FMB
Principal's Report
June 2021



What a year!!

We ended the year with a few of our favorite activities!

The students read over 2900 books during the week of reading so Mrs. Mizelle was duct taped to the wall. Every student had a chance to stick some tape and add to the fun.

The Andover Fire Department did not disappoint! We had the annual dousing of the students and all had a great time!

We are prepared for the start of Summer Academy, Extended School Year and Safety Town. It will be a busy July for FMB.

The 4th grade clap-out was organized by the staff so that we could send the students out in style. We lined up around the building and the 4th graders paraded the perimeter of the building. Parents were invited to attend.

We wish our 4th graders all the luck as they venture across the road to Long Pond.

Personnel Placement 2021-2022

Last Name	First Name	Position	Assignment	Assignment Code	Certificate Being Used	LPS/FMB
Anello	Deb	General Education	Grade 2	1001	1000 - Elem	FMB
Antonucci	Tammy	General Education	Intervention Teacher	1004	1000 - Elem	FMB
Apgar	Gloria	Special Education	Special Education-Middle School	1003	2470 - TOH	LPS
Brady	Kristen	Special Education	Special Education-Elementary	1001	2475 - TOSD	FMB
Iazzetti	Justin	Special Education-LTR	Learning Language Disabled	1001	2475-TOSD	FMB
Bogart	Jennifer	General Education	1st Grade	1001	1001 - Elem K-6	FMB
Burneyko	Erik	Nurse	Nurse - Middle School	3115	3010 - School Nurse	LPS
Carle	Tom	General Education	General Music, Chorus	2130	2100-Music (Provisional)	LPS/FMB
Coffey	Jennifer	General Education	Social Studies	2322	2300 - Social Studies	LPS
Coiro	MaryHelen	General Education	Physical Education	1607	1605 - PE	LPS/FMB
Cotter	Tara	General Education	21st Century Teacher	1001	1000 - Elem	LPS
Cotto	Cary	Special Education	Speech Therapist	3120	3462 - Speech	LPS/FMB
Davis	Lauren	Special Education	Special Education-Elementary	1003	2475 - TOSD (Provisional)	FMB
Decker	Kevin	Day Time Custodian	Day Time Custodian	9500	n/a	FMB
Delfing	Lynn	CST Secretary	CST Secretary	9300	n/a	LPS
Dlugos	Aimee	General Education	Pre-School	1000	1000-Elem/1013-PreK-3 (CE)	FMB
DuCharme	Mindy	General Education	Kindergarten	1001	1013-PreK-3 (Provisional)	FMB
Ehehalt	Wendy	Physical Education	Physical Education	1607	1605-PE	FMB
Fancera	Gerald	Day Custodian	Day Custodian	9600	n/a	LPS
Fink	Steven	Evening Custodian	Evening Custodian	9600	n/a	FMB
Gardepe	Shelley	General Education	Grade 3	1001	1000-Elem	FMB
Granholm	Jill	General Education	Band 4-8, G & T (K-4), ELL	1001	1000-Elem (CEAS) / 2100 Music	FMB/LPS
Grennan	Kristen	Special Education	Special Ed- Elementary	1001	2470 - TOH	FMB
Hasten	James	General Education	Math - Grade 5	1102	1000 - Elem	LPS
Hauptly	Kara	FMB Librarian/21st Century	FMB Librarian/21st Century	3105/1000	2845- Librarian/Media Spec(CEAS) &	FMB
Henderson	David	Custodian	Custodian	9600	n/a	FMB
Houtman	Cheryl	Special Education	ICS-Elementary	2406	2470 - TOH	FMB
Hubble	Jessica	General Education	Intervention Teacher	1004	1013-PreK-3	FMB
Huffman	Lauren	General Education	4th Grade ELA/SS	1001	1000 - Elem (& 3310 Reading Specia	FMB
Jennings	Deb	General Education	Kindergarten	1003	1000 - Elem	FMB
Johnson	Jill	General Education	Grade 2	1001	1013-PreK-3	FMB
Korp	Wendy	Main Office Secretary	Main Office Secretary	9300	n/a	LPS
LaBarge	Leo	Special Education	Emotional Regulation Impairment	1001	2475 - TOSD	LPS
LaBouseur	Gabby	Special Education	Preschool	1001	2470 - TOH	FMB
Longo	JoAnna	General Education	First Grade	1001	1013 - PreSchool-Grade 3 (CEAS)	FMB
Maurice	Brendan	Guidance Counselor	Guidance Counselor	3101	2702 - School Counselor	FMB
Maxwell	Alyssa	Special Education	Kindergarten Self Contained	1000	2475 - TOSD (Provisional) & 1013 Pr	FMB
McCurry	Allison	(CST) Social Worker	(CST) Social Worker	3117	3200 - School Social Worker	LPS/FMB
McKeown	Jennifer	Guidance	Guidance	3101	2702 - School Counselor	LPS
Mendes	Connor	General Education	Social Studies	2322	2300 - Social Studies (CE)	LPS
Mirena	Elyse	General Education	ELA 8th	1106	1401 - English	LPS
Moriarty	Jeni	General Education	3rd Grade	1004	1001 - Elem K-6	FMB
Morrell	Rebecca	General Education	ELA 5th	1106	1106 - Elem w/spec ELA 5-8	LPS
Moustakas	Nickolas	General	Physical Education/APE	1607	1605 PE	LPS
Murphy	Brian	Custodian	Custodian	9600	n/a	FMB
Myers	Darice	General Education	Science	1001	1000 - Elem	LPS
Nelson	Gary	Custodian	Custodian	9600	n/a	FMB
Oberg	Stephanie	Special Education	Middle School Teacher	2406	2475 - TOSD	LPS
Passannante	Summer	Special Education	MIddle School Teacher	2406	2475 - TOSD	LPS
Del Duca	Alison	Special Education	Speech Therapist	3120	3462 - Speech & Language	FMB
Petersen	David	General Education	Science	1103	1103 - Elem w/Science 5-8	LPS
Pettinelli	Kim	Special Education	Multiple Disabled	1004	2470 - TOH	FMB
Posser	Stephanie	Special Education	Learning/Language Disabled- Middle	1007	2470 - TOH	LPS
Prol	Stephanie	General Education	Kindergarten	1001	1001 - Elem K-6	FMB
Publik	Stacy	General Education	ELA 7th	1401	1410 - English	LPS
Rosselli	Kim	Special Education	Special Ed - Elem	1001	2470 - TOH	FMB
Sajdak	Meredith	General Education	ELA 6th	1106	1000 - Elem	LPS
Serratelli	Claire	General Education	Art	1200	1200 - Art	LPS/FMB
Schick	Deb	General Education	Grade 4-Math/Science	1004	1000 - Elem	FMB
Sica	Sandra	Special Education	MIddle School Teacher	1001	2470 - TOH	LPS
Silvernail	Katie	General Education	Grade 8 - Math	1102	1900 - Math (all grades)	LPS
Sincaglia	Irene	Nurse	Nurse - Elem	3115	3010 - Nurse	FMB
Skoldberg	Beth	General Education	1st Grade	1001	1001 - Elem K-6	FMB
Smith	Nicole	Special Education	Special Ed - Elem	1001	2475 - TOSD	FMB
Spaldo	Nicole	OT	OT	3111	2910 - School Occup.Therapist	LPS/FMB
Torres	Marianela	General Education	Spanish	1150	1550 - Spanish	LPS/FMB
Van Blarcom	Melissa	(CST) Psychologist	(CST) Psychologist	3116	3100 - School Psychologist	LPS/FMB
Vazquez	Sandy	LPS	Custodian	9600	n/a	LPS
Westervelt	Theresa	Main Office Secretary	FMB	9300	n/a	FMB
Willemsen	Deb	General Education	Grade 6 - Math	1102	1102 - Math (5-8)	LPS
Whitaker (Lazur)	Mariann	Special Education	Self Contained Preschool	1000	2470 - TOH	FMB
Zanella	Steve	General Education	Grade 7 - Math	1102	1000 - Elem	LPS

Personnel Placement 2021-2022

Last Name	First Name	Position	Assignment	Assignment Code	Certificate Being Used	LPS/FMB
Burns	Clifford	Superintendent	Superintendent of Schools	102	0101 - School Administrator	LPS
Fleming	Bryan	Principal	Principal - Middle School (LPS)	0231	0200 - Principal	LPS
Mizelle	Cindy	Principal	Principal - Elementary (FMB)	0231	0200 - Principal	FMB
Reynolds	Jennifer	Supervisor of Curric & Instr	Supervisor of Curric & Instr	0300	0106 - Supervisor	LPS/FMB
Ross	Suzanne	(CST) LDTC/ CST Supervisor	(CST) LDTC/ CST Supervisor	0324	0106 - Supervisor	LPS/FMB
Sylvester	Nicole	BA/Board Secretary	BA/Board Secretary	0112	0109 - School Business Admin	LPS

Personnel Placement 2021-2022				
Last Name	**First Name**	**Position/Assignment**	**Certificate Being Used**	**LPS/FMB**
Clark	Kimberly	Paraprofessional	n/a	TBD
Cook	Stephanie	Paraprofessional	n/a	TBD
Cooke	Elaine	Paraprofessional	n/a	TBD
Coston	Candice	Paraprofessional	n/a	TBD
D'Angelo	Audrey	Paraprofessional	n/a	TBD
Finley	Amy	Paraprofessional	n/a	TBD
Goldberg	Kathleen	Paraprofessional	n/a	TBD
Harding	Caroline	Paraprofessional	n/a	TBD
Leiby	Kaitlyn	Paraprofessional	n/a	TBD
Magarino	Lauren	Paraprofessional	n/a	TBD
Murphy	Nadine	Paraprofessional	n/a	TBD
Nichols	Marianne	Paraprofessional	n/a	TBD
Patel	Manisha	Paraprofessional	n/a	TBD
Pike	Jennie	Paraprofessional	n/a	TBD
Potter	Cindy	Paraprofessional	n/a	TBD
Roque	Maria	Paraprofessional	n/a	TBD
Sica	Natasha	Paraprofessional	n/a	TBD
Sumski	Lisa	Paraprofessional	n/a	TBD
Williams	Loretta (Lori)	Paraprofessional	n/a	TBD
Zuber	Patricia (Trish)	Paraprofessional	n/a	TBD

Personnel Placement 2021-2022

Last Name	First Name	Position	Assignment	Assignment Code	Certificate Being Used	LPS/FMB
Medwin	Richard	Supervisor Buildings & Grounds	Supervisor/Custodian	9500	n/a	LPS
DeLuca	Joe	Tech/Network Systems Administrator	Tech/Network Systems Adminis	9200	n/a	LPS
Housby	Melinda	IT Support	IT Support	9300	n/a	FMB
Kristiansen	Linda	Transportation/Purchasing Asst.	Transportation Clerk	9300	n/a	LPS
Lowery	Crystal	Payroll Coordinator	Payroll & Benefits Coordinator	9300	n/a	LPS
Mehekens	Stacey	Assistant to the BA	Assistant to the BA	9300	n/a	LPS
Reardon	Cindy	Secretary to the Superintendent	Secretary to the Superintender	9300	n/a	LPS
Wolverton	Ian	Tech Assistant	IT Support	9200	n/a	LPS

Long Pond School

Monthly Principal's Report

School: **Long Pond School**

Month: **5/6/21 to 6/16/21**

Submitted: **Bryan Fleming / LPS Principal**

- NJHS Induction- Thanks to Mrs. Publik and the LPS Faculty Council, LPS held a beautiful outdoor induction ceremony for our current and newly inducted NJHS students.

- Spring Musical/Band & Chorus- Mr. Carle and Mrs. Granholm produced Long Pond School's first ever virtual Spring Musical as well as a virtual Spring Concert featuring songs from both band and chorus. The best part about the virtual setting was that all students in grades preK-8 were able to watch them both as a school district wide virtual assembly.

- Track and Field- Coach Moustakas and Coach Zanella are commended for their efforts in running a modified Spring Track and Field program. We were able to schedule a few meets this Spring and our student athletes did a great job.

- 8th Grade Field Day- We appreciated Mr. Moustakas' drive and dedication to plan a special field day event for our 8th grade students. They enjoyed a day of fun and food in a safe environment at all times. Many LPS faculty and staff were able to join in on the fun at various points of the day.

- 8th Grade Promotion Ceremony- Thanks to the support of the BOE and the current safety guidelines in place, we were able to hold a special outdoor Promotion Ceremony for our students. The only thing that comes into play with an outdoor venue is the unpredictable weather and field conditions. There are three dates in place to accommodate weather and field conditions.

ANDOVER REGIONAL SCHOOL DISTRICT **A-9.1**

Central Office Administration

TITLE: PAYROLL COORDINATOR

QUALIFICATIONS:
1. High School Diploma.
2. Technical training preferred.
3. Knowledge of principles and practices of payroll, bookkeeping, and accounting procedures.
4. Ability to apply knowledge to work situations.
5. Skill in preparing financial records.
6. Ability to gather data and make judgments.
7. Ability to communicate and work efficiently and effectively with district and school staff.
8. Demonstrated excellent computer and technology skills to accomplish assigned tasks.
9. Skilled in the operation of office machines, copiers, computer, and general office skills required.
10. Ability to maintain strict confidentiality.
11. Required criminal history background check and proof of U.S. citizenship or legal resident alien status.

REPORTS TO: School Business Administrator

JOB GOAL: To perform payroll responsibilities and assist in the administration of payroll and benefits program promptly, accurately, and efficiently in accordance with federal, state, and district policies and procedures and schedules.

PERFORMANCE RESPONSIBILITIES:

1. Receive, compute, and post all payroll transactions, making deductions for Federal withholding, FICA, State tax, SUI, pension, loans, purchase of arrears, savings withheld, contributory insurance, tax shelters, disability insurance, NJEA dues, garnishments, and other accounts as authorized by the Board of Education.
2. Prepare payments and reports for all of the above agency accounts monthly; submit monthly, quarterly and annual reports for required accounts.
3. Maintain spreadsheet covering all deductions.
4. Prepare all tax forms relating to payroll.
5. Mail or distribute checks to all employees.
6. Review payroll transactions for accuracy and completions by verifying against appropriate documentation inputting payroll data into the computer for tracking manipulation, reporting purposes; and compiles and prepares specialized payroll reports.
7. Researches payroll records to assist in the identification and resolution of problems, errors, or inadequacies of payroll confirmation.
8. Function as the first point of contact for benefit vendors and internal customers.
9. Assist with the annual open enrollment process and other special projects as needed.
10. Serve as the certifying officer working with the school business administrator.
11. Process all enrollment, retirement, or withdrawal forms of employees for pension purposes.
12. Assist employees with completion of forms; i.e. benefits, loans, purchase.
13. Complete quarterly R.O.C. to pension system.
14. Maintain records of payments by employees on leave or retirees for insurance benefits and take appropriate action if payments are not received in a timely manner.
15. Receive verification of employment calls.
16. Reconcile checkbook with bank statement for Agency Account and Unemployment Account.

17. Make all necessary bank transactions and deposits as they relate to payroll.
18. Work with Treasurer of School Monies to assure 100% accuracy of all payroll funds.
19. Work with Central Office to track longevity credits as per all negotiated agreements.
20. Tally and prepare a spreadsheet for "on call" substitute's hours for payment.
21. Maintain off-site setup to ensure all operations will continue in the event of an emergency.
22. Work with plan administrator on all 403(b), 457, and 529 in accordance with current State of NJ and IRS laws and regulations.
23. Liaison to all voluntary deduction representatives; i.e. AFLAC disability, Prudential disability, etc to setup "meet and greets" for new as well as current employees.
24. Assist with the preparation of scattergrams and salary guide development for anticipated contract negotiations.
25. Work with all agencies regarding garnishments and/or court-ordered withholdings.
26. Work with eligible employees for health benefit enrollment services changes, additions, deletions, etc. including COBRA and HIPPA.
27. Work with in-service brokers and as needed regarding health benefits.
28. Cover transportation and finance areas when needed.
29. Assist the Business Office staff with other tasks related to the efficient operation of the office as assigned

TERMS OF EMPLOYMENT: This is a 12-month full-time position with the salary to be determined by Board of Education on a yearly basis.

EVALUATION: Performance of this job will be evaluated in accordance with provisions of the Board's policy on evaluation of non- certified staff.

APPROVED BY: Board of Education **DATE:** May 4, 2004

REVISED: January 18, 2005; October 20, 2009; March 16, 2010; September 20, 2011; June 23, 2021

LEGAL REFERENCES:

N.J.S.A. 18A:6-7.1	**Criminal history record**
N.J.S.A. 18A:16-1	**Officers and employees in general**
N.J.S.A. 18A:16-2	**Physical examinations**
N.J.S.A. 18A:17-2	**Tenure of secretarial and clerical employees**
N.J.S.A. 18A:4-14, -14.1	**Uniform system of bookkeeping for school districts**
N.J.S.A. 18A:34-2	**Care and keeping of textbooks and accounting**
N.J.A.C. 6A:23-2	**School employee physical examinations**

Immigration Reform and Control Act of 1986, 8 U.S.C.A. 1100 et seq.

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ANDOVER REGIONAL SCHOOL DISTRICT
707 Limecrest Road
Newton, NJ 07860
Telephone: 973-315-5255 FAX: 973-383-8348

ARSD Monthly Suspension/HIB Report

5/6/21 -6/16/21

Suspensions						
	Student ID	**Grade**	**Gender**	**Infraction**	**ISS/OSS**	**# of Days**
FMB						0
LPS	4227	5	m	disruptive/inappropriate behavior	ISS	1
	4227	5	m	disruptive/inappropriate behavior	OSS	2
	4517	6	m	disruptive/inappropriate behavior	ISS	1.5
	3927	6	m	disruptive/inappropriate behavior	OSS	1
	4225	6	m	disruptive/inappropriate behavior	OSS	2

Harassment, Intimidation, and Bullying Reports				
	# of Alleged Incidents	# of Confirmed Incidents	Nature of Confirmed Incidents	Hours of Investigation
FMB	0	0		0
LPS	2	0		4

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A. Evaluations

1. Each nontenured teaching staff member shall be evaluated in strict compliance with N.J.S.A. 18A:27-3.1, N.J.A.C. 6A:10-1.1 et seq., and the policies and procedures of this district.

B. Nonrenewal Recommendation

1. When a nontenured teaching staff member's performance does not meet the standards of the school district, employment will not be offered to the nontenured teaching staff member for the succeeding school year.

2. On or before May 15 of each year, each nontenured teaching staff member continuously employed by a Board of Education since the preceding September 30 shall receive a written notice from the Superintendent that such employment will not be offered if the Superintendent recommends the nontenured teaching staff member not be renewed.

3. A recommendation by the Superintendent to not renew a nontenured teaching staff member's contract for the succeeding school year may be based upon the nontenured teaching staff member's observations, evaluations, job performance, or any factor affecting his/her employment in the school district.

4. A nontenured teaching staff member employment contract can be renewed only upon the Superintendent's recommendation and a recorded roll call majority vote of the full membership of the Board. The Board shall not withhold its approval for arbitrary and capricious reasons.

C. Nonrenewal Action

1. Prior to notifying the nontenured teaching staff member of the nonrenewal, the Superintendent shall notify the Board of the recommendation not to renew the nontenured teaching staff member's contract and the reasons for the recommendation. The Superintendent may notify the Board members of the recommendation not to renew the nontenured teaching staff member's contract and the reasons for the recommendation in a written notice to the Board prior to May 15 or in the alternative, in executive session. If notification is provided to the Board in executive session, the Superintendent and the Board will meet in executive session prior to May 15 to review the Superintendent's recommendation(s).

   a. Notice of the executive session shall be given in accordance with N.J.S.A. 10:4-13 and individual notice shall be given, not less than forty-eight hours in advance of the meeting, to those nontenured teaching staff members whose possible nonrenewal will be discussed at the meeting. If any such nontenured teaching staff member requests the discussion take place in public, the recommendation for his/her nonrenewal will be severed from any other nonrenewal recommendation(s) and will be scheduled for discussion at a public meeting prior to May 15.

2. A nontenured teaching staff member not recommended for renewal by the Superintendent is deemed not renewed. A Board of Education vote is not required on the Superintendent's recommendation(s) to not renew a nontenured teaching staff member's contract.

D. Notice of Nonrenewal

1. The nonrenewal notice shall be provided to the nontenured teaching staff member not recommended for renewal by the Superintendent on or before May 15. If hand delivered, a record shall be made of the date on which delivery was made. If sent by mail, the notice shall be sent registered mail, return receipt requested, to the nontenured teaching staff member's address of record.

E. Request for Statement of Reasons

1. Any nontenured teaching staff member receiving notice that a teaching contract for the succeeding school year will not be offered may, within fifteen calendar days thereafter, request in writing, a statement of the reasons for such non-employment which shall be given to the nontenured teaching staff member in writing within thirty calendar days after the receipt of such request.

2. The statement of reasons for a nonrenewal will set forth, with as much particularity as possible, the precise reasons for the nonrenewal. Where the nonrenewal is based on performance deficiencies recorded in the nontenured teaching staff member's observations and evaluations and the nontenured teaching staff member has been given a copy of those observations and evaluations, the statement of reasons may incorporate the observations and evaluations by reference.

3. The written statement of reasons will be prepared by the Superintendent.

F. Nonrenewal Appearance

1. Whenever the nontenured teaching staff member has requested in writing and received a written statement of reasons for non-reemployment pursuant to N.J.S.A. 18A:27-3.2, the nontenured teaching staff member may request in writing an informal appearance before the Board. The written request shall be submitted to the Board within ten calendar days of the nontenured teaching staff member's receipt of the Board's statement of reasons.

2. The informal appearance shall be scheduled within thirty calendar days from the nontenured teaching staff member's receipt of the Board's statement of reasons.

3. The Board will exercise discretion in determining a reasonable length of time for the proceeding, depending upon each instance's specific circumstances.

4. The proceeding of an informal appearance before the Board may be conducted in executive session pursuant to N.J.S.A. 10:4-12(b)(8). If conducted in executive session notice must be given in accordance with N.J.S.A. 10:4-13.

5. The Board shall provide the nontenured teaching staff member adequate written notice regarding the date and time of the informal appearance.

6. The nontenured teaching staff member's appearance before the Board shall not be an adversary proceeding. The purpose of the appearance shall be to provide the nontenured teaching staff member the opportunity to convince Board of Education members to offer reemployment.

7. The proceeding of an informal appearance before the Board shall be conducted with the President of the Board presiding.

8. The nontenured teaching staff member may be represented by an attorney or by one individual of his/her choosing. The nontenured teaching staff member may present, on his or her behalf, witnesses who do not need to present testimony under oath and shall not be cross-examined by the Board. Witnesses shall be called one at a time into the meeting to address the Board and shall be excused from the meeting after making their statements.

G. Final Determination

1. A Board vote is not required on the Superintendent's recommendation(s) to not renew a nontenured teaching staff member. However, after an informal appearance before the Board, the Superintendent may make a recommendation for reemployment of the nontenured teaching staff member to the voting members of the Board. If the Superintendent recommends the nontenured teaching staff member for reemployment, the voting members of the Board must, by a majority vote of the full Board at a public session, approve or not approve the Superintendent's recommendation for reemployment.

2. The Board may, with a majority vote of its full membership in public session and without the recommendation of the Superintendent, offer the nontenured teaching staff member reemployment after the informal appearance before the Board.

3. Within three working days following the informal appearance, the Board shall notify the affected nontenured teaching staff member, in writing, of its final determination. The Board may delegate notification of its final determination to the Superintendent or Board Secretary.

Revised: July 21, 2021

A. Definitions – N.J.A.C. 6A:10-1.2

The following words and terms shall have the following meanings when used in Policy and Regulation 3221 unless the context clearly indicates otherwise:

"Announced observation" means an observation in which the person conducting an observation for the purpose of evaluation will notify the teacher of the date and the class period the observation will be conducted.

"Annual performance report" means a written appraisal of the teacher's performance prepared by the teacher's designated supervisor based on the evaluation rubric for his or her position.

"Annual summative evaluation rating" means an annual evaluation rating that is based on appraisals of educator practice and student performance, and includes all measures captured in a teacher's evaluation rubric. The four summative performance categories are ineffective, partially effective, effective, and highly effective.

"Calibration" in the context of educator evaluation means a process to monitor the competency of a trained evaluator to ensure the evaluator continues to apply an educator practice instrument accurately and consistently according to the standards and definitions of the specific instrument.

"Chief School Administrator" means the Superintendent of Schools or the Administrative Principal if there is no Superintendent.

"Commissioner" means Commissioner of the New Jersey Department of Education.

"Co-observation" means two or more supervisors who are trained on the practice instrument who observe simultaneously, or at alternate times, the same lesson or portion of a lesson for the purpose of training.

"Corrective Action Plan" means a written plan developed by the designated supervisor in collaboration with the teacher to address deficiencies as outlined in an evaluation. The corrective action plan shall include timelines for corrective action, responsibilities of the individual teacher and the school district for implementing the plan, and specific support that the district shall provide as defined in N.J.S.A. 18A:6-119.

"Department" means the New Jersey Department of Education.

"Designated supervisor" means the supervisor designated by the Superintendent of Schools or designee as the teacher's supervisor.

"District Evaluation Advisory Committee" means a group created to oversee and guide the planning and implementation of the Board of Education's evaluation policies and procedures as set forth in N.J.A.C. 6A:10-2.3.

"Educator practice instrument" means an assessment tool that provides: scales or dimensions that capture competencies of professional performance; and differentiation of a range of professional performance as described by the scales, which must be shown in practice and/or research studies. The scores from the teacher practice instrument are components of the teacher's evaluation rubric and the scores are included in the summative evaluation rating for the individual. The scores from educator practice instruments may be applied to the teacher's summative evaluation rating in a manner determined by the school district.

"Evaluation" means an appraisal of an individual's professional performance in relation to his or her job description and professional standards and based on, when applicable, the individual's evaluation rubric.

"Evaluation rubric" means a set of criteria, measures, and processes used to evaluate all teachers in a specific school district or local education agency. Evaluation rubrics consist of measures of professional practice, based on educator practice instrument, and student outcomes. Each Board of Education will have an evaluation rubric specifically for teachers, another specifically for Principals, Vice Principals, and Assistant Principals, and evaluation rubrics for other categories of teaching staff members.

"Indicators of student progress and growth" means the results of assessment(s) of students as defined in N.J.A.C. 6A:8, Standards and Assessment.

"Individual professional development plan" is as defined in N.J.S.A. 18A:6-119.

"Job description" means a written specification of the function of a position, duties and responsibilities, the extent and limits of authority, and work relationships within and outside the school and school district.

"Observation" means a method of collecting data on the performance of a teacher's assigned duties and responsibilities. An observation for the purpose of evaluation will be included in the determination of the annual summative evaluation rating and shall be conducted by an individual 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:9-2.1.

"Post-observation conference" means a meeting, either in-person or remotely, between the supervisor who conducted the observation and the teacher for the purpose of evaluation to discuss the data collected in the observation.

"Scoring guide" means a set of rules or criteria used to evaluate a performance, product, or project. The purpose of a scoring guide is to provide a transparent and reliable evaluation process. Educator practice instruments include a scoring guide that an evaluator uses to structure his or her assessments and ratings of professional practice.

"Semester" means half of the school year.

"Signed" means the name of one physically written by oneself or an electronic code, sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

"Student growth objective" means an academic goal that teachers and designated supervisors set for groups of students.

"Student growth percentile" means a 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.

"Superintendent" means Superintendent of Schools or Chief School Administrator.

"Supervisor" means an appropriately certified teaching staff member, as defined in N.J.S.A. 18A:1-1, or Superintendent 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:9B-12.

"Teacher" means a teaching staff member who holds the appropriate standard, provisional, or emergency instructional certificate issued by the Board of Examiners and is assigned a class roster of students for at least one particular course.

"Unannounced observation" means an observation in which the person conducting an observation for the purpose of evaluation will not notify the teacher of the date or time the observation will be conducted.

B. Applicability of Rules on Collective Bargaining Agreements – N.J.A.C. 6A:10-1.3

No collective bargaining agreement entered into after July 1, 2013, shall conflict with the educator evaluation system established pursuant to N.J.A.C. 6A:10-1.1 et seq. or any other specific statute or regulation, nor shall topics subject to bargaining involve matters of educational policy or managerial prerogatives.

C. Educator Evaluation Data, Information, and Annual Performance Reports – N.J.A.C. 6A:10-1.4

All information contained in annual performance reports and all information collected, compiled, and/or maintained by employees of the Board of Education for the purposes of conducting the educator evaluation process pursuant to N.J.A.C. 6A:10-1.1 et seq., including, but not limited to, digital records, 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 N.J.A.C. 6A:10-1.1 et seq. shall be construed to prohibit the Department or a school district from, at its discretion, collecting evaluation data pursuant to N.J.S.A. 18A:6-123.e**.** or distributing aggregate statistics regarding evaluation data.

D. Evaluation of Teachers – N.J.A.C. 6A:10-2.1

1. The Board of Education shall annually adopt evaluation rubrics for teachers. The evaluation rubrics shall have four defined annual ratings: ineffective, partially effective, effective, and highly effective.

2. The evaluation rubrics for teachers shall include all other relevant minimum standards set forth in N.J.S.A. 18A:6-123 (P.L. 2012, c. 26, § 17c).

3. Evaluation rubrics shall be submitted to the Commissioner by August 1 for approval by August 15 of each year.

E. Duties of the Board of Education – N.J.A.C. 6A:10-2.2

1. The Board of Education shall meet the following requirements for the annual evaluation of teachers, unless otherwise specified:

a. Establish a District Evaluation Advisory Committee to oversee and guide the planning and implementation of the Board of Education's evaluation policies and procedures as set forth in N.J.A.C. 6A:10-2 et seq.;

b. Annually adopt policies and procedures developed by the Superintendent pursuant to N.J.A.C. 6A:10-2.4, including the evaluation rubrics approved by the Commissioner pursuant to N.J.A.C. 6A:10-2.1(c):

(1) The Superintendent shall develop policies and procedures that, at a minimum, ensure student performance data on the Statewide assessment is, upon receipt, promptly distributed or otherwise made available to teachers who were primarily responsible for instructing the applicable students in the school year in which the assessment was taken, as well as to teachers who are or will be primarily responsible for instructing the applicable students in the subsequent school year.

c. Ensure the Superintendent annually notifies all teachers of the adopted evaluation policies and procedures no later than October 1. If a teacher is hired after October 1, the Board/Superintendent shall notify the teacher of the policies and procedures at the beginning of his or her employment. All teachers shall be notified of amendments to the policy and procedures within ten teacher working days of adoption;

d. Annually adopt by June 1, any Commissioner-approved educator practice instruments and, as part of the process described at N.J.A.C. 6A:10-2.1(c), notify the Department which instruments will be used as part of the school district's evaluation rubrics;

e. Ensure the Principal of each school within the school district has established a School Improvement Panel pursuant to N.J.A.C. 6A:10-3.1. The panel shall be established annually by August 31 and shall carry out the duties and functions described in N.J.A.C. 6A:10-3.2;

f. Ensure data elements are collected and 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 student growth objective data; and

g. Ensure the Superintendent or designee certifies to the Department that any observer who conducts an observation of a teacher for the purpose of evaluation as described in N.J.A.C. 6A:10-4.4; N.J.A.C. 6A:10-5.4; and N.J.A.C. 6A:10-6.2, shall meet the statutory observation requirements of N.J.S.A. 18A:6-119; 18A:6-123.b(8); and N.J.S.A. 18A:27-3.1 and the teacher member of the School Improvement Panel requirements of N.J.A.C. 6A:10-3.2.

2. The Board of Education shall ensure the following training procedures are followed when implementing the evaluation rubric for all teachers and, when applicable, applying the Commissioner-approved educator practice instrument:

a. Annually provide training on and descriptions of each component of the evaluation rubric for all teachers who are being evaluated in the school district and provide more thorough training for any teacher 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 instrument;

b. Annually provide updates and refresher training for supervisors who are conducting evaluations in the school district and more thorough training for any supervisor who will evaluate teachers for the first time. Training shall be provided on each component of the evaluated teacher's evaluation rubric before the evaluation of a teacher;

c. Annually require each supervisor who will conduct observations for the purpose of evaluation of a teacher to complete at least two co-observations during the school year.

(1) Co-observers shall use the co-observation to promote accuracy and consistency in scoring.

(2) A co-observation may count as one required observation for the purpose of evaluation pursuant to N.J.A.C. 6A:10-4.4, as long as the observer meets the requirements set forth in N.J.A.C. 6A:10-4.3 and 4.4, but the co-observation shall not count as two or more required observations. If a co-observation counts as one required observation, the score shall be determined by the teacher's designated supervisor.

d. The Superintendent shall annually certify to the Department that all supervisors of teachers in the school district who are utilizing evaluation rubrics have completed training on and demonstrated competency in applying the evaluation rubrics.

F. District Evaluation Advisory Committee – N.J.A.C. 6A:10-2.3

1. Members of the District Evaluation Advisory Committee shall include representation from the following groups: teachers from each school level represented in the school district; central office administrators overseeing the teacher evaluation process; supervisors involved in teacher evaluation, when available or appropriate; and administrators conducting evaluations, including a minimum of one administrator conducting evaluations who participates on a School Improvement Panel. Members also shall include the Superintendent, a special education administrator, a parent, and a member of the Board of Education.

2. The Superintendent may extend membership on the District Evaluation Advisory Committee to representatives of other groups and to individuals.

3. A District Evaluation Advisory Committee is not required and the Board of Education shall have the discretion to establish a District Evaluation Advisory Committee.

G. Evaluation Procedures for Teachers – N.J.A.C. 6A:10-2.4

1. The provisions outlined in Policy and Regulation 3221 and N.J.A.C. 6A:10-2.4 shall be the minimum requirements for the evaluation of teachers.

2. Evaluation policies and procedures requiring the annual evaluation of all teachers shall be developed under the direction of the Superintendent, who may consult with the District Evaluation Advisory Committee or representatives from School Improvement Panels, and shall include, but not be limited to, a description of:

a. Roles and responsibilities for implementation of evaluation policies and procedures;

b. Job descriptions, evaluation rubrics for teachers, the process for calculating the summative ratings and each component, and the evaluation regulations set forth in N.J.A.C. 6A:10 et seq.;

c. Methods of data collection and reporting appropriate to each job description, including, but not limited to, the process for student attribution to teachers, Principals, Assistant Principals, and Vice Principals for calculating the median and school-wide student growth percentile;

d. Processes for observations for the purpose of evaluation and post-observation conference(s) by a supervisor;

e. Process for developing and scoring student growth objectives;

f. The process for preparation of individual professional development plans; and

g. The process for preparation of an annual performance report by the teacher's designated supervisor and an annual summary conference between the teacher and his or her designated supervisor.

3. The annual summary conference between designated supervisors and teachers shall be held before the annual performance report is filed. The conference shall occur on or before June 30 of each school year and shall include, but not be limited to, a review of the following:

a. The performance of the teacher based upon the job description and the scores or evidence compiled using the teacher's evaluation rubric, including, when applicable:

(1) The educator's practice instrument; and

(2) Available indicators or student achievement measures such as student growth objective scores and student growth percentile scores.

b. The progress of the teacher toward meeting the goals of the individual professional development plan or, when applicable, the corrective action plan; and

c. The preliminary annual performance report.

4. If any scores for the teacher'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.

5. The annual performance report shall be prepared by the teacher's designated supervisor 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;

b. Performance area(s) of strength and area(s) needing improvement based upon the job description and components of the teacher's evaluation rubric; and

c. The teacher's individual professional development plan or corrective action plan from the evaluation year being reviewed in the report.

6. The teacher and the designated supervisor shall sign the report within five teacher working days of the review.

7. The Board of Education shall include all performance reports and supporting data, including, but not limited to, written observation reports and additional components of the summative evaluation rating as part of the teacher's personnel file, or in an alternative, confidential location. If reports and data are stored in an alternative location, the personnel file shall clearly indicate the report's location and how it can be easily accessed. The records shall be confidential and 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.

H. Corrective Action Plans for Teachers – N.J.A.C. 6A:10-2.5

1. For each teacher 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 teacher and the teacher's designated supervisor. If the teacher does not agree with the corrective action plan's content, the designated supervisor shall make a final determination.

2. The corrective action plan shall be developed and the teacher and his or her designated supervisor shall meet to discuss the corrective action plan by October 31 of the school year following the year of evaluation except:

   a. If the ineffective or partially effective summative evaluation rating is received after October 1 of the school year following the year of evaluation, a corrective action plan shall be developed, and the teacher and his or her designated supervisor shall meet to discuss the corrective action plan within twenty-five teacher working days following the school district's receipt of the teacher's summative rating.

3. The content of the corrective action plan shall replace the content of the individual professional development plan required pursuant to N.J.A.C. 6A:9C-4.3(a) and 4.4(a) and shall:

   a. Address areas in need of improvement identified in the teacher 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).

4. The teacher's designated supervisor and the teacher on a corrective action plan shall discuss the teacher's progress toward the goals outlined in the corrective action plan during each required post-observation conference, pursuant to N.J.S.A. 18A:27-3.1 or N.J.A.C. 6A:10-4.4. The teacher and his or her designated supervisor may update the goals outlined in the corrective action plan to reflect any change(s) in the teacher's progress, position, or role.

5. Progress toward the teacher's goals outlined in the corrective action plan:

   a. Shall be documented in the teacher's personnel file and reviewed at the annual summary conference and the mid-year evaluation. Both the teacher on a corrective action plan and

his or her designated supervisor may collect data and evidence to demonstrate the teacher's progress toward his or her corrective action plan goals; and

b. May be used as evidence in the teacher's next annual summative evaluation; however, such progress shall not guarantee an effective rating on the next summative evaluation.

6. Responsibilities of the evaluated teacher on a corrective action plan shall not be exclusionary of other plans for improvement determined to be necessary by the teacher's designated supervisor.

7. The School Improvement Panel shall ensure teachers with a corrective action plan receive a mid-year evaluation as required by N.J.S.A. 18A:6-120.c. The mid-year evaluation shall occur approximately midway between the development of the corrective action plan and the expected receipt of the next annual summative rating. The mid-year evaluation shall include, at a minimum, a conference to discuss progress toward the teacher's goals outlined in the corrective action plan. The mid-year evaluation conference may be combined with a post-observation conference.

8. The School Improvement Panel shall ensure teachers with a corrective action plan receive one observation, including a post-observation conference, in addition to the observations required in N.J.A.C. 6A:10-4.4 for the purpose of evaluation as described in N.J.A.C. 6A:10-1.2 and 4.4(a).

9. Except where a school district employs only one administrator whose position requires a supervisor, principal, or school administrator endorsement, tenured teachers with a corrective action plan shall be observed by multiple observers for the purpose of evaluation as described in N.J.A.C. 6A:10-4.4(c)4.

10. The corrective action plan shall remain in effect until the teacher receives his or her next summative evaluation rating.

11. There shall be no minimum number of teacher working days a teacher's corrective action plan can be in place.

I. School Improvement Panel – N.J.A.C. 6A:10-3 et seq.

1. School Improvement Panel Membership – N.J.A.C. 6A:10-3.1

a. The School Improvement Panel shall include the Principal, a Vice Principal, and a teacher who is chosen in accordance with b. below by the Principal in consultation with the majority representative. If an Assistant Principal or Vice Principal is not available to serve on the panel, the Principal shall appoint an additional member who is employed in the district in a supervisory role and capacity, in accordance with N.J.S.A. 18A:6-120.a. The Principal may appoint additional members to the School Improvement Panel as long as all members meet the criteria outlined in this section and N.J.S.A. 18A:6-120.a**.** and the teacher(s) on the panel represents at least one-third of its total membership.

b. The Principal annually shall choose the teacher(s) on the School Improvement Panel through the following process:

(1) The teacher member shall be a person with a demonstrated record of success in the classroom. A demonstrated record of success in the classroom means the teacher member shall have been rated effective or highly effective in the most recent available annual summative rating.

(2) The majority representative, in accordance with a. above, may submit to the Principal, teacher member nominees for consideration.

(3) The Principal shall have final decision-making authority and is not bound by the majority representative's list of nominees.

c. The teacher member shall serve a full school year, except in case of illness or authorized leave, but may not be appointed more than three consecutive school years.

d. All members of the School Improvement Panel shall be chosen by August 31 of each year.

2. School Improvement Panel Responsibilities – N.J.A.C. 6A:10-3.2

a. The School Improvement Panel shall:

(1) Oversee the mentoring of teachers according to N.J.A.C. 6A:9C-5.3(a)2**.** and support the implementation of the school district mentoring plan;

(2) Conduct evaluations of teachers pursuant to N.J.A.C. 6A:10-2.4 and 4.4;

(3) Ensure corrective action plans for teachers are created in accordance to N.J.A.C. 6A:10-2.5; and ensure mid-year evaluations are conducted for teachers who are on a corrective action plan; and

(4) Identify professional development opportunities for all teachers based on the review of aggregate school-level data, including, but not limited to, teacher evaluation and student performance data to support school-level professional development plans described in N.J.A.C. 6A:9C-4.2.

b. To conduct observations for the purpose of evaluation, the teacher member shall have:

(1) Agreement of the majority representative;

(2) An appropriate supervisory certificate; and

(3) Approval of the Principal who supervises the teacher being observed.

c. The teacher member who participates in the evaluation process shall not serve concurrently as a mentor under N.J.A.C. 6A:9C-5.2(a)3.

J. Components of Teacher Evaluation Rubric – N.J.A.C. 6A:10-4.1

1. The components of the teacher evaluation rubric described in N.J.A.C. 6A:10-4.1 et seq. shall apply to teachers holding the position of teacher and holding a valid and effective standard, provisional, or emergency instructional certificate.

2. Evaluation rubrics for all teachers shall include the requirements described 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:10-4.2; and

b. Measures of teacher practice pursuant to N.J.A.C. 6A:10-4.3 and 4.4.

3. To earn a summative rating, a teacher shall have a student achievement score, including median student growth percentile and/or student growth objectives(s) scores, and a teacher practice score pursuant to N.J.A.C. 6A:10-4.4.

4. Each score shall be converted to a percentage weight so all components make up 100 percent of the evaluation rubric. By August 31 prior to the school year in which the evaluation rubric applies, the Department shall provide on its website the required percentage weight of each component and the required summative rating scale. All components shall be worth the following percentage weights or fall within the following ranges:

a. If, according to N.J.A.C. 6A:10-4.2(b), a teacher receives a median student growth percentile, the student achievement component shall be at least thirty percent and no more than fifty percent of a teacher's evaluation rubric rating as determined by the Department.

b. If, according to N.J.A.C. 6A:10-4.2(b), a teacher does not receive a median student growth percentile, the student achievement component shall be at least fifteen percent and no more than fifty percent of a teacher's evaluation rubric rating as determined by the Department.

c. Measures of teacher practice described in N.J.A.C. 6A:10-4.3 and 4.4 shall be at least fifty percent and no more than eighty-five percent of a teacher's evaluation rubric rating as determined by the Department.

5. Standardized tests, used as a measure of student progress, shall not be the predominant factor in determining a teacher's annual summative rating.

K. Student Achievement Components – N.J.A.C. 6A:10-4.2

1. Measures of student achievement shall be used to determine impact on student learning. The student achievement measure shall include the following components:

a. If the teacher meets the requirements of 2. below, the median student growth percentile of all students assigned to a teacher, which shall be calculated as set forth in 4. below; and

b. Student growth objective(s), which shall be specific and measurable, based on available student learning data, aligned to the New Jersey Student Learning Standards (NJSLS), and based on growth and/or achievement.

(1) For teachers who teach subjects or grades not covered by the NJSLS, student growth objective(s) shall align to standards adopted or endorsed, as applicable, by the State Board.

2. The median student growth percentile shall be included in the annual summative rating of a teacher who:

a. Teaches at least one course or group within a course that falls within a standardized-tested grade or subject. The Department shall maintain on its website a course listing of

all standardized-tested grades and subjects for which student growth percentile can be calculated pursuant to 4. below;

b. Teaches the course or group within the course for at least sixty percent of the time from the beginning of the course to the day of the standardized assessment; and

c. Has at least twenty individual student growth percentile scores attributed to his or her name during the school year of the evaluation. If a teacher does not have at least twenty individual student growth percentile scores in a given school year, the student growth percentile scores attributed to a teacher during the two school years prior to the evaluation year may be used in addition to the student growth percentile scores attributed to the teacher during the school year of the evaluation. Only student growth percentile scores from school year 2013-2014 or any school year after shall be used to determine median student growth percentiles.

3. The Department shall periodically collect data for all teachers that include, but are not limited to, student achievement and teacher practice scores.

4. The Department shall calculate the median student growth percentile for teachers using students assigned to the teacher by the school district. For teachers who have a student growth percentile score:

a. The Board of Education shall submit to the Department final ratings for all components, other than the student growth percentile, for the annual summative rating; and

b. The Department then shall report to the employing district Board of Education the annual summative rating, including the median student growth percentile for each teacher who receives a median student growth percentile.

5. Student growth objectives for teachers shall be developed and measured according to the following procedures:

a. The Superintendent shall determine the number of required student growth objectives for teachers, including teachers with a student growth percentile. A teacher with a student growth percentile shall have at least one and not more than four student growth objectives. A teacher without a student growth percentile shall have at least two and a maximum of four student growth objectives. By August 31 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. Each teacher shall develop, in consultation with his or her supervisor or a Principal's designee, each student growth objective. If the teacher does not agree with the student growth objectives, the Principal shall make the final determination.

d. Student growth objectives and the criteria for assessing teacher performance based on the objectives shall be determined, recorded, and retained by the teacher and his or her supervisor by October 31 of each school year, or within twenty-five teacher working days of the teacher's start date if the teacher begins work after October 1.

e. Adjustments to student growth objectives may be made by the teacher in consultation with his or her supervisor only when approved by the Superintendent or designee. Adjustments shall be recorded in the teacher's personnel file on or before February 15.

(1) If the Student Growth Objective (SGO) covers only the second semester of the school year, or if the teacher begins work after October 1, adjustments shall be recorded before the mid-point of the second semester.

f. The teacher's designated supervisor shall approve 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 and recorded in the teacher's personnel file.

L. Teacher Practice Components – N.J.A.C. 6A:10-4.3

1. The teacher practice component rating shall be based on the measurement of the teacher's performance according to the school district's Commissioner-approved teacher practice instrument. Observations pursuant to N.J.A.C. 6A:10-4.4 shall be used as one form of evidence for the measurement.

M. Teacher Observations – N.J.A.C. 6A:10-4.4

1. For the purpose of teacher evaluation, observers shall conduct the observations pursuant to N.J.S.A. 18A:6-123.b.(8) and N.J.A.C. 6A:10-2.5 and 3.2, and they shall be trained pursuant to N.J.A.C. 6A:10-2.2(b).

2. Observation conferences shall include the following procedures:

a. A supervisor who is present at the observation shall conduct a post-observation conference with the teacher being observed. A post-observation conference shall occur no more than fifteen teacher 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 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. Within a school year, the post observation conference shall be held prior to the occurrence of further observations for the purpose of evaluation.

c. If agreed to by the teacher, one required post-observation conference and any pre-observation conference(s) for observations of tenured teachers who are not on a corrective action plan may be conducted by written communication, including electronic.

d. One post-observation conference may be combined with a teacher's annual summary conference, as long as it occurs within the required fifteen teacher working days following the observation for the purpose of evaluation.

e. A pre-observation conference, when required, shall occur at least one but not more than seven teacher working days prior to the observation.

3. Each teacher shall be observed as described in N.J.A.C. 6A:10-4.4. For all teachers, at least one of the required observations shall be announced and preceded by a pre-observation conference, and at least one of the required observations shall be unannounced. The Superintendent shall decide whether additional required observations are announced or unannounced, if applicable. The following additional requirements shall apply:

   a. Each observation required for the purpose of evaluation shall be conducted for at least twenty minutes.

   b. Nontenured teachers shall be observed at least three times each school year, but not less than once each semester. The observations shall be conducted in accordance with the timeframe set forth in N.J.S.A. 18A:27-3.1.

      (1) Except where a school district employs only one administrator whose position requires a supervisor, principal, or school administrator endorsement, nontenured teachers shall be observed during the course of the year by more than one appropriately certified supervisor.

   c. Tenured teachers shall be observed at least two times during each school year. Observations for all tenured teachers shall occur prior to the annual summary conference, which shall occur prior to the end of the academic school year.

      (1) If a tenured teacher was rated highly effective on his or her most recent summative evaluation and if both the teacher and the teacher's designated supervisor agree to use this option, one of the two required observations may be an observation of a Commissioner-approved activity other than a classroom lesson. The Department of Education shall post annually to its website a list of Commissioner-approved activities that may be observed in accordance with N.J.A.C. 6A:10-4.4.

   d. Teachers on a corrective action plan shall receive, in accordance with N.J.A.C. 6A:10-2.5(h), one additional observation, including a post-observation conference.

   e. Upon receiving a final summative evaluation that necessitates a corrective action plan, in accordance with N.J.A.C. 6A:10-2.5(a), any remaining required observation(s) shall not be conducted until the corrective action plan has been finalized.

   f. A written or electronic observation report shall be signed by the supervisor who conducted the observation and post-observation and the teacher who was observed.

   g. The teacher shall submit his or her written objection(s) of the evaluation within ten teacher working days following the conference. The objection(s) shall be attached to each party’s copy of the annual performance report.

4. To earn a teacher practice score, a nontenured teacher shall receive at least three observations.

   a. If a nontenured teacher is present for less than forty percent of the total student school days in a school year, he or she shall receive at least two observations to earn a teacher practice score.

N. Teacher Practice Instrument – N.J.A.C. 6A:10-7.2

1. The teacher practice instrument approved by the Department shall meet the following criteria:

   a. Include domains of professional practice that align to the New Jersey Professional Standards for Teachers pursuant to N.J.A.C. 6A:9-3;

   b. 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:

      (1) Clearly define the expectations for each rating category;

      (2) Provide a conversion to four rating categories;

      (3) Be applicable to all grades and subjects; or to specific grades and/or subjects if designed explicitly for the grades and/or subjects; and

      (4) Use clear and precise language that facilitates common understanding among teachers and administrators.

   c. Rely on, to the extent possible, specific, discrete, observable, and/or measurable behaviors of students and teachers in the classroom with direct evidence of student engagement and learning; and

   d. Include descriptions of specific training and implementation details required for the instrument to be effective.

A. Definitions – N.J.A.C. 6A:10-1.2

The following words and terms shall have the following meanings when used in Policy and Regulation 3222 unless the context clearly indicates otherwise:

"Annual performance report" means a written appraisal of the teaching staff member's performance prepared by the teaching staff member's designated supervisor based on the evaluation rubric for his or her position.

"Annual summative evaluation rating" means an annual evaluation rating that is based on appraisals of educator practice and student performance, if applicable, and includes all measures captured in a teaching staff member's evaluation rubric. The four summative performance categories are ineffective, partially effective, effective, and highly effective.

"Chief School Administrator" means the Superintendent of Schools or the Administrative Principal if there is no Superintendent.

"Commissioner" means Commissioner of the New Jersey Department of Education.

"Corrective Action Plan" means a written plan developed by the designated supervisor in collaboration with the teaching staff member to address deficiencies as outlined in an evaluation. The corrective action plan shall include timelines for corrective action, responsibilities of the individual teaching staff member and the school district for implementing the plan, and specific support that the district shall provide as defined in N.J.S.A. 18A:6-119.

"Department" means the New Jersey Department of Education.

"Designated supervisor" means the supervisor designated by the Superintendent of Schools or designee as the teaching staff member's supervisor.

"District Evaluation Advisory Committee" means a group created to oversee and guide the planning and implementation of the Board of Education's evaluation policies and procedures as set forth in N.J.A.C. 6A:10-2.3.

"Educator practice instrument" means an assessment tool that provides: scales or dimensions that capture competencies of professional performance; and differentiation of a range of professional performance as described by the scales, which must be shown in practice and/or research studies. The scores from educator practice instruments for teaching staff members other than teachers, Principals, Vice Principals, and Assistant Principals may be applied to the teaching staff member's summative evaluation rating in a manner determined by the school district.

"Evaluation" means an appraisal of an individual's professional performance in relation to his or her job description and professional standards and based on, when applicable, the individual's evaluation rubric.

“Evaluation rubric” means a set of criteria, measures, and processes used to evaluate all teaching staff members in a specific school district or local education agency. Evaluation rubrics consist of measures of professional practice, based on educator practice instruments and student outcomes. Each Board of Education will have an evaluation rubric specifically for teachers, another specifically for Principals, Vice Principals, and Assistant Principals, and evaluation rubrics for other categories of teaching staff members.

“Indicators of student progress and growth” means the results of assessment(s) of students as defined in N.J.A.C. 6A:8, Standards and Assessment.

“Individual professional development plan” is as defined in N.J.S.A. 18A:6-119.

“Job description” means a written specification of the function of a position, duties and responsibilities, the extent and limits of authority, and work relationships within and outside the school and school district.

“Observation” means a method of collecting data on the performance of a teaching staff member's assigned duties and responsibilities. An observation for the purpose of evaluation will be included in the determination of the annual summative evaluation rating and shall be conducted by an individual 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:9-2.1.

“Post-observation conference” means a meeting, either in-person or remotely, between the supervisor who conducted the observation and the teaching staff member for the purpose of evaluation to discuss the data collected in the observation.

“Scoring guide” means a set of rules or criteria used to evaluate a performance, product, or project. The purpose of a scoring guide is to provide a transparent and reliable evaluation process. Educator practice instruments include a scoring guide that an evaluator uses to structure his or her assessments and ratings of professional practice.

“Semester” means half of the school year.

“Signed” means the name of one physically written by oneself or an electronic code, sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

“Student growth objective” means an academic goal that teaching staff members and designated supervisors set for groups of students.

“Superintendent” means Superintendent of Schools or Chief School Administrator.

“Supervisor” means an appropriately certified teaching staff member, as defined in N.J.S.A. 18A:1-1, or Superintendent 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:9B-12.

“Teaching staff member” for the purposes of Policy 3222 and this Regulation, includes, but is not limited to, educational services staff members, guidance counselors, school nurses, library/media specialists, occupational therapists, and other teaching staff members working under an educational services certificate and does not include teachers, Principals, Vice Principals, Assistant Principals, and administrators, including, but not limited to, Directors and/or Supervisors.

B. Applicability of Rules on Collective Bargaining Agreements – N.J.A.C. 6A:10-1.3

No collective bargaining agreement entered into after July 1, 2013, shall conflict with the educator evaluation system established pursuant to N.J.A.C. 6A:10-1.1 et seq. or any other specific statute or regulation, nor shall topics subject to bargaining involve matters of educational policy or managerial prerogatives.

C. Educator Evaluation Data, Information, and Annual Performance Reports – N.J.A.C. 6A:10-1.4

All information contained in annual performance reports and all information collected, compiled, and/or maintained by employees of the Board of Education for the purposes of conducting the educator evaluation process pursuant to N.J.A.C. 6A:10-1.1 et seq., including, but not limited to, digital records, 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 N.J.A.C. 6A:10-1.1 et seq. shall be construed to prohibit the Department or a school district from, at its discretion, collecting evaluation data pursuant to N.J.S.A. 18A:6-123.e**.** or distributing aggregate statistics regarding evaluation data.

D. Evaluation of Teaching Staff Members – N.J.A.C. 6A:10-2.1

1. The Board of Education shall annually adopt evaluation rubrics for all teaching staff members. The evaluation rubrics shall have four defined annual ratings: ineffective, partially effective, effective, and highly effective.

2. Evaluation rubrics shall be submitted to the Commissioner by August 1 for approval by August 15 of each year.

E. Duties of the Board of Education – N.J.A.C. 6A:10-2.2

1. The Board of Education shall meet the following requirements for the annual evaluation of teaching staff members, unless otherwise specified:

   a. Establish a District Evaluation Advisory Committee to oversee and guide the planning and implementation of the Board of Education's evaluation policies and procedures as set forth in N.J.A.C. 6A:10-2 et seq.;

   b. Annually adopt policies and procedures developed by the Superintendent pursuant to N.J.A.C. 6A:10-2.4, including the evaluation rubrics approved by the Commissioner pursuant to N.J.A.C. 6A:10-2.1(c):

      (1) The Superintendent shall develop policies and procedures that, at a minimum, ensure student performance data on the Statewide assessment is, upon receipt, promptly distributed or otherwise made available to staff members who were primarily responsible for instructing the applicable students in the school year in which the assessment was taken, as well as to staff members who are or will be primarily responsible for instructing the applicable students in the subsequent school year.

   c. Ensure the Superintendent annually notifies all teaching staff members of the adopted evaluation policies and procedures no later than October 1. If a teaching staff member is hired after October 1, the Board/Superintendent shall notify the teaching staff member of the policies and procedures at the beginning of his or her employment. All teaching staff

members shall be notified of amendments to the policy and procedures within ten teaching staff member working days of adoption;

d. Annually adopt by June 1, any Commissioner-approved educator practice instruments and, as part of the process described at N.J.A.C. 6A:10-2.1(c), notify the Department which instruments will be used as part of the school district's evaluation rubrics;

e. Ensure the Principal of each school within the school district has established a School Improvement Panel pursuant to N.J.A.C. 6A:10-3.1. The panel shall be established annually by August 31 and shall carry out the duties and functions described in N.J.A.C. 6A:10-3.2;

f. Ensure data elements are collected and 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 student growth objective data; and

g. Ensure the Superintendent or designee certifies to the Department that any observer who conducts an observation of a teaching staff member for the purpose of evaluation as described in N.J.A.C. 6A:10-4.4; N.J.A.C. 6A:10-5.4, and N.J.A.C. 6A:10-6.2, shall meet the statutory observation requirements of N.J.S.A. 18A:6-119; 18A:6-123.b.(8); and N.J.S.A. 18A:27-3.1 and the teacher member of the School Improvement Panel requirements of N.J.A.C. 6A:10-3.2.

2. The Board of Education shall ensure the following training procedures are followed when implementing the evaluation rubric for all teaching staff members and, when applicable, applying the Commissioner-approved educator practice instruments:

a. Annually provide training on and descriptions of each component of the evaluation rubric for all teaching staff members who are being evaluated in the school district and provide more thorough training 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. Annually provide updates and refresher training for supervisors who are conducting evaluations in the school district and more thorough training for any supervisor who will evaluate teaching staff members for the first time. Training shall be provided on each component of the evaluated teaching staff member's evaluation rubric before the evaluation of a teaching staff member; and

c. The Superintendent shall annually certify to the Department that all supervisors of teaching staff members in the school district who are utilizing evaluation rubrics have completed training on and demonstrated competency in applying the evaluation rubrics.

F. District Evaluation Advisory Committee – N.J.A.C. 6A:10-2.3

1. Members of the District Evaluation Advisory Committee shall include representation from the following groups: teachers from each school level represented in the school district; central office administrators overseeing the teacher evaluation process; supervisors involved in teacher evaluation, when available or appropriate; and administrators conducting evaluations, including a minimum of one administrator conducting evaluations who participates on a School

Improvement Panel. Members also shall include the Superintendent, a special education administrator, a parent, and a member of the Board of Education.

2. The Superintendent may extend membership on the District Evaluation Advisory Committee to representatives of other groups and to individuals.

3. A District Evaluation Advisory Committee is not required and the Board of Education shall have the discretion to establish a District Evaluation Advisory Committee.

G. Evaluation Procedures for Teaching Staff Members – N.J.A.C. 6A:10-2.4

1. The provisions outlined in Policy and Regulation 3222 and N.J.A.C. 6A:10-2.4 shall be the minimum requirements for the evaluation of teaching staff members.

2. Evaluation policies and procedures requiring the annual evaluation of all teaching staff members shall be developed under the direction of the Superintendent, who may consult with the District Evaluation Advisory Committee or representatives from School Improvement Panels, and shall include, but not be limited to, a description of:

   a. Roles and responsibilities for implementation of evaluation policies and procedures;

   b. Job descriptions, evaluation rubrics for all teaching staff members, the process for calculating the summative ratings and each component, and the evaluation regulations set forth in N.J.A.C. 6A:10 et seq.;

   c. Methods of data collection and reporting appropriate to each job description, including, but not limited to, the process for student attribution to teachers, Principals, Assistant Principals, and Vice Principals for calculating the median and school-wide student growth percentile;

   d. Processes for observations for the purpose of evaluation and post-observation conference(s) by a supervisor;

   e. Process for developing and scoring student growth objectives;

   f. The process for preparation of individual professional development plans; and

   g. The process for preparation of an annual performance report by the teaching staff member's designated supervisor, and an annual summary conference between the teaching staff member and his or her designated supervisor.

3. The annual summary conference between the designated supervisor and the teaching staff member shall be held before the annual performance report is filed. The conference shall occur on or before June 30 of each school year and 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 the scores or evidence compiled using the teaching staff member's evaluation rubric, including, when applicable:

      (1) The educator's practice instrument; and

(2) Available indicators or student achievement measures such as student growth objective scores and student growth percentile scores.

b. The progress of the teaching staff member toward meeting the goals of the individual professional development plan or, when applicable, the corrective action plan; and

c. The preliminary annual performance report.

4. 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.

5. The annual performance report shall be prepared by the teaching staff member's designated supervisor and shall include, but not be limited to:

a. A summative rating based on the evaluation rubric;

b. Performance area(s) of strength and area(s) needing improvement based upon the job description and components of the teaching staff member's evaluation rubric; and

c. The teaching staff member's individual professional development plan or corrective action plan from the evaluation year being reviewed in the report.

6. The teaching staff member and the designated supervisor shall sign the report within five teaching staff member working days of the review.

7. The Board of Education shall include all performance reports and supporting data, including, but not limited to, written observation reports and additional components of the summative evaluation rating as part of the teaching staff member's personnel file or in an alternative, confidential location. If reports and data are stored in an alternative location, the personnel file shall clearly indicate the report's location and how it can be easily accessed. The records shall be confidential and 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.

H. Corrective Action Plans for Teaching Staff Members – N.J.A.C. 6A:10-2.5

1. For each teaching staff member 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 teaching staff member's designated supervisor. If the teaching staff member does not agree with the corrective action plan's content, the designated supervisor shall make a final determination.

2. The corrective action plan shall be developed and the teaching staff member and his or her designated supervisor shall meet to discuss the corrective action plan by October 31 of the school year following the year of evaluation, except:

a. If the ineffective or partially effective summative evaluation rating is received after October 1 of the school year following the year of evaluation, a corrective action plan shall be developed, and the teaching staff member and his or her designated supervisor shall meet to discuss the corrective action plan within twenty-five teaching staff member working days following the school district's receipt of the teaching staff member's summative rating.

3. The content of the corrective action plan shall replace the content of the individual professional development plan required pursuant to N.J.A.C. 6A:9C-4.3(a) and 4.4(a) and shall:

   a. Address areas in need of improvement identified in the teaching staff member 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).

4. The teaching staff member's designated supervisor 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 required post-observation conference. The teaching staff member and his or her designated supervisor may update the goals outlined in the corrective action plan to reflect any change(s) in the teaching staff member's progress, position, or role.

5. Progress toward the teaching staff member's goals outlined in the corrective action plan:

   a. Shall be documented in the teaching staff member's personnel file and reviewed at the annual summary conference and the mid-year evaluation. Both the teaching staff member on a corrective action plan and his or her designated supervisor may collect data and evidence to demonstrate the teaching staff member's progress toward his or her corrective action plan goals; and

   b. 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.

6. Responsibilities of the evaluated teaching staff member on a corrective action plan shall not be exclusionary of other plans for improvement determined to be necessary by the teaching staff member's designated supervisor.

7. The corrective action plan shall remain in effect until the teaching staff member receives his or her next summative evaluation rating.

8. There shall be no minimum number of teaching staff member working days a teacher's corrective action plan can be in place.

I. Required Observations for Teaching Staff Members – N.J.A.C. 6A:10-6.2

1. The Superintendent shall determine the duration of observations required pursuant to N.J.S.A. 18A:27-3.1 for nontenured teaching staff members, except teachers, Principals, Vice Principals, and Assistant Principals. Observations 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 at least twenty minutes in length;

b. Be followed within fifteen teaching staff member working days by a conference between the supervisor who made the observation and the nontenured teaching staff member;

c. Be followed by both parties to such a conference signing the written or electronic observation report and each retaining a copy of his or her records; and

d. Allow the nontenured teaching staff member to submit his or her written objection(s) of the evaluation within ten teaching staff member working days following the conference. The objection(s) shall be attached to each party's copy of the annual performance report.

2. All tenured teaching staff members shall receive at least one observation per school year.

3. All nontenured teaching staff members shall receive at least three observations, as required pursuant to N.J.S.A. 18A:27-3.1.

a. The required observations and evaluations for nontenured teaching staff members shall take place before April 30 each year. These observations and evaluations may cover that period between April 30 of one year and April 30 of the succeeding year except in the case of the first year of employment where the three observations and evaluations must have been completed prior to April 30.

b. The number of required observations and evaluations for nontenured teaching staff members may be reduced proportionately when an individual teaching staff member's term of service is less than one academic year.

4. Evaluations for tenured teaching staff shall be completed prior to June 30.

July 21, 2021

A. Definitions – N.J.A.C. 6A:10-1.2

The following words and terms shall have the following meanings when used in Policy and Regulation 3223 unless the context clearly indicates otherwise:

"Administrator" means an appropriately certified staff member, as defined in N.J.S.A. 18A-1.1, employed in the school district in an administrative and/or supervisory role and capacity, and holding a valid and effective standard, provisional, or emergency administrative certificate. An "administrator" may be a director, supervisor or any other administrative or supervisory position in the district. For the purposes of Policy and Regulation 3223 and N.J.A.C. 6A:10-1.1 et seq., "administrator" is not a Principal, Vice Principal, or Assistant Principal.

"Annual performance report" means a written appraisal of the administrator's performance prepared by the administrator's designated supervisor based on the evaluation rubric for his or her position.

"Annual summative evaluation rating" means an annual evaluation rating that is based on appraisals of educator practice and student performance, and includes all measures captured in an administrator's evaluation rubric. The four summative performance categories are ineffective, partially effective, effective, and highly effective.

"Chief School Administrator" means the Superintendent of Schools or the Administrative Principal if there is no Superintendent.

"Commissioner" means Commissioner of the New Jersey Department of Education.

"Corrective Action Plan" means a written plan developed by the administrator's designated supervisor in collaboration with the administrator to address deficiencies as outlined in an evaluation. The corrective action plan shall include timelines for corrective action, responsibilities of the individual administrator and the school district for implementing the plan, and specific support that the district shall provide as defined in N.J.S.A. 18A:6-119.

"Department" means the New Jersey Department of Education.

"Designated supervisor" means the supervisor designated by the Superintendent of Schools or designee as the administrator's supervisor.

"District Evaluation Advisory Committee" means a group created to oversee and guide the planning and implementation of the Board of Education's evaluation policies and procedures as set forth in N.J.A.C. 6A:10-2.3.

"Educator practice instrument" means an assessment tool that provides: scales or dimensions that capture competencies of professional performance; and differentiation of a range of professional performance as described by the scales, which must be shown in practice and/or research studies. The scores from educator practice instruments for administrators other than Principals, Vice Principals, and

Assistant Principals may be applied to the administrator's summative evaluation rating in a manner determined by the school district.

"Evaluation" means an appraisal of an individual's professional performance in relation to his or her job description and professional standards and based on, when applicable, the individual's evaluation rubric.

"Evaluation rubric" means a set of criteria, measures, and processes used to evaluate all administrators in a specific school district or local education agency. Evaluation rubrics consist of measures of professional practice, based on educator practice instruments and student outcomes. Each Board of Education will have an evaluation rubric specifically for teachers, another specifically for Principals, Vice Principals, and Assistant Principals, and evaluation rubrics for other categories of staff members.

"Indicators of student progress and growth" means the results of assessment(s) of students as defined in N.J.A.C. 6A:8, Standards and Assessment.

"Individual professional development plan" is as defined in N.J.S.A. 18A:6-119.

"Job description" means a written specification of the function of a position, duties and responsibilities, the extent and limits of authority, and work relationships within and outside the school and school district.

"Observation" means a method of collecting data on the performance of an administrator's assigned duties and responsibilities. An observation for the purpose of evaluation will be included in the determination of the annual summative evaluation rating and shall be conducted by an individual 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:9-2.1 and as designated by the Superintendent.

"Post-observation conference" means a meeting, either in-person or remotely, between the supervisor who conducted the observation and the administrator for the purpose of evaluation to discuss the data collected in the observation.

"Scoring guide" means a set of rules or criteria used to evaluate a performance, product, or project. The purpose of a scoring guide is to provide a transparent and reliable evaluation process. Educator practice instruments include a scoring guide that an evaluator uses to structure his or her assessments and ratings of professional practice.

"Semester" means half of the school year.

"Signed" means the name of one physically written by oneself or an electronic code, sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

"Student growth objective" means an academic goal that teachers and designated supervisors set for groups of students.

"Superintendent" means Superintendent of Schools or Chief School Administrator.

"Supervisor" means an appropriately certified staff member, as defined in N.J.S.A. 18A:1-1, or Superintendent 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:9B-12.

B. Applicability of Rules on Collective Bargaining Agreements – N.J.A.C. 6A:10-1.3

No collective bargaining agreement entered into after July 1, 2013, shall conflict with the educator evaluation system established pursuant to N.J.A.C. 6A:10-1.1 et seq. or any other specific statute or regulation, nor shall topics subject to bargaining involve matters of educational policy or managerial prerogatives.

C. Educator Evaluation Data, Information, and Annual Performance Reports – N.J.A.C. 6A:10-1.4

All information contained in annual performance reports and all information collected, compiled, and/or maintained by employees of the Board of Education for the purposes of conducting the educator evaluation process pursuant to N.J.A.C. 6A:10-1.1 et seq., including, but not limited to, digital records, 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 N.J.A.C. 6A:10-1.1 et seq. shall be construed to prohibit the Department or a school district from, at its discretion, collecting evaluation data pursuant to N.J.S.A. 18A:6-123.e**.** or distributing aggregate statistics regarding evaluation data.

D. Evaluation of Administrators – N.J.A.C. 6A:10-2.1

1. The Board of Education shall annually adopt evaluation rubrics for all administrators. The evaluation rubrics shall have four defined annual ratings: ineffective, partially effective, effective, and highly effective.

2. Evaluation rubrics shall be submitted to the Commissioner by August 1 for approval by August 15 of each year.

E. Duties of the Board of Education – N.J.A.C. 6A:10-2.2

1. The Board of Education shall meet the following requirements for the annual evaluation of administrators, unless otherwise specified:

   a. Establish a District Evaluation Advisory Committee to oversee and guide the planning and implementation of the Board of Education's evaluation policies and procedures as set forth in N.J.A.C. 6A:10-2 et seq.;

   b. Annually adopt policies and procedures developed by the Superintendent pursuant to N.J.A.C. 6A:10-2.4, including the evaluation rubrics approved by the Commissioner pursuant to N.J.A.C. 6A:10-2.1(c):

      (1) The Superintendent shall develop policies and procedures that, at a minimum, ensure student performance data on the Statewide assessment is, upon receipt, promptly distributed or otherwise made available to staff members who were primarily responsible for instructing the applicable students in the school year in which the assessment was taken, as well as to staff members who are or will be primarily responsible for instructing the applicable students in the subsequent school year.

   c. Ensure the Superintendent annually notifies all administrators of the adopted evaluation policies and procedures no later than October 1. If an administrator is hired after October 1, the Board/Superintendent shall notify the administrator of the policies and procedures at the beginning of his or her employment. All administrators shall be notified of

amendments to the policy and procedures within ten administrator working days of adoption;

d. Annually adopt by June 1, any Commissioner-approved educator practice instruments and, as part of the process described at N.J.A.C. 6A:10-2.1(c), notify the Department which instruments will be used as part of the school district's evaluation rubrics;

e. Ensure the Principal of each school within the school district has established a School Improvement Panel pursuant to N.J.A.C. 6A:10-3.1. The panel shall be established annually by August 31 and shall carry out the duties and functions described in N.J.A.C. 6A:10-3.2;

f. Ensure data elements are collected and 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 student growth objective data; and

g. Ensure the Superintendent or designee certifies to the Department that any observer who conducts an observation of an administrator for the purpose of evaluation as described in N.J.A.C. 6A:10-4.4; N.J.A.C. 6A:10-5.4; and N.J.A.C. 6A:10-6.2 shall meet the statutory observation requirements of N.J.S.A. 18A:6-119; 18A:6-123.b.(8); and N.J.S.A. 18A:27-3.1 and the teacher member of the School Improvement Panel requirements of N.J.A.C. 6A:10-3.2.

2. The Board of Education shall ensure the following training procedures are followed when implementing the evaluation rubric for all administrators and, when applicable, applying the Commissioner-approved educator practice instruments:

a. Annually provide training on and descriptions of each component of the evaluation rubric for all administrators who are being evaluated in the school district and provide more thorough training for any administrator 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. Annually provide updates and refresher training for supervisors who are conducting evaluations in the school district and more thorough training for any supervisor who will evaluate administrators for the first time. Training shall be provided on each component of the evaluated administrator's evaluation rubric before the evaluation of an administrator;

c. The Superintendent shall annually certify to the Department that all supervisors of administrators in the school district who are utilizing evaluation rubrics have completed training on and demonstrated competency in applying the evaluation rubrics.

F. District Evaluation Advisory Committee – N.J.A.C. 6A:10-2.3

1. Members of the District Evaluation Advisory Committee shall include representation from the following groups: teachers from each school level represented in the school district; central office administrators overseeing the teacher evaluation process; supervisors involved in teacher evaluation, when available or appropriate; and administrators conducting evaluations, including a minimum of one administrator conducting evaluations who participates on a School

Improvement Panel. Members also shall include the Superintendent, a special education administrator, a parent, and a member of the Board of Education.

2. The Superintendent may extend membership on the District Evaluation Advisory Committee to representatives of other groups and to individuals.

3. A District Evaluation Advisory Committee is not required and the Board of Education shall have the discretion to establish a District Evaluation Advisory Committee.

G. Evaluation Procedures for Administrators – N.J.A.C. 6A:10-2.4

1. The provisions outlined in Policy and Regulation 3223 and N.J.A.C. 6A:10-2.4 shall be the minimum requirements for the evaluation of administrators.

2. Evaluation policies and procedures requiring the annual evaluation of all administrators shall be developed under the direction of the Superintendent, who may consult with the District Evaluation Advisory Committee or representatives from School Improvement Panels, and shall include, but not be limited to, a description of:

   a. Roles and responsibilities for implementation of evaluation policies and procedures;

   b. Job descriptions, evaluation rubrics for administrators, the process for calculating the summative ratings and each component, and the evaluation regulations set forth in N.J.A.C. 6A:10 et seq.;

   c. Methods of data collection and reporting appropriate to each job description, including, but not limited to, the process for student attribution to teachers, Principals, Vice Principals, and Assistant Principals for calculating the median and school-wide student growth percentile;

   d. Processes for observations for the purpose of evaluation and post-observation conference(s) by a supervisor;

   e. Process for developing and scoring student growth objectives;

   f. The process for preparation of individual professional development plans; and

   g. The process for preparation of an annual performance report by the Superintendent or designated supervisor and an annual summary conference between the administrator and his or her designated supervisor.

3. The annual summary conference between designated supervisors and the administrator shall be held before the annual performance report is filed. The conference shall occur on or before June 30 of each school year and shall include, but not be limited to, a review of the following:

   a. The performance of the administrator based upon the job description and the scores or evidence compiled using the administrator's evaluation rubric, including, when applicable:

      (1) The educator's practice instrument; and

(2) Available indicators or student achievement measures such as student growth objective scores and student growth percentile scores.

b. The progress of the administrator toward meeting the goals of the individual professional development plan or, when applicable, the corrective action plan; and

c. The preliminary annual performance report.

4. If any scores for the administrator'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.

5. The annual performance report for the administrator shall be prepared by the designated supervisor and shall include, but not be limited to:

a. A summative rating based on the evaluation rubric;

b. Performance area(s) of strength and area(s) needing improvement based upon the job description and components of the administrator's evaluation rubric; and

c. The administrator's individual professional development plan or corrective action plan from the evaluation year being reviewed in the report.

6. The administrator and the designated supervisor shall sign the report within five administrator working days of the review.

7. The Board of Education shall include all performance reports and supporting data, including, but not limited to, written observation reports and additional components of the summative evaluation rating as part of his or her personnel file, or in an alternative, confidential location. If reports and data are stored in an alternative, confidential location, the personnel file shall clearly indicate the report's location and how it can easily be accessed. The records shall be confidential and 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.

H. Corrective Action Plans for Administrators – N.J.A.C. 6A:10-2.5

1. For each administrator rated ineffective or partially effective on the annual summative evaluation, as measured by the evaluation rubrics, a corrective action plan shall be developed by administrator and the Superintendent or the designated supervisor. If the administrator does not agree with the corrective action plan's content, the designated supervisor shall make a final determination.

2. The corrective action plan shall be developed and the administrator and his or her designated supervisor shall meet to discuss the corrective action plan by October 31 of the school year following the year of evaluation except:

a. If the ineffective or partially effective summative evaluation rating is received after October 1 of the school year following the year of evaluation, a corrective action plan shall be developed, and the administrator and his or her designated supervisor shall meet to discuss the corrective action plan within twenty-five administrator working days following the school district's receipt of the administrator's summative rating.

3. The content of the corrective action plan shall replace the content of the individual professional development plan required pursuant to N.J.A.C. 6A:9C-4.3(a) and 4.4(a) and shall:

   a. Address areas in need of improvement identified in the administrator 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).

4. The administrator's designated supervisor and the administrator on a corrective action plan shall discuss the administrator's progress toward the goals outlined in the corrective action plan during each required post-observation conference. The administrator and his or her designated supervisor may update the goals outlined in the corrective action plan to reflect any change(s) in the administrator's progress, position, or role.

5. Progress toward the administrator's goals outlined in the corrective action plan**:**

   a. Shall be documented in the administrator's personnel file and reviewed at the annual summary conference and the mid-year evaluation. Both the administrator on a corrective action plan and his or her designated supervisor may collect data and evidence to demonstrate the administrator's progress toward his or her corrective action plan goals; and

   b. May be used as evidence in the administrator's next annual summative evaluation; however, such progress shall not guarantee an effective rating on the next summative evaluation.

6. Responsibilities of the evaluated administrator on a corrective action plan shall not be exclusionary of other plans for improvement determined to be necessary by the administrator's designated supervisor.

7. The corrective action plan shall remain in effect until the administrator receives his or her next summative evaluation rating.

8. There shall be no minimum number of administrator working days an administrator's corrective action plan can be in place.

I. Administrator Observations and Evaluations – N.J.A.C. 6A:10-6.2

1. The Superintendent shall determine the duration of observations required pursuant to N.J.S.A. 18A:27-3.1 for nontenured administrators. Observations 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 at least twenty minutes in length;

   b. Be followed within fifteen administrator working days by a conference between the supervisor who made the observation and the nontenured administrator;

c. Be followed by both parties to such a conference signing the written or electronic observation report and each retaining a copy of his or her records; and

d. Allow the nontenured administrator to submit his or her written objection(s) of the evaluation within ten administrator working days following the conference. The objection(s) shall be attached to each party's copy of the annual performance report.

2. All tenured administrators shall receive at least one observation per school year.

3. All nontenured administrators shall receive at least three observations, as required pursuant to N.J.S.A. 18A:27-3.1.

a. The required observations and evaluations for nontenured administrators shall take place before April 30 each year. These observations and evaluations may cover that period between April 30 of one year and April 30 of the succeeding year except in the case of the first year of employment where the three evaluations and observations must have been completed prior to April 30.

b. The number of required observations and evaluations for nontenured administrators may be reduced proportionately when an individual administrator's term of service is less than one academic year.

4. Evaluations for tenured administrators shall be completed prior to June 30.

July 21, 2021

A. Definitions – N.J.A.C. 6A:10-1.2

The following words and terms shall have the following meanings when used in Policy and Regulation 3224 unless the context clearly indicates otherwise:

"Annual performance report" means a written appraisal of the Principal's, Vice Principal's, or Assistant Principal's performance prepared by the designated supervisor based on the evaluation rubric for his or her position.

"Annual summative evaluation rating" means an annual evaluation rating that is based on appraisals of educator practice and student performance, and includes all measures captured in a Principal, Vice Principal, or Assistant Principal evaluation rubric. The four summative performance categories are ineffective, partially effective, effective, and highly effective.

"Calibration" in the context of educator evaluation means a process to monitor the competency of a trained evaluator to ensure the evaluator continues to apply an educator practice instrument accurately and consistently according to the standards and definitions of the specific instrument.

"Chief School Administrator" means the Superintendent of Schools or the Administrative Principal if there is no Superintendent.

"Commissioner" means Commissioner of the New Jersey Department of Education.

"Corrective Action Plan" means a written plan developed by the Superintendent or a designated supervisor in collaboration with the Principal, Vice Principal, and Assistant Principal to address deficiencies as outlined in an evaluation. The corrective action plan shall include timelines for corrective action, responsibilities of the individual Principal, Vice Principal, and Assistant Principal and the school district for implementing the plan, and specific support that the district shall provide as defined in N.J.S.A. 18A:6-119.

"Department" means the New Jersey Department of Education.

"Designated supervisor" means the supervisor designated by the Superintendent of Schools or designee as the administrator's supervisor.

"District Evaluation Advisory Committee" means a group created to oversee and guide the planning and implementation of the Board of Education's evaluation policies and procedures as set forth in N.J.A.C. 6A:10-2.3.

"Educator practice instrument" means an assessment tool that provides: scales or dimensions that capture competencies of professional performance; and differentiation of a range of professional performance as described by the scales, which must be shown in practice and/or research studies.

"Evaluation" means an appraisal of an individual's professional performance in relation to his or her job description and professional standards and based on, when applicable, the individual's evaluation rubric.

"Evaluation rubric" means a set of criteria, measures, and processes used to evaluate all Principals, Vice Principals, and Assistant Principals in a specific school district or local education agency. Evaluation rubrics consist of measures of professional practice, based on educator practice instruments and student outcomes. Each Board of Education will have an evaluation rubric specifically for teachers, another specifically for Principals, Vice Principals, and Assistant Principals, and evaluation rubrics for other categories of teaching staff members.

"Indicators of student progress and growth" means the results of assessment(s) of students as defined in N.J.A.C. 6A:8, Standards and Assessment.

"Individual professional development plan" is as defined in N.J.S.A. 18A:6-119.

"Job description" means a written specification of the function of a position, duties and responsibilities, the extent and limits of authority, and work relationships within and outside the school and school district.

"Observation" means a method of collecting data on the performance of a Principal's, Vice Principal's, and Assistant Principal's assigned duties and responsibilities. An observation for the purpose of evaluation will be included in the determination of the annual summative evaluation rating and shall be conducted by the Superintendent or designee.

"Post-observation conference" means a meeting, either in-person or remotely, between the supervisor who conducted the observation and the Principal, Vice Principal, and Assistant Principal for the purpose of evaluation to discuss the data collected in the observation.

"Principal practice instrument" means an assessment tool that provides scales or dimensions that capture competencies of professional performance; and differentiation of a range of professional performance as described by the scales, which must be shown in practice and/or research studies. The scores from the principal practice instrument are components of the evaluation rubrics and the scores are included in the summative evaluation rating for the individual.

"Scoring guide" means a set of rules or criteria used to evaluate a performance, product, or project. The purpose of a scoring guide is to provide a transparent and reliable evaluation process. Educator practice instruments include a scoring guide that an evaluator uses to structure his or her assessments and ratings of professional practice.

"Semester" means half of the school year.

"Signed" means the name of one physically written by oneself or an electronic code, sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

"Student growth objective" means an academic goal that teachers and designated supervisors set for groups of students.

"Student growth percentile" means a 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.

"Superintendent" means Superintendent of Schools or Chief School Administrator.

"Supervisor" means an appropriately certified teaching staff member as defined in N.J.S.A. 18A:1-1, or Superintendent employed in the district in a supervisory role and capacity, and possessing a school administrator, Principal, or supervisor endorsement as defined in N.J.A.C. 6A:9B-12 and certified to evaluate a Principal, Vice Principal, or Assistant Principal.

B. Applicability of Rules on Collective Bargaining Agreements – N.J.A.C. 6A:10-1.3

No collective bargaining agreement entered into after July 1, 2013, shall conflict with the educator evaluation system established pursuant to N.J.A.C. 6A:10-1.1 et seq. or any other specific statute or regulation, nor shall topics subject to bargaining involve matters of educational policy or managerial prerogatives.

C. Educator Evaluation Data, Information, and Annual Performance Reports – N.J.A.C. 6A:10-1.4

All information contained in annual performance reports and all information collected, compiled, and/or maintained by employees of the Board of Education for the purposes of conducting the educator evaluation process pursuant to N.J.A.C. 6A:10-1.1 et seq., including, but not limited to, digital records, 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 N.J.A.C. 6A:10-1.1 et seq. shall be construed to prohibit the Department or a school district from, at its discretion, collecting evaluation data pursuant to N.J.S.A. 18A:6-123.e**.** or distributing aggregate statistics regarding evaluation data.

D. Evaluation of Principals, Vice Principals, and Assistant Principals – N.J.A.C. 6A:10-2.1

1. The Board of Education shall annually adopt evaluation rubrics for all Principals, Vice Principals, and Assistant Principals. The evaluation rubrics shall have four defined annual ratings: ineffective, partially effective, effective, and highly effective.

2. The evaluation rubrics for Principals, Vice Principals, and Assistant Principals shall include all other relevant minimum standards set forth in N.J.S.A. 18A:6-123 (P.L. 2012, c. 26, § 17c).

3. Evaluation rubrics shall be submitted to the Commissioner by August 1 for approval by August 15 of each year.

E. Duties of the Board of Education – N.J.A.C. 6A:10-2.2

1. The Board of Education shall meet the following requirements for the annual evaluation of Principals, Vice Principals, and Assistant Principals, unless otherwise specified:

   a. Establish a District Evaluation Advisory Committee to oversee and guide the planning and implementation of the Board of Education's evaluation policies and procedures as set forth in N.J.A.C. 6A:10-2 et seq.;

   b. Annually adopt policies and procedures developed by the Superintendent pursuant to N.J.A.C. 6A:10-2.4, including the evaluation rubrics approved by the Commissioner pursuant to N.J.A.C. 6A:10-2.1(c):

      (1) The Superintendent shall develop policies and procedures that, at a minimum, ensure student performance data on the Statewide assessment is, upon receipt, promptly distributed or otherwise made available to staff members who were primarily responsible for instructing the applicable students in the school year in

which the assessment was taken, as well as to staff members who are or will be primarily responsible for instructing the applicable students in the subsequent school year.

c. Ensure the Superintendent annually notifies all Principals, Vice Principals, and Assistant Principals of the adopted evaluation policies and procedures no later than October 1. If a Principal, Vice Principal, or Assistant Principal is hired after October 1, the Board/Superintendent shall notify all Principals, Vice Principals, and Assistant Principals of the policies and procedures at the beginning of his or her employment. All Principals, Vice Principals, and Assistant Principals shall be notified of amendments to the policy and procedures within ten Principal, Vice Principal, and Assistant Principal working days of adoption;

d. Annually adopt by June 1, any Commissioner-approved educator practice instruments and, as part of the process described at N.J.A.C. 6A:10-2.1(c), notify the Department which instruments will be used as part of the school district's evaluation rubrics;

e. Ensure the Principal of each school within the school district has established a School Improvement Panel pursuant to N.J.A.C. 6A:10-3.1. The panel shall be established annually by August 31 and shall carry out the duties and functions described in N.J.A.C. 6A:10-3.2;

f. Ensure data elements are collected and 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 student growth objective data; and

g. Ensure the Superintendent or designee certifies to the Department that any observer who conducts an observation of a Principal, Vice Principal, or Assistant Principal for the purpose of evaluation as described in N.J.A.C. 6A:10-4.4; N.J.A.C. 6A:10-5.4; and 6A:10-6.2 shall meet the statutory observation requirements of N.J.S.A. 18A:6-119; 18A:6-123.b**.**(8); and N.J.S.A. 18A:27-3.1 and the teacher member of the School Improvement Panel requirements of N.J.A.C. 6A:10-3.2.

2. The Board of Education shall ensure the following training procedures are followed when implementing the evaluation rubric for all Principals, Vice Principals, and Assistant Principals and, when applicable, applying the Commissioner-approved principal practice instruments:

a. Annually provide training on and descriptions of each component of the evaluation rubric for all Principals, Vice Principals, and Assistant Principals who are being evaluated in the school district and provide more thorough training for any Principals, Vice Principals, and Assistant Principals who are 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 principal practice instrument;

b. Annually provide updates and refresher training for supervisors who are conducting evaluations in the school district and more thorough training for any supervisor who will evaluate Principals, Vice Principals, or Assistant Principals for the first time. Training shall be provided on each component of the evaluated Principal's, Vice Principal's, or Assistant Principal's evaluation rubric before the evaluation of the Principal, Vice Principal, or Assistant Principal;

c. The Superintendent shall annually certify to the Department that all supervisors of Principals, Vice Principals, and Assistant Principals in the school district who are utilizing evaluation rubrics have completed training on and demonstrated competency in applying the evaluation rubrics.

F. District Evaluation Advisory Committee – N.J.A.C. 6A:10-2.3

1. Members of the District Evaluation Advisory Committee shall include representation from the following groups: teachers from each school level represented in the school district; central office administrators overseeing the teacher evaluation process; supervisors involved in teacher evaluation, when available or appropriate; and administrators conducting evaluations, including a minimum of one administrator conducting evaluations who participates on a School Improvement Panel. Members also shall include the Superintendent, a special education administrator, a parent, and a member of the Board of Education.

2. The Superintendent may extend membership on the District Evaluation Advisory Committee to representatives of other groups and to individuals.

3. A District Evaluation Advisory Committee is not required and the Board of Education shall have the discretion to establish a District Evaluation Advisory Committee.

G. Evaluation Procedures for Principals, Vice Principals, and Assistant Principals - N.J.A.C. 6A:10-2.4

1. The provisions outlined in Policy and Regulation 3224 and N.J.A.C. 6A:10-2.4 shall be the minimum requirements for the evaluation of Principals, Vice Principals, and Assistant Principals.

2. Evaluation policies and procedures requiring the annual evaluation of Principals, Vice Principals, and Assistant Principals shall be developed under the direction of the Superintendent, who may consult with the District Evaluation Advisory Committee or representatives from School Improvement Panels, and shall include, but not be limited to, a description of:

a. Roles and responsibilities for implementation of evaluation policies and procedures;

b. Job descriptions, evaluation rubrics for Principals, Vice Principals, and Assistant Principals, the process for calculating the summative ratings and each component and the evaluation regulations set forth in N.J.A.C. 6A:10-1 et seq.;

c. Methods of data collection and reporting appropriate to each job description, including, but not limited to, the process for student attribution to teachers, Principals, Vice Principals, Assistant Principals for calculating the median and school-wide student growth percentile;

d. Processes for observations for the purpose of evaluation and post-observation conference(s) by a supervisor;

e. Process for developing and scoring student growth objectives;

f. The process for preparation of individual professional development plans; and

g. The process for preparation of an annual performance report by the Superintendent or designated supervisor, and an annual summary conference between the Principal, Vice Principal, or Assistant Principal and the Superintendent or designated supervisor.

3. The annual summary conference between the designated supervisor and the Principal, Vice Principal, or Assistant Principal shall be held before the annual performance report is filed. The conference shall occur on or before June 30 of each school year and shall include, but not be limited to, a review of the following:

   a. The performance of the Principal, Vice Principal, or Assistant Principal based upon the job description and the scores or evidence compiled using the evaluation rubric, including, when applicable:

      (1) The educator's practice instrument; and

      (2) Available indicators or student achievement measures such as student growth objective scores and student growth percentile scores.

   b. The progress of the Principal, Vice Principal, or Assistant Principal toward meeting the goals of the individual professional development plan or, when applicable, the corrective action plan; and

   c. The preliminary annual performance report.

4. If any scores for the Principal's, Vice Principal's, or Assistant Principal'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.

5. The annual performance report for the Principal, Vice Principal, or Assistant Principal shall be prepared by the designated supervisor 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:10-5;

   b. Performance area(s) of strength and area(s) needing improvement based upon the job description and components of the Principal's, Vice Principal's, or Assistant Principal's evaluation rubric; and

   c. The Principal's, Vice Principal's, or Assistant Principal's individual professional development plan or a corrective action plan from the evaluation year being reviewed in the report.

6. The Principal, Vice Principal, or Assistant Principal and the designated supervisor shall sign the report within five Principal, Vice Principal, and Assistant Principal working days of the review.

7. The Board of Education shall include all performance reports and supporting data, including, but not limited to, written observation reports and additional components of the summative evaluation rating as part of the Principal's, Vice Principal's, or Assistant Principal's personnel file, or in an alternative, confidential location. If reports and data are stored in an alternate location, the personnel file shall clearly indicate the report's location and how it can be easily accessed. The records shall be confidential and 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.

H. Corrective Action Plans for Principals, Vice Principals, and Assistant Principals – N.J.A.C. 6A:10-2.5

1. For each Principal, Vice Principal, and Assistant Principal 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 Principal, Vice Principal, or Assistant Principal and the designated supervisor. If the Principal, Vice Principal, or Assistant Principal does not agree with the corrective action plan's content, the designated supervisor shall make the final determination.

2. The corrective action plan shall be developed and the Principal, Vice Principal, or Assistant Principal and his or her designated supervisor shall meet to discuss the corrective action plan by October 31 of the school year following the year of evaluation except:

    a. If the ineffective or partially effective summative evaluation rating is received after October 1 of the school year following the year of evaluation, a corrective action plan shall be developed, and the Principal, Vice Principal, or Assistant Principal and his or her designated supervisor shall meet to discuss the corrective action plan within twenty-five Principal, Vice Principal, or Assistant Principal working days following the school district's receipt of the Principal's, Vice Principal's, or Assistant Principal's summative rating.

3. The content of the corrective action plan shall replace the content of the individual professional development plan required pursuant to N.J.A.C. 6A:9C-4.3(a) and 4.4(a) and shall:

    a. Address areas in need of improvement identified in the principal 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).

4. The designated supervisor and the Principal, Vice Principal, or Assistant Principal on a corrective action plan shall discuss the Principal's, Vice Principal's, or Assistant Principal's progress toward the goals outlined in the corrective action plan during each post-observation conference, when required by N.J.S.A. 18A:27-3.1 or N.J.A.C. 6A:10-5.4.

5. Progress toward the Principal's, Vice Principal's, or Assistant Principal's goals outlined in the corrective action plan:

    a. Shall be documented in the Principal's, Vice Principal's, or Assistant Principal's personnel file and reviewed at the annual summary conference and the mid-year evaluation. Both the Principal, Vice Principal, or Assistant Principal on a corrective action plan and his or her designated supervisor may collect data and evidence to demonstrate the Principal's, Vice Principal's, or Assistant Principal's progress toward his or her corrective action plan goals; and

    b. May be used as evidence in the Principal's, Vice Principal's, or Assistant Principal's next annual summative evaluation; however, such progress shall not guarantee an effective rating on the next summative evaluation.

6. Responsibilities of the evaluated Principal, Vice Principal, or Assistant Principal on a corrective action plan shall not be exclusionary of other plans for improvement determined to be necessary by the designated supervisor.

7. The Superintendent or his or her designee, and the Principal, as appropriate, shall conduct a mid-year evaluation of any Principal, Vice Principal, or Assistant Principal pursuant to N.J.S.A. 18A:6-121.c. The mid-year evaluation shall occur approximately midway between the development of the corrective action plan and the expected receipt of the next annual summative rating. The mid-year evaluation shall include, at a minimum a conference to discuss progress toward the Principal's, Vice Principal's, or Assistant Principal's goals outlined in the corrective action plan. The mid-year evaluation conference may be combined with a post-observation conference.

8. The Superintendent shall ensure Principals, Vice Principals, and Assistant Principals with a corrective action plan receive one observation and a post-observation conference in addition to the observations required in N.J.A.C. 6A:10-5.4 for the purpose of evaluation as described in N.J.A.C. 6A:10-1.2 and 5.4.

9. The corrective action plan shall remain in effect until the Principal, Vice Principal, or Assistant Principal receives his or her next summative evaluation rating.

10. There shall be no minimum number of Principal, Vice Principal, or Assistant Principal working days a Principal's, Vice Principal's, or Assistant Principal's corrective action plan can be in place.

I. Components of Principal Evaluation Rubrics – N.J.A.C. 6A:10-5.1

1. Unless otherwise noted, the components of the principal evaluation rubrics shall apply to teaching staff members holding the position of Principal, Vice Principal, or Assistant Principal and holding a valid and effective standard, provisional, or emergency administrative certificate.

2. 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; and

   b. Measures of principal practice pursuant to N.J.A.C. 6A:10-5.3 and 5.4.

3. To earn a summative rating, the Principal, Vice Principal, or Assistant Principal shall have a student achievement score, pursuant to N.J.A.C. 6A:10-5.2 and a principal practice score pursuant to N.J.A.C. 6A:10-5.3 and 5.4.

4. Each score shall be converted to a percentage weight so all measures make up 100 percent of the evaluation rubric. By August 31 prior to the school year in which the evaluation rubric applies, the Department shall provide on its website the required percentage weight of each component and the required summative rating scale. All components shall be worth the following percentage weights or fall within the following ranges:

   a. If, according to N.J.A.C. 6A:10-5.2(b), the Principal, Vice Principal, or Assistant Principal receives a school-wide student growth percentile score as described in N.J.A.C. 6A:10-5.2(c), the score shall be at least ten percent and no greater than forty percent of evaluation rubric rating as determined by the Department.

b. Measure of average student growth objective for all teachers, as described in N.J.A.C. 6A:10-5.2(d), shall be at least ten percent and no greater than twenty percent of evaluation rubric rating as determined by the Department.

c. Measure of administrator goal, as described in N.J.A.C. 6A:10-5.2(e), shall be no less than ten percent and no greater than forty percent of evaluation rubric rating as determined by the Department.

d. Measure of principal practice, as described in N.J.A.C. 6A:10-5.3(b), shall be no less than fifty percent of evaluation rubric rating.

5. Standardized assessments, used as a measure of student progress, shall not be the predominant factor in determining a Principal's annual summative rating.

6. The Department shall periodically collect principal evaluation rubric data that shall include, but are not limited to, component-level scores and annual summative ratings.

J. Student Achievement Components of Principal Evaluation Rubrics – N.J.A.C. 6A:10-5.2

1. Measures of student achievement shall be used to determine impact on student learning and shall include the following components:

a. The school-wide student growth percentile of all students assigned to the Principal;

b. Average student growth objective scores of every teacher, as described in N.J.A.C. 6A:10-4.2(e), assigned to the Principal; and

c. Administrator goals set by Principals, Vice Principals, or Assistant Principals in consultation with their supervisor pursuant to N.J.A.C. 6A:10-5.2(e), which shall be specific and measurable, based on student growth and/or achievement data.

2. The school-wide student growth percentile score shall be included in the annual summative rating of Principals, Vice Principals, and Assistant Principals who are assigned to a school as of October 15 and who are employed in schools where student growth percentiles are available for students in one or more grades. If the Principal, Vice Principal, or Assistant Principal is employed in more than one school, the Superintendent shall assign to the Principal, Vice Principal, or Assistant Principal, as appropriate, the school-wide student growth percentile from one school and shall notify the Principal, Vice Principal, or Assistant Principal at the beginning of the school year of the student growth percentile assignment.

3. The Department shall calculate the school-wide student growth percentile for Principals, Vice Principals, and Assistant Principals.

4. The average student growth objective scores of all teachers, as described in N.J.A.C. 6A:10-4.2(e), shall be a component of the Principal's annual summative rating. The average student growth objective scores for Vice Principals or Assistant Principals shall be determined according to the following procedures:

a. The Principal, in consultation with the Vice Principal or Assistant Principal, shall determine prior to the start of the school year, which teachers, if not all teachers in the

school, shall be linked to the Vice Principal's and Assistant Principal's average student growth objective score.

b. If the Vice Principal or Assistant Principal does not agree with the list of teachers linked to his or her name for the purposes of this measurement, the Principal shall make the final determination.

5. Administrator goals for Principals, Vice Principals, or Assistant Principals shall be developed and measured according to the following procedures:

a. The designated supervisor shall determine for all Principals, Vice Principals, or Assistant Principals, the number of required administrator goals which shall reflect the achievement of a significant number of students within the school. By August 31 prior to the school year in which the evaluation rubric applies, the Department shall provide on the Department's website the minimum and maximum number of required goals, which will be at least one goal and no more than four goals.

b. Principals, Vice Principals, or Assistant Principals shall develop, in consultation with their designated supervisor, each administrator goal. Each Vice Principal and Assistant Principal shall set goals specific to his or her job description or adopt the same goals as his or her Principal. If the Principal, Vice Principal, or Assistant Principal and his or her designated supervisor do not agree upon the administrator goal the Principal's, Vice Principal's, or Assistant Principal's designated supervisor shall make the final determination.

c. Administrator goals and the criteria for assessing performance based on those objectives shall be determined, recorded, and retained by the Principal, Vice Principal, or Assistant Principal and his or her designated supervisor by October 31 of each school year, or within twenty-five Principal, Vice Principal, and Assistant Principal working days of the Principal's, Vice Principal's, or Assistant Principal's start date if he or she begins work after October 1.

d. The administrator goal score shall be approved by the designated supervisor of the Principal, Vice Principal, or Assistant Principal. The Principal's, Vice Principal's, or Assistant Principal's administrator goal score, if available, shall be discussed at his or her annual summary conference and recorded in his or her personnel file.

K. Principal Practice Component of Evaluation Rubric – N.J.A.C. 6A:10-5.3

1. Measures of principal practice shall include a measure determined through a Commissioner-approved principal practice instrument and may include a leadership measure determined through the Department-created leadership rubric.

2. Principal practice component rating shall be based on the measurement of the Principal's, Vice Principal's, or Assistant Principal'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.

3. Leadership practice shall be determined by a score on a leadership rubric, which will assess the Principal's, Vice Principal's, or Assistant Principal's ability to improve student achievement and teaching staff member effectiveness through identified leader behaviors. The rubric will be posted on the Department's website and annually maintained.

L. Principal, Vice Principal, and Assistant Principal Observations – N.J.A.C. 6A:10-5.4

1. The Superintendent or his or her designee, shall conduct observations for the evaluation of Principals pursuant to N.J.S.A. 18A:6-121 and he or she shall be trained pursuant to N.J.A.C. 6A:10-2.2(b).

2. A Principal, or the Superintendent or his or her designee, shall conduct observations for the evaluation of Vice Principals and Assistant Principals pursuant to N.J.S.A. 18A:6-121.

3. For the purpose of collecting data for the evaluation of a Principal, Vice Principal, or Assistant Principal, an observation, as described in N.J.S.A. 18A:6-119 and N.J.A.C. 6A:10-1.2, 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.

4. Post-observation conferences shall include the following procedures:

   a. A supervisor who is present at the observation shall conduct a post-observation conference with the Principal, Vice Principal, or Assistant Principal being observed. A post-observation conference shall occur no more than fifteen Principal, Vice Principal, or Assistant Principal 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's, Vice Principal's, or Assistant Principal'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, Vice Principal, or Assistant Principal, 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's, Vice Principal's, or Assistant Principal's annual summary conference as long as it occurs within the required fifteen Principal, Vice Principal, or Assistant Principal working days following the observation.

   e. A written or electronic observation report shall be signed by the supervisor who conducted the observation and post-observation and the Principal, Vice Principal, or Assistant Principal who was observed.

   f. The Principal, Vice Principal, or Assistant Principal shall submit his or her written objection(s) of the evaluation within ten Principal, Vice Principal, and Assistant Principal working days following the conference. The objection(s) shall be attached to each party's copy of the annual performance report.

5. Each tenured Principal, Vice Principal, and Assistant Principal shall be observed as described in N.J.A.C. 6A:10-5.4, at least two times during each school year. Each nontenured Principal, Vice Principal, and Assistant Principal shall be observed as described in N.J.A.C. 6A:10-5.4 at least three times during each school year, as required by N.J.S.A. 18A:27-3.1. An additional observation shall be conducted pursuant to N.J.A.C. 6A:10-2.5(h) for Principals, Vice Principals, and Assistant Principals who are on a corrective action plan.

M. Principal Practice Instrument – N.J.A.C. 6A:10-7.3

1. The principal practice instrument approved by the Department shall meet the following criteria:

   a. Incorporate domains of practice and/or performance criteria that align to the 2015 Professional Standards for Educational Leaders developed by the National Policy Board for Educational Administration (NPBEA) incorporated herein by reference;

   b. Include scoring guides for assessing principal 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 clearly define the expectations for each category and provide a conversion to four rating categories;

   c. Rely on, to the extent possible, multiple sources of evidence collected throughout the school year, including, but not limited to, evaluation of a Principal's leadership related to:

      (1) Implementing high-quality and standards-aligned curriculum, assessments, and instruction; and

      (2) Evaluating the effectiveness of teaching staff members and supporting their professional growth.

   d. Include descriptions of specific training and implementation details required for the instrument to be effective.

A. Evaluations

1. Each nontenured support staff member shall be evaluated at least one time each school year.

2. Evaluations shall set forth both the strengths and weaknesses of the nontenured support staff member in order to provide an accurate assessment of his/her performance and to encourage the improvement of that performance.

3. Supervisors shall constructively point out performance deficiencies and offer assistance to nontenured support staff members in the improvement of professional skills.

B. Nonrenewal Recommendation

1. When a nontenured support staff member's performance does not meet the standards of the school district, employment will not be offered to the nontenured support staff member for the succeeding school year.

2. The nontenured support staff member shall be informed by the Superintendent of Schools, in writing, that employment for the next succeeding school year will not be offered. This written notice shall be provided to the nontenured support staff member in accordance with the timelines and terms of any applicable collective bargaining agreement, individual contract, or any other agreement between the parties.

3. A recommendation by the Superintendent to not renew the nontenured support staff member may be based upon the nontenured support staff member's evaluations, job performance, or any factor affecting his/her employment in the school district.

4. A nontenured support staff member contract can be renewed only upon the Superintendent's recommendation and a majority vote of the full membership of the Board. The Board shall not withhold its approval for arbitrary and capricious reasons.

C. Nonrenewal Action

1. Prior to notifying the nontenured support staff member of the nonrenewal, the Superintendent shall notify the Board of the recommendation not to renew the nontenured support staff member's contract and the reasons for the recommendation. The Superintendent may notify the Board members of the recommendation not to renew the nontenured support staff member's contract and the reasons for the recommendation in a written notice to the Board or in the alternative, in executive session. If notification is provided to the Board in executive session, the Superintendent and the Board will meet in executive session in accordance with the timelines and terms of any applicable collective bargaining agreement, individual contract, or any other agreement between parties.

   a. Notice of the executive session shall be given in accordance with N.J.S.A. 10:4-13 and individual notice shall be given, not less than forty-eight hours in advance of the meeting, to those nontenured support staff members whose possible nonrenewal will be discussed at the meeting. If any such nontenured support staff member requests the discussion take

place in public, the recommendation for his/her nonrenewal will be severed from any other nonrenewal recommendation and will be scheduled for discussion at a public meeting.

2. The Superintendent will ensure the timelines for nonrenewal action are in accordance with the timelines and terms of any applicable collective bargaining agreement, individual contract, or any other agreement between the parties.

3. A nontenured support staff member not recommended for renewal by the Superintendent is deemed not renewed. A Board of Education vote is not required on the Superintendent's recommendation(s) to not renew a nontenured support staff member's contract.

D. Notice of Nonrenewal

1. The nonrenewal notice shall be provided to the nontenured support staff member not recommended for renewal by the Superintendent in accordance with the terms of any applicable collective bargaining agreement, individual contract, or any other agreement between the parties. If hand delivered, a record shall be made of the date on which delivery was made. If sent by mail, the notice shall be sent registered mail, return receipt requested, to the nontenured support staff member's address of record.

E. Request for Statement of Reasons

1. Any nontenured support staff member receiving notice that a contract for the succeeding school year will not be offered may, within fifteen calendar days thereafter, request in writing a statement of the reasons for such nonemployment which shall be given to the nontenured support staff member in writing thirty calendar days after the receipt of such request.

2. The statement of reasons for a nonrenewal will set forth, with as much particularity as possible, the precise reasons for the nonrenewal. Where the nonrenewal is based on performance deficiencies recorded in the nontenured support staff member's evaluations and the nontenured support staff member has been given a copy of those evaluations, the statement of reasons may incorporate the evaluations by reference.

3. The statement of reasons may be prepared by the Superintendent or the Board Secretary and shall be delivered to the nontenured support staff member who requested the statement of reasons within thirty calendar days after the receipt of the nontenured support staff member's request for the statement of reasons.

F. Nonrenewal Appearance

1. Whenever the nontenured support staff member has requested in writing and received a written statement of reasons for non-reemployment pursuant to N.J.S.A. 18A:27-3.2, the nontenured support staff member may request in writing an informal appearance before the Board. The written request shall be submitted to the Board within ten calendar days of the nontenured support staff member's receipt of the Board's statement of reasons.

2. The informal appearance shall be scheduled within thirty calendar days from the nontenured support staff member's receipt of the Board's statement of reasons.

3. The Board will exercise discretion in determining a reasonable length of time for the proceeding depending upon each instance's specific circumstances.

4. The proceeding of an informal appearance before the Board may be conducted in executive session pursuant to N.J.A.C. 10:4-12(b)(8). If conducted in executive session notice must be given in accordance with N.J.S.A. 10:4-13.

5. The Board shall provide the nontenured support staff member adequate written notice regarding the date and time of the informal appearance.

6. The nontenured support staff member's appearance before the Board shall not be an adversary proceeding. The purpose of the appearance shall be to provide the nontenured support staff member the opportunity to convince Board of Education members to offer reemployment.

7. The proceeding of an informal appearance before the Board shall be conducted with the President of the Board presiding.

8. The nontenured support staff member may be represented by an attorney or by one individual of his/her choosing. The nontenured support staff member may present, on his or her behalf, witnesses who do not need to present testimony under oath and shall not be cross-examined by the Board. Witnesses shall be called one at a time into the meeting to address the Board and shall be excused from the meeting after making their statements.

G. Final Determination

1. A Board vote is not required on the Superintendent's recommendation(s) to not renew a nontenured support staff member. However, after an informal appearance before the Board, the Superintendent may make a recommendation for reemployment of the nontenured support staff member to the voting members of the Board. If the Superintendent recommends the nontenured teaching staff member for reemployment, the voting members of the Board must, by a majority vote of the full Board at a public session, approve or not approve the reemployment.

2. The Board may, with a majority vote of its full membership in public session and without the recommendation of the Superintendent, offer the nontenured support staff member reemployment after the informal appearance before the Board.

3. Within three working days following the informal appearance, the Board shall notify the affected nontenured support staff member, in writing, of its final determination. The Board may delegate notification of its final determination to the Superintendent or Board Secretary.

A. Definitions (N.J.S.A. 6A:23A-1.2)

1. For the purpose of this Policy, "travel expenditures" means those costs paid by the school district using local, State, or Federal funds, whether directly by the school district or by employee reimbursement, for travel by school district employees and district Board of Education members, to the following five types of travel events:

   a. Training and seminars – means all regularly scheduled, formal residential or non-residential training functions conducted at a hotel, motel, convention center, residential facility, or at any educational institution or facility;

   b. Conventions and conferences – means general programs, sponsored by professional associations on a regular basis, which address subjects of particular interest to a school district or are convened to conduct association business. The primary purpose of employee attendance at conferences and conventions is the development of new skills and knowledge or the reinforcement of those skills and knowledge in a particular field related to school district operations. These are distinct from formal staff training and seminars, although some training may take place at such events;

   c. School district sponsored events – means conferences, conventions, receptions, or special meetings, where the school plans, develops, implements, and coordinates the event and is the event's primary financial backer. School district employees are actively involved in working the event and other employees may attend as participants;

   d. Regular school district business travel – means all regular official business travel, including attendance at meetings, conferences, and any other gatherings which are not covered by the definitions included in a., b., and c. above. Regular school district business travel also includes attendance at regularly scheduled in-State county meetings and Department-sponsored or association-sponsored events provided free of charge and regularly scheduled in-State professional development activities with a registration fee that does not exceed $150 per employee or district Board member. The $150 limit per employee or district Board member may be adjusted by inflation; and

   e. Retreats – means meetings with school district employees and school Board members, held away from the normal work environment at which organizational goals and objectives are discussed. If available, school district facilities shall be utilized for this type of event.

B. Maximum Travel Budget (N.J.A.C. 6A:23A-7.3)

1. Annually in the prebudget year, the Board of Education shall establish by resolution a maximum travel expenditure amount for the budget year, which the school district shall not exceed. The resolution shall also include the maximum amount established for the prebudget year and the amount spent to date.

a. The maximum school district travel expenditure amount shall include all travel supported by local and State funds.

b. The Board may exclude travel expenditures supported by Federal funds from the maximum travel expenditure amount.

(1) If Federal funds are excluded from the established maximum amount, the Board shall include in the resolution the total amount of travel supported by Federal funds from the prior year, prebudget year, and projected for the budget year.

c. Exclusion of Federal funds from the annual maximum travel budget shall not exempt such travel from the requirements applicable to State and local funds.

2. The Board of Education may authorize an annual maximum amount per employee for regular business travel only for which Board of Education approval is not required.

a. The annual maximum shall not exceed $1,500 and shall be subjected to the approval requirements in N.J.S.A. 18A:19-1.

b. Regular school district business travel as defined in N.J.A.C. 6A:23A-1.2 and in this Regulation shall include attendance at regularly scheduled in-State county meetings and Department-sponsored or association-sponsored events provided free of charge. It also shall include regularly scheduled in-State professional development activities for which the registration fee does not exceed $150 per employee or Board member.

c. Regular school district business travel shall require approval of the Superintendent prior to obligating the school district to pay related expenses and prior to attendance at the travel event.

(1) The Superintendent shall designate an alternate approval authority to approve travel requests in his or her absence when necessary to obtain timely district Board of Education approval.

(2) The Superintendent shall establish, in writing, the internal levels of approval required prior to his or her approval of the travel event, as applicable.

C. Travel Approval Procedures (N.J.A.C. 6A:23A-7.4)

1. All travel requests for employees of the school district shall be submitted to the Superintendent or designee and approved in writing by the Superintendent and approved by a majority of the Board of Education's full voting membership, except if the Board has excluded regular business travel from prior approval in Policy 6471 pursuant to N.J.A.C. 6A:23A-7.3(b), prior to obligating the school district to pay related expenses and prior to attendance at the travel event.

a. The Superintendent shall designate an alternate approval authority to approve travel requests in his or her absence when necessary to obtain timely Board approval.

b. The Superintendent shall establish, in writing, the internal levels of preliminary approval required prior to the Superintendent's approval of the travel event, as applicable.

(1) The School Business Administrator/Board Secretary or designee shall review all travel requests either before or after the Superintendent's approval and prior to submission of the Board for approval to determine if the expenses as outlined in the request are in compliance with the requirements of N.J.S.A. 18A:11-12, N.J.A.C. 6A:23A-7, the current State travel payment guidelines established by the Department of the Treasury, and the current guidelines established by the Federal Office of Management and Budget.

(a) If any travel expenses requested are not in compliance with the guidelines outlined above, the School Business Administrator/Board Secretary or designee will return the request to be revised in accordance with the guidelines outlined above.

(b) The Superintendent may deny the request, approve the request conditioned upon the staff member assuming the financial responsibility for those travel expenses that are not in compliance with the guidelines, or may return the request to the school staff member to be revised in accordance with the guidelines outlined above.

2. All travel requests for Board members shall require prior approval by a majority of the Board's full voting membership, except where the Board has excluded regular business travel from prior approval pursuant to N.J.A.C. 6A:23A-7.3(b), and the travel shall be in compliance with N.J.S.A. 18A:12-24 and 24.1.

3. The Board of Education may approve, at any time prior to the event, travel for multiple months as long as the approval detailed in Board of Education minutes itemizes the approval by event, total cost, and number of employees and/or Board members attending the event. General or blanket pre-approval shall not be authorized.

4. All travel requests shall receive prior approval of the Board of Education except if the Board has excluded from the requirements prior Board approval of any travel caused by or subject to existing contractual provisions, including grants and donations, and other statutory requirement, or Federal regulatory requirements in Policy 6471 pursuant to N.J.A.C. 6A:23A-7.4(d). For the exclusion of prior Board approval to apply, the required travel event shall be detailed, with number of employees(s), Board member(s), and total cost in the applicable contract, grant, donation, statute, or Federal regulation.

a. This shall not include general grant guidelines or regulations that are permissive, but do not require the travel event, unless the specific travel event, number of employee(s), Board member(s), and total cost is detailed in the approved grant, donation, or other fund acceptance agreement.

b. This shall not include general contractual provisions in employment contracts for continuing education or professional development, except if the Board has included in its policy a maximum amount per employee for regular business travel that does not require prior Board of Education approval pursuant to N.J.A.C. 6A:23A-7.3.

5. If occasional unforeseen situations arise wherein a travel request cannot obtain prior approval of the Board of Education, justification shall be included in the text of the travel request.

a. Such requests shall require prior written approval of the Superintendent or designee, and the Executive County Superintendent or designee.

b. The Board shall ratify the request at its next regularly scheduled meeting.

c. Travel to conferences, conventions, and symposiums shall not be considered emergencies and shall not be approved after the fact.

6. Subsequent to pre-approval by a majority of the full voting membership of the Board of Education, reimbursement of prospective employee travel expense shall be pre-approved by the Executive County Superintendent.

D. Required Documentation for Travel (N.J.A.C. 6A:23A-7.5)

1. The Board of Education requires the documentation listed in D.2. below to justify the number of employees attending an event and the benefits to be derived from their attendance;

2. Neither the Superintendent or designee, nor the Board of Education shall approve a travel request unless it includes, at a minimum, the following information:

a. The name and date(s) of the event;

b. A list of Board members and/or employees to attend, either by name and title;

c. The estimated cost associated with travel;

d. A justification and brief statement that includes the primary purpose for the travel, the key issues that will be addressed at the event, and their relevance to improving instruction or the operation of the school district.

(1) For training events, the statement must include whether the training is for a certification required for continued employment, continuing education requirements, requirements of Federal or State law, or other purpose related to the programs and services currently being delivered or soon to be implemented in the school district; or related to school district operations;

e. The account number and funding source - Federal, State, private, or local; and

f. For annual events, the total attendance and cost for the previous year.

3. The school district shall maintain documentation on file that demonstrates compliance with the Board of Education’s travel policy, including travel approvals, reports, and receipts for all school district funded expenditures, as appropriate.

E. School Business Administrator/Board Secretary Responsibilities Regarding Accounting for Travel (N.J.A.C. 6A:23A-7.6)

1. The School Business Administrator/Board Secretary or designee shall prepare itemized travel budgets by function and object of expense for each cost center, department, or location maintained in the school district's accounting system, as applicable, as part of the preparation of and documentation for the annual school district budget.

a. The aggregate amount of all travel budgets shall not exceed the Board of Education approved maximum travel expenditure amount for the budget year as required by N.J.A.C. 6A:23A-7.3.

2. The School Business Administrator/Board Secretary shall maintain separate accounting for school district travel expenditures, as necessary, to ensure compliance with the school district's maximum travel expenditure amount. The separate accounting tracking system 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 shall be sufficient to demonstrate compliance with Policy and Regulation 6471 and N.J.A.C. 6A:23A-7, and shall be in a detailed format suitable for audit.

3. The School Business Administrator/Board Secretary or designee shall review and approve the cost and supporting documentation required by N.J.A.C. 6A:23A-7 and submitted by the person(s) having incurred travel expense. The School Business Administrator shall not approve or issue payment of travel expenditures or reimbursement requests until all required documentation and information to support the payment has been submitted, and shall not approve any travel expenditure that, when added to already approved travel expenditures, would exceed the Board of Education approved maximum travel expenditure amount for the budget year.

4. The School Business Administrator/Board Secretary shall be responsible for the adequacy of documentation of transactions processed by his or her staff and the retention of the documentation to permit audits of the records.

5. A Board of Education employee, a Board member, or an organization shall not receive partial or full payment for travel and travel-related expenses in advance of the travel, pursuant to N.J.S.A. 18A:19-1 et seq. The payment of travel and travel-related expenses, including travel-related purchases for which a purchase order is not applicable, shall be made personally by a school district employee or Board member and reimbursed at the conclusion of the travel event. N.J.A.C. 6A:23A-7.6, Policy 6471, and this Regulation do not preclude the school district from paying the vendor directly with the proper use of a purchase order (for example, for registration, airline tickets, hotel).

F. Sanctions for Violations of Travel Requirements (N.J.A.C. 6A:23A-7.7)

1. A Board of Education that violates its established maximum travel expenditure, as set forth in N.J.A.C. 6A:23A-7.3, or that otherwise is not in compliance with N.J.A.C. 6A:23A-7 travel limitations, may be subject to sanctions by the Commissioner as authorized pursuant to N.J.S.A. 18A:4-23 and 24, including reduction of State aid in an amount equal to any excess expenditure pursuant to N.J.S.A. 18A:11-12 and 18A:7F-60.

2. The staff member designated as the final approval authority for travel who approves any travel request or reimbursement in violation of N.J.A.C. 6A:23A-7 and Policy and Regulation 6471 shall reimburse the school district in an amount equal to three times the cost associated with attending the event, pursuant to N.J.S.A. 18A:11-12.

3. An employee or Board member who violates the provisions of N.J.A.C. 6A:23A-7 and Policy and Regulation 6471 shall be required to reimburse the school district in an amount equal to three times the cost associated with attending the event, pursuant to N.J.S.A. 18A:11-12.

4. In accordance with N.J.A.C. 6A:23A-7.7(d), there must be procedures to monitor compliance and application of the penalty, as outlined in N.J.A.C. 6A:23A-7.7, upon determination a violation has occurred after Board of Education payment of the event.

   a. In addition to the annual audit test procedures to ensure compliance as required in N.J.A.C. 6A:23A-7.7(e) and F.5. below, the School Business Administrator/Board Secretary will designee a staff member to review travel payments that are being recommended to the Board for payment prior to Board approval and travel payments previously approved by the Board for payment and paid for any violations.

      (1) In the event the annual audit test procedures or the review by the staff member designated by the School Business Administrator/Board Secretary determines a travel payment recommended to the Board for payment or a travel payment previously approved by the Board and was paid in violation of N.J.A.C. 6A:23A-7 and Policy and Regulation 6471, the school district auditor or the staff member designated by the School Business Administrator/Board Secretary shall inform the Superintendent of Schools of the violation in writing.

      (2) The Superintendent shall determine if a violation of N.J.A.C. 6A:23A-7 requires a penalty in accordance with N.J.A.C. 6A:23A-7.7.

      (3) If a violation is determined prior to payment or reimbursement of the travel event, the Superintendent may exclude application of any additional penalties.

5. The annual audit conducted pursuant to N.J.S.A. 18A:23-1 shall include test procedures to ensure compliance with the Board of Education's policy and travel limitations set forth in this section and N.J.S.A. 18A:11-12.

G. Prohibitive Travel Reimbursements (N.J.A.C. 6A:23A-7.8)

1. The following types of expenditures are not eligible for reimbursement:

   a. Subsistence reimbursement for one-day trips, except for meals expressly authorized by and in accordance with N.J.A.C. 6A:23A-7.12;

   b. Subsistence reimbursement for overnight travel within the State, except where authorized by the Commissioner in accordance with N.J.A.C. 6A:23A-7.11;

   c. Travel by Board members or employees whose duties are unrelated to the purpose of the travel event or who are not required to attend to meet continuing educations requirements or to comply with law or regulation;

   d. Travel by spouses, civil union partners, domestic partners, immediate family members, and other relatives;

   e. Costs for employee attendance for coordinating other attendees' accommodations at the travel event;

   f. Lunch or refreshments for training sessions and retreats held within the school district, including in-service days and for employee participants traveling from other locations within the school district;

g. Training to maintain a certification that is not required as a condition of employment (For example: CPE credits to maintain a CPA license if the employee is not required to be a CPA for continued school district employment);

h. Charges for laundry, valet service, and entertainment;

i. Limousine services and chauffeuring costs to, or during, the event;

j. Car rentals, either utilized for airport transportation or transportation at a conference, convention, etc., unless absolutely necessary for the conduct of school district business. Justification shall accompany any request for car rentals. If approved, the most economical car rental is to be used, including the use of subcompacts and discounted and special rates. An example of the justified use of a car rental is when an employee is out of State, making inspections at various locations, and the use of public transportation is impracticable. When car rental is authorized, the employee shall not be issued an advance payment for the anticipated expense associated with the rental;

k. Alcoholic beverages;

l. Entertainment costs, including amusement, diversion, social activities, and any costs directly associated with such costs (such as tickets to shows or sports events, meals, lodging, rentals, transportation, and gratuities);

m. Gratuities or tips in excess of those permitted by Federal per diem rates;

n. Reverse telephone charges or third party calls;

o. Hospitality rooms;

p. Souvenirs, memorabilia, promotional items, or gifts;

q. Air fare without documentation of quotes from at least three airlines and/or on-line services; and

r. Other travel expenditures that are unnecessary and/or excessive.

H. Travel Methods (N.J.A.C. 6A:23A-7.9)

1. For the purpose of section H. of this Regulation and N.J.A.C. 6A:23A-7.9, "transportation" means necessary official travel on railroads, airlines, shuttles, buses, taxicabs, rideshares, school district-owned or leased vehicles, and personal vehicles.

2. The purchase or payment of related transportation expenses shall be made by purchase order or personally by a school district employee or Board member and reimbursed at the conclusion of the travel event. An actual invoice or receipt for each purchase or expense shall be submitted with a claim for reimbursement.

3. Pursuant to Office of Management and Budget (OMB) Travel Circulars and N.J.A.C. 6A:23A-7.1 et seq., the following travel methods requirements shall apply:

a. Air and rail tickets shall be purchased via the Internet, if possible, using airline or online travel services such as Travelocity, Expedia, or Hotwire.

b. Air travel shall be authorized only when determined that it is necessary and advantageous to conduct school district business.

(1) The most economical air travel should be used, including the use of discounted and special rates.

(2) The following options should be considered when booking tickets:

(a) Connecting versus nonstop flights;

(b) Departing earlier or later compared to the preferred departure time;

(c) Utilizing alternative airports within a city, for example, Chicago, Illinois-Midway Airport versus O'Hare Airport;

(d) Utilizing alternative cities, for example, Newark versus Philadelphia;

(e) Utilizing "low cost" airlines; and

(f) Exploring alternate arrival and/or departure days.

(3) No employee or Board member can earn benefits as a result of school district funded travel. Employees and Board members shall be prohibited from receiving "frequent flyer" or other benefits accruing from school district funded travel.

(4) Airfare other than economy (that is, business or first class) shall not be fully reimbursed by the school district except when travel in such classes:

(a) Is less expensive than economy;

(b) Avoids circuitous routings or excessive flight duration; or

(c) Would result in overall transportation cost savings.

(5) All airfare other than economy and not covered by the above exceptions purchased by an employee or Board member shall be reimbursed only at the economy rate for the approved destination.

(6) Cost estimates on travel requests and associated authorizations shall be consistent with current airline tariffs, with consideration of available special fares or discounts, for the requested destination.

(7) Airline tickets shall not be booked until all necessary approvals have been obtained.

(8) Additional expenses over and above the authorized travel request shall be considered only for factors outside the purchaser's control. The burden of proof shall be placed upon the purchaser and any additional expenses incurred without sufficient justification and documentation, as determined by the School Business Administrator/Board Secretary, shall not be reimbursed.

(9) Justification shall accompany requests for airline ticket reimbursement when purchased by employees or Board members contrary to H.3.b.(1) through (8) above. Sufficient justification shall be considered only for factors outside the purchaser's control. Noncompliant purchases without sufficient justification shall not be reimbursed.

c. Rail travel shall be authorized only when determined that it is necessary and advantageous to conduct school district business.

(1) The most economical scheduling of rail travel shall be utilized, including excursion and government discounts, whenever applicable.

(2) The use of high-speed rail services, such as Acela, shall not be authorized.

(3) All rail travel shall be processed in the same manner as prescribed for air travel in H.3.b. above.

d. Use of a school district-owned or-leased vehicle shall be the first means of ground transportation. Use of a personally owned vehicle on a mileage basis shall not be permitted for official business where a school district-owned or -leased vehicle is available.

(1) Mileage allowance in lieu of actual expenses of transportation shall be approved by the Board and allowed at the rate authorized by the annual State Appropriations Act, or a lesser rate at the Board's discretion for an employee or Board member traveling by his or her personally owned vehicle on official business.

(a) If any condition in an existing negotiated contract is in conflict with the OMB Travel Circulars, such as the mileage reimbursement rates, the provisions of the existing contract shall prevail.

(2) Parking and toll charges shall be allowed in addition to mileage allowance.

(3) Reimbursement for travel to points outside the State by automobile shall be permitted when such arrangements prove to be more efficient and economical than other means of public transportation.

(4) In determining the relative costs of private and public transportation, all associated costs (that is, tolls, taxicabs, airport or station transfers, etc.) shall be considered.

(5) All employees and Board members using privately owned cars in the performance of their duties for the school district shall present a New Jersey Insurance Identification Card indicating that insurance coverage is in full force and effect with companies approved by the State Department of Banking and Insurance. The card shall be made available to the Superintendent or designee before authorization to use privately owned cars.

(6) Employees and district Board members who are out-of-State residents shall provide appropriate insurance identification in lieu of the New Jersey Insurance Identification Card.

e. School district-owned or -leased vehicles shall be utilized in accordance with N.J.A.C. 6A:23A-6.12.

f. Necessary taxicab or rideshare charges shall be permitted. However, travel to and from airports, downtown areas, and between hotel and event site shall be confined to regularly scheduled shuttle service, whenever such service is complimentary or is less costly. If shuttle service is not available, taxicabs or rideshares may be used.

g. Cruises shall not be permitted for travel events or transportation.

I. Routing of Travel (N.J.A.C. 6A:23A-7.10)

1. Pursuant to State travel guidelines as established by the New Jersey Department of the Treasury, Office of Management and Budget, and presented in the OMB Travel Circulars:

a. All travel shall follow the most direct, economical, and usually traveled route. Travel by other routes as a result of official necessity shall be eligible for payment or reimbursement only if satisfactorily established in advance of such travel.

b. If a person travels by indirect route for personal convenience, the extra expense shall be borne by the individual.

c. Reimbursement for expenses shall be based only on charges that do not exceed what would have been incurred by using the most direct, economical, and usually traveled route.

J. Subsistence Allowance – Overnight Travel (N.J.A.C. 6A:23A-7.11)

1. Pursuant to the State travel guidelines as established by the New Jersey Department of the Treasury, Office of Management and Budget, and presented in the OMB Travel Circulars, one-day trips that do not involve overnight lodging shall not be eligible for subsistence reimbursement, except for meals expressly authorized by and in accordance with the provisions of N.J.A.C. 6A:23A-7.12.

2. Pursuant to the OMB Travel Circulars, generally, overnight travel shall not be eligible for subsistence reimbursement if travel is within the State. Overnight travel is permitted if it is authorized pursuant to 3. below, or is a required component by the entity issuing a grant, donation, or other funding agreement with the school district. The specific required overnight in-State travel event shall be detailed in the final grant, donation, or other fund acceptance agreement along with the number of authorized travelers and total cost. All reimbursements shall be subject to N.J.A.C. 6A:23A-7 unless the funding acceptance agreement specifies otherwise.

3. Pursuant to the State travel regulations as established by the New Jersey Department of the Treasury, Office of Management and Budget, and presented in the OMB Travel Circulars, the Commissioner shall be authorized to grant waivers for overnight travel for Board members and school district employees to attend in-State conferences.

a. Such waivers will be granted in only extremely limited circumstances when the sponsoring organization can demonstrate the conference is broad and multi-disciplinary in scope, incorporates content offerings from numerous specialty areas, and includes important professional development opportunities and/or required training.

b. The sponsoring organization shall demonstrate the conference's content, structure, scheduling, and anticipated attendance necessitate that it be held on multiple consecutive days with overnight lodging. When such waivers are granted, individual school districts or individuals shall not be required to submit waiver requests for attendance at these conferences.

c. Sponsors of in-State conferences may submit to the Commissioner a request for a waiver of this prohibition by providing information regarding the conference as follows:

(1) The name and dates of the event;

(2) Justification for the length of the conference and the necessity to hold events for each day beyond the first day of the conference;

(3) Identification of all other conferences sponsored or co-sponsored by the organization (whether single or multi-day) in the previous year;

(4) A description of the target audience by position title and/or educational certificate and endorsement;

(5) Justification of the importance of the target audience attending the event;

(6) The cost of registration;

(7) A detailed list and description of any activities to be charged to the participants by the sponsor separate from the registration fee, such as luncheons, workshops, entertainment, etc., including:

(a) The cost of the activity;

(b) Whether participation is mandatory or voluntary; and

(c) The purpose such as social, guest speaker, working session, etc.

(8) A copy of agenda or program for the event;

(9) A brief statement that includes the primary purpose of the event, the key issues that will be addressed at the event, and their relevance to improving instruction or the operation of a school or school district;

(10) For training events, whether the training is needed for a certification required for continued employment, continuing education requirements, or requirements of Federal or State law; and

(11) For annual events, total attendance, and registration cost for the previous year.

4. If a waiver of the prohibition on overnight travel is granted pursuant to N.J.A.C. 6A:23A-7.11, it shall permit reimbursement for travel expenses only for individuals whose home-to-convention commute exceeds fifty miles.

5. Overnight travel within the State shall not be eligible for subsistence reimbursement if travel is on the day prior to the start of the conference. Reimbursement shall be prohibited for lodging prior to check-in time for the first day of the event or after check-out time on the last day of the event.

6. The United States General Services Administration publishes a schedule of Federal per diem rates in the Federal Register for approved overnight travel by the event location. The latest Federal per diem rates schedule for lodging, meals, and incidental expenses by location can be found at www.gsa.gov. The following restrictions apply to allowable per diem reimbursements:

   a. Allowable per diem reimbursement for lodging, meals, and incidentals shall be actual reasonable costs, not to exceed the Federal per diem rates for the event location. Registration and conference fees are not subject to the Federal per diem rate caps. If the event location is not listed, the maximum per diem allowance shall be equal to the standard Continental United States (CONUS) per diem rates published by the General Services Administration for meals, incidental expenses, and lodging.

   b. Pursuant to N.J.S.A. 18A:11-12.o., reimbursement for lodging expenses for overnight travel, out-of-State or in-State as authorized by the Commissioner, 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 Federal per diem rates.

      (1) If the hotel at the site of the current travel event is not available, lodging may be paid for similar accommodations at a rate not to exceed the hotel rate at the site of the current event.

      (2) If there is no hotel at the site of the current travel event (for example, Atlantic City Convention Center), then reimbursement for lodging shall not exceed the Federal per diem rate.

   c. If the meal is not part of a one-sum fee for a travel event, reimbursement may be approved for the full cost of an official convention meal that the employee or Board member attends, when such meal is scheduled as an integral part of the convention or conference proceedings. Receipts shall be submitted to obtain reimbursement in such situations. The amount of the Federal per diem rate for the corresponding meal shall be deducted from that day's subsistence allowance.

   d. The allowance for a meal(s) or incidentals shall not be eligible for reimbursement when included and paid in the registration fee, the cost of lodging, or transportation charge.

   e. Receipts shall be required for all hotel and incidental expenses. Meal expenses under the Federal per diem allowance limits shall not require receipts pursuant to N.J.S.A. 18A:11-12.o.(3), unless required by the Board of Education.

   f. If the total per diem reimbursement is greater than the Federal per diem rates, the costs shall be considered excessive in the absence of substantial justification accompanying the travel voucher submitted by the employee or district Board member. In such cases, receipts shall be submitted for all costs, including meals.

   g. Employees and Board members shall patronize hotels and motels that offer special rates to government employees unless alternative lodging offers greater cost benefits or is more advantageous to the conduct of school district business.

h. Actual subsistence expenses shall not be reimbursable if paid by the traveler to a member of his or her family, to another school district employee, or to a family member of another school district employee.

K. Meal Allowance – Special Conditions – and Allowable Incidental Travel Expenditures (N.J.A.C. 6A:23A-7.12)

1. Meals for in-State travel shall not be eligible for reimbursement except as expressly authorized within N.J.A.C. 6A:23A-7.

2. A meal allowance may be provided to employees or Board members in relation to one-day, out-of-State trips required for school business purposes that do not require an overnight stay. The reimbursement for breakfast, lunch, and/or dinner shall not exceed the amounts authorized in State travel regulations as published by the New Jersey Department of the Treasury, Office of Management and Budget, and presented in the OMB Travel Circulars.

3. Lunch for off-site training sessions may be authorized for an amount up to $7 per person only when it is necessary that employees or Board members remain at a site other than their school district and there are no viable options for lunch at the off-site location.

   a. Per N.J.S.A. 18A:11-12.a.(1)(d), employee and Board member retreats shall be held onsite unless there is no school district site available.

   b. If lunch is included in a lump-sum registration fee for an off-site training session, the full amount is eligible for reimbursement, if reasonable. Providing lunch for on-site staff meetings and in-service days or for employees who come from other parts of the school district shall not be permitted. (See K.4. below.)

   c. Refreshments for breaks may also be provided at training sessions held at a site other than the school district.

4. Subsistence expenses for an employee or Board member shall not be allowed within the school district or within a radius of ten miles thereof, except for meals expressly authorized by and in accordance with N.J.A.C. 6A:23A-7.12. Non-allowed expenses include, but are not limited to, meals and refreshments for on-site staff meetings and in-service days.

5. Reimbursement may be approved for the cost of an official luncheon or dinner, up to $10 and $15, respectively, that an employee or Board member is authorized to attend, if the meal is scheduled as an integral part of an official proceeding or program related to school district business and the employee's or Board member's responsibilities.

   a. School district business above refers to the management operations of the school district and does not refer to activities that benefit students and are part of the instructional program. Pursuant to N.J.A.C. 6A:23A-5.8(b)4, all reasonable expenditures related to school district employees that are essential to the conduct of a student activity are permitted.

6. Regular meetings, special meetings, and work sessions of the Board of Education shall be limited to light meals and refreshments for all Board members.

a. The meals may be served to employees who are required to attend the event and if it is impractical for the employee to commute to and from his or her residence between the end of the work day and the beginning of the event, or if the employee is required to remain at the school district to prepare for the event.

b. The school district shall acquire the light meals and refreshments by the solicitation of quotes, if required pursuant to N.J.S.A. 18A:18A-1 et seq.

c. If the school district's food service program can prepare comparable meals at a lower cost, the food service program shall be used.

d. The average cost per meal shall not exceed $10.

e. The school district shall purchase or prepare food that is sufficient to provide each district Board member, dignitary, non-employee speaker, or allowable staff member one meal. Meals should be carefully ordered to avoid excess. Unintended left over food should be donated to a charitable shelter or similar facility, if at all possible.

7. Reimbursement may be approved for allowable telephone and incidental travel expenses that are essential to transacting official business.

a. Charges for telephone calls on official business may be allowed. The voucher shall show the dates on which such calls were made, the points between which each call was made, and the cost per call.

b. Employees and Board members using their personally owned telephone for business may request reimbursement, less Federal Communications Tax. Calls for business are tax exempt and the telephone company will make allowances for the tax if the employee or Board member certifies to the telephone company when paying bills for personally owned phones that said calls were business calls.

c. Incidental expenses, defined as "non-meal tips" by the State travel regulations, when necessarily incurred by the traveler in connection with the transaction of official business, may be submitted for reimbursement only when the necessity and nature of the expense are clearly and fully explained on the travel voucher and the voucher is approved. Travel vouchers shall be supported by receipts showing the quantity and unit price.

L. Records and Supporting Documents (N.J.A.C. 6A:23A-7.13)

1. All persons authorized to travel on business shall keep a memorandum of expenditures chargeable to the school district, noting each item at the time and date the expense is incurred.

2. The travel voucher shall be completed by the employee or Board member to document the details of the travel event. The travel voucher shall be signed by the employee or Board member to certify the validity of the charges for which reimbursement is sought. The form also shall bear the signatures of approval officials for processing.

3. Sufficient documentation shall be maintained centrally by the school district to support payment and approval of the travel voucher.

4. In addition to the documentation required for reimbursement, each person authorized to travel shall submit a brief report that includes the primary purpose for the travel, the key issues

addressed at the event, and their relevance to improving instruction or the operations of the school district. This report shall be submitted prior to receiving reimbursement.

5. Documentation for requests for travel reimbursement shall show:

   a. The date(s) and individual points of travel, number of miles traveled between such points, and kind of conveyance used;

   b. If the distance traveled between individual points is greater than the usual route between the points, the reason for the greater distance shall be stated;

   c. The hours of the normal work day and actual hours worked shall be shown when requesting meal reimbursement for non-overnight travel;

   d. Original receipts shall be required for all reimbursable expenses, except for meals that qualify for per diem allowances and for parking meters;

   e. Actual vendor receipts for personal credit card charges shall be attached to reimbursement requests. Credit card statements shall not be accepted as documentation of expenses;

   f. Personal charges on a hotel bill shall be deducted and shown on the bill;

   g. When lodging is shared jointly, the fact shall be stated on the travel voucher;

   h. Where travel is not by the most economical, usually traveled route, the employee or Board member reimbursement request shall set forth the details of the route, the expenses actually incurred, the hour of departure, the hour of arrival, and an explanation for the use of costlier travel arrangements;

   i. When travel is authorized for the employee's or Board member's own automobile on a mileage basis, the points between which travel was made, and the distance traveled between each place shall be shown. A statement as to ownership of the auto or other conveyance used, as well as a certification that liability insurance is in effect, shall be documented;

   j. Reimbursement requests shall be supported by other receipts as required;

   k. The voucher shall be itemized; and

   l. Reimbursement requests shall be rendered monthly when in excess of $25. Travel for a single travel event shall be reported as soon as possible after the trip.

6. All outstanding travel vouchers for the school year ending June 30 shall be submitted as soon as possible after June 30 regardless of amount, notwithstanding 5.l. above.

7. Travel mileage reimbursement requests of the just-completed school year that are not submitted by July 30 or the date approved by the school district for the closing of books, whichever is earlier, for the just-completed school year shall not be approved or paid.

M. Out-of-State and High-Cost Travel Events (N.J.A.C. 6A:23A-5.9)

1. Reimbursement for all in-State and out-of-State travel shall be made pursuant to N.J.S.A. 18A:11-12.

2. Out-of-State travel events shall be limited to the fewest number of Board members or affected employees needed to acquire and present the content offered to all Board members or staff, as applicable, at the conclusion of the event. Lodging may be provided only if the event occurs on two or more consecutive days and if home-to-event commute exceeds fifty miles.

3. When a travel event has a total cost that exceeds $5,000, regardless of the number of attendees, or when more than five individuals from the school district are to attend a travel event out-of-State, the school district shall obtain prior written approval of the Executive County Superintendent.

    a. The Executive County Superintendent shall promptly review the request and render a written decision within ten business days.

4. For all employee and Board member travel events out of the country, regardless of cost or number of attendees, the school district shall obtain prior written approval of the Executive County Superintendent.

    a. Such requests shall be supported by detailed justification.

    b. The Executive County Superintendent shall promptly review the request and render a written decision within ten business days.

    c. It is expected that approvals will be rare.

Revised: July 21, 2021

The Board of Education shall exercise its rule-making power by adopting, revising, and abolishing bylaws, policies, and regulations for the organization and operation of the school district.

"Regulations" for the purpose of this Bylaw are only those regulations that are required to be adopted by the Board.

Adoption, Amendment, and Abolishment

Bylaws, policies, and regulations may be adopted and revised at any meeting of the Board, provided the proposed adoption or revision has been approved by the Board at a previous meeting of the Board.

Bylaws, policies, or regulations may be abolished at any meeting of the Board without the proposed abolishing of the proposed bylaw, policy, or regulation being approved by the Board at a previous meeting of the Board.**]**

The Board shall at its organization meeting or annually at a meeting of the Board and by a majority vote of those present and voting, readopt existing bylaws,-policies, and regulations without prior notice.

The Board may, under emergency circumstances, suspend the operation of a bylaw, policy, or regulation and adopt, revise, or abolish a bylaw, policy, or regulation without prior notice. The emergency adoption, revision, or abolishment of a bylaw, policy, or regulation shall terminate at the next meeting of the Board or at such earlier date as may be specified by the Board unless further acted upon by the Board in accordance with this Bylaw.

The adoption, revision, abolishment, or suspension of a bylaw, policy, or regulation shall be recorded in the minutes of the Board. Any bylaw, policy, or regulation or part of a bylaw, policy, or regulation that is superseded by a term in a negotiated agreement or by a subsequently adopted bylaw, policy, or regulation shall no longer be in force and effect as a bylaw, policy, or regulation and shall be abolished by the Board in accordance with this Bylaw.

Promulgation and Distribution

The manual of bylaws, policies, and regulations shall be maintained. A copy of the manual of bylaws, policies, and regulations shall be available and accessible to each Board member, the Superintendent, the School Business Administrator/Board Secretary, the Board Attorney, each Building Principal, and other individuals designated by the Superintendent.

The Superintendent shall institute a plan for the orderly promulgation of policies to staff members who are affected by them and shall provide staff members with access to an up-to-date manual of Board bylaws, policies, and regulations.

The manual of bylaws, policies, and regulations shall be considered a public record open to inspection in the office of the Superintendent. The manual retained by the Superintendent's Office shall be considered the master copy of the manual.

Consideration of Bylaws, Policies, and Regulations

Bylaws, policies, and regulations will be considered for adoption by the Board in accordance with the following procedure:

1. A recommendation for a new or revised bylaw, policy, or regulation shall be recommended to the Board and/or Superintendent;

2. A recommendation for a new or revised bylaw, policy, or regulation may be referred, at the discretion of the Board President and as appropriate to the subject, to the Superintendent, a Board committee, or a public advisory committee for study and formulation of a recommendation to the Board. Any study of a new or revised recommended bylaw, policy, or regulation will consider whether the matter is adequately addressed in existing Board bylaw, policy, or regulation;

3. If a recommendation for a new or revised bylaw, policy, or regulation results from referral for study, a proposed draft will be referred to the Superintendent and at the discretion of the Board President and as appropriate to the subject, to a Board committee;

4. All proposed new and revised bylaws, policies, and regulations shall be submitted to the Superintendent. The Superintendent or designee will review all new and revised draft bylaws, policies, and regulations prior to the Board receiving a draft of new or revised bylaws, policies, or regulations for Board consideration;

5. The proposed draft bylaw, policy, or regulation approved by the Board on first reading will be submitted for adoption at a succeeding meeting of the Board. Revisions in the draft may be made at any meeting prior to adoption by a simple majority vote of the Board. A revision at any succeeding meeting that alters the substantive meaning of the draft will constitute a new first reading, and the draft must be presented for adoption at a succeeding Board meeting. A change that is merely editorial may be followed by a vote to adopt the new or revised bylaw, policy, or regulation on second reading.

N.J.S.A. 18A:11-1

Revised: July 21, 2021

ASSIGNMENT OF EXTRA DUTIES

3134

The professional responsibilities of teaching staff members include such extra duties as may be assigned by the Superintendent or designee. The Superintendent or designee will, in accordance with the Board of Education's managerial prerogative, assign teaching staff members extra duties that are in accordance with applicable law and any collective bargaining agreement.

All aspects of assignment to, retention in, dismissal from, and any terms and conditions of employment concerning extra-curricular activities shall be deemed mandatory subjects for collective negotiations in accordance with the provisions of N.J.S.A. 34:13A-23.

Performance in any extra duties may be considered in a teaching staff member's evaluation.

N.J.S.A. 18A:27-4
N.J.S.A. 34:13A-23

Revised: July 21, 2021

The Board of Education recognizes its obligation to employ only those staff members best trained and equipped to meet the educational needs of the students of this district. The Board shall discharge that obligation by retaining in service only those nontenured teaching staff members who meet those standards. The Board will renew the employment contract of a nontenured teaching 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 shall not withhold its approval for arbitrary and capricious reasons. A nontenured teaching staff member who is not recommended for renewal by the Superintendent is deemed nonrenewed.

When the nontenured teaching staff member's performance does not meet the standards of the school district, the Superintendent shall recommend not to renew the teaching staff member's contract. Prior to notifying the nontenured teaching staff member of the nonrenewal, the Superintendent will notify the Board of the recommendation not to renew the nontenured teaching staff member's contract and the reasons for the recommendation. The Superintendent may notify the Board in a written notice or in executive session at a full Board Meeting. In the event the Board is notified in executive session, the Superintendent will comply with the requirements of the Open Public Meetings Act and provide reasonable notice to the nontenured teaching staff member their employment will be discussed in executive session in order for the nontenured teaching staff member to exercise their statutory right to request a public discussion.

On or before May 15 of each year, each nontenured teaching staff member continuously employed by a Board of Education since the preceding September 30 shall receive a written notice from the Superintendent that such employment will not be offered if the Superintendent recommends the nontenured teaching staff member not be renewed. Any nontenured teaching staff member receiving notice that a teaching contract for the succeeding school year will not be offered may, within fifteen calendar days thereafter, request in writing a statement of the reasons for such non-employment which shall be given to the nontenured staff member in writing within thirty calendar days after the receipt of such request.

Whenever the nontenured teaching staff member has requested in writing and received a written statement of reasons for non-reemployment pursuant to N.J.S.A. 18A:27-3.2, the nontenured teaching staff member may request in writing an informal appearance before the Board. The written request shall be submitted to the Board within ten calendar days of the nontenured teaching staff member's receipt of the Board's statement of reasons. The informal appearance shall be scheduled within thirty calendar days from the nontenured teaching staff member's receipt of the Board's statement of reasons.

The Board is not required to offer reemployment or vote on reemployment after an informal appearance with a nontenured teaching 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 and without the recommendation of the Superintendent, offer the nontenured teaching staff member reemployment after the informal appearance before the Board. Within three working days following the informal appearance, the Board shall notify the affected nontenured teaching staff member, in writing, of its final determination.

N.J.S.A. 18A:27-3.1; 18A:27-3.2; 18A:27-4.1;
18A:27-10 et seq.
N.J.A.C. 6A:10-9.1

Revised: July 21, 2021

The Board of Education recognizes the importance of teacher effectiveness to further the development of a professional corps of educators and to increase student achievement. The Board of Education adopts Policy and Regulation 3221 for the evaluation of teachers consistent with the Teacher Effectiveness and Accountability for the Children of New Jersey Act (TEACHNJ) and the AchieveNJ administrative codes. This Policy and Regulation provides the provisions and requirements for teacher evaluations consistent with TEACHNJ and AchieveNJ.

For the purposes of Policy and Regulation 3221, "teacher" means a teaching staff member who holds the appropriate standard, provisional, or emergency instructional certificate issued by the Board of Examiners and is assigned a class roster of students for at least one particular course.

No collective bargaining agreement entered into after July 1, 2013, shall conflict with the educator evaluation system established pursuant to N.J.A.C. 6A:10-1.1 et seq. or any other specific statute or regulation, nor shall topics subject to bargaining involve matters of educational policy or managerial prerogatives. All information contained in annual performance reports and all information collected, compiled, and/or maintained by employees for the purpose of conducting the educator evaluation process pursuant to N.J.A.C. 6A:10-1.1 et seq., including, but not limited to, digital records, shall be confidential and 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.

The Board shall annually adopt evaluation rubrics for all teachers which shall be submitted to the Commissioner of Education by August 1 for approval by August 15 of each year. The evaluation rubrics shall have four defined annual ratings: ineffective, partially effective, effective, and highly effective. The Board shall meet the requirements as outlined in N.J.A.C. 6A:10-2.2(a) for the annual evaluation of teachers and shall ensure the training procedures as outlined in N.J.A.C. 6A:10-2.2(b) are followed when implementing the evaluation rubrics for all teachers. A District Evaluation Advisory Committee may be established in accordance with the requirements of N.J.A.C. 6A:10-2.3.

The minimum requirements for the evaluation procedures for teachers as outlined in N.J.A.C. 6A:10-2.4 shall be followed. For each teacher rated ineffective or partially effective on the annual summative evaluation rating, as measured by the evaluation rubrics, a corrective action plan shall be developed in accordance with the provisions of N.J.A.C. 6A:10-2.5. A School Improvement Panel shall be established in accordance with N.J.A.C. 6A:10-3.1 and with the responsibilities outlined in N.J.A.C. 6A:10-3.2.

The components of the teacher evaluation rubric as described in N.J.A.C. 6A:10-4.1 shall apply to teachers. Measures of student achievement, as outlined in N.J.A.C. 6A:10-4.2, shall be used to determine impact on student learning. Teacher observations shall be conducted in accordance with the provisions of N.J.A.C. 6A:10-4.4 and N.J.S.A. 18A:27-3.1. Observers shall conduct the observations pursuant to N.J.S.A. 18A:6-123.b.(8) and N.J.A.C. 6A:10-2.5 and 3.2, and they shall be trained pursuant to N.J.A.C. 6A:10-2.2(b).

The teacher practice instrument approved by the Department of Education shall meet the criteria as outlined in N.J.A.C. 6A:10-7.2.

The Superintendent shall annually notify all teachers of the adopted evaluation policies and procedures/regulations no later than October 1. If a teacher is hired after October 1, the Superintendent shall notify the teacher of the policies and procedures/regulations at the beginning of his or her employment. All

teachers shall be notified of amendments to the policy and procedures/regulations within ten teacher working days of adoption.

N.J.S.A. 18A:6-117 et seq.; N.J.S.A. 18A:27-3.1.
N.J.A.C. 6A:10-1.1 through 1.4; 6A:10-2.1 through 2.5
N.J.A.C. 6A:10-3.1 and 3.2; N.J.A.C. 6A:10-4.1 through 4.4
N.J.A.C. 6A:10-7.1 and 7.2

Revised: July 21, 2021

EVALUATION OF TEACHING STAFF MEMBERS, EXCLUDING TEACHERS AND ADMINISTRATORS
3222
M

The Board of Education recognizes the importance of teaching staff member effectiveness to further the development of a professional corps of educators and to increase student achievement. The Board of Education adopts Policy and Regulation 3222 for the evaluation of teaching staff members consistent with the Teacher Effectiveness and Accountability for the Children of New Jersey Act (TEACHNJ) and the AchieveNJ administrative codes. This Policy and Regulation provides the provisions and requirements for teaching staff member evaluations consistent with TEACHNJ and AchieveNJ.

For the purposes of Policy and Regulation 3222, "teaching staff member" includes, but is not limited to, educational services staff members, guidance counselors, school nurses, library/media specialists, occupational therapists, and other teaching staff members working under an educational services certificate. For the purposes of Policy and Regulation 3222, "teaching staff member" does not include teachers, Principals, Vice Principals, Assistant Principals, and administrators, including, but not limited to, directors and/or supervisors.

No collective bargaining agreement entered into after July 1, 2013, shall conflict with the educator evaluation system established pursuant to N.J.A.C. 6A:10-1.1 et seq. or any other specific statute or regulation, nor shall topics subject to bargaining involve matters of educational policy or managerial prerogatives. All information contained in annual performance reports and all information collected, compiled, and/or maintained by employees for the purpose of conducting the educator evaluation process pursuant to N.J.A.C. 6A:10-1.1 et seq., including, but not limited to, digital records, shall be confidential and 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.

The Board shall annually adopt evaluation rubrics for all teaching staff members which shall be submitted to the Commissioner of Education by August 1 for approval by August 15 of each year. The evaluation rubrics shall have four defined annual ratings: ineffective, partially effective, effective, and highly effective. The Board shall meet the requirements as outlined in N.J.A.C. 6A:10-2.2(a) for the annual evaluation of teaching staff members and shall ensure the training procedures as outlined in N.J.A.C. 6A:10-2.2(b) are followed when implementing the evaluation rubrics for all teaching staff members. A District Evaluation Advisory Committee may be established in accordance with the requirements of N.J.A.C. 6A:10-2.3.

The minimum requirements for the evaluation procedures for teaching staff members as outlined in N.J.A.C. 6A:10-2.4 shall be followed. For each teaching staff member rated ineffective or partially effective on the annual summative evaluation rating, as measured by the evaluation rubrics, a corrective action plan shall be developed in accordance with the provisions of N.J.A.C. 6A:10-2.5.

Observations and evaluations for nontenured teaching staff members shall be in accordance with the provisions of N.J.S.A. 18A:27-3.1 and N.J.A.C. 6A:10-6.2. Evaluations for nontenured teaching staff members shall take place before April 30 each year prior to the May 15 notice requirement date for continued employment. Evaluations for tenured teaching staff members shall be completed prior to June 30.

The Superintendent shall annually notify all teaching staff members of the adopted evaluation policies and procedures/regulations no later than October 1. If a teaching staff member is hired after October 1, the Superintendent shall notify the teaching staff member of the policies and procedures/regulations at the beginning of his or her employment. All teaching staff members shall be notified of amendments to the policy and procedures/regulations within ten teaching staff member working days of adoption.

N.J.S.A. 18A:6-117 et seq.; N.J.S.A. 18A:27-3.1
N.J.A.C. 6A:10-1.1 through 1.4; 6A:10-2.1 through 2.5;
6A:10-6.2

Revised: July 21, 2021

EVALUATION OF ADMINISTRATORS, EXCLUDING PRINCIPALS, VICE PRINCIPALS, AND ASSISTANT PRINCIPALS

3223

M

The Board of Education recognizes the importance of administrator effectiveness to further the development of a professional corps of educators and to increase student achievement. The Board of Education adopts Policy and Regulation 3223 for the evaluation of administrators consistent with the Teacher Effectiveness and Accountability for the Children of New Jersey Act (TEACHNJ) and the AchieveNJ administrative codes. This Policy and Regulation provides the provisions and requirements for administrator evaluations consistent with TEACHNJ and AchieveNJ.

For the purposes of Policy and Regulation 3223, "administrator" means an appropriately certified staff member, as defined in N.J.S.A. 18A-1.1, employed in the school district in an administrative and/or supervisory role and capacity, and holding a valid and effective standard, provisional, or emergency administrative certificate. An "administrator" may be a director, supervisor, or any other administrative or supervisory position in the district. For the purposes of Policy and Regulation 3223 and N.J.A.C. 6A:10-1.1 et seq., "administrator" is not a Principal, Vice Principal, or Assistant Principal.

No collective bargaining agreement entered into after July 1, 2013, shall conflict with the educator evaluation system established pursuant to N.J.A.C. 6A:10-1.1 et seq. or any other specific statute or regulation, nor shall topics subject to bargaining involve matters of educational policy or managerial prerogatives. All information contained in annual performance reports and all information collected, compiled, and/or maintained by employees for the purpose of conducting the educator evaluation process pursuant to N.J.A.C. 6A:10-1.1 et seq., including, but not limited to, digital records, shall be confidential and 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.

The Board shall annually adopt evaluation rubrics for all administrators which shall be submitted to the Commissioner of Education by August 1 for approval by August 15 of each year. The evaluation rubrics shall have four defined annual ratings: ineffective, partially effective, effective, and highly effective. The Board shall meet the requirements as outlined in N.J.A.C. 6A:10-2.2(a) for the annual evaluation of administrators and shall ensure the training procedures as outlined in N.J.A.C. 6A:10-2.2(b) are followed when implementing the evaluation rubrics for all administrators. A District Evaluation Advisory Committee may be established in accordance with the requirements of N.J.A.C. 6A:10-2.3.

The minimum requirements for the evaluation procedures for administrators as outlined in N.J.A.C. 6A:10-2.4 shall be followed. For each administrator rated ineffective or partially effective on the annual summative evaluation rating, as measured by the evaluation rubrics, a corrective action plan shall be developed in accordance with the provisions of N.J.A.C. 6A:10-2.5.

Observations and evaluations for nontenured administrators shall be in accordance with the provisions of N.J.S.A. 18A:27-3.1. Evaluations for nontenured administrators shall take place before April 30 each year prior to the May 15 notice requirement date for continued employment. Evaluations for tenured administrators shall be completed prior to June 30.

The Superintendent annually shall notify all administrators of the adopted evaluation policies and procedures/regulations no later than October 1. If an administrator is hired after October 1, the Superintendent shall notify the administrator of the policies and procedures/regulations at the beginning of his or her

employment. All administrators shall be notified of amendments to the policy and procedures/regulations within ten administrator working days of adoption.

N.J.S.A. 18A:6-117 et seq.; N.J.S.A. 18A:27-3.1
N.J.A.C. 6A:10-1.1 through 1.4; 6A:10-2.1 through 2.5

Revised: July 21, 2021

The Board of Education recognizes the importance of Principal, Vice Principal, and Assistant Principal effectiveness to further the development of a professional corps of educators and to increase student achievement. The Board of Education adopts Policy and Regulation 3224 for the evaluation of Principals, Vice Principals, and Assistant Principals consistent with the Teacher Effectiveness and Accountability for the Children of New Jersey Act (TEACHNJ) and the AchieveNJ administrative codes. This Policy and Regulation provides the provisions and requirements for Principal, Vice Principal, and Assistant Principal evaluations consistent with TEACHNJ and AchieveNJ.

No collective bargaining agreement entered into after July 1, 2013, shall conflict with the educator evaluation system established pursuant to N.J.A.C. 6A:10-1.1 et seq. or any other specific statute or regulation, nor shall topics subject to bargaining involve matters of educational policy or managerial prerogatives. All information contained in annual performance reports and all information collected, compiled, and/or maintained by employees for the purpose of conducting the educator evaluation process pursuant to N.J.A.C. 6A:10-1.1 et seq., including, but not limited to, digital records, shall be confidential and 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.

The Board shall annually adopt evaluation rubrics for all Principals, Vice Principals, and Assistant Principals which shall be submitted to the Commissioner of Education by August 1 for approval by August 15 of each year. The evaluation rubrics shall have four defined annual ratings: ineffective, partially effective, effective, and highly effective. The Board shall meet the requirements as outlined in N.J.A.C. 6A:10-2.2(a) for the annual evaluation of Principals, Vice Principals, and Assistant Principals and shall ensure the training procedures as outlined in N.J.A.C. 6A:10-2.2(b) are followed when implementing the evaluation rubrics for all Principals, Vice Principals, or Assistant Principals. A District Evaluation Advisory Committee may be established in accordance with the requirements of N.J.A.C. 6A:10-2.3.

The minimum requirements for the evaluation procedures for Principals, Vice Principals, and Assistant Principals as outlined in N.J.A.C. 6A:10-2.4 shall be followed. For each Principal, Vice Principal, or Assistant Principal rated ineffective or partially effective on the annual summative evaluation rating, as measured by the evaluation rubrics, a corrective action plan shall be developed in accordance with the provisions of N.J.A.C. 6A:10-2.5.

The components of the principal evaluation rubrics as described in N.J.A.C. 6A:10-5.1 shall apply to Principals, Vice Principals, and Assistant Principals. Measures of student achievement, as outlined in N.J.A.C. 6A:10-5.2, shall be used to determine impact on student learning. Principal, Vice Principal, and Assistant Principal observations shall be conducted in accordance with the provisions of N.J.A.C. 6A:10-5.4. The Superintendent or designated supervisor shall conduct observations for the evaluation of Principals pursuant to N.J.S.A. 18A:6-121 and he or she shall be trained pursuant to N.J.A.C. 6A:10-2.2(b). A Principal, or the Superintendent or designated supervisor, shall conduct observations for the evaluation of Vice Principals and Assistant Principals pursuant to N.J.S.A. 18A:6-121.

The principal practice instrument approved by the Department of Education shall meet the criteria as outlined in N.J.A.C. 6A:10-7.3.

The Superintendent annually shall notify all Principals, Vice Principals, or Assistant Principals of the adopted evaluation policies and procedures/regulations no later than October 1. If a Principal, Vice Principal, or

Assistant Principal is hired after October 1, the Superintendent shall notify the Principal, Vice Principal, or Assistant Principal of the policies and procedures/regulations at the beginning of his or her employment. All Principals, Vice Principals, and Assistant Principals shall be notified of amendments to the policy and procedures/regulations within ten Principal, Vice Principal, or Assistant Principal working days of adoption.

N.J.S.A. 18A:6-117 et seq.
N.J.A.C. 6A:10-1.1 through 1.4; 6A:10-2.1 through 2.5
N.J.A.C. 6A:10-5.1 through 5.4
N.J.A.C. 6A:10-7.1 and 7.3

Revised: July 21, 2021

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.

When the nontenured support staff member's performance does not meet the standards of the school district, the Superintendent shall recommend not to renew the nontenured support staff member's contract. Prior to notifying the nontenured support staff member of the nonrenewal, the Superintendent will notify the Board of the recommendation not to renew the nontenured support staff member's contract and the reasons for the recommendation. The Superintendent may notify the Board in a written notice or in executive session at a full Board meeting. In the event the Board is notified in executive session, the Superintendent will comply with the requirements of the Open Public Meetings Act and provide reasonable notice to the nontenured support staff member their employment will be discussed in executive session in order for the nontenured support staff member to exercise their statutory right to request a public discussion.

The Superintendent shall provide written notification to each nontenured support staff member to whom reemployment will not be offered in accordance with the terms of any applicable collective bargaining agreement, individual contract, or any other agreement between the parties. Paraprofessionals continuously employed since the preceding September 30 as a school aide or classroom aide in a school district that receives funding under Title I of the Federal Elementary and Secondary Education Act of 1965 shall be notified of renewal or nonrenewal on or before May 15 in each year in accordance with the provisions of N.J.S.A. 18A:27-10.2.

Any nontenured support staff member receiving notice that a contract for the succeeding year will not be offered, may within fifteen calendar days, request in writing a statement of the reasons for such nonemployment which shall be given to the nontenured support staff member in writing within thirty calendar days after the receipt of such request.

Whenever a nontenured support staff member has requested in writing and received a written statement of reasons for non-reemployment pursuant to N.J.S.A. 18A:27-3.2, the nontenured support staff member may request in writing an informal appearance before the Board. The written request shall be submitted to the Board within ten calendar days of the nontenured support staff member's receipt of the Board's statement of reasons. The informal appearance shall be scheduled within thirty calendar days from the nontenured support staff member's receipt of the Board's statement of reasons.

The Board is not required to offer reemployment or vote on reemployment after an informal appearance with a nontenured 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 and without the recommendation of the Superintendent, offer the nontenured support staff member reemployment after the informal appearance before the Board. Within three working days following the informal appearance, the Board shall notify the affected nontenured support staff member, in writing, of its final determination.

The provisions as outlined in Policy and Regulation 4146 may be revised or adjusted by the Superintendent of Schools to be in accordance with the terms and timelines of any applicable collective bargaining agreement, individual contract, or any other agreement between the parties provided the terms are not contrary to any statute, administrative code, or any management rights of the 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 administration functions.

N.J.S.A. 18A:27-3.2; 18A:27-4.1
N.J.A.C. 6A:10-9.1

Revised: July 21, 2021

The Board of Education shall implement a Policy and Regulation pertaining to travel expenditures for its employees and Board of Education members that is in accordance with N.J.S.A. 18A:11-12, N.J.A.C. 6A:23A-7, and other rules and procedures the Board of Education deems appropriate pursuant to N.J.A.C. 6A:23A-7.2(a). The Policy and Regulation pertaining to school district travel expenditures incorporates either expressly, in whole or in part, and/or by reference, the laws and regulations contained in N.J.S.A. 18A:11-12 and N.J.A.C. 6A:23A-7.

The Board of Education ensures the effective and efficient use of funds by adopting and implementing policies and procedures that are in accordance with N.J.S.A. 18A:11-12 and New Jersey Department of the Treasury, Office of Management and Budget (OMB) current circulars and any superseding circulars pertaining to travel, meals, events and entertainment, and the additional requirements set forth in N.J.A.C. 6A:23A-7. If any superseding circulars of the OMB conflict with the provisions of these rules, the provisions of the superseding circulars shall govern.

Any sections of State travel regulations as established by the OMB presented as OMB Travel, Entertainment, Meals, and Refreshments Circulars, that conflict with N.J.S.A. 18A:1-1 et seq. shall not be included in Policy and Regulation 6471 nor authorized under N.J.A.C. 6A:23A-7. This includes, but is not limited to, the authority to issue travel charge cards as allowed under the OMB Circulars, but which is not authorized for school districts under New Jersey school law.

The Board of Education shall ensure, through Policy and Regulation 6471, that all travel by its employees and Board of Education members is educationally necessary and fiscally prudent. Policy and Regulation 6471 shall include the requirement that all school district travel expenditures are:

1. Directly related to and within the scope of the employee's or district Board member's current responsibilities and, for school district employees, the school district's professional development plan, the school professional development plan, and employee’s individual professional development plan;

2. For travel that is critical to the instructional needs of the school district or furthers the efficient operation of the school district; and

3. In compliance with State travel payment guidelines as established by the OMB and with guidelines established by the Federal Office of Management and Budget; except any State or Federal regulations and guidelines that conflict with the provisions of Title 18A of the New Jersey Statutes shall not be applicable, including, but not limited to, the authority to issue travel charge cards. The Board of Education shall specify in its travel policy 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.

School district travel expenditures shall include, but shall not be limited to, all costs for transportation, meals, lodging, and registration or conference fees directly related to participation in the event.

School district travel expenditures subject to N.J.A.C. 6A:23A-7 shall include costs for all required training and all travel authorized in school district employee contracts and Policy and Regulation 6471. This includes, but is not limited to, required professional development, other employee training and required training for Board members, and attendance at specific conferences authorized in existing employee contracts, provided the travel meets the requirements of N.J.A.C. 6A:23A-7. All such expenditures are subject to the rules in N.J.A.C. 6A:23A-7, including, but not limited to, inclusion in the annual travel limit, prior Board of Education approval, separate tracking as described at N.J.S.A. 18A:11-12.q., and per diem reimbursements.

Travel reimbursements will only be paid upon compliance with all provisions of N.J.A.C. 6A:23A-7 and Policy and Regulation 6471. The Board of Education will not ratify or approve payments or reimbursements for travel after completion of the travel event, except as provided at N.J.A.C. 6A:23A-7.4(d).

The Board of Education shall establish a maximum travel budget in accordance with the requirements outlined in N.J.A.C. 6A:23A-7.3.

The Board of Education authorizes an annual maximum amount per employee for regular business travel only for which Board of Education approval is not required. The annual maximum shall not exceed $ 1,500.00 and shall be subject to the approval requirements in N.J.S.A. 18A:19-1.

All travel requests must be submitted and approved in writing by the Superintendent of Schools and the majority of the Board of Education's full voting membership of the Board, except if the Board of Education has excluded regular business travel from prior approval pursuant to N.J.A.C. 6A:23A-7.3(b), prior to obligating the school district to pay related expenses and prior to attendance at the travel event.

All travel requests for Board members shall require prior approval by a majority of the Board of Education's full voting membership, except where the Board of Education has excluded regular business travel from prior approval pursuant to N.J.A.C. 6A:23A-7.3(b), and the travel shall be in compliance with N.J.S.A. 18A:12-24 and 24.1.

A Board member must recuse himself or herself from voting on travel if the Board member, a member of his or her immediate family, or a business organization in which he or she has an interest has a direct or indirect financial involvement that may reasonably be expected to impair his or her objectivity or independence of judgment. Policy and Regulation 6471 prohibit a Board member from acting in his or her official capacity in any matter in which he or she or a member of his or her immediate family has a personal involvement that is or creates some benefit to the school district Board member or member of his or her immediate family; or undertaking any employment or service, whether compensated or not, that may reasonably be expected to prejudice his or her independence of judgment in the execution of his or her official duties.

The Board of Education excludes from the requirements of prior Board of Education approval any travel caused by or subject to existing contractual provisions, including grants and donations, and other statutory requirements, or Federal regulatory requirements in accordance with the provisions of N.J.A.C. 6A:23A-7.4(d).

The Board of Education requires documentation required in N.J.A.C. 6A:23A-7.5(b) that justifies the number of employees attending an event and the benefits derived from their attendance. Pursuant to N.J.A.C. 6A:23A-7.5(c), the school district shall maintain documentation on file that demonstrates compliance with the Board of Education's travel policy, including travel approvals, reports, and receipts for all school district funded expenditures, as appropriate.

The School Business Administrator/Board Secretary shall be responsible for the accounting requirements for travel in accordance with the provisions of N.J.A.C. 6A:23A-7.6.

The Superintendent of Schools and the School Business Administrator are the final approval authorities for travel.

Sanctions for a violation of the provisions of N.J.A.C. 6A:23A-7 or this Policy are outlined in N.J.A.C. 6A:23A-7.7 and Regulation 6471.

The Board of Education prohibits the types of travel expenditures not eligible for reimbursement as listed in N.J.A.C. 6A:23A-7.8. and Regulation 6471.

Travel methods shall be in accordance with the provisions of N.J.A.C. 6A:23A-7.9 and Regulation 6471 and the routing of travel shall be in accordance with the provisions of N.J.A.C. 6A:23A-7.10 and Regulation 6471.

Any subsistence allowance shall be in accordance with the provisions of N.J.A.C. 6A:23A-7.11 and Regulation 6471. Meal allowances and incidental expenditures shall be in accordance with N.J.A.C. 6A:23A-7.12 and Regulation 6471.

Reimbursement for out-of-State and high-cost travel shall be made pursuant to N.J.S.A. 18A:11-12, N.J.A.C. 6A:23A-5.9, and Policy and Regulation 6471.

Records and supporting documentation must be completed and maintained as required in N.J.A.C. 6A:23A-7.13 and outlined in Regulation 6471.

The Board of Education shall approve the mileage reimbursement amount to be paid to an employee who has been approved by the Superintendent or designee to use their personal vehicle for school-related business.

N.J.S.A. 18A:11-12
N.J.A.C. 6A:23A-5.9; 6A:23A-7

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The Board of Education adopts this Policy to identify their procurement plan for the United States Department of Agriculture's (USDA) School Nutrition Programs. School Nutrition Programs include, but are not limited to: the National School Lunch Program (NSLP); School Breakfast Program (SBP); Afterschool Snack Program (ASP); Special Milk Program (SMP); Fresh Fruit and Vegetable Program (FFVP); Seamless Summer Option (SSO) of the NSLP; Summer Food Service Program (SFSP); the At-Risk Afterschool Meals component of the Child and Adult Care Food Program (CACFP); and the Schools/Child Nutrition USDA Foods Program.

The Board of Education is ultimately responsible for ensuring all procurement procedures for any purchases by the Board of Education and/or a food service management company (FSMC) comply with all Federal regulations, including but not limited to: 7 CFR Parts 210, 220, 225, 226, 245, 250; 2 CFR 200; State procurement statutes and administrative codes and regulations; local Board of Education procurement policies; and any other applicable State and local laws.

The procurement procedures contained in this Policy will be implemented beginning immediately, until amended. All procurements must maximize full and open competition. Source documentation will be maintained by the School Business Administrator/Board Secretary or designee and will be available to determine open competition, the reasonableness, the allowability, and the allocation of costs.

The Board of Education intentionally seeks to prohibit conflicts of interest in all procurement of goods and services.

A. General Procurement

The procurement procedures will maximize full and open competition, transparency in transactions, comparability, and documentation of all procurement activities. The school district's plan for procuring items for use in the School Nutrition Programs is as follows:

1. The School Business Administrator/Board Secretary will ensure all purchases will be in accordance with the Federal Funds Procurement Method Selection Chart – State Agency Form #358. Formal procurement procedures will be used as required by 2 CFR 200.318 through .326 and any State and local procurement code and regulations. Informal procurement procedures (small purchase) will be required for purchases under the most restrictive small purchase threshold.

2. The following procedures will be used for all purchases:

Product/ Services	Estimated Dollar Amount	Procurement Method	Evaluation	Contract Award Type	Contract Duration/ Frequency

B. Micro-Purchase Procedures

1. Public/Charter Schools

   Purchases of supplies or services, as defined by 2 CFR 200.67, will be awarded without soliciting competitive price quotations if the price is reasonable in accordance with N.J.S.A. 18A:18A-37(a) and below thresholds established by the State Treasurer for informal receipt of quotations. Purchases will be distributed equitably among qualified suppliers with reasonable prices. Records will be kept for micro-purchases.

2. Non-Public Schools

   Purchases of supplies or services, within the Federal micro-purchase threshold (the aggregate amount does not exceed the Federal micro-purchase threshold as set by 2 CFR 200.67) will be awarded without soliciting competitive price quotations if the price is reasonable. Purchases will be distributed equitably among qualified suppliers with reasonable prices. Records will be kept for micro-purchases.

3. Formal bid procedures will be applied on the basis of multi-school system.

4. Because of the potential for purchasing more than public or non-public informal/small purchase threshold amount, or the Board approved threshold if less, it will be the responsibility of the School Business Administrator/Board Secretary to document the amounts to be purchased so the correct method of procurement will be followed.

C. Formal Procurement

When a formal procurement method is required, the following competitive sealed bid or an Invitation for Bid (IFB) or competitive proposal in the form of a Request for Proposal (RFP) procedures will apply:

1. An announcement of an IFB or a RFP will be placed in the Board designated official newspaper to publicize the intent of the Board of Education to purchase needed items. The advertisement for bids/proposals or legal notice will be published in the official newspaper for at least one day in accordance with the provisions of N.J.S.A. 18A:18A-21.

2. An advertisement in the official newspaper for at least one day is required for all purchases over the school district's small purchase threshold as outlined in Federal Funds Procurement Method Section Chart – State Agency Form #358. The advertisement will contain the following:

   a. A general description of items to be purchased;

   b. The deadline for submission of questions and the date written responses will be provided, including addenda to bid specifications, terms, and conditions as needed;

   c. The date of the pre-bid meeting, if provided, and if attendance is a requirement for bid award;

   d. The deadline for submission of sealed bids or proposals; and

   e. The address of the location where complete specifications and bid forms may be obtained.

3. In an IFB or RFP, each vendor will be given an opportunity to bid on the same specifications.

4. The developer of written specifications or descriptions for procurements will be prohibited from submitting bids or proposals for such products or services.

5. The IFB or RFP will clearly define the purchase conditions. The following list includes requirements, not exclusive, to be addressed in the procurement document:

    a. Contract period for the base year and renewals as permitted;

    b. The Board of Education is responsible for all contracts awarded (statement);

    c. Date, time, and location of IFB/RFP opening;

    d. How the vendor is to be informed of bid acceptance or rejection;

    e. Delivery schedule;

    f. Requirements (terms and conditions) the bidder must fulfill in order for bid to be evaluated;

    g. Benefits to which the Board of Education will be entitled if the contractor cannot or will not perform as required;

    h. Statement assuring positive efforts will be made to involve small and minority businesses, women's business enterprises, and labor surplus area firms;

    i. Statement regarding the return of purchase incentives, discounts, rebates, and credits under a cost reimbursement FSMC contract to the Board of Education's nonprofit school food service account;

    j. Contract provisions as required in Appendix II to 2 CFR 200:

        (1) Termination for cause and convenience – contracts in excess of $10,000;

        (2) Equal Opportunity Employment – "federally assisted construction contracts";

        (3) Davis-Bacon Act – construction contracts in excess of $2,000;

        (4) Contract work Hours and Safety Standards – contracts in excess of $100,000;

        (5) Right to inventions made under a contract or agreement – if the contract meets the definition of a "funding agreement" under 37 CFR 401.2(a);

        (6) Clean Air Act – contracts in excess of $150,000;

        (7) Debarment and Suspension – all Federal awarded contracts;

        (8) Byrd Anti Lobbying Amendment – contracts in excess of $100,000; and

        (9) Contracts must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

k. Contract provisions as required in 7 CFR 210.21(f) for all cost reimbursable contracts;

l. Contract provisions as required in 7 CFR 210.16(a)(1-10) and 7 CFR 250.53 for food service management company contracts;

m. Procuring instrument to be used are purchase orders from firm fixed prices after formal bidding;

n. Price adjustment clause for renewal of multi-year contracts as defined in N.J.S.A. 18A:18A-42. The "index rate" means the annual percentage increase rounded to the nearest half percent in the implicit price deflator for State and local government purchases of goods and services computed and published quarterly by the U.S. Department of Commerce, Bureau of Economic Analysis;

o. Method of evaluation and type of contract to be awarded (solicitations using an IFB are awarded to the lowest responsive and responsible bidder; solicitations using a RFP are awarded to the most advantageous bidder/offeror with price as the primary factor among factors considered);

p. Method of award announcement and effective date (if intent to award is required by State or local procurement requirements);

q. Specific bid protest procedures including contact information of person and address and the date by which a written protest must be received;

r. Provision requiring access by duly authorized representatives of the Board of Education, New Jersey Department of Agriculture (NJDA), United States Department of Agriculture (USDA), or Comptroller General to any books, documents, papers, and records of the contractor which are directly pertinent to all negotiated contracts;

s. Method of shipment or delivery upon contract award;

t. Provision requiring contractor to maintain all required records for three years after final payment and all other pending matters (audits) are closed for all negotiated contracts;

u. Description of process for enabling vendors to receive or pick up orders upon contract award;

v. Provision requiring the contractor to recognize mandatory standards/policies related to energy efficiency contained in the Energy Policy and Conservation Act (PL 94-163);

w. Signed statement of non-collusion;

x. Signed Debarment/Suspension Certificate, clause in the contract or a copy of search results from the System for Award Management (SAM);

y. Provision requiring "Buy American" as outlined in 7 CFR Part 210.21(d) and USDA Guidance Memo SP 38-2017, including specific instructions for prior approval and documentation of utilization of non-domestic food products only;

z. Specifications and estimated quantities of products and services prepared by the school district and provided to potential contractors desiring to submit bids/proposals for the products or services requested; and

aa. The Board of Education's Electronic Signature Policy.

6. If any potential vendor is in doubt as to the true meaning of specifications or purchase conditions, questions may be sent to the School Business Administrator/Board Secretary. The School Business Administrator/Board Secretary or designee's response will be provided in writing to all potential bidders within 10 - 15 days.

   a. The School Business Administrator/Board Secretary will be responsible for providing responses to questions and securing all bids or proposals.

   b. The School Business Administrator/Board Secretary will be responsible to ensure all Board of Education procurements are conducted in compliance with applicable Federal, State, and local procurement regulations.

   c. The following criteria will be used in awarding contracts as a result of bids/proposals. Price must be the highest weighted criteria. Examples of other possible criteria include quality, service, delivery, and availability.

7. In awarding a RFP, a set of award criteria in the form of a weighted evaluation sheet will be provided to each bidder in the initial bid document materials. Price alone is not the sole basis for award, but remains the primary consideration among all factors when awarding a contract. Following evaluation and negotiations, a firm fixed price or cost reimbursable contract is awarded.

   a. The contracts will be awarded to the responsible bidder/proposer whose bid or proposal is responsive to the invitation and is most advantageous to the Board of Education, price as the primary, and other factors considered. Any and all bids or proposals may be rejected in accordance with the law.

   b. The School Business Administrator/Board Secretary or designee is required to sign on the bid tabulation of competitive sealed bids or the evaluation criterion score sheet of competitive proposals signifying a review and approval of the selections.

   c. The School Business Administrator/Board Secretary shall review the procurement system to ensure compliance with applicable laws.

   d. The School Business Administrator/Board Secretary or designee will be responsible for documentation that the actual product specified was received.

   e. Any time an accepted item is not available, the School Business Administrator/Board Secretary will select the acceptable alternate. The contractor must inform the School Business Administrator/Board Secretary within one workday if a product is not available. In the event a nondomestic agricultural product is to be provided to the Board of Education, the contractor must obtain, in advance, written approval for the product. The School Business Administrator/Board Secretary must comply with the Buy American Provision.

f. Full documentation regarding the reason an accepted item was unavailable, and the procedure used in determining acceptable alternates, will be available for audit and review. The person responsible for this documentation is the School Business Administrator/Board Secretary.

g. The School Business Administrator/Board Secretary is responsible for maintaining all procurement documentation.

D. Small Purchase Procedures

If the amount of purchases for items is less than the school district's small purchase threshold as outlined in the Federal Funds Procurement Method Selection Chart – State Agency Form #358, the following small purchase procedures including quotes will be used. Quotes from a minimum number of three qualified sources will be required.

1. Written specifications will be prepared and provided to all vendors.

2. Each vendor will be contacted and given an opportunity to provide a price quote on the same specifications. A minimum of three vendors shall be contacted.

3. The School Business Administrator/Board Secretary or designee will be responsible for contacting potential vendors when price quotes are needed.

4. The price quotes will receive appropriate confidentiality before award.

5. Quotes/Bids will be awarded by the School Business Administrator/Board Secretary. Quotes/Bids will be awarded on the following criteria. Quote/Bid price must be the highest weighted criteria. Examples of other possible criteria include quality, service, delivery, and availability.

6. The School Business Administrator/Board Secretary will be responsible for documentation of records to show selection of vendor, reasons for selection, names of all vendors contacted, price quotes from each vendor, and written specifications.

7. The School Business Administrator/Board Secretary or designee will be responsible for documentation that the actual product specified is received.

8. Any time an accepted item is not available, the School Business Administrator/Board Secretary will select the acceptable alternate. Full documentation will be made available as to the selection of the acceptable item.

9. The School Business Administrator/Board Secretary or designee is required to sign all quote tabulations, signifying a review and approval of the selections.

E. Noncompetitive Proposal Procedures

If items are available only from a single source when the award of a contract is not feasible under small purchase, sealed bid or competitive negotiation, noncompetitive proposal procedures will be used:

1. Written specifications will be prepared and provided to the vendor.

2. The School Business Administrator/Board Secretary will be responsible for the documentation of records to fully explain the decision to use the noncompetitive proposal. The records will be available for audit and review.

3. The School Business Administrator/Board Secretary or designee will be responsible for documentation that the actual product or service specified was received.

4. The School Business Administrator/Board Secretary will be responsible for reviewing the procedures to be certain all requirements for using single source or noncompetitive proposals are met.

5. The noncompetitive micro-purchase method shall be used for one-time purchases of a new food item if the amount is less than the applicable Federal or State micro-purchase threshold to determine food acceptance by students and provide samples for testing purposes. A record of noncompetitive negotiation purchase shall be maintained by the School Business Administrator/Board Secretary or designee. At a minimum, the record of noncompetitive purchases shall include: item name; dollar amount; vendor; and reason for noncompetitive procurement.

6. A member or representative of the Board of Education will approve, in advance, all procurements that result from noncompetitive negotiations.

F. Miscellaneous Provisions

1. New product evaluation procedures will include a review of product labels and ingredients; an evaluation of the nutritional value; taste tests and surveys; and any other evaluations to ensure the new product would enhance the program.

2. The Board of Education agrees the reviewing official of each transaction will be the School Business Administrator/Board Secretary.

3. Payment will be made to the vendor when the contract has been met and verified and has met the Board of Education's procedures for payment. (If prompt payment is made, discounts, etc., are accepted.)

4. Specifications will be updated as needed.

5. If the product is not as specified, the following procedure, including, but not limited to, will take place: remove product from service; contact vendor for approved alternate product; or remove product from bid.

G. Emergency Purchases

1. If it is necessary to make a one-time emergency procurement to continue service or obtain goods, and the public exigency or emergency will not permit a delay resulting from a competitive solicitation, the purchase must be authorized using a purchase order signed by the School Business Administrator/Board Secretary. The emergency procedures to be followed for such purchases shall be those procedures used by the school district for other emergency purchases consistent with N.J.S.A. 18A:18A-7. All emergency procurements shall be approved by the School Business Administrator/Board Secretary. At a minimum, the following emergency procurement procedures shall be documented to include, but not be limited to: item name; dollar amount; vendor; and reason for emergency.

H. Purchasing Goods and Services – Cooperative Agreements, Agents, and Third-Party Services (Piggybacking)

1. When participating in intergovernmental and inter-agency agreements the Board of Education will ensure that competitive procurements are conducted in accordance with 2 CFR Part 200.318 through .326 and applicable program regulations and guidance.

2. When utilizing the services of a co-op, agent, or third party the Board of Education will ensure that the following conditions have been met and considered as one source of pricing in addition to other prices:

   a. All procurements were subject to full and open competition and were made in accordance with Federal/State/local procurement requirements;

   b. The existing contract allows for the inclusion of additional Board of Educations that were not contemplated in the original procurement to purchase the same supplies/equipment through the original award;

   c. The specifications in the existing contract meets their needs and that the items being ordered are in the contract;

   d. The awarded contract requires all the Federally required certifications; e.g. Buy American, debarment, restrictions on lobbying, etc.;

   e. The agency will confirm the addition of their purchasing power (goods or services) to the procurement in scope or services does not create a material change, resulting in the needs to re-bid the contract;

   f. Administrative costs (fees) for participating in the agreement are adequately defined, necessary and reasonable, and the method of allocating the cost to the participating agencies must be specified;

   g. The Buy American provisions are included in the procurement of food and agricultural products; and

   h. The agreement includes the basis for and method of allocating each discount, rebate, or credit and how they will be returned to each participating agency when utilizing a cost-reimbursable contract.

I. Records Retention

1. The Board of Education shall agree to retain all books, records, and other documents relative to the award of the contract for three years after final payment. If there are audit findings that have not been resolved, the records shall be retained beyond the three-year period as long as required for the resolution of the issues raised by the audit. Specifically, the Board of Education shall maintain, at a minimum, the following documents:

   a. Written rationale for the method of procurement;

   b. A copy of the original solicitation;

c. The selection of contract type;

d. The bidding and negotiation history and working papers;

e. The basis for contractor selection;

f. Approval from the State agency to support a lack of competition when competitive bids or offers are not obtained;

g. The basis for award cost or price;

h. The terms and conditions of the contract;

i. Any changes to the contract and negotiation history;

j. Billing and payment records;

k. A history of any contractor claims;

l. A history of any contractor breaches; and

m. Any other documents as required by N.J.S.A. 18A:18A – Public School Contracts Law.

J. Code of Conduct for Procurement

1. All procurements must ensure there is open and free competition and adhere to the most restrictive Federal, State, and local requirements. The Board of Education seeks to conduct all procurement procedures in compliance with stated regulations and to prohibit conflicts of interest and actions of employees engaged in the selection, award, and administration of contracts. All procurements will be in accordance with this Policy and all applicable provisions of N.J.S.A. 18A:18A – Public School Contracts Law.

2. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal, State, or local award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent; any member of his or her immediate family, his or her partner; or an organization which employs or is about to employ any of the parties indicated herein has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

3. The officers, employees, and agents of the non-Federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value.

4. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity. Based on the severity of the infraction, the penalties could include a written reprimand to their personnel file, a suspension with or without pay, or termination.

5. All questions and concerns regarding procurement solicitations, contract evaluations, and contract award, shall be directed to the School Business Administrator/Board Secretary.

K. Food Service Management Company (FSMC)

1. In the operation of the school district's food service program, the school district shall ensure that a FSMC complies with the requirements of the Program Agreement, the school district's Free and Reduced School Lunch Policy Statement, all applicable USDA program policies and regulations, and applicable State and local laws. In order to operate an a la carte food service program, the FSMC shall agree to offer free, reduced price, and full price reimbursable meals to all eligible children.

2. The school district shall monitor the FSMC billing invoices to ensure compliance with Federal and State procurement regulations.

3. In accordance with N.J.S.A. 18A:18A-5a.(22), RFPs are required in all solicitations for a FSMC.

N.J.S.A. 18A:18A – Public School Contracts Law
New Jersey Department of Agriculture
"Procurement Procedures for School Food
Authorities" Model Policy – September 2018

Revised: July 21, 2021