual Board members unless empowered by the Board to speak on its behalf.

### Legal References

Adopted: May 11, 2009

**Mountain Lakes School District**

## **9110 BOARD MEMBERS- RECEIVING DISTRICT**

The Board of Education shall consist of ten members.

The Boonton Township Board of Education shall have representation on the Board of Education in accordance with N.J.S.A. 18A:38-8. As provided in N.J.S.A. 18A:38-8, the sending district shall have no representation on the receiving district Board of Education if the pupils of the sending district comprise less than 10% of the total enrollment of the pupils in the grades of the receiving district in which the pupils of the sending district will be enrolled. The number of representatives shall be in accordance with N.J.S.A. 18A:38-8. The calculation of percentages required shall be based on the number of pupils reported as of October 15 of each year.

The Boonton Township Board of Education shall designate their representative(s) to serve on the receiving district Board of Education on an annual basis [upon notification from the County Superintendent of the appropriate representation on the receiving Board of Education]. This designation shall be made by the sending Board of Education at its meeting closest in time to the annual organization meeting of the Board of Education and shall serve a one year term beginning with the annual reorganization meeting.

The Boonton Township representative(s) shall be eligible to vote on the following matters that affect sending district students and are before the Mountain Lakes Board of Education.

- a. Tuition to be charged the sending district by the receiving district and the bill lists or contracts for the purchase, operation or maintenance of facilities, equipment and instructional materials to be used in the education of the pupils of the sending district;
- b. New capital construction to be utilized by sending district pupils;
- c. Appointment, transfer or removal of the teaching staff members providing services to the pupils of the sending district, including any teaching staff member who is a member of the receiving district's central administrative staff; and
- d. Addition or deletion of curricular and extracurricular programs involving pupils of the sending district.

While the sending district representative(s) shall have limited voting rights, in all other respects the representative shall function as a full member of the Board of Education, including participation in the closed session discussions and membership in Board committees.

### Legal References:

Previously Policy No. 0141.2

Adopted: November 5, 2006

Re-adopted: January 3, 2006 Revised: May 11, 2009

LR11/09

**Mountain Lakes School District**

## 9111 QUALIFICATIONS AND REQUIREMENTS OF BOARD MEMBERS

Qualifications for member of the Mountain Lakes Board of Education are as follows:

- A. He/she is a citizen of the United State of America;
- B. He/she is at least eighteen years of age;
- C. He/she is able to read and write;
- D. He/she has been a resident of the municipality from which he/she is elected or appointed, for at least one year immediately preceding the date of the election;
- E. He/she is registered to vote in the municipality from which he/she is elected;
- F. He/she is not disqualified as a voter pursuant to N.J.S.A. 19:4.1;
- G. He/she does not hold office as mayor or as a member of the governing body of a constituent municipality;
- H. He/she has no interest directly or indirectly in any contract with or claim against the Board; and
- I. He/she has not been disqualified due to the conviction of a crime or offense listed in N.J.S.A. 18A:12-1.

In order to fulfill this requirement:

- 1. Each member of the Board of Education, within 30 days of the election or appointment to the Board shall undergo a criminal history background check investigation for the purpose of ensuring that the member is not disqualified for membership due to a conviction of a crime or offense pursuant to the statute listed above(pending state approval); and
- 2. The Board shall reimburse the member for the cost of the criminal history record check, including all costs for administering and processing the check.

Within 30 days of election/appointment, Board members shall file with the Board Secretary, on forms provided by the School Ethics Commission, both a Personal/Relative Disclosure Form N.J.S.A. 18A:12-25 and a Financial Disclosure Statement N.J.S.A. 18A:12-26. The Board Secretary shall file the original with the Executive County Superintendent (N.J.A.C. 6A:28-3.1).

### Legal References:

Adopted: August 8, 2011

**Mountain Lakes School District**



## **9113 FILLING VACANCIES**

### Vacancies Filled by the Board

The Board shall fill vacancies created by the resignation, removal by the Board for cause or death of a serving member, or when a member ceases to be a bona fide resident of the district. The vacancy shall be filled within the 65 days prescribed by law.

Procedures by which to select the persons to fill such vacancies may include advertisement of the vacancy in suitable local media, and interviews with interested parties conducted in public by the Board acting as committee of the whole.

If a vacancy occurs on the Board due to the recall of a board member, all procedures of the law shall be followed to fill that vacancy.

Vacancies filled by the Board shall be by a majority vote of the remaining members of the Board after the vacancy occurs.

### Vacancies Filled by the County Superintendent

The County Superintendent fills vacancies that the board fails to fill within 65 days, and those caused by the voters' failure to elect a member, or by the removal of a member because of lack of qualifications, some flaw in the election, or when a recount or contested election fails to elect a member. The County Superintendent also appoints enough members to make up a quorum.

### Legal References

Adopted: January 16, 2006

**Mountain Lakes School District**

## **9114 BOARD MEMBER RESIGNATION AND REMOVAL**

The membership of a Board of Education member shall terminate immediately upon:

1. The cessation of the member's bona fide residency in the school district the member represents; or
2. The member's election or appointment to the office of mayor or member of the governing body of Mountain Lakes; or
3. The member's disqualification from voting pursuant to N.J.S.A. 19:4-1; or
4. The member's conviction for false swearing for having falsely affirmed or declared that he or she is qualified to vote; or
5. The removal of the member by the Commissioner of Education.

A member who fails to attend three consecutive regular meetings of the Board without good cause may be removed from office on the affirmative votes of a majority of the remaining Board members, provided that:

1. The member's removal was proposed at the immediately previous Board meeting; and
2. Notice of the proposed removal was given to the affected member at least ten days in advance of the meeting at which the vote will be taken.

Previously Policy No. 0145

Adopted: November 5, 2001

Re-adopted: January 3, 2006

**Mountain Lakes School District**

## 9121 ELECTION AND DUTIES OF THE PRESIDENT

The President shall preside at all meetings of the Board and shall perform other duties as directed by statute, state department of education regulations, and this Board. In carrying out these responsibilities, the president shall:

- A. Sign the instruments, acts, and orders necessary to carry out state requirements and the will of the Board;
- B. Consult with the Superintendent on the Board's agendas;
- C. Appoint Board committees and chairpersons;
- D. Call such meetings of the Board as he/she may deem necessary upon at least two days' notice;
- E. Be an ex officio member of all Board committees;
- F. Confer with the Superintendent on relevant matters that may occur between Board meetings;
- G. Be responsible for the orderly conduct of all Board meetings.

As presiding officer at all meetings of the Board, the President shall:

- A. Call the meeting to order at the appointed time;
- B. Announce the business to come before the Board in its proper order;
- C. Enforce the Board's policies relating to the order of business and the conduct of meetings;
- D. In the President's sole discretion recognize or refuse to recognize a persons who desire to speak, and, if necessary, once recognized, protect the speaker who has the floor from disturbance or interference;
- E. In the President's sole discretion, limit a speaker's time at any time and for any reason, including but not limited to, rambling or disruptive speech, and dismiss a speaker who has been recognize and/or direct the removal of the person from the meeting;
- F. Explain what the effect of a motion would be if it is not clear to every member;
- G. Restrict discussion to the question when a motion is before the Board;
- H. Answer all parliamentary inquiries, referring questions of law to the Board's attorney;
- I. Put motions to a vote, stating definitely and clearly the vote and result thereof.

The president shall have the right, as other Board members have, to offer resolutions, to discuss questions, and to vote. The Vice President shall assume and discharge the duties of the President in the President's absence, disability, or disqualification.

### Legal References

Adopted: May 11, 2009

## 9123 ANNUAL APPOINTMENTS

The Board of Education may appoint at the organizational meeting, but shall appoint before July 1 of the year in which the Board organizes:

1. A Board Secretary N.J.S.A. 18A:17-2, 17-5;
2. A Treasurer of School Moneys N.J.S.A. 18A:17-31;
3. A public school accountant N.J.S.A. 18A:23-1;
4. A medical inspector N.J.S.A. 18A:40-1;
5. A psychological examiner N.J.S.A. 18A:46-11;
6. A member to serve as delegate to the New Jersey School Boards Association N.J.S.A. 18A:6-46;
7. An attendance officer N.J.S.A. 18A:38-32
8. A member to serve as delegate to the Morris County School Boards Association;
9. An attorney;
10. An insurance agent

The Board shall also appoint any other consultant or service provider that is required by law to be re-appointed annually.

### Legal References:

Previously Policy No. 0153

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Revised: May 11, 2009

LR11/09

**Mountain Lakes School District**

## 9123.1 DUTIES OF TREASURER OF SCHOOL MONIES

### The Treasurer of School Monies shall

1. Receive and hold in trust all school monies, except monies from athletic events and pupil organization activities, and deposit them in the bank or banks designated by the Board N.J.S.A. 18A:17-34;
2. Pay out school monies only on warrants made payable to the person entitled to receive payment and specifying the object for which it is issued and signed by the President, Secretary and Treasurer, N.J.S.A. 18A:19-1;
3. Receive school employee payrolls and a warrant for the full amount of each payroll certified by the President and Secretary, deposit the warrants in a separate payroll account, and issue individual checks drawn on such account to each employee, N.J.S.A. 18A:19-9, 19-10;
4. Give public notice when funds are on hand for payment of interest bearing warrants issued for which no funds were available, N.J.S.A. 18A:19-12;
5. Keep a record of monies received and paid out in books provided for that purpose and in accordance with a bookkeeping system prescribed by the State Board, N.J.S.A. 18A:17-35;
6. Pay over the balance of school funds on hand to his or her successor, N.J.S.A. 18A:17-35;
7. Render a monthly report to the Board giving a detailed account of all receipts, the amounts of all warrants issued, the accounts from which they were drawn and the balance in each account, N.J.S.A. 18A:17-36;
8. Render an annual report showing the amounts received and disbursed by him or her during the school year and file a copy with the County Superintendent, N.J.S.A. 18A:17-36; and
9. Receive the proceeds of any bond sale and disburse them only to pay the expenses of issuing and selling the bonds, the purpose for which the bonds were issued, and the temporary investment of the funds, N.J.S.A. 18A:24-47.

Previously Policy No. 0172

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Revised and Renumbered: May 11, 2009

**Mountain Lakes School District**

## **9123.2 DUTIES OF BOARD ATTORNEY**

The Board attorney shall, upon the request of the Board:

1. Be accessible for consultation with the Superintendent, School Business Administrator/Board Secretary, and Board President concerning legal matters;
2. Attend public or executive meetings of the Board as requested;
3. Act as counsel for the Board in prosecuting or defending any action or suit to which the Board is party;
4. Perform such other special legal services as the Board may from time to time prescribe; and
5. Keep the Board informed on all legislation affecting the school system and call to the attention of the Board proposed new legislation that may affect the district.

Previously Policy No. 0174

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Reviewed and Renumbered: May 11, 2009

**Mountain Lakes School District**

## **9123.3 DUTIES OF PUBLIC SCHOOL ACCOUNTANT**

The Board of Education public accountant shall:

1. Conduct the investigation, accounting, and checking of accounts, bills, revenues, and other financial records and documents essential to the completion of a public statement of the financial status of the Board for the school year as required by State Department rules of audit, N.J.S.A. 18A:23-2;
2. File a report of the annual audit and recommendations with the Board and two copies with the Commissioner, N.J.S.A. 18A:23-3;
3. Make a report to the Finance Committee concerning the audit;
4. Be accessible for consultation with the School Business Administrator/Board Secretary concerning fiscal matters.

Previously Policy No. 0173

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Reviewed and Renumbered: May 11, 2009

**Mountain Lakes School District**

## 9130 COMMITTEES

In order to use the time, effort and expertise of the members of the Board effectively, the Board shall operate under a committee system.

### Standing Committees

The Board may authorize the establishment of such standing committees from among its membership as it finds necessary to study operations in specific areas and to make recommendations for board action. The following rules will govern the appointment and function of such committees:

- A. The committee shall be established through action of the Board.
- B. The committee chairperson and members shall be appointed by the Board President.
- C. The committee shall be provided with a list of its functions and duties.
- D. The committee may make recommendations for Board action, but it may not act for the Board.
- E. The Board President and Superintendent shall be ex officio members of all standing committees.
- F. All standing committees shall be dissolved at the end of the Board's year—and shall be reconstituted at the annual organizational meeting. They may be dissolved at any time by a motion of the Board.

### Special Committees

Special committees may be created for special assignments. The same rules shall apply to special committees as apply to standing committees, except that they shall be dissolved upon completion of their assignment.

### Committee of the Whole

The Board reserves the right to meet and work as a committee of the whole in informational, discussion, and exploratory sessions. No official action shall be taken at these meetings, unless so advertised.

### Legal References

Adopted: May 11, 2009

**Mountain Lakes School District**



## **9140 STUDENT REPRESENTATIVES TO THE BOARD OF EDUCATION**

The Board recognizes that students are the primary reason for the existence of the school district. It considers the experience gained by students in the district to be a valued source for improving the operation of the school district. The Board is also desirous of furthering the experience of students in the governance process and providing opportunities for students to contribute to the future direction of the school district. To this end, the Board authorizes the appointment of high school student representative(s) and one alternate to the Board.

### Qualifications

The individual(s) appointed as a student representative(s) to the Board shall be a member of the student body in grades 9 to 12.

### Term

The student member of the Board shall serve for one year beginning in September and concluding in June. Attendance at summer meetings will be optional.

Appointment shall occur at in September of each school year.

Student representatives shall attend all public meetings of the Board and shall be entitled to speak at the discretion of the Board President on all matters before the Board except as may be prohibited by New Jersey Statute or Code. Student representatives shall not be entitled to vote. All confidential information obtained by virtue of membership shall be held as such by student representatives. Student representatives shall be held to the same code of ethics as elected and appointed members of the Board.

### Duties and responsibilities

The student member shall be extended all privileges of regular Board member and shall participate in the discussion and deliberation of all matters in public except as noted below.

1. The student member shall be excluded from discussions of:
  - a. Matters relating to negotiations,
  - b. Areas involving personnel employed by the district,
  - c. Matters relating to the purchase or sale of property,
  - d. Incidents which are or have the prospect of being litigated and where confidentiality may be a factor, and
  - e. Any confidential matter relating to individual students.
2. The student member will not participate in any executive session discussions and will not be expected to serve on any Board committee.
3. On topics pertaining to the student body, any position taken by the student member will be recorded as a matter of interest, but he or she will not be permitted to vote.
4. The student member will be responsible for communication of Board matters to the student body and of student opinions to the Board.

### Election Procedure

The Key Club will assume responsibility for conducting the appointment of a Student Representative

and alternate to the Board.

Student representatives are expected to adhere to all bylaws, policies and regulations of the Board in their role. The Board in no way relinquishes any of its authority, powers, prerogatives or responsibilities but rather adds to its membership a non-voting student representative(s) for the mutual benefit of the Board, student body, and the school district.

Previously Policy No. 0143.2

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Reviewed: December 2008

**Mountain Lakes School District**

## **9150 CONTRACTS WITH INDEPENDENT CONSULTANTS**

The Board of Education may from time to time engage the services of one or more independent contractors to advise and assist the Board in analyzing school district operations and preparing Board reports when those tasks cannot be performed as economically by district staff members.

Wherever possible, the Board will seek proposals from at least three sources before a contract with an independent consultant is entered. The Board will not contract with a Board member or the spouse, child, parent or legal guardian, or sibling, in fact or in law, of a Board member as an independent consultant.

The Board will engage the services of an independent consultant only by written contract, which must specify the work to be accomplished by the consultant, the time within which the work is to be completed, and the fee that will be paid the consultant. An independent consultant engaged by the Board is neither agent nor employee of the Board and may represent the Board only as expressly authorized to do so in writing.

An independent consultant may have access to such school facilities and school district employees as may be reasonably required in the performance of the consultant's contract with the Board. Except as expressly permitted by the contract, any communication between the consultant and a district employee or community member regarding the work of the contract must be conducted through the Board or a designated school official.

Materials and reports generated and created by the independent consultant in the performance of his or her contract with the Board are and will remain the property of the Board and are subject to Board Policy No. 3570 on public records.

Previously Policy No. 0175

Adopted: November 5, 2001

Re-adopted: January 3 2006

Reviewed: December 2008

Reviewed: May 1, 2009

**Mountain Lakes School District**

## **9200 ORIENTATION AND TRAINING OF BOARD MEMBERS**

### Orientation of New Board Members

The Superintendent shall prepare materials to introduce new Board members to the operating procedures of the district and the details of the curriculum.

Sufficient funds shall be allocated to reimburse new Board members for attending NJSBA training in superintendent evaluation within the first six months after taking office, and an NJSBA new Board member orientation within the first year of taking office.

Administrative code defines "newly elected or appointed Board member" as any Board member who has never served as a member of either an elected or appointed school Board.

### Code of Ethics Training

The Board shall ensure that all members of the Board receive and review a copy of the Code of Ethics for School Board Members. Each Board member shall sign an acknowledgement that he/she has received and read it. Training as required by the administrative code shall be scheduled to familiarize Board members with the contents and requirements of the Code of Ethics.

### Mandated Training

The Board shall ensure that each newly elected or appointed Board member receive training in their first year of service regarding skills and knowledge necessary to serve as a school Board member. This training shall be offered by the NJSBA, in consultation with New Jersey Association of School Administrators, the New Jersey Principals and Supervisors Association, and the Department of Education, and shall include information regarding the New Jersey Quality Single Accountability Continuum, and the five key components of school district effectiveness on which the school district is monitored: operations; instruction and program; governance; fiscal management and personnel.

Within one year after being newly elected or appointed or being re-elected or re-appointed to the Board of Education, a Board member shall complete a training program on harassment, intimidation, and bullying in schools, including the school district's responsibilities as required by law N.J.S.A. 18A:37-13 *et seq.* A Board member shall be required to complete the program only once N.J.S.A. 18A:12-33.

Each Board member and charter school trustee shall, in both the second and third year of service on the Board, complete the NJSBA training on school district governance.

The NJSBA advanced training program shall be completed by Board members or trustees within one year of re-election or reappointment to the Board of Education or charter school Board of trustees.

### Inservice Development

State, regional and national workshops, conventions, conferences and seminars developed by associations such as the New Jersey School Boards Association, the National School Boards Association, the New Jersey Association of School Administrators, etc., provide unique opportunities for Board members to broaden their understanding of their responsibilities, learn new tools and techniques for coping with them, and keep up to date on educational trends.

Therefore, the Board recommends that, in addition to sending the mandated delegate to the New Jersey School Boards Association's Delegate Assemblies, the Board send representatives to such educational conferences, workshops, conventions and seminars as it shall decide upon each year. A maximum of members may attend any such function held out-of-state.

The same regulations regarding travel arrangements and reimbursement developed for other district-

paid attendance at such events shall apply.

The Superintendent shall prepare a checklist for district representatives to such events, to aid them in preparing meaningful reports for the Board and the district as a whole. The report shall be presented at a regular meeting of the Board within a month of the delegation's return.

#### Legal References

Revised and Adopted: August 8, 2011

LR2011

**Mountain Lakes School District**

## 9250 TRAVEL AND RELATED EXPENSES

Board members receive no payment for their services. With Board approval, they may be reimbursed for out-of-pocket expenses incurred on Board business. Such reimbursement only covers the Board member's expenses.

### Travel and Related Expenses

Travel reimbursement will be paid only upon compliance with the Board's policy provisions and approval requirements. Board members and employees shall only be reimbursed for work-related travel that is directly related to and within the scope of the Board member's and employee's current work responsibilities. Board members and employees shall only be reimbursed for travel that:

- A. promotes the delivery of instruction or furthers the efficient operation of the school district,
- B. is fiscally prudent, and
- C. is directly related to and within the scope of the Board member's or employee's current responsibilities.

All Board members and employees shall adhere to the following specifications to be considered for reimbursement:

- A. Reimbursement may not exceed State travel reimbursement guidelines as established by the Department of Treasury in NJOMB circular letter 06-02 (found at <http://www.state.nj.us/infobank/circular/cir0602b.htm>), including but not limited to the types of travel, methods of transportation, mileage allowance, meal allowance, overnight travel and supporting documentation.
- B. Reimbursement must also be in compliance with OMB Circular A-87 found at [http://www.whitehouse.gov/omb/circulars/a087/a87\\_2004.html](http://www.whitehouse.gov/omb/circulars/a087/a87_2004.html)..No reimbursement will be issued without submission of written documentation such as receipts, checks and vouchers detailing the amount of each expenditure. Such documentation must be submitted within a timeframe to be established by the School Business Administrator and included in the regulations implementing this policy as further specified below.
- C. Travel expenditures must be in compliance with the State travel payment guidelines as established by the Department of the Treasury and with guidelines established by the federal Office of Management and Budget, provided that those guidelines which conflict with the provisions of Title 18A of the NJSA shall not be applicable, including, but not limited to, the authority to issue travel charge cards.
- D. Each employee and Board member shall provide at the time of submission of expenses for reimbursement, a brief report that includes, as appropriate, but may not be limited to, a description of the primary purpose for the travel, and a summary of the goals and key issues that were addressed. This report will be submitted to the Business Administrator or as otherwise provided in the regulations.

In addition to the requirements above, employee travel must be directly related to the employee's professional development. No district employee shall be reimbursed for travel and related expenses without prior approval of the Superintendent and prior approval by a majority of the full voting membership of the Board (as set forth below).

The Board directs the Business Administrator to promulgate regulations that address the applicable restrictions and requirements set forth in the State and federal guidelines including, but not limited to, types of travel, methods of transportation, mileage allowance, subsistence allowance, and submission

of supporting documentation including receipts, checks or vouchers.

### **Prior Approval is required:**

Board members shall only be reimbursed for travel and related expenses that have received prior approval a majority of the full voting membership of the Board, and is in compliance with N.J.S.A. 18A:12-24 and 24.1 of the School Ethics Act. Without limiting the foregoing:

A. A Board member must recuse himself from voting on travel if the Board member, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial involvement that may reasonably be expected to impair his objectivity or independence of judgment.

B. A Board member shall not: act in his official capacity in any matter in which he or a member of his immediate family has a personal involvement that is or creates some benefit to the school official or member of his immediate family; or undertake any employment or service, whether compensated or not, which may reasonably be expected to prejudice his independence of judgment in the execution of his official duties.

C. For Board members, travel may occur only upon prior approval by a majority of the full voting membership of the Board and that the travel be in compliance with section 4 of P.L.1991, c.393 C.18A:12-24 and section 5 of P.L.2001, c.178 C.18A:12-24.1.

For employees, travel shall occur only upon prior written approval of the Superintendent and prior approval by a majority of the full voting membership of the Board and may be reimbursed in accordance with this Policy. The Board hereby authorizes the following annual maximum amounts for regular business travel only, for which school Board approval is not required: \$500 for each member of the regular teaching staff, \$2500 for each member of the itinerant teaching staff at Lake Drive School, and \$2500 for each administrator, including the supervisors of instruction and the athletic director. As defined by law, "regular school district business travel" is distinct from "training and seminars" and "conventions and conferences."

### **Travel advances are banned.**

An employee of the school Board, a school Board member, or organization, shall not receive an amount for travel and travel-related expenses in advance of the travel pursuant to N.J.S.18A:19-1 *et seq.*

### **Annual maximum travel expenditure amount**

The Board shall:

A. Allot in its annual budget a maximum travel expenditure amount and annually review its policy to assure that it properly reflects the amount budgeted.

B. Authorize each request for travel reimbursement based on information specifying the way in which it promotes the delivery of instruction or furthers the efficient operation of the school district.

C. Annually in the pre-budget year, establish by resolution, a maximum travel expenditure amount for the budget year applicable to the school district for that budget year. The resolution shall also include a statement of the maximum amount established for the then current year and the amount spent to date.

D. Provide that the maximum school district travel expenditure amount shall include all travel in accordance with this policy supported by local and State funds, and if applicable, the separate accounting for federal funds used for travel expenditure as set forth below.

## ADDITIONAL DETAILED ACCOUNTING REQUIREMENTS WHICH DEMONSTRATE COMPLIANCE:

To demonstrate compliance with this policy, the Board directs the Business Administrator to maintain on file documentation of all reimbursed travel expenses. This record may include receipts, checks and vouchers submitted in connection with any reimbursement. The Business Administrator shall maintain separate accounting for school district travel expenditures as necessary, to ensure compliance with the school district's maximum travel expenditure amount. This may include, but need not be limited to, a separate or offline accounting of such expenditures or expanding the school district's accounting system. The tracking system must be sufficient to demonstrate compliance with the Board's policy and this section, and shall provide auditable information.

To minimize travel expenditures, the Board and staff intends to take the following steps:

- A. "Retreats" will be held at school district facilities, if available. A retreat is a meeting of school district employees and school Board members, held away from the normal work environment, at which organizational goals and objectives are discussed.
- B. The school district shall not bear costs for car rentals, limousine services, and chauffeuring to or during the event, as well as costs for employee attendance for coordinating other attendees' accommodations at the travel event.
- C. One-day trips that do not involve overnight lodging are not eligible for a subsistence payment or reimbursement of subsistence amounts, except in limited circumstances authorized in Department of the Treasury guidelines.
- D. Overnight travel is eligible for a subsistence payment or reimbursement of subsistence amounts as authorized in Department of the Treasury guidelines, and subject to the following limitations which will take precedence over the Department of Treasury guidelines:
  - 1. Per diem payment or reimbursement for lodging and meals will be actual reasonable costs, not to exceed the federal per diem rates as established in the federal register for the current year;
  - 2. Lodging expenses may exceed the federal per diem rates if the hotel is the site of the convention, conference, seminar or meeting and the going rate of the hotel is in excess of the federal per diem rates. If the hotel at the site of the convention, conference, seminar, or meeting is no longer available, lodging may be paid for similar accommodations at a rate not to exceed the hotel rate for the event;
  - 3. Receipts are required for hotel expenses. Meal expenses under the federal per diem allowance limits do not require receipts;
  - 4. In any case in which the total per diem reimbursement is greater than the federal per diem rate, except when the going rate for lodging at the site of the convention or meeting exceeds federal per diem rates, the costs will be considered to be excessive and shall not be paid by school district funds;
  - 5. School districts shall patronize hotels and motels that offer special rates to government employees unless alternative lodging offers greater cost benefits; and
  - 6. Payment or reimbursement is approved for the full cost of an official convention meal that the employee or school Board member attends, when the meal is scheduled as an integral part of the convention or conference proceedings. If a meal is included in the registration fee, the allowance for the meal is not eligible for



reimbursement.

The Board will not give blanket or general pre-approval for travel. Specifically, approval shall be itemized by event, event total cost, and number of employees and school Board members attending the event. However the Board may approve, at any time prior to the event, travel for multiple months as long as the approval itemizes the approval by event, total cost, and number of employees and school Board members attending the event.

#### Exclusions allowed by law.

The Board excludes the following items from the operation of one or more provisions of this policy

A. Any travel caused by or subject to contractual provisions, other statutory requirements, or federal regulatory requirements, is not subject to prior approval but must comply with the limitations on subsistence requirements and the annual maximum travel expenditure amount.

B. Travel expenditures supported by federal funds is excluded from the district maximum travel expenditure amount but will be included in the Board annual travel resolution as a separate item, if applicable. The resolution will also include the total amount of travel supported by federal funds from the prior year, current year, and projected for the budget year.

#### Penalties:

The Board by this policy informs its members and staff that the penalties for violating this policy are based on State law and include the following:

A. By law, any district Board of education that violates its established maximum travel expenditure, or that otherwise is not in compliance with the travel limitations set forth in this section may be subject to sanctions by the commissioner as authorized pursuant to N.J.S.18A:4-23 and N.J.S.18A:4-24, including reduction of State aid in an amount equal to any excess expenditure.

B. A person who approves any travel in violation of the school district's policy or this section shall be required to reimburse the school district in an amount equal to three times the cost associated with attending the event.

C. An employee or member of the Board of education who travels in violation of the school district's policy or this section shall be required to reimburse the school district in an amount equal to three times the cost associated with attending the event.

The Superintendent shall develop regulations to implement this policy.

#### Legal References

Adopted: December 12, 2005

Re-adopted: January 3, 2006

Revised: November 5 2007

Reviewed: December 8, 2008

Re-adopted: May 2, 2011

## **9250.1 BOARD MEMBER INDEMNIFICATION**

The Board of Education will indemnify Board members in accordance with law whenever a civil or criminal action or a federal or state administrative law proceeding, including school ethics proceedings, is brought against a Board member for any act or omission arising out of and in the course of the performance of his or her duties as Board member, and in the case of a criminal action or administrative proceedings, results in a final disposition in favor of the Board member, the Board will defray all costs of defending the action, including reasonable counsel fees and expenses, together with costs of appeal, and will save harmless and protect the Board member from any financial loss resulting from the action.

As provided in Policy 3530, the Board may arrange for and maintain appropriate insurance to cover all such damages, losses and expenses.

Previously Policy No. 0148

Adopted: February 7, 2005

Re-adopted: January 3, 2006

Re-numbered: September 6, 2007

**Mountain Lakes School District**

## 9270 CONFLICT OF INTEREST - BOARD MEMBERS

The Board of Education accepts the responsibility of governing the operation of the district in the best interests of the total community. Individual members shall subscribe to the code of ethics in bylaw #9271 Code of Ethics. The Board as a body, and the members individually, wish at all times to avoid attitudes and actions that might give rise to public questioning of the integrity of any board decision.

For the purpose of this bylaw, family member shall be defined as grandparent, parent, spouse, child, grandchild or sibling, whether by blood or marriage.

Therefore, in addition to complying with all statutory requirements:

- A. No Board member shall hold any form of paid employment with the district while he/she is serving, nor for six months after leaving office.
- B. No Board member shall participate in any way in the employment, appointment, terms and conditions of employment, performance evaluation of or promotion of his/her family member or any direct or indirect supervisor thereof.
- C. No Board member shall discuss or vote on a proposed collective bargaining agreement with a bargaining unit; participate in any way as a member of the negotiating team; be present in closed session when the board is discussing negotiation strategies nor participate in negotiations in any way when his/her family member belongs to that bargaining unit.
- D. No Board member who is a member of the same statewide union or whose immediate family member is a member of that same statewide union shall participate in any way in negotiations, prior to the Board's attaining a tentative memorandum of agreement with the bargaining unit. Once the tentative memorandum of agreement is established, the Board member with an out of district same statewide union affiliation may fully participate in the process, absent other conflicts. Prior to that time, the board member shall not be a member of the negotiating team and shall not be present with the Board in closed session when negotiation strategies are being discussed. The Board member may vote on the collective bargaining agreement.
- E. No Board member shall use, attempt to use, or allow to be used any property owned or leased by the school district for the purpose of securing financial gain for the Board member, a family member, a political organization, or a business in which the Board member or a family member has an interest or which employs or provides compensation to the Board member or family member.
- F. No Board member shall use, attempt to use, or allow to be used his/her position for the purpose of securing financial gain for the Board member, a family member, a political organization, or a business in which the Board member or a family member has an interest or which employs or provides compensation to the Board member or family member.
- G. No Board member shall use, attempt to use, or allow to be used any information which is not generally available to the public, and which the Board member acquired by reason of his/her position, for the purpose of securing financial gain for the Board member, family member, a political organization, or a business in which the Board member or a family member has an interest or which employs or provides compensation to the Board member or family member.
- H. No Board member shall solicit, accept, or agree to accept, either directly or indirectly, any gift, loan, political contribution, service, promise of future employment, or other thing of value if the Board member knows or reasonably should know that the gift, loan, political contribution, service, promise of future employment, or other thing of value was given or offered for the purpose of influencing the Board member, directly or indirectly, in the discharge of his/her duties.

I. No Board member shall direct or request that any person or business which is a party to a contract with the school district perform, whether for compensation or not, any services for, or contribute anything of value to, a political organization.

J. No Board member shall use his/her position to direct or request that any other school official or any person employed by the school district perform any services, whether for compensation or not, for, or contribute anything of value to, a political organization.

K. No Board member shall participate in any way in school district action which he/she knows or reasonably should know would result in the payment of school district funds, from whatever source derived, to the Board member, family member, a political organization, or a business in which the Board member or family member has an interest or which employs or provides compensation to the Board member or family member.

L. Nothing in this bylaw shall be construed to prohibit a board member from taking action in an official capacity if by reason of that action no benefit or detriment could reasonably be expected to accrue to the Board member or a family member as a member of a group to any greater extent than any such benefit or detriment could reasonably be expected to accrue to any other member of such group.

M. No Board member shall serve as mayor or as a member of the municipal governing body of the district while serving as a Board member.

#### Legal References

Adopted: November 6, 2006

Reviewed: December 2008

LR11/09

**Mountain Lakes School District**

## 9271 CODE OF ETHICS - BOARD MEMBERS

The members of the Board of Education recognize that they hold authority not as individuals but as members of the board. In order to make a clear public statement of its philosophy of service to the pupils of the district, the Board adopts this code of ethics.

- A. I will uphold and enforce all laws, State Board rules and regulations, and court orders pertaining to schools. Desired changes should be brought about only through legal and ethical procedures.
- B. I will make decisions in terms of the educational welfare of children and will seek to develop and maintain public schools which meet the individual needs of all children regardless of their ability, race, creed, sex or social standing.
- C. I will confine my Board action to policymaking, planning and appraisal and I will help to frame policies and plans only after the board has consulted those who will be affected by them.
- D. I will behave toward my fellow Board members with the respect due their office--demonstrating courtesy, decorum and fair play at all public meetings and in all public statements.
- E. I will refrain from inappropriate conduct in public meetings and in making public statements, refraining from any disparagement of my fellow Board members or others on a personal, social, racial or religious basis.
- F. I will carry out my responsibility, not to administer the schools, but, together with my fellow Board members, to see that they are well run.
- G. I will recognize that authority rests with the Board of Education and will make no personal promises nor take any private action which may compromise the board.
- H. I will refuse to surrender my independent judgment to special interest or partisan political groups or to use the schools for personal gain or for the gain of friends.
- I. I will hold confidential all matters pertaining to the schools which, if disclosed, would needlessly injure individuals or the schools. But in all other matters, I will provide accurate information and, in concert with my fellow board members, interpret to the staff the aspirations of the community for its schools.
- J. I will vote to appoint the best qualified personnel available after consideration of the recommendation of the Superintendent.
- K. I will support and protect school personnel in proper performance of their duties.
- L. I will refer all complaints to the superintendent and will act on such complaints at public meetings only after failure of an administrative solution.

The Board shall see that all members of the Board receive training in understanding and adhering to this code of ethics and shall discuss it annually at a regularly scheduled public meeting. Each member shall sign documentation that he/she has received a copy of it and has read and understood it.

### Legal References

Adopted: November 6, 2006

Reviewed: December 2008

Re-adopted: May 2, 2011

Re-adopted: May 21, 2012

LR11/09

**Mountain Lakes School District**

## **9271.1 BOARD MEMBER USE OF INTERNET SOCIAL NETWORKS AND OTHER FORMS ELECTRONIC COMMUNICATION**

### Social Networking Websites

Board members will periodically review the importance of maintaining proper decorum in the on-line, digital world as well as in person. This review will give special emphasis to board members' use of Facebook and other social media. Examples of inappropriate behavior from other districts may be reviewed, as behavior to avoid.

**NJ CODE OF ETHICS.** Use of Facebook and other social media by school board members shall be consistent with the NJ Code of Ethics for School board Members, N.J.S.A. 18A:12-24.1.

Board members will refrain from inappropriate conduct in making public statements on Facebook and social networking sites, and will refrain from any disparagement of fellow board members or others on a personal, social, racial or religious basis. Board members shall not send messages that contain material that may be defined by a reasonable person as profane or obscene; messages that are racist, sexist or promote illicit, illegal or unethical activity.

Board members will recognize that authority rests with the board of education and will make no personal promises on social media sites nor take any private action which may compromise the board.

**OPEN PUBLIC MEETINGS ACT.** Board members will not have online conversations that violate or to seek to circumvent the Open Public Meetings Act. Board members may not use online websites to communicate with one another about official board business.

**MAINTAINING CONFIDENTIALITY.** Board members will exercise care not to divulge confidential information about students, school employees, or board business on social media sites. Board members (and employees) who have access to student information are prohibited from disclosing that information without the consent of the adult student or parent of a minor. In general, all records related to the individual student maintained by a school constitute confidential student records.

Board members will not expect that their online conversations will remain private. Discussion of investigations into school issues will not be conducted online. Extreme care shall be taken not to disclose confidential information related to students or employees while interacting online.

**OPEN PUBLIC RECORDS ACT.** If a personal website includes discussion of official board business, board members will be aware that the contents of that discussion will likely constitute a public record and the requirements under the public records law will apply. If the Board member posts comments on official business, that posting may create a public record and the board member will be responsible to meet the record retention requirements of the Open Public Records Act (OPRA).

School board members who use social networking sites shall take precautions to keep communications about official board business separate from private, personal communications.

### Key Words:

Employee Conduct, Cell Phones, Text Messaging, E-Mail

Adopted: January 16, 2018

## **9311 FORMULATION, ADOPTION, AMENDMENT OF POLICIES**

The governance of the district through policies directed toward providing a thorough and efficient education for its pupils is one of the most important functions of the Board of Education. Therefore, the Board shall establish a careful process to provide for:

- A. Development of clear, workable, legal policies that reflect consideration of the will and needs of the community, and
- B. Timely and adequate evaluation of the effectiveness of the policies in the achievement of district objectives and progress toward goals.

To implement effectively the total policy process, the Board appoints the Superintendent as policy coordinator. In cooperation with the Board, he/she shall establish regulations with the procedures to implement this bylaw that shall include an action plan for the systematic development of policies and regulations which implement the policies as well as the regular review of policies and regulations; appropriate policy goal-setting; a process for evaluation of district and school progress toward or achievement of policy goals; and appropriate standards of measurement and criteria for judging such progress.

The procedures shall conform in all respects to the bylaws of the Board concerning agenda and meetings. The procedures shall provide a means whereby all interested parties in the school community may submit proposals for additions and amendments to the school district governance manual, and may contribute opinions and information for the Board's consideration.

The policy coordinator shall ascertain any conflicts between proposed and existing policies and bring them to the attention of the Board at the first reading of the draft. Policies may be adopted on second reading by a majority vote of the members of the Board present and voting or may be further revised until consensus is reached.

In the interest of efficient administration, the Superintendent shall have the power to decide all matters of detail that may arise for which no specific provision is made in the policies adopted by the Board, but no emergency action shall constitute official Board policy. The Superintendent shall present the matter at the next Board meeting, so the Board can consider policy to deal with that situation in the future.

The Board may, under emergency circumstances, suspend the operation of a policy and adopt, amend or repeal a policy without prior notice. Unless the Board acts on such policy at the next meeting, the emergency adoption, amendment or repeal of a policy shall terminate at the next meeting of the Board or at such earlier date as may have been specified by the Board.

The Board reserves to itself the right to final determination of what shall be the official policy of the school district.

### Legal References

Adopted: May 11, 2009

**Mountain Lakes School District**



## **9312 FORMULATION, ADOPTION, AMENDMENT OF BYLAWS**

The Board of Education's bylaws are rules designed to organize and control its internal operations. Some bylaws are set by statute. Others may be formulated and adopted at its option by the Board itself as long as they are in harmony with the intent and specifics of the statutes.

In its deliberations leading to the establishment or amendment of its bylaws, the Board's central concern will be for increased efficiency and effectiveness in carrying out its legally mandated tasks.

The Board may, under emergency circumstances, suspend the operation of a bylaw and adopt, amend or repeal a bylaw without prior notice. Unless the Board acts on such bylaw at the next meeting, the emergency adoption, amendment or repeal of a bylaw shall terminate at the next meeting of the Board or at such earlier date as may have been specified by the Board.

Proposed new bylaws and suggested amendments to or revisions of existing bylaws shall be adopted by a majority vote of the members of the Board present and voting during the second of two regularly or specially scheduled meetings of the Board. The proposed additions, amendments or revisions shall have been described in writing in the calls for these meetings.

### Legal References

Adopted: May 11, 2009

**Mountain Lakes School District**

## **9313 FORMULATION, ADOPTION, AMENDMENT OF ADMINISTRATIVE REGULATIONS**

The Board of education delegates to the Superintendent the function of specifying required actions and designing the detailed procedures under which the school will be operated. Such rules and detailed procedures shall constitute the administrative regulations governing the schools.

These administrative rules and regulations must be consistent with board contracts and policies, the law, rulings of the Commissioner, and rules of the State Board of Education. In the event a regulation is inconsistent with a policy or a bylaw, the policy or bylaw shall take precedence over the regulation.

In the development of rules, regulations, and procedures for the operation of the school system, the Superintendent shall include at the planning stage, whenever appropriate, those employees who will be affected by such provisions.

Such rules and regulations shall be binding on all employees unless or until the Board should vote to change or rescind any such rule or regulation following its presentation at a public meeting of the Board. The Board itself will adopt administrative regulations when specific state laws require Board adoption, and may do so when the Superintendent recommends Board adoption. The Board reserves the right to review and cause revisions of administrative regulations should they, in the Board's judgment, be inconsistent with the policies adopted by the Board.

### Legal References:

Adopted: May 11, 2009

**Mountain Lakes School District**

## **9314 SUSPENSION OF POLICIES, BYLAWS AND REGULATIONS**

The Board of Education has developed a careful and deliberate process of formulating and adopting its policies and bylaws. Requests for suspension of any existing policy or bylaw should receive the same careful consideration.

Therefore:

- A. Any request for a waiver of policy or bylaw shall be considered in light of the policy or bylaw itself, rather than any particular circumstances of the moment.
- B. The Board shall decide whether the policy or bylaw still reflects the considered intent of the board. If it does, the suspension will be denied and the policy or bylaw reaffirmed in the minutes.
- C. If the policy or bylaw does not reflect the intent of the board, then the policy shall be waived by a majority vote of the members of the Board present and voting and development of a revised policy or bylaw shall become the Board's prime policy priority.
- D. The Board shall determine whether rights of the public would be adversely affected by the proposed suspension or waiver of policy. If the public's rights would be adversely affected, the suspension or waiver will be denied.

In the event of an emergency requiring immediate action, the Superintendent shall have the power to waive policy or regulation in the single instance. In such cases, the Superintendent shall report the instance to the Board President immediately, and request reconsideration of the policy at the next regular meeting.

### Legal References

Adopted: January 16, 2006

Reviewed: February 2009

LR07/10

**Mountain Lakes School District**

## 9321 TIME, PLACE, NOTIFICATION OF MEETINGS

Regular meetings of the Board of Education shall be held on dates and at times and places determined by the Board at its annual organization meeting. Special meetings shall be called by the Board Secretary at the request of the President or upon a petition signed by a majority of the Board members, and shall commence no later than 8 p.m.

### Adequate Notice

Adequate notice shall be given for all regular and special meetings. Adequate notice for regular meetings shall be in accordance with the annual notice provisions set forth below. Adequate notice for special meetings generally means written advance notice of at least 48 hours, giving the time, date and location, and, to the extent known, the agenda of the meeting. The notice must state whether formal action may or may not be taken at the meeting. The notice must be:

- A. Prominently posted in at least one public place reserved for such announcements;
- B. Communicated to at least two newspapers designated by the Board because they have the greatest likelihood of informing the public; and
- C. Filed with the clerk of the municipality.

The Board of Education may hold an emergency meeting without providing adequate public notice if:

- A. Three-quarters of the members present vote to do so; and
- B. The meeting is required to deal with matters of such urgency and importance that delay would be likely to result in substantial harm to the public interest; and
- C. The meeting will be limited to discussion of and action on these matters; and
- D. Adequate notice of such meeting is provided as soon as possible following the calling of such meeting; and
- E. One of the following:
  - 1. Either the Board could not reasonably have foreseen the need for such meeting at a time when adequate notice could have been provided; or
  - 2. The need could have been foreseen in time but the Board failed to give adequate notice.

### Announcement of Adequate Notice/Statement of Compliance

At the beginning of every meeting, the presiding officer must announce that adequate notice of the meeting was provided and must specify the time, place and manner in which the notice was provided. However, if adequate notice was not provided, the presiding officer must say so, and in addition, must state:

- A. The nature of the matter of urgency or importance for which the meeting without adequate notice was called; and
- B. The nature of the substantial harm to the public interest likely to result from a delay in holding the meeting; and
- C. That the meeting will be limited to discussion of and action on such matters of urgency and importance; and

D. The time, place, and manner in which some notice of the meeting was provided; and

E. Either of the following:

1. That the need for such meeting could not reasonably have been foreseen at a time when adequate notice could have been provided, and why this was so; or
2. That such need could reasonably have been foreseen in time for adequate notice, but nevertheless such notice was not provided, and the reasons why.

### Annual Notice

Annual notice of the year's regular meeting schedule must be posted publicly and sent to at least two newspapers and the municipal clerk within seven days following the annual organization meeting. This notice should contain the location of each meeting to the extent it is known as well as the time and date.

If the schedule is revised at all, notice must be given within seven days of the revision.

The annual schedule serves as sufficient notice of any regularly scheduled meeting as long as it contains the proper date and location. If most meetings are on a regularly scheduled basis, whether they are formal sessions or study sessions, the notice requirement can be largely met through the once-a-year schedule.

Both the annual schedule of meetings, any revisions to that schedule, and notices of any additional meetings must be sent to any person upon request and upon prepayment of a sum set by the Board. Requests to be on the mailing list for notices can be made on an annual basis and are renewable each reorganization meeting.

### Adjournment

The Board may at any time recess or adjourn to an adjourned meeting at a specified date and place. The adjourned meeting shall take up its business at the point in the agenda where the motion to adjourn was acted upon.

### Legal References

Adopted: May 11, 2009

**Mountain Lakes School District**

## 9322 PUBLIC AND EXECUTIVE SESSIONS

The board of education shall officially transact all business at a legal meeting of the board in accordance with New Jersey law.

All meetings of the board of education shall be open to the public with the exception of meetings to discuss:

- A. Any matter which by express provision of state or federal law or rule of court shall be rendered confidential;
- B. Any matter in which the release of information would impair a right to receive federal funds;
- C. Any material the disclosure of which constitutes an unwarranted invasion of individual privacy, unless the individual (or all the individuals) concerned shall request in writing that the same be disclosed publicly. This includes information contained in pupil records, and any reports or recommendations concerning a specific individual (see policy 1120);
- D. Any collective bargaining agreement or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the actual negotiating sessions with representatives of employee groups;
- E. Any matter involving the purchase, lease or acquisition of real property (land or buildings) with public funds, where it could adversely affect the public interest if discussion of such matters were disclosed;
- F. The tactics and techniques used in protecting the safety and property of the public provided that their disclosure could impair such protection;
- G. Any investigations of violations or possible violations of law;
- H. Any pending or anticipated litigation or contract negotiations other than collective bargaining, and any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his/her ethical duties as a lawyer;
- I. Any matter involving employment, appointment, termination, terms and conditions of employment, evaluation, promotion or disciplining of any prospective or current public employee or officer unless all the individual employees whose rights could be adversely affected request in writing that the matter be discussed at a public meeting;
- J. Any deliberations occurring after a public hearing that may result in the imposition of a specified civil penalty or loss of license to an individual.

Such sessions shall be closed to the public and press, and shall be declared so by a formal motion at a public meeting. Minutes taken at such meetings shall remain confidential only so long as their publication would defeat the purpose of the executive session. That such a meeting will be or was held shall be recorded in the minutes of the preceding or subsequent regular meeting. Board members and other persons attending the session shall not disclose the topic or details of discussion at executive session.

The board may invite staff members or others to attend executive sessions at its discretion.

When public employees make statements pursuant to their official duties: in the classroom, at board meetings, and at other meetings related to educational issues affecting the district, the employees are not speaking as citizens for First Amendment purposes, and the Constitution does not insulate their communications from employer discipline (*Garcetti v. Ceballos*).

No official action shall be taken at executive sessions, except such as may be sanctioned by law. To take final action on any other matter discussed, the board shall convene or reconvene in open session.

## **Public Participation**

Meetings of the board are open to the public and all members of the community should feel free to attend. A time for public discussion of agenda items shall be included in the order of business at an appropriate time.

Brief comments on any matter of interest to the district should be reserved for the time provided in the order of business.

Provision may be made for the introduction by a member of the public of business not on the agenda when the matter is of such urgency or wide interest that delaying consideration of it to the next meeting would not be in the public interest.

Grievances or complaints that have not previously been considered through administrative channels shall not be acted upon by the board.

## **Electronic Communication Among Board Members**

The board of education believes that electronic communication among its members and the administration is an efficient and convenient way to exchange information, but must not be misused to deliberate issues that are appropriately discussed only in a public meeting. Therefore, board members and administrators shall exercise caution when communicating between and among themselves via electronic messaging services including but not limited to email, internet web forums and internet chat rooms. They should understand at all times that these communications may be considered school district records that are subject to public disclosure.

Electronic messaging communication shall conform to the same standards of judgment, propriety and ethics as other forms of board-related communication (committee meetings, telephone calls, etc.). Board members shall adhere to the following guidelines when communicating electronically:

- A. Board members shall not use email or any other electronic messaging service as a substitute for deliberations at board meetings. The Open Public Meetings Act defines a "meeting" as any gathering, whether corporeal or by means of communication equipment, attended by or open to all of the members of a public body, held with the intent to discuss or act as a unit upon the specific public business of that body.
- B. Board members shall be aware that email and email attachments received or prepared for use in board business may be considered public records that may be inspected by any person upon request, unless otherwise made confidential by law.
- C. Board members shall avoid reference to confidential information about employees, students or others in email communications because of the risk of improper disclosure.
- D. Board members shall adhere to the district "acceptable use" policy in all email communications and shall refrain from sending inappropriate, profane, harassing or abusive emails. (See file code 6142.10 Technology).
- E. Board members shall not reveal their passwords to others in the network or to anyone outside of it, except to the system administrator. If any board member has reason to believe a password has been lost or stolen, or that email is being accessed by someone without authorization, he/she shall notify the chief school administrator immediately.

## **Electronic "Surveying" Communications**

The board of education believes that "paperless board meetings" are a type of electronic communication among its members and the administration that is an efficient and convenient way to exchange information, but must not be misused to deliberate issues that are appropriately discussed only in a public meeting. Therefore, board members and administrators shall exercise caution when communicating between and among themselves via electronic messaging services including but not limited to surveying, email, internet web forums and internet chat rooms.

The surveying features of paperless board meetings shall be used consistent with the New Jersey Open Public Meetings Act by restricting its use in the following ways:

- A. The board shall maintain and provide access to all electronic communications pursuant to the New Jersey Open Public Records Act.
- B. Surveying is a type of electronic messaging communication, and shall conform to the same standards of judgment, propriety and ethics as other forms of board-related communications (committee meetings, telephone calls, etc.).
- C. Board members shall not use surveys, email or any other electronic messaging service as a substitute for deliberations at board meetings. The Open Public Meetings Act defines a "meeting" as any gathering, whether corporeal or by means of communication equipment, attended by or open to all of the members of a public body, held with the intent to discuss or act as a unit upon the specific public business of that body.
- D. Surveying will not be used for topics referring to confidential information about employees, students or others in email communications because of the risk or improper disclosure.
- E. The district will avoid the appearance of conducting board discussion or actions, in which opinions are exchanged among a quorum of board members through repeated survey questions and answers, outside an open public meeting.
- F. The board shall annually review its electronic communication policy and practices with the board attorney.

### Key Words

Board of Education Meetings, Public and Executive Sessions, Executive Sessions

### Legal References:

- N.J.S.A. 2C:33-8 Disrupting meetings and processions
- N.J.S.A. 10:4-6 *et seq.* Open Public Meetings Act
- N.J.S.A. 10:4-12 a.
- N.J.S.A. 18A:10-6 Board meetings public; frequency; hours of commencement; adjournment, etc., for lack of quorum
- N.J.S.A. 18A:11-1 General mandatory powers and duties
- N.J.S.A. 18A:12-21 *et seq.* School Ethics Act
- N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
- N.J.S.A. 47:1A-1 *et seq.* Public Records; Examination and Copies ("Open Public Records Act")
- N.J.A.C. 6A:32-12.1 Reporting requirements



*Rice v. Union City Board of Education*, 143 N.J. Super 64 (1978)

5 U.S.C. Section 552 as amended by Public Law No. 104-231, 110 Stat. 3048 Freedom of Information Act

*Garcetti v. Ceballos* 2006 U.S. LEXIS 4341 (May 2006)

Adopted: May 11, 2009

Revised: January 16, 2018

**Mountain Lakes School District**

## **9322.1 ORGANIZATION MEETING**

The Board of Education shall organize annually at a regular meeting held for that purpose on any day of the first ten days of the calendar year.

The meeting shall be called to order by the Board Secretary, who shall serve as presiding officer pro tempore until the election of a President.

The Board Secretary shall administer the oath of office to new Board members.

At the organization meeting the Board shall take all actions required by law, including but not limited to, designating depositories for school funds, designating the official newspapers, establishing regular meetings schedule, approving the curriculum, re-adopting bylaws and policies, adopting a calendar, and appointing service providers to the Board.

N.J.S.A. 18A:10-3; 18A:10-5

N.J.S.A. 41:1-1; 41:1-3

Previously Policy No. 0151

Adopted: November 5, 2001

Revised: January 3, 2006

Revised: May 11, 2009

Revised: February 28, 2017

**Mountain Lakes School District**

## **9323/9324 AGENDA PREPARATION/ADVANCE DELIVERY OF MEETING MATERIAL**

The Superintendent and the Board Secretary, in consultation with the Board President, shall prepare the agenda for all meetings of the Board.

Items of business suggested by any Board member, staff member, or citizen of the district may be included at the discretion of the Superintendent, the Board Secretary and Board President. When appropriate, the agenda shall allow time for the remarks of citizens, staff members, or pupils who wish to speak briefly before the Board.

The agenda shall be published pursuant to provisions of the Open Public Meetings Act. The Board shall follow the order of business set up by the agenda unless the order is altered by a majority vote of the members present and voting. At a regularly scheduled meeting for which an advance agenda has been provided to the public, items of business not anticipated at the time the agenda was prepared may be discussed and acted upon if a majority of the Board present and voting agrees to consider them. Subject to Policies 9311 through 9314, existing Board policies and bylaws may not be revised or new ones adopted unless the proposals are on the written agenda.

The agenda, together with supporting materials, shall be distributed to Board members sufficiently prior to the Board meeting to permit them to give items of business careful consideration. The agenda shall also be made available to the press, representatives of community and staff groups, and others, upon request.

### Legal References

Adopted: May 11, 2009

**Mountain Lakes School District**

## **9325.4 VOTING METHOD**

Official actions may be taken only at a regular monthly or specially called meeting at which a quorum is present. All motions shall require for adoption a majority vote of those present and voting (minimally, a majority of the quorum), except as provided by code or statute.

If a recorded roll call majority vote is required by code or statute, the vote shall be by roll call. Other votes can be conducted by voice, show of hands or roll call, provided that the total number of votes are recorded. Proxy voting is prohibited. Any member may request that the Board be polled.

The Boonton Township Board of Education representative shall vote on eligible matters as provided by law and in accordance with Policy 9110.

### Abstentions

A member may abstain from voting. An abstention shall be so recorded and shall not be counted as either an affirmative or a negative vote. Abstentions are to be so recorded, regardless of whether a person speaks for or against a motion prior to stating his/her wish to abstain. The silence of a member on any vote shall be recorded as an abstention.

The Exhibit to this Policy sets forth a brief explanation of the voting requirements.

### Legal References

Adopted: May 11, 2009

**Mountain Lakes School District**

## **Exhibit 9325.4-E BOARD VOTING REQUIREMENTS- EXHIBIT**

View or Print Board Voting Requirements- Exhibit.

**Mountain Lakes School District**

## 9326 MINUTES

The minutes of all meetings of the Board shall be sufficiently detailed to serve as documentation of Board compliance with New Jersey statutes and administrative code.

The minutes of the meetings of the Board shall include:

- A. The classification (regular, adjourned or special), date, and place of meeting;
- B. The call to order stating time, person presiding and his/her office;
- C. The record of the roll call of Board members;
- D. A notation of the presence of the Superintendent, Business Administrator/Board Secretary, administrators and the public;
- E. Announcement of notification listing the newspapers by name;
- F. A record of any corrections to the minutes of the previous meetings and the action approving them;
- G. A record of all communications presented to the Board;
- H. A record of each motion placed before the Board, the result of the vote, and the vote of each member.

A copy of the minutes of the previous meeting shall be sent to all Board members along with agenda materials.

The minutes shall be filed permanently for reference purposes.

All reports requiring Board action, resolutions, agreements and other written documents shall be placed in the files of the Board Secretary and/or the Superintendent as a permanent record.

### Minutes of Closed Meetings

The minutes of closed meetings must be made available to the public as soon as the reason for confidentiality no longer applies. When a closed meeting deals with more than one privileged matter, the minutes shall be prepared in such a way that each matter can be separated and disclosed in a timely manner.

### Public Access to Minutes

Unapproved minutes of all regular meetings shall be available to the public for inspection 48 hours prior to the next regularly scheduled meeting.

The Board Secretary (or other person deemed to be the custodian of public records) shall permit the minutes to be inspected, examined and copied by any person during regular business hours. The Board may charge a fee for copies of the minutes as provided by law.

### Electronic Recording

The School Business Administrator/Board Secretary may make an electronic recording of each Board meeting as an administrative aid in the preparation of minutes; the electronic recording shall be retained for a minimum of 45 days or until the minutes are prepared, whichever is longer, after which time they may be erased. All tapes are the sole property of the Board, and any individual requesting access to these materials must do so in writing five working days in advance. Tapes shall not be removed from the Board office and must be played in the presence of the Board Secretary/designee.

## Recording by the Public

Any member of the public may record the proceedings of a public meeting of the Board in a manner that does not interrupt the proceedings, inhibit the conduct of the meeting, or distract Board members or other observers present at the meeting.

The Board will permit the use of audio and video recording only when notice of such intended use has been given to the Board Secretary no later than two business days in advance of the meeting. No more than three movie or video camera(s) may be in use at any time, and any camera must be operated in an inconspicuous location in the meeting room, as determined by the Business Administrator.

Where the Board determines that continued audio/video recording of the meeting may violate a person's right to privacy, the Board may request that taping be suspended.

The presiding officer shall determine when any recording device interferes with the conduct of a Board meeting and may order that an interfering device be removed.

The Board reserves the right to relax this policy in its sole discretion. The Board acknowledges that parents and other participants may use videotape, still or movie camera(s) during student recognition ceremonies, as long as the use of the equipment does not interfere with the orderly functioning of the Board.

Any record of a Board meeting that is made available to persons other than the maker of the record and is set forth as a true and accurate record of that meeting must be open to inspection by the Board and may be copied by this Board at the Board's expense.

The Board shall bear absolutely no liability for any damaged, lost or stolen recording equipment or for any damage or injury proximately caused by any person recording Board proceedings or by any such recording equipment.

## Legal References

Previously Policy No. 0168

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Revised and Adopted: April 30, 2007

Revised: May 11, 2009

Revised and Re-adopted: November 17, 2014

LR2011

**Mountain Lakes School District**

## **9400 BOARD SELF EVALUATION**

The Board of Education is committed to the belief that every part of the school system in this district should be accountable to the public and that performance evaluation is essential to that accountability. The Board further believes that the improvement and growth of any institution depends upon an honest appraisal of its strengths and weaknesses.

The members of the Board of Education shall conduct an annual self-evaluation each year to determine the degree to which they are meeting their responsibilities as board members and the needs of their educational community. This self-evaluation shall be positive, frank and honest, and shall be used to establish priorities for action and specific goals and objectives to strengthen the operation of the Board.

The Board shall use a multifaceted self-evaluation instrument, as recommended by the NJSBA, with such changes as the Board may deem appropriate.

The assessments of Board members will be tabulated and presented for discussion at a regular meeting of the Board in which the Superintendent will be invited to participate. The Board will formulate, as appropriate, goals and priorities that will serve to guide the Board in the ensuing school year.

### Legal References

Previously Policy No. 0134

Adopted: November 5, 2001

Re-adopted: January 3, 2006

Revised: May 11, 2009

**Mountain Lakes School District**



**PARENT NOTIFICATION POLICIES**

**Mountain Lakes School District**

**NO CHILD LEFT BEHIND POLICIES**

**Mountain Lakes School District**

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3220/3230 State/Federal Funds

3260/3270 Sale and Disposal of Books, Equipment and Supplies

4119.23/4219.23 Employee Substance Abuse

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**Paraprofessionals**

4123 Paraprofessionals

**Mountain Lakes School District**



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1100 Communicating with the Public

1111 District Publications

1120 Board of Education-Trustees Meetings

1220 Ad-Hoc Advisory Committees

1312 Community Complaints and Inquires

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5111 Admission

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6142.1 Family Life Education

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5131.7 Weapons and Dangerous Instruments

**Mountain Lakes School District**

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5131.1 Harassment, Intimidation and Bullying

**Mountain Lakes School District**

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1230 School-Connected Organizations

1250 Visitors

2224 Nondiscrimination

3250 Income from Fees, Fines and Charges

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5113 Attendance, Absences and Excuses

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5141.21 Administering medication

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6114 Emergencies and Disaster Preparedness

6145.1 Intramural/Interscholastic Competition

6153 Field Trip

6161.1 Evaluation and Selection of Instructional Materials


**Mountain Lakes School District**

**NEW JERSEY PERMANENT STATUTES**

View Pertinent New Jersey Permanent Statutes

**Mountain Lakes School District**

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**Mountain Lakes School District**



