

# **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

## 0000.01      ADOPTION RESOLUTION

RESOLVED, that the bylaws and policies printed and codified in the comprehensive document entitled "Bylaws and Policies of the Maywood Board of Education are hereby adopted and that all bylaws and policies heretofore adopted by the Maywood Board of Education and inconsistent with the bylaws and policies hereby adopted are hereby rescinded, and be it further

RESOLVED, that in the event any policy, part of a policy or section of the bylaws is judged to be inconsistent with law or inoperative by a court of competent jurisdiction or is invalidated by a policy or contract duly adopted by this Board, the remaining bylaws, policies, and parts of policies shall remain in full effect.

Adopted by the Maywood Board of Education in the County of Bergen at a public meeting held at Maywood, New Jersey on the 18th day of November, 2004.

## 0000.02      INTRODUCTION

### Definitions

The following terms used in these bylaws and policies shall have the meanings set forth below unless the context requires a different meaning or a different definition is supplied:

"Board" means the Board of Education of Maywood.

"Bylaw" means a rule of the Board for its own operation.

"Chief School Administrator" means the Chief Executive Officer of this school district, whose title in this district is Superintendent.

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

"County Superintendent" means the County Superintendent of Schools for Bergen County.

"Day" means a calendar day.

"Full Board" means the authorized number of voting members of the Board of Education.

"Meeting" means a gathering that is attended by or open to all of the members of the Board of Education, held with the intent on the part of the Board members present to discuss or act as a unit on the specific public business of the Board of Education.

"Collective Bargaining" or "Negotiated Agreement" means a contract collectively negotiated by the Board of Education and a recognized bargaining unit.

"Parent" means the parent(s) or legal guardian(s) having legal custody and control of a pupil.

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"Policy" means a statement, formally adopted by the Board of Education, in which the Board recognizes the mandates and constraints of law, establishes practices and standards binding on staff members and pupils, and gives direction to the Superintendent.

"President" means the President of the Board of Education.

"Principal" means the administrator in charge of a school building or facility; except where prohibited by law, "Principal" also means the qualified person duly delegated by the Principal to discharge a particular duty in place of the Principal.

"Professional employee" means a teaching staff member.

"Pupil" or "Student" means a person enrolled in a school in this district.

"Regulation" means a statement developed and promulgated by the Superintendent that details the specific operations by which Board policy or a legal mandate is implemented.

"Secretary" means the Secretary of the Board of Education.

"Superintendent" means the Chief School Administrator of this school district; except where prohibited by law, "Superintendent" also means the qualified person duly delegated by the Superintendent to discharge a particular duty in place of the Superintendent.

"Support staff member" means an employee who holds a position for which no certificate issued by the New Jersey State Board of Examiners is required.

"Teaching staff member" means an employee who holds a position for which a certificate issued by the New Jersey State Board of Examiners is required.

"Treasurer" means the Treasurer of School Moneys for this school district.

## Construction

The following rules of construction apply to these bylaws and policies:

1. Wherever possible, language shall be given its clear and ordinary interpretation;
2. Language shall be construed to have a meaning that complies with law;
3. In the event bylaws and policies conflict with one another, the later adopted bylaw or policy shall take precedence over the earlier, and the more specific bylaw or policy shall take precedence over the more general;
4. Except as otherwise provided by the context, the auxiliary verbs "shall," "will," and "must" indicate a mandated action, and the auxiliary verb "may" indicates an action that is permitted but is not mandated.

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## Effectuation

Except as may otherwise be expressly provided, a bylaw or policy will become effective on the date it is adopted and a revised bylaw or policy will become effective on the date it is revised.

## Citations

Bylaws and policies may contain citations to the following codifications of state and federal laws and regulations:

1. United States Statutes  
20 U.S.C.A. Education
2. United States Regulations  
34 C.F.R. Education
3. New Jersey Statutes  

N.J.S.A. 2C	Code of Criminal Justice
N.J.S.A. 9	Children-Juvenile and Domestic Relations
N.J.S.A. 10	Civil Rights
N.J.S.A. 11	Civil Service
N.J.S.A. 17	Corporations and Institutions for Finance and Insurance
N.J.S.A. 18A	Education
N.J.S.A. 19	Elections
N.J.S.A. 24	Food and Drug
N.J.S.A. 26	Health and Vital Statistics
N.J.S.A. 27	Highways
N.J.S.A. 30	Institutions and Agencies
N.J.S.A. 34	Labor and Worker's Compensation
N.J.S.A. 36	Legal Holidays
N.J.S.A. 39	Motor Vehicles and Traffic Regulation
N.J.S.A. 41	Oaths and Affidavits
N.J.S.A. 45	Professions and Affidavits
N.J.S.A. 47	Public Records
N.J.S.A. 52	State Government, Departments, and Officers
N.J.S.A. 53	State Police
N.J.S.A. 54	Taxation
N.J.S.A. 59	Tort Claims
4. New Jersey Administrative Code  

N.J.A.C. 1	Administrative Law
N.J.A.C. 6 & 6A	Education
N.J.A.C. 8	Health
N.J.A.C. 10	Human Services
N.J.A.C. 13	Law and Public Safety
N.J.A.C. 17	Treasury-General

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## Severability

If any part of this manual is made invalid by judicial decision or legislative or administrative enactment, all other parts shall remain in full effect unless and until they are amended or repealed by the Board of Education.

## Enactment

The official record of the adoption, amendment, or repeal of the bylaws and policies of this district shall be the minutes of meetings of the Board of Education. Such alterations shall be duly entered in this manual; a master copy of the policy manual shall be maintained by the Superintendent and shall be the manual to which all others may be compared for accuracy.

## Reference

References to previous bylaws and policies indicate the code designation of like matter in the previous codification of the bylaws and policies of this district.

## **0001 BYLAWS**

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Number	Title
0110	Identification
0120	Authority and Powers
0131	Bylaws and Policies
0132	Executive Authority
0133	Adjudication of Disputes
0134	Board Self Evaluation
0141	Board Member Number and Term
0141.1	Board Member and Term - Sending District
0142	Board Member Qualifications, Prohibited Acts & Code of Ethics
0142.1	Nepotism
0143	Board Member Election and Appointment
0144	Board Member Orientation
0145	Board Member Resignation and Removal
0146	Board Member Authority
0147	Board Member Compensation and Expenses
0148	Board Member Indemnification
0151	Organization Meeting
0152	Board Officers
0153	Annual Appointments
0154	Annual Motions and Designations
0155	Board Committees
0157	Board of Education Website
0161	Call, Adjournment and Cancellation
0162	Notice of Board Meetings
0163	Quorum
0164	Conduct of Board Meetings

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0165	Voting
0166	Executive Sessions
0167	Public Participation in Board Meetings
0168	Recording Board Meetings
0169	Recording of Meetings
0171	Duties of President and Vice President
0172	Duties of Treasurer of School Monies
0173	Duties of Public School Accountant
0174	Duties of Board Attorney
0175	Contracts with Independent Consultants
0176	Collective Bargaining and Contract Approval/Ratification

## **0110 IDENTIFICATION**

### Name

The official name of the Board of Education shall be "The Board of Education of the Borough of Maywood in the County of Bergen."

### Purpose

The Board of Education exists for the purpose of providing a thorough and efficient system of free public education in grades Kindergarten through eight in the Maywood School District.

### Composition

The Maywood School District is comprised of all the area within the municipal boundaries of the Borough of Maywood.

### Classification

The school district shall be classified as a Type II district.

### Address

The address of the Board of Education shall be:

452 Maywood Avenue, Maywood NJ 07607

N.J.S.A. 18A:8-1; 18A:9-2; 18A:9-3; 18A:10-2

Adopted: 18 November 2004

## **0120 AUTHORITY AND POWERS**

### Authority

The Board of Education is constituted, authorized, and governed by the statutes of the State of New Jersey, Title 18A, Education.

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## Powers

The Board shall make, amend, and repeal rules not inconsistent with statutes or with the rules of the State Board of Education for its own government and the transaction of its business and for the government and management of the public schools and the public property of the school district and for the employment, regulation of, conduct, and discharge of its employees. The Board shall perform all acts and do all things, consistent with law and the rules of the State Board, necessary for the proper conduct, equipment and maintenance of the public schools of the district.

N.J.S.A. 18A:10-1; 18A:11-1; 18A:16-1;  
18A:20-1; 18A:27-4

Adopted: 18 November 2004

## **0131 BYLAWS AND POLICIES**

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

### Adoption, Amendment, and Repeal

Bylaws and policies may be adopted, amended, and repealed at any meeting of the Board, provided the proposed adoption, amendment, or repeal has been proposed and approved at a previous meeting of the Board.

The Board may at its organization meeting and by a majority vote of those present and voting readopt existing bylaws and policies without prior notice.

The Board may, under emergency circumstances, suspend the operation of a bylaw or policy and adopt, amend, or repeal a bylaw or policy without prior notice. The emergency adoption, amendment, or repeal of a bylaw or policy 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.

The adoption, amendment, repeal, or suspension of a bylaw or policy shall be recorded in the minutes of the Board. Any policy or part of a policy that is superseded by a term in a negotiated agreement or by a subsequently adopted policy shall no longer be in force and effect as a policy.

### Promulgation and Distribution

A manual of bylaws and policies shall be maintained. A copy of the manual of bylaws and policies shall be given to each Board member, the Superintendent, the 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

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members with access to an up-to-date manual of Board bylaws and policies.

Each copy of the manual of bylaws and policies shall be numbered; a record of the placement of each manual shall be maintained by the School Business Administrator/Board Secretary. Copies of revised pages will be furnished to the holders of manuals as changes are made to bylaws and policies. The holder of a policy manual shall return the manual to the Board Secretary upon the termination of his/her service to the district.

The manual of bylaws and policies shall be considered a public record open to inspection in the office of the School Business Administrator/Board Secretary. The manual retained by the School Business Administrator/Board Secretary shall be considered the master copy of the policy manual and shall not be modified by any person other than the School Business Administrator/Board Secretary or his/her designee.

## **Development of Bylaws and Policies**

Bylaws and policies will be developed and considered by the Board in accordance with the following procedure:

1. A new or revised bylaw or policy may be suggested to the Board by any Board member, the Superintendent, any staff member, or a member of the public;
2. A suggestion for a new or revised bylaw or policy may be referred, at the discretion of the 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 policy suggestion should consider whether the matter is adequately addressed in existing Board policy and whether the matter is more appropriately addressed by administrative regulation;
3. If a recommendation for a new or revised bylaw or policy results from referral for study, a proposed draft will be submitted to the Board for discussion and approval on first reading. Copies of the proposed draft will be made available to staff members and the public, and comment will be invited. Changes in the draft may be made, by a simple majority vote, when the draft is presented for approval on first reading;
4. The proposed draft, approved on first reading, will be submitted for adoption at the next regular meeting of the Board. Changes in the draft may be made by a simple majority vote. A change that alters the substantive meaning of the draft will constitute a new first reading, and the draft must be presented for adoption at the next succeeding Board meeting. A change that is merely editorial may be followed by a vote to adopt the new or revised bylaw or policy on second reading.

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

Adopted: 18 November 2004

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## **0132 EXECUTIVE AUTHORITY**

The Board of Education shall exercise its executive power in part by the appointment of a Superintendent as Chief School Administrator, who shall enforce the statutes of the State of New Jersey, rules of the State Board of Education, and policies of this Board.

The Superintendent shall prepare regulations for the administration of the school district that are not inconsistent with statutes or rules of the State Board of Education and are dictated by the policies of this Board. Administrative regulations shall be binding on the employees of this district and the pupils in the schools of this district when issued and shall be provided to the Board for the information of Board members except where Board approval is required by law.

The Superintendent shall be delegated the authority to take necessary action in circumstances not governed by Board policy and shall report any such action to the Board at the first Board meeting following the action.

The Superintendent shall have a seat on the Board and shall have the right to speak on all matters at meetings of the Board, but shall have no vote.

N.J.S.A. 18A:17-20

Adopted: 18 November 2004

## **0133 ADJUDICATION OF DISPUTES**

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

The Board may hold hearings that will offer the parties to a dispute, on notice duly given, a fair and impartial forum for the resolution of the matter.

Beyond the basic requirements of due process a hearing will vary in form and content as dictated by the severity of the consequences that may flow from the Board's determination, the degree of difficulty of establishing findings of fact from conflicting evidence, and the impact of the Board's decision on the school district.

Regulations for the conduct of adjudicatory hearings of the Board shall be prepared as guidelines for those who may be heard by the Board.

A decision of the Board may be appealed to the Commissioner of Education.

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

Adopted: 18 November 2004

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## **0134 BOARD SELF EVALUATION**

The Board of Education is committed to the belief that every part of the school system in this district should be accountable to the public and that performance evaluation is essential to that accountability. The Board further believes that the improvement and growth of any institution depends upon an honest appraisal of its strengths and weaknesses. The Board accepts, therefore, responsibility for the conduct of a systematic program of self-evaluation and appraisal. The standards against which the Board will evaluate itself will be the educational goals, bylaws, and policies duly adopted by this Board.

The Board will annually adopt an evaluation instrument that permits individual Board members to record their assessments of the conduct of Board meetings, the fiscal management of the district, the conduct of the instructional program, and the relationship of the Board with the Superintendent, other district staff members, and the community.

The assessments of Board members will be tabulated and presented for discussion at a regular meeting of the Board in which the Superintendent will be invited to participate. The Board will formulate, as appropriate, goals and priorities that will serve to guide the Board in the ensuing school year.

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

Adopted: 18 November 2004

## **0141 BOARD MEMBER NUMBER AND TERM**

The Board of Education shall consist of seven members.

The term of a Board member shall be three years, except that:

1. The term of a member appointed to fill a vacancy shall be from the member's appointment to the organizational meeting following the next annual election, except that;

2. The term of a member appointed to fill a vacancy within sixty days immediately preceding an annual election shall be from the member's appointment to the organizational meeting following the second annual election after his/her appointment.

N.J.S.A. 18A:12-6; 18A:12-9; 18A:12-11; 18A:12-15

Adopted: 18 November 2004

### **0141.1 BOARD MEMBERS AND TERM - SENDING DISTRICT**

The Board of Education shall consist of seven members.

The term of a Board member shall be three years, except that:

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1. The term of a member appointed to fill a vacancy shall be from the member's appointment to the organizational meeting following the next annual election, except that;
2. The term of a member appointed to fill a vacancy within sixty days immediately preceding an annual election shall be from the member's appointment to the organizational meeting following the second annual election after his/her appointment;
3. The Board of Education shall have representation on the Hackensack Board of Education in accordance with N.J.S.A. 18A:38-8.

Representation on the receiving district Board shall be in accordance with N.J.S.A. 18A:38-8.2. In accordance with N.J.S.A. 18A:38-8.2 et. seq. the sending district shall have no representation on the receiving district Board of Education if the pupils of a sending district comprise less than 10% of the total enrollment of the pupils in the grades of the receiving district in which the pupils of the sending district will be enrolled. If the pupils of a sending district comprise at least 10% of the total enrollment of the pupils in the grades of the receiving district in which the pupils of the sending district will be enrolled, the sending district will have representation on the receiving Board of Education in accordance with N.J.S.A. 18A:38-8.2.a.(2). The calculation of percentages required shall be based on the number of pupils reported as of the last school day prior to October 16 of each prebudget year. If the total number of pupils of two or more sending districts, which do not qualify for representation in accordance with N.J.S.A. 18A:38-8.2.a.(2)., comprise at least 15% of the total enrollment of the pupils in the grades of the receiving district in which the pupils of the sending district will be enrolled, the sending districts will have representation on the receiving Board of Education in accordance with N.J.S.A. 18A:38-8.2.b. The number of representatives designated by the sending districts shall be in accordance with N.J.S.A. 18A:38-8.2.c.

Representation on the receiving district board shall be in accordance with N.J.S.A. 18A:38-8.4. In accordance with N.J.S.A. 18A:38-8.4, the sending district shall have no representation on the receiving district Board of Education if the pupils of the sending district comprise less than 10% of the total enrollment of the pupils in grades 9 through 12 of the receiving district. The number of representatives, if the sending district pupils comprise at least 10% of the receiving district of pupils in grades 9 through 12 shall be in accordance with N.J.S.A. 18A:38-8.4. The calculation of the percentages required shall be based on the number of pupils reported as of the last school day prior to October 16 of the prebudget year. The number of representatives designated by the sending districts shall be in accordance with N.J.S.A. 18A:38-8.4.a-d.

The Board of Education shall designate their representative(s) to serve on the receiving district Board of Education on an annual basis upon notification from the County Superintendent of the appropriate representation on the receiving Board of Education. This designation shall be made by the sending Board of Education at its meeting closest in time to the annual organization meeting of the receiving district Board of Education and shall serve a one year term beginning with the annual reorganization meeting of the receiving Board of Education. If this position becomes vacant, the Board shall

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designate a new representative(s) to serve the remainder of the term.

4. The Maywood representative(s) shall be eligible to vote on the following matters before the Hackensack Board of Education:

a. Tuition to be charged the sending district by the receiving district and the bill lists or contracts for the purchase, operation or maintenance of facilities, equipment and instructional materials to be used in the education of the pupils of the sending district;

b. New capital construction to be utilized by sending district pupils;

c. Appointment, transfer or removal of teaching staff members providing services to the pupils of the sending district, including any teaching staff member who is a member of the receiving district's central administrative staff; and

d. Addition or deletion of curricular and extracurricular programs involving pupils of the sending district.

5. While the sending district representative shall have limited voting rights, in all other respects the representative shall function as a full member of the receiving Board of Education, including participation in the closed session discussions.

N.J.S.A. 18A:12-6; 18A:12-9; 18A:12-11; 18A:12-15;  
18A:38-8

N.J.A.C. 6:56-1.1

Adopted: 18 November 2004

### **0142 BOARD MEMBER QUALIFICATIONS, PROHIBITED ACTS, AND CODE OF ETHICS**

Each member of the Board of Education shall possess the qualifications required by law and shall be bound by the provisions of the School Ethics Act.

#### **Qualification of Office**

A Board member must be a citizen of the United States.

A Board member must be a resident of the district the member represents and must have been such for at least one year immediately preceding the member's election or appointment.

A Board member must be able to read and write.

A Board member must be registered to vote in the district and not disqualified from voting pursuant to N.J.S.A. 19:4-1.

A Board member may not have been convicted of a crime or offense as listed in N.J.S.A. 18A:12-1.

A Board member cannot concurrently hold office as mayor or a member of the governing body of Maywood Town Council.

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Each member of the Board of Education, within thirty days of election or appointment to the Board shall undergo a criminal history background investigation for the purpose of ensuring the member is not disqualified from membership due to a criminal conviction of a crime or offense listed in N.J.S.A. 18A:12-1 et seq. The Board of Education will reimburse the Board member for the costs of the criminal history record check. The Commissioner of Education shall notify the Board of Education if a member has been disqualified from membership on the Board as the result of the criminal history record check. The Commissioner of Education will also notify the Board if a Board member has charges enumerated in N.J.S.A. 18A:12-1 pending against him/her and the Board shall take appropriate action. If the pending charges result in conviction, the member shall be disqualified from continued membership on the Board.

### Prohibited Acts

“Business” means any corporation, partnership, firm, enterprise, franchise, association, trust, sole proprietorship, union, political organization, or other legal entity but does not include a school district or other public entity.

“Interest” means the ownership of or control of more than ten percent of the profits, assets, or stocks of a business but does not include the control of assets in a labor union.

“Immediate family” means the person to whom the Board member is legally married and any dependent child of the Board member residing in the same household.

No Board member or member of his/her immediate family shall have an interest in a business organization or engage in any business, transaction, or professional activity that is in substantial conflict with the proper discharge of his/her duties in the public interest.

No Board member shall use or attempt to use his/her official position to secure unwarranted privileges, advantages, or employment for him/herself, members of his/her immediate family, or others.

No Board member shall act in his/her official capacity in any matter where he/she, a member of his/her immediate family, or a business organization in which he/she has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his/her independence of judgment in the exercise of official duties. No Board member shall act in his/her official capacity in any matter where he/she or a member of his/her immediate family has a personal involvement that is or creates some benefit to the Board member or a member of his/her immediate family.

No Board member shall undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice his/her independence of judgment in the exercise of official duties.

No Board member or member of his/her immediate family or business organization in which he/she has an interest shall solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, contribution,

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service, promise, or other thing of value was given or offered for the purpose of influencing him/her, directly or indirectly, in the discharge of his/her official duties, except that the member may have solicited or accepted contributions to his/her campaign for election to public office if he/she had no knowledge or reason to believe that the campaign contribution, if accepted, was given with the intent to influence him/her in the discharge of official duties. Board members may not accept offers of meals, entertainment or hospitality which are limited to clients/customers of the individual providing such hospitality. Board members may attend hospitality suites or receptions at conferences only when they are open to all persons attending the conference.

No Board member shall use, or allow to be used, his public office or any information not generally available to the members of the public which he/she receives or acquires in the course of and by reason of his/her office, for the purpose of securing financial gain for him/herself, any member of his/her immediate family, or any business organization with which he/she is associated.

No Board member or business organization in which he/she has an interest shall represent any person or party other than the Board of Education or this school district in connection with any cause, proceeding, application, or other matter pending before this school district or in any proceeding involving this school district, except that this provision shall not be deemed to prohibit representation within the context of official labor union or similar representational responsibilities.

It is not a conflict of interest if, merely by reason of his/her participation in any matter voted upon by the Board, a Board member accrues material or monetary gain that is no greater than the gain that could reasonably be expected to accrue to any other member of the member's business, profession, occupation, or group.

No elected Board member shall be prohibited from making an inquiry for information on behalf of a constituent, if no fee, reward, or other thing of value is promised to or given to or accepted by the member or a member of his/her immediate family, whether directly or indirectly, in return for the information so requested.

Nothing shall prohibit a Board member or members of his/her immediate family from representing him/herself or themselves in negotiations or proceedings concerning his/her or their own interests, except that Board members shall disqualify themselves from participating in negotiations and voting on collective bargaining agreements where their spouse or dependent children are members of the bargaining unit.

Each Board member shall annually, in accordance with N.J.S.A. 18A:12-25 and 18A:12-26, file a disclosure statement regarding potential conflicts of interest.

### Ineligibility for District Employment

A Board member cannot be appointed to a paid office or position required to be filled by the Board, except where law permits or requires that the office or position be filled by a Board member, and is ineligible for appointment to a paid office or position in the district for at least six months after the

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member's retirement, resignation, or removal from Board membership.

## Code of Ethics

In accordance with N.J.S.A 18A:12-24.1 every Board member will abide by the following Code of Ethics. The Board member will:

1. Uphold and enforce all laws, rules and regulations of the State Board of Education and court orders pertaining to schools. Desired changes shall be brought about only through legal and ethical procedures.
2. Make decisions in terms of the educational welfare of children and seek to develop and maintain public schools that meet the individual needs of all children regardless of their ability, race, creed, sex, or social standing.
3. Confine his/her Board action to policy making, planning and appraisal, and help to frame policies and plans only after the Board has consulted those who will be affected by them.
4. Carry out his/her responsibility not to administer the schools, but together with fellow Board members, insure they are well run.
5. Recognize that authority rests with the Board of Education and make no personal promises nor take any private action that may compromise the Board.
6. Refuse to surrender his/her independent judgment to special interest or partisan political groups or to use the schools for personal gain or for the gain of friends.
7. Hold confidential all matters pertaining to the schools, which, if disclosed, would needlessly injure individuals, or the schools. In all other matters, he/she will provide accurate information and, in concert with fellow Board members, interpret to the staff the aspirations of the community for its school.
8. Vote to appoint the best-qualified personnel available after consideration of the recommendation of the chief administrative officer.
9. Support and protect school personnel in proper performance of their duties.
10. Refer all complaints to the chief administrative officer and act on the complaints at public meetings only after failure of an administrative solution.

Each Board member is required to sign an acknowledgment that he/she received a copy, read and will become familiar with the Code of Ethics for School Board Members contained within N.J.S.A. 18A:12-21 et seq. The Superintendent will provide each Board member with a copy of the Code of Ethics and the required acknowledgement on an annual basis and will maintain the original signed acknowledgment(s) in the Business Administrator's office.

The Board will receive a copy of and discuss the School Ethics Act and the Code of Ethics for School Board Members, pursuant to N.J.S.A. 12-21 et seq., at a regular scheduled public meeting each year. The discussion may include presentations by school administrative staff, the Board attorney, Board

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members and/or other professionals familiar with the School Ethics Act and the Code of Ethics. In addition, the Superintendent will keep the Board informed of decisions by the School Ethics Commission, Commissioner of Education, State Board of Education and courts.

## **Oath of Office**

Each Board member shall, before entering upon the duties of the office, swear or affirm under oath that he/she qualifies for membership and will faithfully discharge the duties of the office of Board member.

N.J.S.A. 18A:12-1; 18A:12-1.1; 18A:12-2; 18A:12-2.1; 18A:12-21 through 18A:12-34

N.J.S.A. 18A:13-7 [regional district only]

N.J.S.A. 18A:54-17 [vocational district only]

N.J.S.A. 41:1-3 School Ethics Commission Policy Guideline 1.

Revised: January 23, 2013

## **0142.1 NEPOTISM**

The Board of Education adopts this Nepotism Policy as a condition of receiving State aid pursuant to N.J.A.C. 6A:23A-6.2.

For the purposes of this Policy, "relative" means an individual's spouse, by marriage or civil union pursuant to N.J.S.A. 37:1-33, domestic partner as defined in N.J.S.A. 26:8A-3, or the individual's or spouse's parent, child, sibling, aunt, uncle, niece, nephew, grandparent, grandchild, son-in-law, daughter-in-law, stepparent, stepchild, stepbrother, stepsister, half-brother or half-sister, whether the relative is related to the individual or the individual's spouse by blood, marriage or adoption.

For the purposes of this Policy, "immediate family member" means the person's spouse, partner in a civil union as defined in N.J.S.A. 37:1-33, domestic partner as defined in N.J.S.A. 26:8A-3, or dependent child residing in the same household.

For the purposes of this Policy, "administrator" is defined as set forth in N.J.S.A. 18A:12-23.

No relative of a Board member or the Superintendent of Schools shall be employed in an office or position in this school district except that a person employed by the school district on the effective date of the Policy or the date a relative becomes a Board member or Superintendent shall not be prohibited from continuing to be employed in the district.

The Superintendent of Schools shall not recommend to the Board of Education pursuant to N.J.S.A. 18A:27-4.1 any relative of a Board member or the Superintendent.

[Optional – In accordance with N.J.A.C. 6A:23A-6.2(a)6.(b), per diem substitutes and student employees who are relatives of a Board member or the Superintendent of Schools shall be excluded from the provisions of this Policy and N.J.A.C. 6A:23A-6.2.]

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A school district administrator shall be prohibited from exercising direct or indirect authority, supervision, or control over a relative of the administrator. Where it is not feasible to eliminate such a direct or indirect supervisory relationship, appropriate screens and/or alternative supervision and reporting mechanisms must be put in place.

A school district administrator or Board member who has a relative who is a member of the bargaining unit shall be prohibited from discussing or voting on the proposed collective bargaining agreement with that unit or from participating in any way in negotiations, including, but not limited to, being a member of the negotiating team; nor should that school district administrator be present with the Board in closed session when negotiation strategies are being discussed; provided however, that the administrator may serve as a technical resource to the negotiating team and may provide technical information necessary to the collective bargaining process when no one else in the district can provide such information.

A school district administrator or Board member who has an immediate family member who is a member of the same Statewide union in another school district shall be prohibited from participating in any way in negotiations, including but not limited to, being a member of the negotiating team or being present with the Board of Education in closed sessions when negotiation strategies are being discussed, prior to the Board of Education attaining a Tentative Memorandum of Agreement with the bargaining unit that includes a salary guide and total compensation package. Once the Tentative Memorandum of Agreement is established, a school district administrator with an immediate family member who is a member of the same State-wide union in another school district may fully participate in the process, absent other conflicts. Notwithstanding these provisions, a district administrator who has an immediate family member who is a member of the same Statewide union in another district may serve as a technical resource to the negotiating team and may provide technical information necessary to the collective bargaining process when no one else in the district can provide the information.

N.J.A.C. 6A:23A-6.2

Revised: January 23, 2013

### **0143 BOARD MEMBER ELECTION AND APPOINTMENT**

The election and appointment of Board of Education members will be conducted in strict compliance with law.

A vacancy on the Board of Education will be filled by:

1. The County Superintendent, if a vacancy is caused by;
  - a. The failure to elect a member, or
  - b. The removal of a disqualified member, or
  - c. The failure of the Board to appoint a person to a vacancy within sixty-five days, or

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- d. The Board's inability to fill vacancies because a quorum is lacking, or
- e. A tie for election between two or more candidates in a special runoff election.
- 2. Special election within sixty days of the annual election, if;
  - a. Two or more qualified candidates tie for election, or
  - b. The annual election is disqualified due to improper election procedures.
- 3. The Commissioner if there is a failure to elect a member at the annual school election due to improper election practices; or
- 4. By the Board of Education in all other cases.

The Board Secretary shall promptly notify the President of a vacancy to be filled by the Board; the President shall inform all other Board members. The Board will give public notice of the vacancy and invite any qualified person to request consideration of his/her candidacy for the vacancy.

At a regular public meeting or at a special public meeting called for the purpose of filling the vacancy, any Board member may nominate one or more candidates for election to Board membership, provided that each candidate nominated is, to the best of the nominator's knowledge, qualified for election and willing to serve. Each nomination will require a second.

The Board will meet in public session to interview candidates and to inform them of the duties and responsibilities of Board membership. The Board may meet in private session for the sole purpose of discussing a candidate's qualifications for membership.

Election to fill a vacancy will be conducted at a public meeting. A roll call vote will be conducted on the entire list of candidates. If there are two or more vacancies, each vacancy will be filled by a separate election. The candidate who receives the votes of a majority of the remaining Board members will be elected to the vacancy. In the event no candidate receives a majority of the votes cast, a second election shall be conducted between the two candidates receiving the highest number of votes.

N.J.S.A. 18A:12-7; 18A:12-11; 18A:12-15;  
N.J.A.C. 6:56-1.1

Adopted: 18 November 2004

### **0144 BOARD MEMBER ORIENTATION**

The preparation of each member for the performance of Board of Education duties is essential to the proper functioning of the Board. The Board encourages each new Board member in the acquisition of information about school district governance, the separate functions of the Board and the Superintendent, the operations of the district, and Board procedures.

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The Board directs that each new member receive, for use during the member's term of office, the Board manual of bylaws and policies, the manual of administrative regulations, the current budget statement and audit report, and such other materials as deemed appropriate by the Superintendent.

Each new Board member will be invited to meet and discuss Board functions, policies, and procedures with the Board President, the Superintendent, and the Board Secretary.

Each new Board member shall complete during the first year of his/her term the training program offered by the New Jersey School Boards Association regarding the skills and knowledge necessary to serve as a Board member.

N.J.S.A. 18A:12-33

Revised: 8/24/11

### **0145 BOARD MEMBER RESIGNATION AND REMOVAL**

The membership of a Board of Education member shall terminate immediately upon:

1. The cessation of the member's bona fide residency in the school district the member represents; or
2. The member's election or appointment to the office of mayor or member of the governing body of Maywood; or
3. The member's disqualification from voting pursuant to N.J.S.A. 19:4-1; or
4. The member's conviction for false swearing for having falsely affirmed or declared that he/she is qualified to vote;
5. The removal of the member by the Commissioner of Education; or
6. Recall of a Board member pursuant to N.J.S.A. 19:27A-1 et seq.

A member who fails to attend three consecutive regular meetings of the Board without good cause may be removed from office on the affirmative votes of a majority of the remaining Board members, provided that:

1. The member's removal was proposed at the immediately previous Board meeting; and
2. Notice of the proposed removal was given to the affected member at least forty-eight hours in advance of the meeting at which the vote will be taken.

N.J.S.A. 18A:12-2; 18A:12-3; 18A:12-29

N.J.S.A. 19:27A-1 et seq.

Adopted: 18 November 2004

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

## **0146 BOARD MEMBER AUTHORITY**

A Board member does not possess individually the authority and powers that reside in the Board of Education. No Board member by virtue of his/her office shall exercise any administrative responsibility with respect to the operation of the school district or as an individual command the services of any school district employee.

### Release of Information

Board member access to public, personnel, and pupil records shall be governed by law and by the provisions of Policy Nos. 8310, 8320, and 8330.

Confidential information to which a Board member becomes privy as a result of his/her office shall be used only for the purpose of helping the member discharge his/her responsibilities as Board member. No Board member shall reveal information contained in a confidential record or received during a duly convened private session of the Board except when that information has been released to the public by the Board.

### Public Expressions

All public statements in the name of the Maywood Board of Education shall be issued by the Board President, or if appropriate by the Superintendent at the discretion of the Board President. No individual Board member shall make public statements in the name of the Board.

In accordance with Board policy 0142, Board Member Code of Ethics, no Board member shall make public statements that contravene the policies and actions of the Board, or that jeopardize the ability of the Board to act effectively, particularly in the sensitive area of collective negotiation.

Board members are entitled to express themselves publicly on any matter, including issues involving the Board and the school district. Individual Board members cannot, however, express the position of the Board except as expressly authorized, in accordance with Board Policy No. 9120. A Board member shall not represent his/her personal opinion as the position of the Board and shall include in all formal expressions in which his/her Board affiliation is likely to be recognized, such as letters to government officials or newspapers, speeches to organizations, and the like, a statement that the opinions expressed do not necessarily represent those of the Board.

It is understood that the members of the Board have authority only when acting as a Board legally in session. The Board shall not be bound in any way by any action or statement on the part of any individual Board member except when such statement or action is in pursuance of specific instructions from the Board.

Individual Board members shall refer persons making complaints about the schools to the appropriate administrative officer who is immediately in charge of the person, building, or facility under complaint.

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

Adopted: 18 November 2004

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

## **0147 \*\*\* ABOLISHED POLICY \*\*\* AS OF JUNE 18, 2009 \*\*\***

No member of the Board of Education shall receive compensation for his/her services as Board member.

The Board will reimburse members for all necessary expenses incurred in the member's attendance at authorized conferences or other activities related to the operation, improvement, maintenance, and management of the district.

The Maywood Board of Education believes that wise fiscal management dictates the payment of all bills directly by the district to the vendor, subject to the regular procedures of the accounting office. However, it recognizes that, from time to time, Board members will incur out-of-pocket expenses in the service and at the direction of the Board.

Such expenses must be approved by a motion of the Board either in advance or at the meeting immediately following the expenditure. Reimbursement for attendance at any meeting, seminar or other function must be approved in advance of the event. Such expenses shall be for the Board member only, and shall be itemized and documented.

Employees and members of the Board shall be reimbursed for all necessary and legal expenses incurred in attending any meetings or in making any trips on official business for the school district when so authorized by the Board and under the following conditions:

1. An itemized expense report and receipts are required for reimbursement.
2. Auto expenses shall be reimbursed at a rate to be determined by the Board.

Reimbursement will be made by the Board upon the receipt and review of an itemized voucher submitted by the Board member seeking reimbursement. The voucher shall list individually all expenses incurred and shall be executed by the Board member, who shall certify that the costs incurred constitute actual out-of-pocket expenses and are correct in all particulars.

N.J.S.A. 18A:12-4

Adopted: 18 November 2004

## **0147 BOARD MEMBER TRAVEL EXPENSES**

The Board of Education will reimburse Board members for travel expenses in accordance with applicable New Jersey Statutes.

For the purpose of this Policy:

1. Travel Expenditures - means those costs paid by the school district using local, State, or Federal funds, whether paid directly by the school district or by employee reimbursement, for travel by school district employees and/or Board of Education member to training and seminars, conventions and conferences, regular school district business, and retreats.

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

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

3. 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.

4. Regular School District Business - means all regular official business travel, including attendance at meetings, conferences, and any other gatherings which are not covered by the definitions for training and seminars and convention and conferences above.

5. Retreats - means meetings with school district employees and 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.

School district travel expenditures include, but are not limited to, all costs for transportation, meals, lodging, and registration or conference fees to and from the travel event. School district travel expenditures include costs for all required training and travel authorized in existing school district employee contracts and school Board policies. This includes, but is not limited to, required professional development and other staff training, required training for new school Board member, and attendance at specific conferences authorized in existing employee contracts.

The school district shall not bear costs for car rentals, limousine services, and/or chauffeuring costs to or during the event, as well as costs for employee attendance for coordinating other attendees' accommodations at the travel event.

All travel by Board members shall be educationally necessary and fiscally prudent and all travel expenditures shall be directly related to and within the scope of the Board member's current responsibilities. All travel expenditures must be for travel that is critical to the instructional needs of the school district or furthers the efficient operation of the school district and is in compliance with State travel payment guidelines as established by the Department of the Treasury and with guidelines established by the Federal Office of Management and Budget; except that those guidelines that conflict with the

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

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.

A Board member shall submit to the school business administrator within 7 calendar days of incurring the travel expense(s) a brief report that includes the primary purpose for the travel and the key issues that were addressed at the event and their relevance to improving instruction or the operation of the school district. This report shall be attached to the purchase order for reimbursement.

The detailed documentation that demonstrates compliance with P. L. 2007 c.53 and this Policy including travel approvals, reports, and receipts for all school district funded expenditures, as appropriate, shall be maintained in the school business administrator's office, attached to the purchase order.

Travel for Board members may occur only upon prior approval by a majority of the full voting membership of the Board and the travel shall be in compliance with section 4 of P.L.1991, c.393 (C.18A:12-24) and section 5 of P.L.2001, c.178 (C.18A:12-24.1).

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

Travel payments will be paid only upon compliance with P.L. 2007, c.53 and this Policy's provisions and approval requirements.

The Board will not ratify or approve payments or reimbursements for travel after completion of the travel event. A Board member or organization shall not receive an amount for travel and/or travel-related expenses in advance of the travel pursuant to N.J.S.A. 18A:19-1 et seq.

A Board member shall recuse himself/herself from voting on travel if the Board member, a member of his/her immediate family or a business organization in which he/she has an interest, has a direct or indirect financial involvement that may reasonably be expected to impair his/her objectivity or independence of judgment. A Board member shall not act in his/her official capacity in any matter in which he/she or a member of his/her immediate family has a personal involvement that is or creates some benefit to the school official or member of his/her immediate family; or undertake any employment or service, whether compensated or not, which may reasonably be expected to prejudice his/her independence of judgment in the execution of his/her official duties.

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The Board shall exclude from the requirements of prior Board approval any travel caused by or subject to contractual provisions, other statutory requirements, or Federal regulatory requirements. The Board may not exclude such travel from the subsistence requirements and annual maximum travel expenditure pursuant to P.L.2007 c.53.

One-day trips that do not involve overnight lodging are not eligible for a subsistence payment or reimbursement except in limited circumstances authorized in the Department of the Treasury guidelines. Overnight travel is eligible for a subsistence payment or reimbursement as authorized in the Department of the Treasury guidelines, except as otherwise superseded by the following provisions:

1. Per diem payment or reimbursement for lodging and meals will be actual reasonable costs, not to exceed the Federal per diem rates as established in the Federal register for the current year;
2. Lodging expenses may exceed the Federal per diem rates if the hotel is the site of the convention, conference, seminar, or meeting and the going rate of the hotel is in excess of the Federal per diem rate. If the hotel at the site of the convention, conference, seminar, or meeting is no longer available, lodging may be paid for similar accommodations at a rate not to exceed the hotel rate for the event;
3. Receipts are required for hotel expenses;
4. In any case in which the total per diem reimbursement is greater than the Federal per diem rate, except as stated in 2. above, the costs will be considered to be excessive and shall not be paid by school district funds;
5. The school district shall patronize hotels and motels that offer special rates to government employees unless alternative lodging offers greater cost benefits; and
6. Payment or reimbursement is approved for the full cost of an official convention meal that a Board member attends, when the meal is scheduled as an integral part of the convention or conference proceedings. If a meal is included in the registration fee, the allowance for the meal is not eligible for reimbursement.

Annually in the pre-budget year, the Board shall establish by Board resolution, a maximum travel expenditure amount for the budget year, which the school district shall not exceed in that budget year. The Board resolution shall also include the maximum amount established for the pre-budget year and the amount spent to date. The maximum school district travel expenditure amount shall include all travel in accordance with P.L.2007 c.53 supported by local and State funds.

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The school district shall maintain separate accounting for school district travel expenditures as necessary to ensure compliance with the school district's maximum travel expenditure amount. This may include, but need not be limited to, a separate or offline accounting of such expenditures or expanding the school district's accounting system. The tracking system shall be sufficient to demonstrate compliance with the Board's policy and P.L.2007 c.53, and shall provide auditable information.

Any Board of Education that violates its established maximum travel expenditure as set forth in P.L. 2007 c.53, or that otherwise is not in compliance with the travel limitations set forth in P.L. 2007 c.53 may be subject to sanctions by the Commissioner as authorized pursuant to N.J.S.A. 18A:4-23 and N.J.S.A. 18A:4-24, including reduction of State aid in an amount equal to any excess expenditure.

A person who approves any travel in violation of the P.L.2007 c.53 or this Policy shall be required to reimburse the school district in an amount equal to three times the cost associated with attending the event. An employee or Board member who travels in violation of the Board's policy or P.L. 2007 c.53 shall be required to reimburse the school district in an amount equal to three times the cost associated with attending the event.

P.L. 2007 c.53

Adopted: 7/26/07

Revised: 10/11/07

### **0148 BOARD MEMBER INDEMNIFICATION**

The Board of Education will indemnify Board members in accordance with law whenever a civil, administrative, criminal or quasi-criminal action or other legal proceeding is brought against a Board member for any act or omission arising out of and in the course of the performance of his/her duties as Board member. In the case of a criminal or quasi-criminal action which results in a final disposition in favor of the Board member, the Board will defray all costs of defending the action, including reasonable counsel fees and expenses, together with costs of appeal, and will save harmless and protect the Board member from any financial loss resulting from the action. Indemnification for exemplary or punitive damages is not required and will be governed by the standards and procedures set forth in N.J.S.A. 59:10-4.

The Board may arrange for and maintain appropriate insurance to cover all such damages, losses and expenses.

N.J.S.A. 18A:11.1, 18A:12-20; 18A:16-6;18A:16-6.1; 18A:18A-46; 18A:18A-47

Adopted: 18 November 2004

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

## **0151 ORGANIZATION MEETING**

The Board of Education shall organize annually at a regular meeting held for that purpose, during the first week of January, following the annual school election.

The meeting shall be called to order by the Board Secretary who shall serve as presiding officer pro tempore until the election of a President and Vice President.

The Board Secretary shall administer the oath of office to new Board members.

N.J.S.A. 18A:10-3; 18A:10-5

N.J.S.A. 41:1-1; 41:1-3

Revised: January 23, 2013

## **0152 BOARD OFFICERS**

The Board of Education shall organize by electing one of its members as President and another as Vice President.

Any member may place a member's name in nomination; a second is not required. Election for each office will be conducted by roll call vote when the nominations for that office are closed. The candidate receiving the votes of a majority of Board members.

Voting shall take place by verbal roll call.

Officers shall serve for one year and until their respective successors are elected and shall qualify, but if the Board shall fail to hold the organization meeting or to elect Board officers as prescribed by N.J.S.A. 18A:15-1, the County Superintendent shall appoint from among the members of the Board a President and/or Vice-President.

A President or Vice-President who refuses to perform a duty imposed upon him/her by law may be removed by a majority vote of all of the members of the Board. In the event the office of President or Vice-President shall become vacant the Board shall, within thirty days thereafter fill the vacancy for the unexpired term. If the Board fails to fill the vacancy within such time, the County Superintendent shall fill the vacancy for the unexpired term.

N.J.S.A. 18A:15-1; 18A:15-2

Revised: January 23, 2013

## **0153 ANNUAL APPOINTMENTS**

The Board of Education may appoint at the organizational meeting, but shall appoint before July 1 of the year in which the Board organizes:

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1. A Board Secretary, N.J.S.A.18A:17-2, 17-5;
2. A Treasurer of School Moneys, N.J.S.A.18A:17-31;
3. A public school accountant, N.J.S.A.18A:23-1;
4. A medical inspector, N.J.S.A.18A:40-1; and
5. An attorney.

Adopted: 18 November 2004

### **0154 ANNUAL MOTIONS AND DESIGNATIONS**

The Board of Education shall at the organizational meeting:

1. Designate one or more depositories for school funds, N.J.S.A. 18A:17-34;
2. Designate those persons authorized to sign school warrants, N.J.S.A. 18A:19-1;
3. Designate the official newspaper, N.J.S.A. 18A:22-11; 18A:39-3;
4. Designate a second newspaper for the publication of Board meetings, N.J.S.A. 10:4-8;
5. Designate the day, place, and time for regular meetings of the Board;
6. Approve the curriculum for all grades;
7. Designate a day for regular informal meetings of the Board; and
8. Readopt existing bylaws and policies for the Board's operation and the operation of the school system.

Adopted: 18 November 2004

### **0155 BOARD COMMITTEES**

The Board shall act as a committee of the whole on any matter pertaining to the business and education policies of the district. Any action taken by the Board as it acts as committee of the whole must be approved in a regular Board meeting.

However, in order to use the time, effort, and expertise of the members of the Board effectively, the Board shall make use of a committee system.

#### **Standing Committees**

Standing Committees shall be delegated limited authority and duties in major areas of continuing Board responsibility. The functions of committees shall ordinarily be fact-finding, deliberative, and advisory in nature and will consider matters as may be referred to them by the Board. Their reports shall be made to the full Board for discussion and action and may include recommendations.

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Committee meetings may be called at any time by the committee chairperson. The Board shall be informed as to the dates of all committee meetings in advance and a committee report form will be filled out and provided to the full Board prior to the next Board meeting whenever possible.

Committee meetings shall ordinarily be closed except that members of the Board, district employees, contractors and/or the public may attend upon invitation of the committee. Whenever a quorum of the Board is to attend a committee meeting, that meeting must be announced and open according to law.

Standing Committees of the Board shall be:

1. Personnel
2. Finance and Business Operations
3. Curriculum
4. Buildings and Grounds
5. Policy

Ad Hoc Committees

In certain cases, the Board President shall appoint Ad Hoc committees as the business of the Board may require. The duties of each Ad Hoc Committee shall be outlined at the time of its appointment, and the Committee shall be dissolved when its report has been made and accepted. Ad Hoc Committees will act in an advisory capacity only. No individual board member may chair more than one Ad Hoc Committee simultaneously.

## COMMITTEE FUNCTIONS

### Personnel

The Personnel Committee is one of the Standing Committees of the Board of Education. The committee shall advise the Board on all matters pertaining to personnel. Specifically, this committee shall:

1. Review the qualifications of any candidates selected for staff positions, other than Administration, in advance of Board approval. To see that such selection is consistent with Board policy and with all State and Federal laws under Equal Opportunity Employment Acts inclusive of the Affirmative Action Plan.
2. Develop and or update, as needed, responsibilities of the Superintendent of Schools (job description).
3. Manage for the Board the selection process for Superintendent or Business Administrator/Board Secretary.
4. Monitor the selection of administrators, other than the Superintendent and Business Administrator/Board Secretary in accordance with Board policy.
5. Oversee the process of evaluation of staff members and to involve the

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full Board in this process as required or necessary.

6. Review, in advance, personnel matters to be presented to the Board.
7. Review and evaluate the effectiveness of the staff development programs.
8. Monitor and evaluate personnel policies and procedures.

### Finance and Business Operations

The Finance and Business Operations Committee is one of the Standing Committees of the Board of Education. The committee shall advise the Board on all matters pertaining to finance and business operations. Specifically, this committee shall:

1. Review investment practices, bank, insurance, and policies of the Board of Education on finance.
2. Review and recommend to the full Board on annual budget commensurate with the educational needs of the district.
3. Review and sign all vouchers and recommend payment of all bills submitted to the Board, with the exception of bills pertaining to Buildings and Grounds.
4. Ascertain that expenditures stay within the budgeted appropriations.
5. Review the official school district audit and shall recommend to the Board for appointment a suitable and qualified person as auditor for the Board.
6. Participate in long-term financial planning related to capital improvement needs.
7. Review all leases and contracts, including transportation.
8. Review all legal matters and shall recommend to the Board for appointment a suitable and qualified person as attorney for the Board.
9. Review practices and policies of the Enterprise Funds.
10. Review financial reports of the district.

### Curriculum

The Curriculum Committee is one of the Standing Committees of the Board of Education. The committee shall advise the Board on all matters pertaining to curriculum. Specifically, this committee shall:

1. Serve as the planning arm for the Board on curriculum matters including but not limited to curriculum development curriculum evaluation, textbook adoption and curriculum related staff development.
2. Meet regularly with the Superintendent of Schools and/or building principals.

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3. Review all textbooks that require Board approval.
4. Review with the Superintendent all curricular matters to be presented to the Board.
5. Bring to the attention of the Superintendent all Board concerns that are in the area of curriculum.
6. Review curriculum changes recommended by the Superintendent.
7. Review any curriculum related staff development or in-service programs recommended by the Superintendent.

### Building and Grounds

The Building and Grounds Committee is one of the Standing Committees of the Board of Education. The committee shall advise the Board on all matters pertaining to buildings and grounds. Specifically, this committee shall:

1. Oversee the acquisition and disposal of school properties and buildings.
2. Plan new and oversee ongoing improvements, alterations, maintenance and operation of buildings and grounds.
3. Review requests for use of school buildings and grounds for other than school purposes.
4. Review and update policy pertaining to building grounds.
5. Explore possible sources of alternate funding pertaining to buildings and grounds.
6. Be actively involved in the long and short term planning for the upkeep of the physical plants and the district properties.
7. Assist in budget development in areas pertaining to buildings and grounds.
8. Take on assignments as requested by the majority of the full Board.
9. Review and approve for payment all bills pertaining to the maintenance of school properties.

### Ad Hoc Advisory Committees

The Board shall, when required by law or when it finds it beneficial, appoint advisory committees to assist in research projects, long-range studies, advisory program evaluation, and development of policies or educational goals. Each committee shall be appointed for a specific purpose.

Such committees shall be representative of the community in relation to the tasks delegated to them.

The Board shall adopt the committee structure and organization it deems appropriate to the assignment at hand, except for funded programs where requirements are set by law. The Board is responsible for approving all

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members of a committee and the method of their selection in consultation with the Board President and the Superintendent. Staff members shall not constitute a majority of any general community advisory committee.

Such committees shall serve in an advisory capacity only, proposing recommendations based on analysis of a problem, and shall exist only as long as is necessary for the study of the report to the Board on particular projects assigned them. The Board shall give careful consideration to all recommendations, although final action and responsibility shall remain with the Board.

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

The Policy Committee is one of the Standing Committees of the Board of Education. The committee shall advise the Board on all matters pertaining to policy. Specifically, this committee shall:

1. Advise the entire Board on matters pertaining to the development, interpretation, or administration of Board policy.
2. Consult with the Superintendent and assist in the development of policy and regulations geared towards efficient management of the District.
3. Regularly review all existing policies, bylaws and regulations, at least every three to five years.
4. Review implementation of policies, bylaws and regulations adopted the previous year.
5. Review and/or prepare and codify specific policy, bylaw and/or regulation statements made by the Board.
6. Review policy, bylaw and regulation proposals made by Board members, the Superintendent, the administration, staff, parents and the community, and evaluate them for consistency with existing policy and local, state and federal law.
7. Revise policies when necessary and initiate the development of new policies when appropriate.
8. Prepare and present to the Board all proposed policies, bylaws, regulations and amendments.
9. Establish a procedure for maintaining the Policy Manuals of the District.

The Board President will assign members to serve as liaisons to select organizations in order to maintain a high level of communication and mutual feedback. These members shall attend meetings and major functions of their respective assignments. Liaisons shall report on Board discussions and decisions of particular interest to the school, interpret Board actions to the organizations' constituency and relay their concerns back to the Board. The organizations that will be assigned a liaison member include:

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

Legislation/NJSBA & BCSBA Delegate  
Maywood Council  
Maywood Avenue PTO  
Memorial PTO  
Hackensack Board of Education  
Joint Boards Committee  
Maywood Office of Emergency Management  
Seniors

Adopted: 18 November 2004

## **0157 BOARD OF EDUCATION WEBSITE**

For the purposes of keeping all Board of Education members fully informed and provided with adequate information to make intelligent and prudent decisions, the Board authorizes the Superintendent to coordinate and oversee a website to be maintained on the Internet. All items to be posted on the website shall be approved by the Superintendent prior to posting. In the event that the Superintendent finds certain material that is submitted to be of a questionable nature, the Superintendent shall seek approval of the Board prior to posting such material.

The types of information that may be posted on the website will be determined by the Superintendent.

Materials containing political or editorial points of view shall be prohibited from the website.

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

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

Adopted: 18 November 2004

## **0161 CALL, ADJOURNMENT AND CANCELLATION**

The Board of Education shall meet in public session at least once every two months during the period in which the schools are in session.

All meetings shall be called to commence not later than 8:00 p.m. of the day designated.

A meeting not regularly scheduled may be called by the Board Secretary at the request of the President or upon the presentation to the Board Secretary of a petition requesting a meeting and signed by a majority of the full Board.

The Board may at any time recess or adjourn to an adjourned meeting at a time,

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

date, and place announced before the adjournment takes place. The adjourned meeting shall take up its business at the point in the agenda where the motion to adjourn was passed.

When circumstances are such as to prevent the attendance of a majority or all of Board members or to frustrate the purpose of the meeting, a meeting may be canceled by the Board Secretary at the request of the President. Notice of the cancellation shall be given, by expedient means, to all Board members, to the Superintendent, and, whenever possible, to the newspapers in which notice of Board meetings is regularly given. If possible, written notice of the cancellation shall also be posted at the place where the canceled meeting was scheduled to occur. Notice of the cancellation shall include the date, time, and place of the next scheduled meeting. Notice of the cancellation shall be read at the next following Board meeting and shall be duly recorded in the official minute book.

N.J.S.A. 18A:10-6

N.J.A.C. 6:3-1.2

Adopted: 18 November 2004

### **0162 NOTICE OF BOARD MEETINGS**

The Board of Education will give notice of all meetings in accordance with law.

#### Public Notice

The Board Secretary shall notify, in writing and no later than forty-eight hours in advance of the meeting, each Board member and each person who has duly requested such notification of the time, date, location, and, to the extent it is known, the agenda of any regular, special, or rescheduled meeting. Forty-eight hour notice shall also be posted publicly, delivered to two newspapers designated by the Board, and filed with the clerk of Maywood, except that forty-eight hour notice is not required where the time, date, and location of the meeting has been published in the annual list of meetings approved by the Board in accordance with law.

Upon the affirmative vote of three-quarters of the members present, the Board may meet in the absence of adequate notice, provided that discussion and action is limited to specific and unforeseen or unforeseeable matters of such urgency and importance that delay for the provision of notice would be likely to result in substantial harm to the public interest and that notice is given as soon as possible after the call of the meeting in accordance with the provisions of law and this bylaw.

#### Personal Notice of Meeting

The Board shall provide personal notice in writing to an adult pupil, the parent(s) or legal guardian(s) of a minor pupil, an employee or officer of this district, or a prospective employee whose privacy may be invaded or whose employment may be affected by the Board's deliberations in private session. Such personal notice will include the date and time of the private meeting,

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

the subject or subjects scheduled for discussion at the private meeting, and the right of the individual given notice to request that the discussions be conducted at a public meeting. Personal notice will be given no less than seventy-two hours in advance of the private meeting.

A written request for public discussion must be signed by the person making the request and must be submitted to the Board Secretary prior to the commencement of the meeting. Any such properly submitted request will be granted. In the event that one or more, but fewer than all, of a group of persons whose employment will be discussed request a public meeting, the discussion regarding the person or persons who have submitted the request will be severed from the rest and will be conducted publicly.

A discussion held in public by reason of the written request of an individual will be conducted at a regularly scheduled meeting for which annual notice has been given or at a meeting for which adequate public notice has been given in accordance with law.

Nothing in this bylaw will permit an employee to request or the Board to grant the public discussion of tenure charges or permit the public disclosure of information regarding a disabled pupil.

N.J.S.A. 10:4-6 et seq.; 10:4-8d; 10:4-9b  
N.J.S.A. 18A:6-11; 18A:10-6  
N.J.A.C. 6:3-1.2

Adopted: 18 November 2004

### **0163 QUORUM**

A quorum shall consist of four Board members, and no business shall be conducted in the absence of a quorum, except when the Doctrine of Necessity is invoked.

In the event a quorum is not present at the hour of convening, the meeting may be recessed to a time not later than 9:00 p.m. of the same day. If a quorum is not then present, the members present may adjourn the meeting to a later date within seven days.

The Board of Education recognizes that there may be matters that come before the Board or acts required of Board members in their official capacity where the Board member may have a conflict of interest or the act would be in violation of N.J.S.A. 18A:12-24. In these matters, the Board member(s) will remove himself/herself from any discussions, meetings (informal or formal), committee meetings, and/or a vote regarding the matter. The Board will consider this matter without the Board member(s) who has the conflict.

In the event a matter comes before the Board or an act is required of a Board member in his/her official capacity that is a conflict or would be in violation of N.J.S.A. 18A:12-24, the Board would still be required to have a quorum to consider the matter. However, the New Jersey Department of Education and the School Ethics Commission has envisioned this prohibition could create a situation in which so many Board members have a conflict, that the Board would be unable to take action on a matter. Therefore, when more

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

than a quorum of the Board members must abstain from voting on a matter, the Board will invoke the Doctrine of Necessity consistent with the New Jersey Department of Education and School Ethics Commission guidelines as follows:

### **A. Board Member(s) in Conflict - Less Than a Majority of The Board**

1. In the event a Board member(s) has a conflict of interest where the Board member will act in his/her official capacity, the Board member must remove himself/herself from any discussions, meetings (informal or formal), committee meetings, and/or a vote regarding the matter.

2. In the event a Board member is unsure whether he/she or any other Board member has a conflict of interest or whether the matter, if acted upon by a Board member(s) is in violation of N.J.S.A. 18A:12-24 - Prohibited Acts, the School Board Attorney will make a determination.

3. The School Board Attorney will provide the Board of Education an opinion on whether the matter is a conflict of interest or act prohibited by N.J.S.A. 18A:12-24 - Prohibited Acts.

4. If the Board member(s) believes he/she has a conflict of interest where he/she will act in his/her official capacity or if the School Board Attorney renders an opinion that the Board member has a conflict of interest where the Board member will act in his/her official capacity, the Board member will remove himself/herself from any discussions, meetings (informal or formal), committee meetings, and/or a vote regarding the matter.

### **B. A Majority of Board Members in Conflict**

1. In the event:

a. A Board member(s) believes he/she has a conflict of interest where he/she will act in his/her official capacity; or

b. If the School Board Attorney renders an opinion that the a Board member(s) has a conflict of interest where the Board member will act in his/her official capacity; and

c. The number of Board members that have a conflict would make it so the Board would be unable to take action on the matter, then the Board may invoke the "Rule [or Doctrine] of Necessity." (Citing U.S. v. Will, 449 U.S. 200 (1980)).

### **C. Rule [Or Doctrine] Of Necessity**

1. The Doctrine of Necessity may be invoked when more than a quorum of the Board must abstain from voting on a matter.

2. There are three prerequisites necessary for a Board to invoke the Doctrine of Necessity:

a. The Board must be unable to act without the members in conflict taking part;

b. There must be a pressing need for action, i.e. the matter cannot be

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

laid aside until another date; and

c. There can be no alternative forum that can grant the same relief. (Allen v. Toms River Regional Board of Education, 233 N.J. Super 651 (Law Division 1989)).

3. When the School Board Attorney advises the Board the Doctrine of Necessity must be invoked in order to obtain a quorum on a vote, the Board must announce that it is invoking the Doctrine.

a. The announcement must include the reason the Board must invoke the Doctrine of Necessity including stating the nature of each Board members conflict.

b. The announcement will be in writing and should be recorded in the minutes of the meeting by the Board Secretary at the point when the vote takes place.

c. It is enough for the Board to announce it is invoking the Doctrine and a Board Resolution is not required.

4. When the Board announces the Doctrine of Necessity is being invoked, the details, parameters and/or other pertinent facts of the matter to be voted should be revealed on an agenda for the public meeting in which the matter is to be voted upon.

5. The Board members who have a conflict in the matter are prohibited from:

a. Participating in any discussions on the matter prior to the announcement and public meeting; and

b. From entering an executive session in order to discuss the merits of the matter or contract; and

c. From offering their opinions on the matter at any time prior to the announcement and public meeting.

6. The Board members who have a conflict in the matter may only participate to the extent they may vote after the motion to approve and/or ratify the matter has been made and seconded and the Doctrine of Necessity has been thoroughly explained to the public.

7. Board members in conflict may only ask questions regarding the matter to be voted on in public and after the Board has invoked the Doctrine of Necessity.

8. Board members in conflict may explain their reasons for not voting just before the vote.

N.J.S.A. 18A:12-24

New Jersey School Ethics Commission Advisory Opinion A10-93(b) and A07-94

Adopted: 18 November 2004

# **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

## **0164 CONDUCT OF BOARD MEETINGS**

### Parliamentary Authority

Roberts' Rules of Order, Newly Revised, shall govern the Board of Education in its deliberations and acts in all cases in which it is not inconsistent with statutes of the State of New Jersey, rules of the State Board of Education, or these bylaws.

### Presiding Officer

The President shall preside at all meetings of the Board. In the absence, disability, or disqualification of the President, the Vice President shall act in his/her place; if neither person is present, any member shall be designated by a plurality of those present to preside. The act of any person so designated shall be legal and binding.

### Announcement of Adequate Notice

The person presiding shall commence each meeting with an announcement of the notice given for the meeting or a statement regarding the lack of adequate notice, in accordance with law.

### Agenda

The Superintendent, in consultation with the Board President, shall prepare an agenda of items of business to come before the Board at each meeting. The agenda shall be delivered to each Board member no later than two days before the meeting and shall include such reports and supplementary materials as are appropriate and available.

At all Work Session meetings, the order of business shall be as follows, unless a change in such order shall be consented to by a majority of the members present:

1. Call to order.
2. Roll Call
3. Flag Salute
4. Meeting Notice Announcement
5. Minutes of Previous Meeting
6. Superintendent's Report (optional)
7. Board Secretary's Report (optional)
8. Open to the Public
9. Old Business
10. New Business

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

11. Open to the Public
12. Comments from Board Members
13. Adjournment

At all regular meetings of the Board, the order of business shall be as follows, unless a change in such order shall be consented to by a majority of the members present:

1. Call to Order
2. Roll Call
3. Flag Salute
4. Reading of "Open Public Meetings Act" statement
5. Approval of Minutes of Previous Meeting or Meetings
6. Reports of Committees, Liaisons and School Business Administrator/Board Secretary
7. Superintendent's Report
8. Communications
9. Open to the Public (agenda items only)
10. Unfinished Business
11. New Business
12. Open to the Public
13. Comments from Board Members
14. Adjournment

At all Special meetings of the Board, the order of business shall be as follows, unless a change in said order shall be consented to by a majority of the members present:

1. Call to Order
2. Roll Call
3. Flag Salute
4. Reading of "Open Public Meetings Act" statement
5. Communications
6. Open to the Public (agenda items only)

# **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

7. Business as Specified
8. Open to the Public (agenda items only)
9. Adjournment

At the annual Public Hearing on the budget, and for this meeting only, the agenda shall be as follows:

1. Call to Order
2. Roll Call
3. Flag Salute
4. Reading of "Open Public Meetings Act" statement
5. Communications
6. Presentation of the annual Budget by the Superintendent
7. Business as Specified for Discussion and Possible Action
  - a. Adoption of the annual Budget
    1. Open to the Public
    2. Comments from Board Members
    3. Adjournment

N.J.S.A. 10:4-10  
N.J.S.A. 18A:16-1.1

Revised: January 23, 2013

## **0165 VOTING**

All Board of Education actions requiring a vote may be conducted by voice, show of hands, or roll call provided that the vote of each member is recorded in the minutes of the meeting. Proxy voting shall not be permitted.

Abstentions shall not be counted as votes but shall be recorded; a member who abstains from voting is deemed to acquiesce in the outcome of the vote.

All motions shall require for adoption the majority vote of Board members present and voting, except as provided by statutes of the State of New Jersey, this bylaw, or parliamentary authority and provided that the number of affirmative votes is at least a majority of the Board's quorum.

1. The affirmative votes of three-quarters of the members present are required for the conduct of a Board meeting when adequate notice has not been provided in accordance with law, N.J.S.A. 10:4-9;

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

2. A two-thirds vote of the full membership of the Board is required for:

a. Bids that have been advertised pursuant to N.J.S.A. 18A:18A-4 on two occasions and;

(1) No bids have been received on both occasions in response to the advertisement; or

(2) The Board of Education has rejected such bids on two occasions because it has determined that they are not reasonable as to price, on the basis of cost estimates prepared for or by the Board of Education prior to the advertising therefore, or have not been independently arrived at in open competition; or

(3) On one occasion no bids were received pursuant to #(1) and on one occasion all bids were rejected pursuant to #(2), in whatever sequence; any such contract may then be negotiated.

b. Purchase of goods also available under state contract when the Board has received at least three quotations and the lowest responsible quotation is at least ten percent less than the price under the state contract for the identical goods and quantities, N.J.S.A. 18A:18A-5.e;

c. Determine that it is necessary, in a Type II school district having a Board of School Estimate, to sell bonds to raise money for any capital project, N.J.S.A. 18A:22-27; and

d. Sell bonds of a Type II district without further advertisement at private sale if no legally acceptable bid is received for the bonds pursuant to N.J.S.A. 18A:24-45.

3. A majority vote of the full membership of the Board is required for:

a. Admission after October 1 of a pupil who has never attended school, N.J.S.A. 18A:38-6;

b. Adoption or alteration of a course of study, N.J.S.A. 18A:33-1;

c. Application for membership in an established county audiovisual aid center, N.J.S.A. 18A:51-11;

d. Appointment of a Superintendent, N.J.S.A. 18A:17-15; School Business Administrator, N.J.S.A. 18A:17-14.1; Board Secretary, N.J.S.A. 18A:17-5; Assistant Board Secretary, N.J.S.A. 18A:17-13; Administrative Principals, N.J.S.A. 18A:17-20.5; and Shared Superintendent or School Business Administrator, N.J.S.A. 18A:17-24.3. Appointment and removal of Assistant Superintendent(s), N.J.S.A. 18A:17-16 and appointment, salary, and removal of Business Manager in Type I school district, N.J.S.A. 18A:17-25.

e. Appointment, transfer, removal and/or renewal of teaching/certificated and/or non-certificated staff members, N.J.S.A. 18A:25-1, 27-1;

f. Fix and determine, in a Type II district having no Board of School Estimate, the amount of money to be raised for budgets and capital

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

construction, N.J.S.A. 18A:22-32, 22-39;

g. Approval of employee salary deductions for hospital and insurance plans and government bonds, N.J.S.A. 18A:16-8;

h. Authorization, in Type II school districts, of school bonds, N.J.S.A. 18A:24-10;

i. Decision to establish with other school districts a county audiovisual educational aid center, N.J.S.A. 18A:51-1;

j. Determination of sufficiency of charges warranting dismissal or reduction in salary of a tenured employee, N.J.S.A. 18A:6-11;

k. Disposition or exchange of lands owned by the Board, N.J.S.A. 18A:20-5, 20-8;

l. Purchase of bonds or other obligations as investments, N.J.S.A. 18A:20-37;

m. Removal of the President or Vice President of the Board, N.J.S.A. 18A:15-2;

n. Restoration or removal following suspension of an Assistant Superintendent, Principal, or teacher, N.J.S.A. 18A:25-6;

o. Selection of textbooks, N.J.S.A. 18A:34-1;

p. Withholding a salary increment, N.J.S.A. 18A:29-14;

q. Direct the Secretary of the Board to deduct salaries of employees to participate in any plan for the purchase of bonds of the United States government, N.J.S.A. 18A:16-8;

r. Appointment and salary of Executive Superintendent in district in city of the first class with a population over 325,000 have a unit control organizational structure.

4. A roll call vote of the Board is required for the following actions with the necessary vote as indicated:

Issue	Required Vote
a. Salary deductions for government bonds N.J.S.A. 18A:16-8	Majority of full Board
b. Appointment of a secretary of Board of Education; terms; compensation; vacancy N.J.S.A. 18A-17-5	Majority of full Board

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

- |    |   |  |
|----|---|--|
| c. | Assistant and acting secretaries; appointment, powers and duties N.J.S.A. 18A:17-13             | Majority of full Board                   |
| d. | Appointment of Superintendents; terms; apportionment of expense N.J.S.A. 18A:17-15              | Majority of full Board                   |
| e. | Appointment and removal of Assistant Superintendents N.J.S.A. 18A:17-16                         | Majority of full Board                   |
| f. | Appointment of Administrative Principals N.J.S.A. 18A:17-20.5                                   | Majority of full Board                   |
| g. | Appointment of shared Superintendent, School Business Administrator; terms N.J.S.A. 18A:17-24.3 | Majority of the membership of each Board |

### Issue

### Required Vote

- |    |  |                        |
|----|--|------------------------|
| h. | Appointment; salary; removal of Business Managers N.J.S.A. 18A:17-25                         | Majority of full Board |
| i. | Unit control organizational structure; Executive Superintendent N.J.S.A. 18A:17A-1           | Majority of full Board |
| j. | Disposition of property N.J.S.A. 18A:20-5  | Majority of full Board |
| k. | Exchange of lands N.J.S.A. 18A:20-8  | Majority of full Board |
| l. | Type II districts with Board of School Estimate; determination; certification and raising of | Majority of full Board |

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

appropriations;  
notice of appeal  
N.J.S.A. 18A:22-26

- |    |  |  |
|----|--|--|
| m. | Type II districts<br>with Boards of School<br>Estimate; estimate by<br>Board of Education;<br>certification of<br>estimate N.J.S.A.<br>18A:22-27 | Two thirds of<br>full membership<br>of Board             |
| n. | Determination of<br>amounts by Board of<br>School Estimate<br>N.J.S.A. 18A:22-31   | Board of School<br>Estimate<br>majority of<br>full Board |
| o. | Type II districts<br>without Board of<br>School Estimate;<br>determination and<br>certification of<br>appropriation N.J.S.A.<br>18A:22-32        | Majority of<br>full Board                                |

### Issue

### Required Vote

- |    |  |  |
|----|--|--|
| p. | Type II districts<br>without Board of<br>School Estimate;<br>submission of capital<br>projects N.J.S.A.<br>18A:22-39 | Majority of<br>full Board                    |
| q. | School bonds, when<br>deemed to be<br>authorized Type II.<br>N.J.S.A 18A:24-10                                       | Majority of<br>full Board                    |
| r. | Private sale if no<br>bids at public sale<br>N.J.S.A. 18A:24-45  | Two thirds of<br>full membership<br>of Board |
| s. | Transfer of teaching<br>staff member N.J.S.A.<br>18A:25-1  | Majority of<br>full Board                    |
| t. | Suspension of<br>Assistant<br>Superintendents,<br>Principals and<br>teaching staff members<br>N.J.S.A. 18A:25-6      | Majority of<br>membership                    |
| u. | Appointment of   | Majority of                                  |

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

teaching staff  
members; vote required  
N.J.S.A. 18A:27-1

full Board

- v. Board of Education,  
procedure for certain  
personnel actions;  
recommendation of  
Chief School  
Administrator  
N.J.S.A. 18A:27-4.1

Majority of  
full Board

- w. Renewal of personnel  
N.J.S.A. 18A:27-4.1

Majority of  
full Board

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

Majority of  
full Board

Issue

Required Vote

- y. District to furnish  
suitable facilities;  
adoption of courses  
of study N.J.S.A.  
18A:33-1

Majority of  
full Board

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

Majority of  
full Board

- aa. Single county  
educational  
audiovisual aids  
center in county  
N.J.S.A. 18A:51-11

Majority of  
full membership

N.J.S.A. 10:4-14

Adopted: 18 November 2004

## 0166 EXECUTIVE SESSIONS

The Board of Education may meet in a private session only to discuss and act on issues exempted by law from the requirement that all Board meetings be public and only after the adoption at a public meeting of a resolution stating the general nature of the subject or subjects to be discussed and, as precisely as possible, the time when and circumstances under which the discussion conducted in private session can be disclosed to the public.

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

The Board may exclude the public only from that portion of a meeting at which the Board discusses:

1. Any matter that has been rendered confidential by express provision of federal or state law or rule of court;
2. Any matter in which the release of information would impair a right to receive funds from the Government of the United States;
3. Any material the disclosure of which constitutes an unwarranted invasion of a pupil's privacy, including but not limited to records, data, reports, or recommendations relative to the pupil's personal and family circumstances, treatment, progress or condition, unless the adult pupil or the pupil's parent(s) or legal guardian(s) requests in writing that the same be disclosed publicly;
4. Any Collective Bargaining Agreement, or the terms and conditions that are proposed for inclusion in any Collective Bargaining Agreement, including the negotiation of the agreement with school district employees or representatives of employees;
5. Any matter involving the purchase, lease, or acquisition of real property with public funds or the investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed;
6. Any tactics and techniques utilized in protecting the safety and property of the public when their disclosure could impair such protection and any investigations of violations or possible violations of the law;
7. Any pending or anticipated litigation or contract negotiation other than as stated in #4 in which the Board is or may become a party and any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his/her ethical duties as a lawyer;
8. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the Board, unless the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting, except that, regardless of the employee's request, the consideration and actions of the Board as to any tenure charge shall be conducted in private session;
9. Any deliberations occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of the responding party's certification as a result of an act or omission for which the responding party bears responsibility.

N.J.S.A. 10:4-12; 10:4-13

N.J.S.A. 18A:6-11

Adopted: 18 November 2004

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

## **0167. PUBLIC PARTICIPATION IN BOARD MEETINGS**

The Board of Education recognizes the value of public comment on educational issues and the importance of allowing members of the public to express themselves on school matters of community interest.

In order to permit the fair and orderly expression of such comment, the Board shall provide a period for public comment at every public meeting.

Public participation shall be permitted only as indicated on the order of business in Board Bylaw No. 0164.

Public participation shall be extended to residents of this district, persons having a legitimate interest in the actions of this Board, persons representing groups in the community or school district, representatives of firms eligible to bid on materials or services solicited by the Board, and employees and pupils of this district, except when the issue addressed by the participant is subject to remediation by an alternate method provided for in policies or contracts of the Board.

Public participation shall be governed by the following rules:

1. A participant must be recognized by the presiding officer and must preface comments by an announcement of his/her name, place of residence, and group affiliation, if appropriate;
2. Each statement made by a participant shall be limited to 5 minutes' duration.
3. No participant may speak more than once on the same topic until all others who wish to speak on that topic have been heard;
4. All statements shall be directed to the presiding officer; no participant may address or question Board members individually;
5. The presiding officer may:
  - a. Interrupt, warn, or terminate a participant's statement when the statement is too lengthy, abusive, obscene, or irrelevant;
  - b. Request any individual to leave the meeting when that person does not observe reasonable decorum;
  - c. Request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting;
  - d. Call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action; and
  - e. Waive these rules when necessary for the protection of privacy or the efficient administration of the Board's business.

N.J.S.A. 2C:33-8, N.J.S.A. 10:4-12

Adopted: January 20, 2010

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

## **0168 RECORDING BOARD MEETINGS**

The Board of Education directs the creation and maintenance of an official record of the formal proceedings of the Board and will permit the unofficial recording of Board meetings in accordance with this bylaw.

### Minutes

The Board shall keep reasonably comprehensible minutes of all its meetings showing the time and place, the members present, the subject considered, the actions taken, the vote of each member, information sufficient to explain the actions taken, and any other information required to be shown in the minutes by law.

Minutes of public meetings shall be public records signed by the Board Secretary and filed in the Secretary's office in a minute book as the permanent record of the acts of this Board.

Minutes of executive meetings shall be filed in the Secretary's office in a place separate from the minute book until the time, if any, when the proceedings may be made public. At that time, the minutes shall be public records and shall be filed in the regular minute book.

The Secretary shall provide each Board member with a copy of the minutes no later than forty-eight hours before the next regular Board meeting.

### Electronic Recording

The School Business Administrator/Board Secretary shall make an electronic recording of each Board meeting which shall be preserved as a "right to know" public record subject to the provisions of Policy No. 8310.

### Recording by the Public

Any member of the public may record the proceedings of a public meeting of the Board in a manner that does not interrupt the proceedings, inhibit the conduct of the meeting, or distract Board members or other observers present at the meeting.

The Board will permit the use of tape recorder(s), still or movie camera(s), or videotape camera(s) only when notice of such intended use has been given to the Board Secretary five days in advance of the meeting. No more than two camera(s) may be in use at any time, and any camera must be operated in an inconspicuous location in the meeting room.

The presiding officer shall determine when any recording device interferes with the conduct of a Board meeting and may order that an interfering device be removed.

Any record of a Board meeting that is made available to persons other than the maker of the record and is set forth as a true and accurate record of that meeting must be open to inspection by the Board and may be copied by this Board at the Board's expense.

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

N.J.S.A. 10:4-14

Adopted: 18 November 2004

## **0169 RECORDING OF MEETINGS**

The Maywood Board of Education recognizes that students, employees, Board of Education members, parents/legal guardians have an expectation of privacy in many records, meetings and other proceedings, which take place in the course of school business. To help ensure that this privacy is maintained, the Maywood Board of Education hereby enacts the following policy.

Effective this date, all Maywood Board of Education employees, including but not limited to teachers, administrators, Board of Education members and staff, while conducting or engaging in school related meetings, whether on or off school property, are forbidden to possess or use wire tapping or electronic surveillance equipment (any device or apparatus that can be used to intercept or record a wire or oral communication). This includes, but is not limited to, any meeting with students, parents/legal guardians or other employees.

All personnel including students, Board of Education members, parents/legal guardians, and employees, shall receive annual notice of this policy.

Employees who violate this policy will be subject to discipline. Board members who violate this policy are subject to discipline pursuant to School Board Ethics Rules. The Board shall take appropriate action against any parent/legal guardian who violates this policy.

Nothing contained herein shall diminish a Maywood student's parent/legal guardian's right to record meetings with any Maywood employee so long as the parent/legal guardian informs all parties that they are recording the meeting and have consent. This policy is in no way to interfere with a parent's right to record special education meetings such as a meeting for Individualized Education Programs ("IEP") pursuant to IDEA, Section 504, or any other Board policy. This policy does not prohibit the tape recording of classes by either an employee or student so long as it is known by all participants that the class session is being recorded or is otherwise arranged by the students IEP and/or Section 504 Plan.

N.J.S.A. 2A:4A-60; 2A:156A:4

N.J.S.A. 18:27-4; 18:37-1; 18A:6-10; 18A: 12-24;  
18A: 12-29; 18A:25-2;

Adopted: 18 November 2004

## **0171 DUTIES OF PRESIDENT AND VICE PRESIDENT**

The President of the Board of Education shall:

1. Sign the instruments, acts, and orders necessary to carry out state requirements and the will of the Board.

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

2. Consult with the Superintendent on the Board's agendas;
3. Appoint standing and special committees and chairpersons for them, subject to Board approval; appoint Board representatives to local, county and state organizations;
4. Call such meetings of the Board as he/she may deem necessary upon at least two days notice;
5. Be an ex officio member of all Board committees;
6. Confer with the Superintendent on crucial matters which may occur between Board meetings;
7. Be responsible for the orderly conduct of all Board meetings.

As presiding officer at all meetings of the Board, the President shall:

1. Call the meeting to order at the appointed time and read the public meeting notice;
2. Announce the business to come before the Board in its proper order;
3. Enforce the Board's policies relating to the order of business and the conduct of meetings;
4. Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference;
5. Explain what the effect of a motion would be if it is not clear to every member;
6. Restrict discussion to the question when a motion is before the Board;
7. Answer all parliamentary inquiries, referring questions of law to the Board Attorney;
8. Put motions to a vote, stating definitely and clearly the vote and result thereof.

The President shall have the right, as other Board members have, to offer resolutions, to discuss questions, and to vote.

The Vice President shall assume and discharge the duties of the President in the President's absence, disability, or disqualification. N.J.S.A. 18A:16-1.1

Adopted: 18 November 2004

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

## **0172 DUTIES OF TREASURER OF SCHOOL MONIES**

The Treasurer of School Monies shall:

1. Receive and hold in trust all school monies, except monies from athletic events and pupil organization activities, and deposit them in the bank or banks designated by the Board, N.J.S.A. 18A:17-34;
2. Pay out school monies only on warrants made payable to the person entitled to receive payment and specifying the object for which it is issued and signed by the President, Secretary and Treasurer, N.J.S.A. 18A:19-1;
3. Receive school employee payrolls and a warrant for the full amount of each payroll certified by the President and Secretary, deposit the warrants in a separate payroll account, and issue individual checks drawn on such account to each employee, N.J.S.A. 18A:19-9, 19-10;
4. Give public notice when funds are on hand for payment of interest bearing warrants issued for which no funds were available, N.J.S.A. 18A:19-12;
5. Keep a record of monies received and paid out in books provided for that purpose and in accordance with a bookkeeping system prescribed by the State Board, N.J.S.A. 18A:17-35;
6. Pay over the balance of school funds on hand to his/her successor, N.J.S.A. 18A:17-35;
7. Render a monthly report to the Board giving a detailed account of all receipts, the amounts of all warrants issued, the accounts from which they were drawn and the balance in each account, N.J.S.A. 18A:17-36;
8. Render an annual report showing the amounts received and disbursed by him/her during the school year and file a copy with the County Superintendent, N.J.S.A. 18A:17-36; and
9. Receive the proceeds of any bond sale and disburse them only to pay the expenses of issuing and selling the bonds, the purpose for which the bonds were issued, and the temporary investment of the funds, N.J.S.A. 18A:24-47.

Adopted: 18 November 2004

## **0173 DUTIES OF PUBLIC SCHOOL ACCOUNTANT**

The Board will engage only a licensed public school accountant to conduct the annual audit in accordance with N.J.S.A. 18A:23-1 et seq. The accountant must have an external peer/quality report performed in accordance with N.J.A.C. 6A:23-2.2(i)1., unless the accountant or firm can show good cause as to why there was a delay completing such report within the required timelines established by Government Auditing Standards. The Board will require the submission of the most recent external peer/quality report for review and evaluation prior to the appointment of the licensed public school accountant. The Board will acknowledge the receipt, review, and evaluation of the external peer/quality report in the public session and Board minutes in which the accountant or firm to perform the audit is engaged.

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

The Board will require the submission of an updated external peer/quality report of the accountant within thirty days after the issuance date of the external peer/quality report if the report is issued prior to the date of the audit opinion for the most recent fiscal year.

In accordance with NJOMB Circular Letter 98-07, the public school accountant will provide a copy of the most recent external peer/quality report to the Department of Education, within thirty days after the initial engagement by the Board and within thirty days after the issuance of a subsequent peer/quality report.

The Board may be prohibited for good cause by the Commissioner of Education from engaging a particular licensed public school accountant, or may be directed by the Commissioner on a process to be used in the appointment of a licensed public school accountant pursuant to N.J.A.C. 6A:23-2.2(i)6.

The public school accountant will complete the annual audit as required by the Department of Education and N.J.S.A. 18A:23-2. Each annual audit shall include an audit of the books, accounts and moneys, and verification of all cash and bank balances of the Board and of any officer or employee and of moneys derived from athletic events or other activities of any organization of pupils conducted under the auspices of the Board, from the date of the last annual audit to the date of the current audit. The audit will also include a determination of the extent to which the district used contracts entered into by the State Division of Purchase and Property pursuant to P.L. 1969 c. 104 (C. 52:25-16.1 et seq.) in the purchase of materials, supplies or equipment for the district. The report of each audit will be completed not later than four months after the end of the school fiscal year as required in N.J.S.A. 18A: 23-1 and will be filed by the public school accountant in accordance with N.J.S.A. 18A:23-2.3.

Within thirty days following receipt of the report the Board, at a regularly scheduled public meeting, will cause the recommendations of the accountant to be read and discussed and the discussion will be duly noted in the Board meeting minutes in accordance with N.J.S.A. 18A:23-5. The Board Secretary will prepare or have prepared a summary of the annual audit for this board meeting in accordance with N.J.S.A. 18A:23-4.

N.J.S.A. 18A:23-1 et seq.  
N.J.A.C. 6A:23-2.2 et seq.

Adopted: 18 November 2004

### **0174 LEGAL SERVICES**

In accordance with N.J.A.C. 6A:23A-5.2, the Board of Education adopts this Policy and its strategies to ensure the use of legal services by employees and the Board of Education members and the tracking of the use of legal services.

The Board of Education authorizes the Superintendent of Schools, Superintendent of Schools' designee, School Business Administrator/Board Secretary and Board President as designated contact person(s) to request services or advice from contracted legal counsel.

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

The Board of Education authorizes the establishment of the following procedures to guide such solicitation of legal advice:

1. The designated contact person(s) shall ensure that contracted legal counsel is not contacted unnecessarily for management decisions or readily available information contained in district materials such as Board policies, administrative regulations, or guidance available through professional source materials.
2. All requests for legal advice shall be made to the designated contact person(s) in writing and shall be maintained on file in the district offices. The designated contact person shall determine whether the request warrants legal advice or if legal advice is necessary. The designated contact person shall refer the request to the appropriate school/department administrator in the event the designated contact person deems legal advice is unwarranted or unnecessary.
3. The designated contact person(s) shall maintain a log of all legal counsel contact including the name of the legal counsel contacted, date of the contact, issue discussed, and length of contact.
4. All written requests for legal advice and logs of legal counsel contacts shall be forwarded to the Superintendent of Schools or the Superintendent of Schools' designee, who shall be responsible to compare all legal bills to the contact logs and to investigate and resolve any variances.

Any professional services contract(s) for legal services shall prohibit advance payments. Services to be provided shall be described in detail in the contract and invoices for payment shall itemize the services provided for the billing period. Payments to legal counsel(s) shall only be for services actually provided.

School districts and vocational school districts are prohibited from contracting with legal counsel or using in-house legal counsel to pursue any affirmative claim or cause of action on behalf of district administrators and/or any individual Board members or pursuing any claim or cause of action for which the damages to be awarded would benefit an individual rather than the school district as a whole.

The Board of Education will annually establish prior to budget preparation, a maximum dollar limit for each type of professional service, including legal services. In the event it becomes necessary to exceed the established maximum dollar limit for the professional service, the Superintendent of Schools shall recommend to the Board of Education an increase in the maximum dollar amount. Any increase in the maximum dollar amount shall require formal Board action.

Contracts for legal services will be issued by the Board in a deliberative and efficient manner such as through a request for proposals based on cost and other specified factors or another comparable process that ensures the district receives the highest quality services at a fair and competitive price or through a shared service arrangement. Contracts for legal services shall be limited to non-recurring or specialized work for which the district does not possess adequate in-house resources or in-house expertise to conduct.

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

## Duties of Board Attorney

The Board attorney shall upon the request of a designated contact person of the Board :

- 1) Advise the Board as to the proper legal and contractual procedures in which the Board must take action or make a decision;
- 2) Be accessible for consultation with the Superintendent, School Business Administrator/Board Secretary, and Board President concerning legal matters;
- 3) Attend public meetings of the Board;
- 4) Attend private meetings of the Board
- 5) Keep the Board informed on all legislation affecting the school system and call to the attention of the Board proposed new legislation that may affect the district.

N.J.A.C. 6A:23A-5.2

N.J.S.A. 18A:12-20; 18A:24-13.1

Adopted: 10/21/08

## **0175 CONTRACTS WITH INDEPENDENT CONSULTANTS**

The Board of Education may from time to time engage the services of one or more independent contractors to advise and assist the Board in analyzing school district operations and preparing Board reports when those tasks cannot be performed as economically by district staff members.

Wherever possible, the Board will seek proposals from multiple sources before a contract with an independent consultant is entered. The Board will not contract with a Board member or the spouse, child, parent(s) or legal guardian(s), or sibling, in fact or in law, of a Board member as an independent consultant.

The Board will engage the services of an independent consultant only by written contract, which must specify the work to be accomplished by the consultant, the time within which the work is to be completed, and the fee that will be paid the consultant. An independent consultant engaged by the Board is neither agent nor employee of the Board and may represent the Board only as expressly authorized to do so in writing.

An independent consultant may have access to such school facilities and school district employees as may be reasonably required in the performance of the consultant's contract with the Board. Except as expressly permitted by the contract, any communication between the consultant and a district employee or community member regarding the work of the contract must be conducted through the Board or a designated school official.

Materials and reports generated and created by the independent consultant in the performance of his/her contract with the Board are and will remain the property of the Board and are subject to Board Policy No. 8310 on public records.

Adopted: 18 November 2004

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

## **0176 COLLECTIVE BARGAINING AND CONTRACT APPROVAL/RATIFICATION**

The Board recognizes a Board member and/or a member of his/her immediate family may be a member of, or salary is determined by, a labor bargaining unit, professional association and/or union that has an affiliation with a bargaining unit, professional organization and/or union within the school district. The Board member does not automatically violate N.J.S.A. 18A:24 by voting to approve and/or ratify this contract solely on the basis of his/her status or that of an immediate family member with respect to membership or representation by a different local affiliate of the same statewide association with whom the agreement is made provided the Board member's involvement with such local affiliate has not or appears to have not compromised the member's objectivity or independence of judgment.

In accordance with N.J.S.A. 18A:12-24, the Board member shall not participate in the collective bargaining process and/or serve on the negotiations committee representing the Board with this unit, association, and/or union. The Board member may be apprised of the terms of a tentative memorandum of agreement with this unit, association, and/or union in closed and/or open session only after a tentative memorandum of agreement has been reached. The Board member may vote during the public meeting to approve and/or ratify a contract with this bargaining unit, professional association and/or union.

The Board member shall not participate in any aspect of negotiations and/or vote to approve/ratify a tentative memorandum of agreement/contract ratification if the Board member has an immediate family who is a member of the bargaining unit, professional association and/or union within the school district. Under this circumstance, the Board member may only vote in the event the school board attorney advises the Board the Doctrine of Necessity must be invoked in accordance with Policy No. 0163.

In addition, the School Ethics Commission Decision A16-00 states a Board member may not participate in any aspect of negotiations and/or vote to approve/ratify a tentative memorandum of agreement/contract ratification if the Board member has a "relative" who is a member of the bargaining unit, professional association and/or union within the school district. Under this circumstance, the Board member may only vote in the event the school board attorney advises the Board the Doctrine of Necessity must be invoked in accordance with Policy No. 0163.

N.J.S.A. 18A:12-21 et. seq.

New Jersey School Ethics Commission Advisory Opinion  
A02-00 and A16-00

Commissioner of Education Decision - In the Matter of  
Bruce White, Ewing Township Board of Education,  
Mercer County - June 1, 2000

New Jersey State Board of Education Decision - In the  
Matter of Frank Pannucci, Board of Education of  
Township, Ocean County - March 3, 2000

Revised: January 23, 2013

# **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

## **0177 PROFESSIONAL SERVICES**

In accordance with N.J.A.C. 6A:23A-5.2, the Board of Education adopts this Policy and its strategies to minimize the cost of professional services.

The Board of Education will establish annually prior to budget preparation a maximum dollar limit for each type of professional service. In the event it becomes necessary to exceed the established maximum dollar limit for the professional services, the Superintendent of Schools shall recommend to the Board of Education an increase in the maximum dollar amount. Any increase in the maximum dollar amount shall require formal Board action.

Contracts for professional services will be issued by the Board in a deliberative and efficient manner such as through a request for proposals based on cost and other specified factors or another comparable process that ensures the district receives the highest quality services at a fair and competitive price or through a shared service arrangement. Contracts for professional services shall be limited to non-recurring or specialized work for which the district does not possess adequate in-house resources or in-house expertise to conduct.

Nothing in this Policy or N.J.A.C. 6A:23A-5.2 shall preclude the Board from complying with the requirements of any statute, administrative code, or regulation for the award of professional services contracts.

N.J.A.C. 6A:23A-5.2

Adopted: 11/18/09

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

## **1000 ADMINISTRATION**

Number	Title
1100	District Organization
1110	Organizational Chart
1120	Management Team
1130	Staff Liaison Committees
1210	Board-Superintendent Relations
1220	Employment of Chief School Administrator
1230	Superintendent's Duties
1240	Evaluation of Superintendent
1260	Incapacity of Superintendent
1310	Employment of School Business Administrator/Board Secretary
1320	Duties of the School Business Administrator/Board Secretary
1330	Evaluation of the School Business Administrator
1331	Evaluation of the Board Secretary
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1400	Job Descriptions
1510	Rights of Persons With Handicaps or Disabilities
1522	School-level Planning
1523	Multi-Year Equity Plan
1530	Equal Employment Opportunity
1540	Administrator's Code of Ethics
1550	Affirmative Action Program for Employment and Contract Practices/Employment Practices Plan

## 1100 1100 DISTRICT ORGANIZATION

The Board of Education will establish and implement an organizational plan for the management and control of school district operations. The plan will require the identification and resolution of problems at appropriate organizational levels. All references to school district administrators in policies or regulations shall be construed to mean that administrator or his/her designee.

All members and employees of this Board are directed to observe faithfully the chain of communications established by the district organizational plan. In general, a problem should be identified and its resolution attempted at the level most immediate to the problem's origin. When a resolution cannot be found at that level, remedy may be sought through appropriate resolution and remediation procedures.

The Board expressly disapproves of any attempt to expedite the resolution of a problem by disregard of the organizational plan and the appropriate processes. A staff member's persistent disregard for the established management organization of this district in violation of this policy will be considered an act of insubordination subject to discipline.

N.J.S.A. 18:11-1; 18A:27-4

Revised: 11/2004

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

## 1110 1110 ORGANIZATIONAL CHART

Revised: January 23, 2013

## 1120 1120 MANAGEMENT TEAM

The Board of Education recognizes the value of a system of management organization that enhances communication among administrators and between the administration and the Board, encourages a shared responsibility for educational policy decisions, and provides for the equitable resolution of conflicts.

The Board directs the Superintendent to establish a management team that includes the Superintendent and those administrative, supervisory, and support staff members who are responsible for employee evaluation, the adjudication of grievances, supervision of employees, or recommendations regarding the employment of employees.

The Superintendent shall institute a management team system that will provide a means for:

1. Submitting recommendations to the Board on issues of educational policy;
2. Addressing the economic concerns and working conditions of management team members, including their job descriptions, evaluation, salaries, fringe benefits, promotions, assignments, and transfers;
3. The development of administrative procedures; and
4. The consideration of such additional and appropriate issues as may be identified by the Superintendent or the management team.

N.J.S.A. 18A:11-1; 18A:27-4

Adopted: 18 November 2004

## 1130 1130 STAFF LIAISON COMMITTEES

The Board of Education encourages the Superintendent to maintain close liaison with staff members in order to coordinate district programs and operations, to consult with appropriate staff members in developing administrative regulations and formulating recommendations for Board consideration, and to detect and resolve problems as they may arise.

The Superintendent is authorized to establish such staff liaison committees as he/she may deem necessary.

No staff liaison committee can be delegated the authority to make decisions or take action that is reserved to the Board or the Superintendent. Committee reports and recommendations may be advisory only.

# **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

Adopted: 18 November 2004

## 1210 1210 BOARD-SUPERINTENDENT RELATIONS

The Board of Education believes that it is the primary duty of the Board to establish policies and the primary duty of the Superintendent to implement and administer those policies.

The Superintendent, as Chief Administrative Officer of the school district, is the primary professional advisor to the Board. Policy should not be adopted or revised without consultation with the Superintendent.

The Superintendent and School Business Administrator/Board Secretary shall establish official channels of communication among/between consultants, the Board attorney and other special staff and the Board or administration.

The Superintendent is responsible for the development, supervision, and operation of the school program and facilities and will be given latitude to implement and administer policies in accordance with such standards as may have been set forth in the policies. The Superintendent will discharge his/her responsibility in part through the establishment and promulgation of administrative regulations.

In evaluating the effectiveness of Board policy in meeting the goals of the district, the Board will request the Superintendent to make appropriate inquiries, investigations, and reports.

Adopted: 18 November 2004

## 1220 1220 EMPLOYMENT OF CHIEF SCHOOL ADMINISTRATOR

The Board of Education vests the primary responsibility for the administration of this school district in a Superintendent of Schools and recognizes the appointment of a person to that office is one of the most important functions this Board can perform. The Superintendent shall have a seat on the Board of Education and the right to speak on matters at meetings of the Board (pursuant to N.J.S.A. 18A:17-20.a or N.J.S.A. 18A:17-20.b), but shall have no vote.

### Recruitment Procedures

The Board shall actively seek the best qualified and most capable candidate for the position of Superintendent. The Board may use a consultant service to assist in the recruitment process. Recruitment procedures may include, but are not limited to, the following activities:

1. The preparation of a new or a review of an existing written job description;
2. Preparation of informative material describing the school district and its educational goals and objectives;
3. Where feasible, the opportunity for applicants to visit the district;
4. Establish an interview process that encourages the candidate and the Board members to have a meaningful discussion of the school district's needs and expectations. The Board members shall review and discuss the candidate's credentials, qualifications, educational philosophy, and other qualities and expertise he/she can offer to the district;
5. Solicitation of applications from a wide geographical area; and

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

6. Strict compliance with law and Policy No. 1530 on equal employment opportunity.

### **Qualifications**

The candidate must possess or be eligible for a valid New Jersey administrative certificate endorsed for school administrator or a provisional school administrator's endorsement in accordance with N.J.A.C. 6A:9-12.4 et seq. and must qualify for employment following a criminal history record check. The candidate shall meet criteria established by the Board.

### **Employment Contract**

A person appointed Superintendent must enter an employment contract with the Board. An employment contract for the Superintendent of Schools shall be reviewed and approved by the Executive County Superintendent in accordance with the provisions of N.J.A.C. 6A:23A-3.1 and Policy 1620. Any actions by the Executive County Superintendent undertaken pursuant to N.J.A.C. 6A:23A-3.1 may be appealed to the Commissioner pursuant to the procedures set forth in N.J.A.C. 6A:3.

The employment contract with the Superintendent must be approved with a recorded roll call majority vote of the full membership of the Board at a public Board meeting.

In the event there is a Superintendent vacancy at the expiration of the existing contract, only the Board seated at the time of the expiration of the current Superintendent's contract may appoint and approve an employment contract for the next Superintendent.

The contract for the Superintendent who does not acquire tenure, but who holds tenure during the term of his/her employment contract will include: a term of not less than three nor more than five years and expiring July 1; a beginning and ending date; the salary to be paid and benefits to be received; a provision for termination of the contract by the Superintendent; an evaluation process pursuant to N.J.S.A. 18A:17-20.3; and other terms agreed to between the Board and the Superintendent.

During the term of the contract, the Superintendent shall not be dismissed or reduced in compensation except for inefficiency, incapacity, conduct unbecoming a Superintendent, or other just cause and only by the Commissioner of Education pursuant to the tenure hearing laws.

At the conclusion of the term of the initial contract or of any subsequent contract, in accordance with N.J.S.A. 18A:17-20.1, the Superintendent shall be deemed reappointed for another contracted term of the same duration as the previous contract unless either: the Board by contract reappoints the Superintendent for a different term which shall not be less than three nor more than five years, in which event reappointments thereafter shall be deemed for the new term unless a different term is again specified; or the Board notifies the Superintendent in writing the Superintendent will not be reappointed at the end of the current term, in which event his/her employment shall cease at the expiration of that term. In the event the Board notifies the Superintendent he/she will not be reappointed, the notification shall be given prior to the expiration of the first or any subsequent contract by a length of time equal to thirty days for each year in the term of the current contract.

# **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

Pursuant to N.J.S.A. 18A:20.2a, the Board shall submit to the Commissioner for prior approval an early termination of employment agreement that includes the payment of compensation as a condition of separation. In accordance with N.J.S.A. 18A:17-20.2a, compensation includes, but is not limited to, salary, allowances, bonuses and stipends, payments of accumulated sick or vacation leave, contributions toward the costs of health, dental, life, and other types of insurance, medical reimbursement plans, retirement plans, and any in-kind or other form of remuneration.

An early termination of an employment agreement shall be limited in its terms and conditions as outlined in N.J.A.C. 6A:23A-3.2. The Commissioner shall evaluate such agreements in accordance with the provisions of N.J.S.A. 18A:17-20.2a and N.J.A.C. 6A:23A-3.2 and has the authority to disapprove the agreement. The agreement shall be submitted to the Commissioner by the district by certified mail, return receipt requested. The determination shall be made within thirty days of the Commissioner's receipt of the agreement from the school district.

## **Disqualification**

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

## **Certificate Revocation**

In accordance with N.J.A.C. 6A:23A-3.1(e)(12), in the event the Superintendent's certificate is revoked, the Superintendent's contract is null and void.

N.J.S.A. 18A:16-1; 18A:17-15; 18A:17-20; 18A:17-20.1;  
18A:17-20.2; 18A:17-20.2a; 18A:17-20.3  
N.J.A.C. 6A:9-12.3; 6A:9-12.4; 6A:23A-3.1; 6A:23A-3.2

Cross reference: Policy Guide No. 1230

Adopted: 11/18/09

1230 M

1230 SUPERINTENDENT'S DUTIES

## **Function**

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

## **Authority**

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

## **Work Relationships**

# **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

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

## Duties and Responsibilities

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

1. Ensure that all aspects of district operation comply with Board policy, state law and district contracts, N.J.S.A. 18A:17-20b;
2. Report to the Board on the needs of the district, N.J.S.A. 18A:17-20b;
3. Advise the Board of any changes or additions that should be made to its policies;
4. Provide the Board with such information as may be needed to ensure the making of informed decisions, N.J.S.A. 18A:17-20; and
5. Perform such other duties as may be assigned by the Board, N.J.S.A. 18A:17-20b.

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

1. Prepare, promulgate, and maintain a manual of administrative regulations;
2. Evaluate the future needs of the district and recommend a district action plan including goals, objectives, and priorities to the Board;
3. Maintain written objectives to implement the district action plan adopted by the Board, N.J.A.C. 6:8-2.4;
4. Evaluate progress toward the attainment of the district action plan and report thereon to the Board, N.J.A.C. 6:8-2.4; and
5. Report to the Commissioner and the County Superintendent on or before August 1 of each year matters relating to the schools in the manner and form prescribed by the Commissioner, N.J.S.A. 18A:17-21.

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

1. Establish and maintain a written instructional plan for the schools of the district consistent with the educational goals adopted by the Board, N.J.A.C. 6:8-2.5;
2. Coordinate the proper implementation of the instructional plan as it applies to each school in the district;
3. Evaluate at least annually the effectiveness of the program of studies and recommend such changes and additions as may be required to improve its effectiveness, N.J.S.A. 18A:7A-11b;

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

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

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

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

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

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

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

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

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

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

1. Recommend to the Board all properly certified candidates for employment, assignment, or transfer, N.J.S.A. 18A:27-4.1, N.J.A.C. 6:11-3.1(b);

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

3. Train staff as necessary to implement approved changes in the curriculum or instructional methods of the district, N.J.S.A. 18A:7A-11e;

4. Evaluate the effectiveness of staff members in the performance of their assigned tasks, N.J.A.C. 6:3-4.3;

5. Recommend changes in staffing patterns based on the evaluation of staff and program effectiveness, N.J.A.C. 6:3-4.3; and

6. Discipline staff as required and report to the Board forthwith any suspension of a teaching staff member, N.J.S.A. 18A:25-6.

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

1. Strive to make efficient use of district resources in the daily operations of the schools;

2. Assign support staff so as to achieve maximum effectiveness from the

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

facilities of the district;

3. Train support staff as necessary to maintain the facilities and to avoid safety and environmental hazards; and

4. Evaluate the effectiveness of the district facilities in housing the instructional program and recommend to the Board such changes and improvements as may be required, N.J.S.A. 18A:7A-11g.

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

1. Supervise the preparation of the annual budget and recommend its adoption to the Board, N.J.S.A. 18A:17-20b;

2. Implement the budget adopted by the Board;

3. Establish sufficient fiscal controls to ensure that district funds are expended wisely and efficiently; and

4. Report to the Board at its next meeting any expenditure in excess of a budgeted line item, N.J.S.A. 18A:22-8.1.

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

1. Strive to interpret the needs of the school to the public and the concerns of the public to the Board;

2. As appropriate, involve members of the public in the review of district needs, community needs, and the operation of the school programs;

3. Keep the public informed about the accomplishments and problems of the school district;

4. Cooperate with the news media; and

5. Work effectively with municipal government officials and public agencies concerned with the welfare of pupils.

### Evaluation Criteria

The Superintendent will be evaluated in accordance with this Policy and Policy No. 1240.

N.J.S.A. 18A:17-17; 18A:17-18; 18A:17-20; 18A:22-8.1; 18A:27-4.1

Adopted: 18 November 2004

1240 1240. EVALUATION OF SUPERINTENDENT (M)

The Board of Education will annually evaluate the performance of the Superintendent in order to assist both the Board and the Superintendent in the

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

proper discharge of their responsibilities and to enable the Board to provide the district with the best possible leadership.

The objective of the Board's evaluation will be to promote professional excellence and improve the skills of the Superintendent, to improve the quality of education received by the pupils of this district, and to provide a basis for the review of the Superintendent's performance.

The Superintendent shall be evaluated annually by the Board. The Board may choose to be assisted or advised by a consultant. The evaluation will be based on the job description for the position of Superintendent and this policy. The evaluation procedures in this policy and the job description and any revisions thereto will be adopted by the Board after consultation with the Superintendent.

This policy will be delivered to the Superintendent upon its adoption, and any amendment to this policy will be developed and adopted by the Board after consultation with the Superintendent. This policy and/or any amendments to this policy will be delivered to the Superintendent within ten working days after its adoption.

### **Evaluation Criteria**

Criteria for the evaluation of the Superintendent will be based upon the Superintendent's job description and will relate directly to each of the tasks described. Each criteria will be brief and will focus on a major function of the position, be based on observable information rather than on factors requiring subjective judgment, and be written in a consistent format.

The Board shall develop and approve criteria for the evaluation of the Superintendent. Evaluation criteria will be reviewed as necessary and as requested by the Superintendent, but not less than annually and upon any revision of the Superintendent's job description. Evaluation criteria will be adopted before July 1 of each year. Any proposed revision of the evaluation criteria will be provided to the Superintendent for his/her comments before its adoption, and a copy of the adopted revision shall be provided the Superintendent within ten working days of its adoption.

### **Collection and Reporting of Evaluation Data**

Data for the evaluation of the Superintendent will be gathered by any one or more of the following methods: direct observation, review of a document produced in the performance of the Superintendent's assigned duties; interviews with the Superintendent regarding his/her knowledge of assigned duties; paper and pencil instruments (such as competency tests, staff surveys, and the like); audio-visual monitoring of the Superintendent in the performance of his/her assigned duties; and reference to previous performance reports.

The Superintendent shall be observed in the performance of his/her assigned duties at least once annually.

### **Preparation Plan for Professional Growth and Development**

An individual plan for professional growth and development shall be prepared annually, and before July 1 of each year in cooperation with the Superintendent and will include areas of required growth, methods of achieving that growth, a schedule for implementation, and the responsibility of the

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

Superintendent and Board for implementing the plan. The plan will derive from applicable evaluation criteria and focus on critical areas of professional growth.

A copy of the plan for professional growth and development will be placed in the annual performance report. The degree to which the Superintendent achieved the requirements of the previous plan will be a measure of his/her annual performance evaluation.

It will be the duty of the Superintendent to implement the plan as prepared; his/her failure to do so may result in disciplinary action up to and including certification of tenure charges.

### **Conduct of Annual Performance Conference**

An annual summary conference shall be conducted between the Board, with a majority of the total membership of the Board and the Superintendent before the annual performance report is filed. The conference will be held in private, unless the Superintendent requests that it be held in public.

The conference shall include but need not be limited to a review of the performance of the Superintendent based upon the job description; a review of the Superintendent's progress in achieving and implementing the district's goals, program objectives, policies, instructional priorities, and statutory requirements; and a review of available indicators of pupil progress and growth toward the program objectives.

The purpose of the annual performance conference will be to provide for a total review of the year's work, to identify strategies for improvement where necessary, and to recognize achievement and good practice. Adequate time will be allotted for the conference in order to cover the required topics of discussion and to permit a full exploration of the possible solutions to any problems identified.

### **Preparation of Annual Performance Report**

An annual written performance report shall be prepared, no later than April 30, by a majority of the full membership of the Board. The report will include, but need not be limited to, performance areas of strength; performance areas needing improvement based on the job description and evaluation criteria; the plan for professional growth and development prepared by the Superintendent and the Board; a summary of available indicators of pupil progress and growth and a statement of how these indicators relate to the effectiveness of the overall program and the performance of the Superintendent; and provision for performance data that have not been included in the report prepared by the Board to be entered into the record by the Superintendent within ten working days after the completion of the report.

The annual performance report will be signed by the Board President at the time of the conference and by the Superintendent within five working days of the conference. It will be filed in the Superintendent's personnel file, and a copy will be provided to the Superintendent.

N.J.A.C. 6A:32-4.3

Revised: January 23, 2013

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

### 1260 1260 INCAPACITY OF SUPERINTENDENT

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

The Superintendent will be deemed to be incapacitated when:

1. The Superintendent is absent on disability leave of a projected duration of one hundred and eighty days or more; or
2. The Superintendent is certified incapacitated by a physician in accordance with Board Policy No. 3161; or
3. The Superintendent has been suspended with pay; or
4. The Superintendent has been suspended without pay pending the resolution of tenure charges.

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

N.J.S.A. 18A:16-1.1; 18A:17-15

Adopted: 18 November 2004

### 1310 1310 EMPLOYMENT OF SCHOOL BUSINESS ADMINISTRATOR/BOARD SECRETARY

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

All candidates for the position of School Business Administrator/Board Secretary must produce evidence of their training and/or experience and the transcript from an accredited college or university of their coursework at the bachelor's degree level or higher in the field of business administration. All candidates are required to be in compliance with the provisions of N.J.A.C. 6:11-9.7 School Business Administrator.

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

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

shall be made by the Board, which shall also fix the compensation to be paid the School Business Administrator/Board Secretary.

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

N.J.S.A. 18A:16-1; 18A:17-5; 18A:17-14.1 et seq.

N.J.A.C. 6:11-9.3; 6:11-9.7

Adopted: 18 November 2004

### 1320 1320 DUTIES OF SCHOOL BUSINESS ADMINISTRATOR/BOARD SECRETARY

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

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

1. Establish and maintain long-range and other fiscal plans;
2. Prepare the annual budget based upon district resources and needs;
3. Ensure that all district fiscal, insurance, custodial-maintenance, food, and transportation services comply with the policies of the Board and the regulations of the district;
4. Ensure the proper functioning and evaluation of district personnel assigned to his/her areas of responsibility;
5. Manage efficiently the district systems of accounting, purchasing, investment, insurance, plant construction, plant operation and maintenance, transportation, and food services;
6. Strive to increase the capability of the staff assigned to his/her area of responsibility through consultation and in-service training;
7. Analyze the effectiveness of district programs in his/her area of responsibility and recommend changes in program direction, staffing, or management strategies as necessary;
8. Strive to increase the efficient use of district resources in his/her area of responsibility;
9. Help to interpret the budget and the district affairs under his/her supervision to interested members of the school district community;

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

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

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

Superintendent.

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

Adopted: 18 November 2004

### 1330 1330 EVALUATION OF THE SCHOOL BUSINESS ADMINISTRATOR

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

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

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

Adopted: 18 November 2004

### 1331 1331 EVALUATION OF THE BOARD SECRETARY

The Board of Education will evaluate the performance of the Board Secretary in order to assist both the Board and the Board Secretary in the proper discharge of their responsibilities and to provide the district with efficient and effective services.

The evaluation of the Board Secretary will consist of an assessment, by members of the Board, of the Board Secretary's performance of the duties specified in the job description as they relate to the function of Board Secretary approved by the Board. Reference will be made to the report of the Auditor. The Board may, in its discretion, consult with staff members assigned to work with the Board Secretary. If the Board Secretary also serves as School Business Administrator, the Superintendent of Schools shall evaluate the individual with regard to those duties and responsibilities.

The Board will annually establish procedures for the evaluation of the Board Secretary. Such procedures may include, but need not be limited to, an informal Board conference with the Board Secretary for the purpose of

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

discussing his/her job performance, a written evaluation report to which the Board Secretary may add comments, and the establishment of a written plan for performance improvement and growth. The Board Secretary will be evaluated by the Superintendent no later than April 30th.

Adopted: 18 November 2004

1350 1350 INCAPACITY OF SCHOOL BUSINESS  
ADMINISTRATOR/BOARD SECRETARY

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

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

1. The School Business Administrator/Board Secretary is absent on disability leave of a projected duration of one hundred and eighty days or more; or
2. The School Business Administrator/Board Secretary is certified incapacitated by a physician in accordance with Board Policy No. 3161; or
3. The School Business Administrator/Board Secretary has been suspended with pay; or
4. The School Business Administrator/Board Secretary has been suspended without pay pending the resolution of tenure charges.

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

N.J.S.A. 18A:16-1.1; 18A:17-5

Adopted: 18 November 2004

1400 1400. JOB DESCRIPTIONS (M)

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

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

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

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

Job descriptions will be reviewed periodically.

N.J.A.C. 6A:32-4.1; 6A:32-4.4; 6A:32-4.5; 6A:32-5.1

Cross reference: Policy Guide Nos. 1230, 1330, 3111

Adopted: January 20, 2010

### 1510 1510 RIGHTS OF PERSONS WITH HANDICAPS OR DISABILITIES

It is the policy of the Board of Education that no qualified handicapped or disabled person shall, on the basis of handicap or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in employment or under any program, activity or vocational opportunities sponsored by this Board. The Board shall comply with §504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. It shall also comply with the Individuals with Disabilities Education Act through the implementation of Policy No.2460 and Regulations Nos. 2460 through 2460.14.

Notice of the Board's policy on nondiscrimination in employment (policy and Regulation No.1530) and education (Policy and Regulation No.5750) will be included in the Board policy manual, posted throughout the district, and referenced in any district statement regarding the availability of employment positions or educational services.

#### Employment

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

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

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

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

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

### **Facilities Accessibility**

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

### **Educational Program Accessibility**

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

The Board has an affirmative obligation to evaluate a pupil who is suspected of having a handicap/disability to determine the pupil's need for special education and related services. The Board directs that all reasonable efforts be made to identify unserved children with handicaps/ disabilities in this district who are eligible for special education and/or related services in accordance with Policy No.2460 and Regulations Nos. 2460, through 2460.14, the Individuals with Disabilities Education Act, §504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990.

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

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

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

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

### Enforcement

The Academic Program Coordinator is designated as district coordinator for matters dealing with §504 and Title IX. The district coordinator shall act as a compliance officer and can be contacted at the following address or telephone number:

Maywood Avenue School  
452 Maywood Avenue  
Maywood, New Jersey 07607  
201-845-9114

A complaint regarding a violation of law and this policy will be subject to a complaint procedure that provides for the prompt and equitable resolution of disputes.

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

A complaint regarding the identification, evaluation, classification, or educational program of a pupil with a handicap/disability shall be governed by the due process rules of the State Board of Education, N.J.A.C. 6A:14-2.7 and the Office of Administrative Law, N.J.A.C. 1:6A-1 et seq., and by the procedural safeguard processes established by Board Policy No.2460 and Regulation No. 2460.6 or the grievance procedures established in Regulation No.1510.

### Guarantee of Rights

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

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

### Evaluation and Compliance

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

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

### Annual Publication

This Policy will be published yearly prior to the beginning of the school year in a regional newspaper magazine and/or other written communication that is available to the public.

29 U.S.C. 794 (Sec. 504, Rehabilitation Act of 1973)

20 U.S.C. 1401 et seq. (Individuals with Disabilities Education Act)

42 U.S.C. 12101 (Americans with Disabilities Act of 1990)

N.J.S.A. 10:5-1 et seq. N.J.S.A. 18A: 18A-17

N.J.A.C. 6A:14-1 et seq. 34 CFR Part 104

Revised: February 20, 2013

1522 M

### 1522 SCHOOL-LEVEL PLANNING

The Board of Education recognizes the Thorough and Efficient Education mandate for a school level planning process that involves parent(s) or legal guardian(s) and staff members in identifying school needs, establishing performance objectives, and monitoring progress toward those objectives.

### School Report Card

The Board directs the compilation of a profile of each school that includes, as a minimum, the statistical information specified by the State Department of Education no later than September 30 of each year.

The School Report Card of a school shall be distributed to the staff members assigned to that school and the parent(s) or legal guardian(s) of pupils enrolled in that school. The profiles of all district schools shall be made available to the media and to members of the public at a public meeting of the Board.

### School Based Planning Team

A planning team shall be established in each district school and shall be responsible for the development and implementation of the school-level plan.

The planning team shall be comprised of the Principal, representative teaching staff members, and representative parent(s) or legal guardian(s) of pupils enrolled in the school. Team members other than the Principal shall each serve for a term of one year.

Teaching staff and parent/guardian team members shall be recommended by the Principal to the Superintendent for appointment.

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

The school planning team shall review the school report card and other relevant school planning materials supplied by the Superintendent. The team shall be supplied, on request, with such additional materials and information it deems appropriate and necessary to its work, subject to limitations on access to pupil records established by law and Policy No. 8330.

### School-level Plan

The school-level plan shall be developed annually. The plan shall include two or more pupil performance objectives and a review of progress by teaching and administrative staff toward the achievement of objectives established in the previous school-level plan. The school planning team shall submit the plan to the Superintendent no later than May 30.

The annual school-level plan shall be reviewed at least once each semester in meetings arranged and conducted by the school planning team. Review meetings shall be conducted by grade level, department, team, or in similarly appropriate groupings. The results of each such meeting shall be considered by the school planning team in the development of the succeeding school-level plan.

### Pupil Performance Objectives

The school planning team shall develop two or more objectives based on pupil performance or behavior standards. The objectives shall cover a period of not more than two years.

If pupil performance is below minimum State standards, the planning team shall establish objectives to meet those standards. Benchmarks, or interim performance levels, shall be set to measure the school's progress toward the achievement of State minimum standards.

If pupil performance meets or exceeds minimum State standards, the planning team shall establish challenge objectives.

The Superintendent shall submit each school's objectives to the County Superintendent for review and approval by no later than August 1 each year.

N.J.A.C. 6:8-2.4

Adopted: 18 November 2004

1523 1523. COMPREHENSIVE EQUITY PLAN (M)

The Board of Education will identify and correct discriminatory and inequitable policies, patterns, programs, and practices affecting its facilities, programs, students and staff. The school district will develop a Comprehensive Equity Plan once every three years to comply with equity requirements for which they are responsible, which are mandated by the Fourteenth Amendment of the U.S. Constitution; Article I, Paragraph 5 of the New Jersey State Constitution; N.J.S.A. 18A:36-20 and N.J.A.C. 6A:7-1.1 et seq.; Titles VI and VII of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; the Rehabilitation Act of 1973, and other

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

related legislation.

The district will assess its needs for achieving equity and equality in educational programs based on an analysis of student performance data in accordance with N.J.A.C. 6A:7-1.4(c)1. The purpose of the needs assessment is to identify and eliminate discriminatory practices and other barriers to achieving equity in educational programs.

The Comprehensive Equity Plan shall address:

1. Professional development pursuant to N.J.A.C. 6A:7-1.6;
2. Equality in school and classroom practices pursuant to N.J.A.C. 6A:7-1.7; and
3. Equality in employment and contract practices pursuant to N.J.A.C. 6A:7-1.8.

The Comprehensive Equity Plan shall include goals, objectives, timelines, and benchmarks for measuring progress.

The Board shall submit the Comprehensive Equity Plan to the County Superintendent of Schools for approval and a copy shall be submitted to the Department of Education. If the plan is not approved by the County Superintendent, the plan shall be revised and re-submitted to the County Superintendent of Schools within thirty days of the notification of non-approval.

The district shall, at the end of the school year, report their annual progress in the Quality Annual Assurance Report on achieving the objectives of the Comprehensive Equity Plan. The Superintendent shall also provide to the Department of Education:

1. A Statement of Assurances and certification that;
  - a. The district will continue to maintain compliance with N.J.A.C. 6A:7; Titles VI and VII of the Civil Rights Act of 1964; the Guidelines for the Desegregation of Public Schools in New Jersey and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. section 794);
  - b. The district will perform all required activities as provided for in this Policy and report such assurances to the Board annually;
  - c. The district will continue the implementation of its approved Comprehensive Equity Plan; and
  - d. The Board will provide a resolution approving the Affirmative Action Officer for each school year of the three-year comprehensive plan.

Specific statements of Board policy and procedure regarding matters of equity are contained in the following policies and/or regulations:

1510 Rights of Persons With Handicaps  
or Disabilities/Policy on Non-Discrimination  
1530 Equal Employment Opportunities

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

1550 Affirmative Action Program for Employment  
and Contract Practices/Employment Practices Plan  
2260 Affirmative Action Program for School  
and Classroom Practices  
3362 Sexual Harassment - Teaching Staff Member  
4352 Sexual Harassment - Support Staff Member  
5700 Pupil Rights  
5750 Equal Educational Opportunity  
5751 Sexual Harassment of Pupils  
5752 Marital Status and Pregnancy  
5755 Equity in Educational Programs and Services  
5770 Pupil Right to Privacy  
5810 Pupil Participation in School Government  
5841 Secret Societies  
5842 Equal Access to Pupil Organizations

The Comprehensive Equity Plan will be adopted by a Board of Education resolution and signed by the Superintendent. The Plan will be publicized throughout the community and will inform the pupils, staff and community of the Affirmative Action Officer, the location and availability of the school district's Plan and related policies.

Title VI of the Civil Rights Act of 1964  
The Rehabilitation Act of 1973  
N.J.S.A. 18A:36-20; 18A:38-1  
N.J.A.C. 6A:7-1.1 et seq.  
Title IX of the Education Amendments of 1972  
Title VII, Civil Rights Act of 1964  
Equal Pay Act of 1973  
The Fourteenth Amendment of the U.S. Constitution  
Article I, Paragraph 5 of the New Jersey State Constitution  
N.J.S.A. 18A:38-1  
State Board of Education Policy and Guidelines on Racial Balance of 1969 and 1972 Guidelines for the Desegregation of Public Schools in New Jersey (1989)  
Guidelines for Eliminating Discrimination and Denial of Services in Vocational Education (1979)  
Guidelines for the Desegregation of Public Schools in New Jersey (1989)  
Multi-Year Equity Plan - Forms and Directions to Assist School Districts In Developing a Multi-Year Plan To Provide Equality In Educational Programs (October 1995)

Revised: January 23, 2013

1530 1530 EQUAL EMPLOYMENT OPPORTUNITIES

The Board of Education shall, in accordance with law, guarantee equal employment opportunity in the schools of this district.

Each otherwise qualified person shall be offered equal access to all categories of employment and equal pay for equal work in this district without regard to the candidate's race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability. The school district's employment applications and pre-employment inquiries conform to the guidelines of the New Jersey Division of Civil Rights.

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

The Board will use equitable practices that prevent imbalance and isolation based on race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability among the district's certificated and non-certificated staff and within every category of employment, including administration. Promotions and transfers will be monitored to ensure non-discrimination.

The Board will make every effort to reduce the under-representation of minorities, female and male professionals in every category of employment, as well as provide among the faculty of each school, role models of diverse racial and cultural backgrounds.

For the purpose of this policy, "disability" means suffering from physical disability; from any mental, psychological, or developmental disability; or from AIDS or HIV infection.

The Board shall not enter into, or maintain, any contracts with a person, agency, or organization if it has knowledge that such person, agency, or organization discriminates on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability, either in employment practices or in the provision of benefits or services to pupils or employees.

The Superintendent shall promulgate a complaint procedure for the adjudication of disputes alleging violation of the law prohibiting discrimination in employment or this policy.

The Board shall not discriminate against any person for that person's exercise of rights under the laws prohibiting discrimination in employment or this policy.

42 U.S.C.A. 12101 et seq.  
N.J.S.A. 10:5-1 et seq.  
N.J.S.A. 18A:6-5; 18A:6-6; 18A:28-10; 18A:29-2  
N.J.A.C. 6:4-1.1 et seq.

Revised: February 20, 2013

1540 1540 ADMINISTRATOR'S CODE OF ETHICS

### Definitions

"Administrator" means any employee of this school district who holds a position that:

1. Requires certification with the endorsement of school administrator, Principal, or School Business Administrator;
2. Does not require certification but is responsible for making recommendations regarding hiring or the purchase or acquisition of any property or services by the local school district; or

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

3. Requires certification with the endorsement of supervisor and is responsible for making recommendations regarding hiring or the purchase or acquisition of any property or services by the local school district.

"Business" means any corporation, partnership, firm, enterprise, franchise, association, trust, sole proprietorship, union, political organization, or other legal entity but does not include a school district or other public entity.

"Interest" means the ownership of or control of more than ten percent of the profits, assets, or stock of a business but does not include the control of assets in a labor union.

"Immediate family" means the person to whom the administrator is legally married and any dependent child of the administrator residing in the same household.

### Code of Ethics

No administrator or member of his/her immediate family shall have an interest in a business organization or engage in any business, transaction, or professional activity that is in substantial conflict with the proper discharge of his/her duties in the public interest.

No administrator shall use or attempt to use his/her official position to secure unwarranted privileges, advantages, or employment for him/herself, a member of his/her immediate family, or any other person.

No administrator shall act in his/her official capacity in any matter where he/she, a member of his/her immediate family, or a business organization in which he/she has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his/her independence of judgment in the exercise of official duties. No administrator shall act in his/her official capacity in any matter where he/she or a member of his/her immediate family has a personal involvement that is or creates some benefit to the administrator or a member of his/her immediate family.

No administrator shall undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice his/her independence of judgment in the exercise of official duties.

No administrator or member of his/her immediate family or business organization in which he/she has an interest shall solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise, or other thing of value was given or offered for the purpose of influencing him/her, directly or indirectly, in the discharge of his/her official duties.

No administrator shall accept offers of meals, entertainment, or hospitality which are limited to the clients/customers of the individual providing such hospitality. Administrators may attend hospitality suites or receptions at conferences only when they are open to all attending the conference.

No administrator shall use, or allow to be used, his/her public office or any

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

information not generally available to the members of the public which he/she receives or acquires in the course of and by reason of his/her office, for the purpose of securing financial gain for him/herself, any member of his/her immediate family, or any business organization with which he/she is associated.

No administrator or business organization in which he/she has an interest shall represent any person or party other than the Board of Education or this school district in connection with any cause, proceeding, application or other matter pending before this school district or in any proceeding involving this school district, except that this provision shall not be deemed to prohibit representation within the context of official labor union or similar representational responsibilities.

Nothing shall prohibit an administrator or members of his/her immediate family from representing him/herself or themselves in negotiations or proceedings concerning his/her or their own interests.

Each administrator shall annually, in accordance with N.J.S.A. 18A:12-25 and 18A:12-26, file a disclosure statement regarding potential conflicts of interest.

N.J.S.A. 18A:12-21 through 18A:12-34  
School Ethics Policy Guideline 1

Adopted: 18 November 2004

1550 The Board of Education shall, in accordance with law, strive to overcome the effects of any previous patterns of discrimination in district employment practices and shall systematically monitor district procedures to ensure continuing compliance with anti-discrimination laws and regulations.

No qualified handicapped person, shall, on the basis of handicap, be subjected to discrimination in employment and the Board will take positive steps to employ and advance in employment qualified handicapped persons in programs and activities.

The annually appointed staff member shall serve as Affirmative Action Officer and shall coordinate all activities designed to implement this policy. It will be the responsibility of the Affirmative Action Officer to:

1. Study job descriptions, job qualifications, and salary guides for discriminatory practices;
2. Compare the characteristics of persons in the district's hiring region who possess skills required by the district to the characteristics of district employees;
3. Develop methods to search out sources of candidates for employment;
4. Recommend methods of recruitment that will encourage minority and female applicants;

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

5. Review recruiting advertisements and application forms;
6. Compare data on the promotion and discharge of women and minorities to district-wide data on promotion and discharge of employees; and
7. Recommend programs that will encourage greater job opportunities for women and members of minority groups.

The Affirmative Action Officer shall report as required to the Board on progress made in the affirmative action program for employment and contract practices. The Board will annually review district progress toward objectives of any state-approved affirmative action plan.

20 U.S.C.A. 1681; 20 U.S.C.A. 1703(d)  
N.J.S.A. 10:5-1 et seq.  
N.J.S.A. 18A:6-5 et seq.  
N.J.A.C. 6A:7-1.8

Cross reference: Policy Guide Nos. 1510, 1530

Revised: February 20, 2013

### 1570 1570. INTERNAL CONTROL

As a condition of receiving State aid, the school district shall establish specific policies and procedures on internal controls designed to provide management with reasonable assurance that the district's goals and objectives will be met and that meet the requirements of N.J.A.C. 6A:23A-6.5 through N.J.A.C. 6A:23A-6.13. Internal controls shall promote operational efficiency and effectiveness, provide reliable financial information, safeguard assets and records, encourage adherence to prescribed policies, and comply with law and regulation.

The specific internal controls contained in N.J.A.C. 6A:23A-6 shall be established together with other internal controls contained in N.J.A.C. 6A and other law and regulations, required by professional standards and as deemed necessary and appropriate by district management. The district may submit a written request to the Commissioner to approve an alternative system, approach, or process for implementing the internal controls required in N.J.C.A. 6A:23A-6. The application must include documented evidence that includes, but is not limited to, an independent, third-party written assessment that the alternative system, approach or process will achieve the same safeguards, efficiency, and other purposes as the specified internal control requirement(s).

The school district shall evaluate business processes annually and allocate available resources appropriately in an effort to establish a strong control environment pursuant to the requirements of N.J.A.C. 6A:23A-6.5. In accordance with the provisions of N.J.A.C. 6A:23A-6.5(b), the School Business Administrator/Board Secretary shall identify processes that, when performed by the same individuals, are a violation of sound segregation of duties and shall segregate the duties of all such processes among Business office staff based on available district resources, assessed vulnerability, and associated cost-benefit. The district shall include in the Comprehensive Annual Financial

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

Report (CAFR) a detailed organizational chart for the Central office that tie to the district's position control logs, including but not limited to, the business, human resources, and information management functions.

The school district shall establish Standard Operating Procedures (SOPs) for each task or function of the business operations of the district by July 1, 2009. The SOP Manual shall include sections on each routine task or function as outlined in N.J.A.C. 6A:23A-6.6(b) and 6A:23A-6.6(c). A standard operating procedure shall be established that ensures office supplies are ordered in appropriate quantities, maintained in appropriate storage facilities, and monitored to keep track of inventory.

School districts with budgets in excess of \$25,000,000 or with more than three hundred employees shall maintain an Enterprise Resource Planning (ERP) System which integrates all data and processes of the school district into a unified system. The ERP system shall use multiple components of computer software and hardware and a unified database to store data for the various system modules to achieve the integration. Districts required to maintain an ERP System that do not have an ERP System in place on July 1, 2008 shall fully implement an ERP System by the 2010-2011 school year and maintain both the existing system(s) and run a beta test ERP System during the 2009-2010 school year. Whenever considering financial systems or the automation of other services or functions, the Superintendent of Schools or School Business Administrator/Board Secretary shall notify the Executive County Superintendent in writing to see if opportunities for a shared service system exist. Access controls shall be established for key elements of financial systems to ensure that a single person does not have the ability to make system edits that would violate segregation of duties controls.

The school district shall maintain an accurate, complete, and up-to-date automated position control roster to track the actual number and category of employees and the detailed information for each. Districts are required to maintain a position control roster by July 1, 2009. The position control roster shall share a common database and be integrated with the district's payroll system, agree to the account codes in the budget software, and ensure that the data within the position control roster system includes, at a minimum, the required information as required in N.J.A.C. 6A:23A-6.8(a)3.

N.J.A.C. 6A:23A-6.4; 6A:23A-6.5; 6A:23A-6.6; 6A:23A-6.7; 6A:23A-6.8

Adopted: 10/21/08

1620

1620 ADMINISTRATIVE EMPLOYMENT CONTRACTS

The Executive County Superintendent shall review and approve for all Superintendents, Deputy Superintendents, Assistant Superintendents, and School Business Administrators in school districts, county vocational school districts, county special services school districts and other districts, except charters, within the County under the supervision of the Executive County Superintendent:

1. New employment contracts, including contracts that replace expired contracts for existing tenured and non-tenured employees;

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2. Renegotiations, extensions, amendments, or other alterations of the terms of existing employment contracts that have been previously approved by the Executive County Superintendent; and

3. Provisions for contract extensions where such terms were not included in the original employment contract or are different from the provisions contained in the original approved employment contract.

In counties where there is no Executive County Superintendent or Acting Executive County Superintendent, the Assistant Commissioner for Field Services shall review and approve all above contracts.

The contract review and approval shall take place prior to any required public notice and hearing pursuant to N.J.S.A. 18A:11-11 and prior to the Board approval and execution of those contracts to ensure compliance with all applicable laws, including but not limited to N.J.S.A. 18A:30-3.5, 18A:30-9, 18A:17-15.1 and 18A:11-12.

The public notice and public hearing required pursuant to N.J.S.A. 18A:11-11 is applicable to a Board that renegotiates, extends, amends, or otherwise alters the terms of an existing contract with the Superintendent of Schools, Deputy Superintendent, Assistant Superintendents, or School Business Administrator.

Although the public notice and public hearing requirements of N.J.S.A. 18A:11-11 do not apply to new contracts and contracts that replace expired contracts for existing employees in one of these positions, whether tenured or not tenured, the Board may issue a public notice and/or hold a public hearing on new contracts, including new contracts that replace expired contracts for existing tenured and non-tenured employees.

In connection with the Executive County Superintendent's review of the contract, the Board shall provide the Executive County Superintendent with a detailed statement setting forth the total cost of the contract for each applicable year, including salary, longevity (if applicable), benefits and all other emoluments.

The review and approval shall be consistent with the following additional standards:

1. Contracts for each class of administrative position shall be comparable with the salary, benefits and other emoluments contained in the contracts of similarly credentialed and experienced administrators in other school districts in the region with similar enrollment, academic achievement levels and challenges, and grade span.

2. No contract shall include provisions that are inconsistent with the travel requirements pursuant to N.J.S.A. 18A:11-12 and N.J.A.C. 6A:23A-7 including, but not limited to, the provisions for mileage reimbursement and reimbursement for meals and lodging in New Jersey. Any contractual provision that is inconsistent with law is superseded by the law.

3. No contract shall include provisions for the reimbursement or payment of employee contributions that are either required by law or by a contract in

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

effect in the district with other teaching staff members, such as payment of the employee's State or federal taxes, or of the employee's contributions to FICA, Medicare, State pensions and annuities (TPAF), life insurance, disability insurance (if offered), and health benefit costs.

4. No contract shall contain a payment as a condition of separation from service that is deemed by the Executive County Superintendent to be prohibited or excessive in nature. The payment cannot exceed the lesser of the calculation of three months pay for every year remaining on the contract with pro-ration for partial years, not to exceed twelve months, or the remaining salary amount due under the contract.

5. No contract shall include benefits that supplement or duplicate benefits that are otherwise available to the employee by operation of law, an existing group plan, or other means; e.g., an annuity or life insurance plan that supplements or duplicates a plan already made available to the employee. Notwithstanding the provisions of this section, a contract may contain an annuity where those benefits are already contained in the existing contract between the employee and the district.

6. Contractual provisions regarding accumulation of sick leave and supplemental compensation for accumulated sick leave shall be consistent with N.J.S.A. 18A:30-3.5. Supplemental payment for accumulated sick leave shall be payable only at the time of retirement and shall not be paid to the individual's estate or beneficiaries in the event of the individual's death prior to retirement. Pursuant to N.J.S.A. 18A:30-3.2, a new Board of Education contract may include credit of unused sick leave in accordance with the new Board of Education's policy on sick leave credit for all employees.

7. Contractual provisions regarding accumulation of unused vacation leave and supplemental compensation for accumulated unused vacation leave shall be consistent with N.J.S.A. 18A:30-9. Contractual provisions for payments of accumulated vacation leave prior to separation can be included but only for leave accumulated prior to June 8, 2007 and remaining unused at the time of payment. Supplemental payments for unused vacation leave accrued consistent with the provisions of N.J.S.A. 18A:30-9 after June 8, 2007 as well as unused vacation leave accumulated prior to June 8, 2007 that has not been paid, shall be payable at the time of separation and may be paid to the individual's estate or beneficiaries in the event of the individual's death prior to separation.

8. Contractual provisions that include a calculation of per diem for twelve month employees shall be based on a two hundred sixty day work year.

9. No provision for a bonus shall be made except where payment is contingent upon achievement of measurable specific performance objectives expressly contained in a contract approved pursuant to N.J.A.C. 6A:23A-3.1, where compensation is deemed reasonable relative to the established performance objectives, and achievement of the performance objectives has been documented to the satisfaction of the Board of Education.

10. No provision for payment at the time of separation or retirement shall be made for work not performed except as otherwise authorized above.

11. No contract shall include a provision for a monthly allowance except for a

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

reasonable car allowance. A reasonable car allowance cannot exceed the monthly cost of the average monthly miles traveled for business purposes multiplied by the allowable mileage reimbursement pursuant to applicable law and regulation and NJOMB circulars. If such allowance is included, the employee cannot be reimbursed for business travel mileage nor assigned permanently a car for official district business. Any provision of a car for official district business must conform with N.J.A.C. 6A:23A-6.12 and be supported by detailed justification. No contract can include a provision of a dedicated driver or chauffer.

12. All Superintendent contracts shall include the required provision pursuant to N.J.S.A. 18A:17-51 which states that in the event the Superintendent's certificate is revoked, the contract is null and void.

13. No contract shall include a provision for additional compensation upon the acquisition of a graduate degree unless the graduate degree is conferred by a duly accredited institution of higher education as defined in N.J.A.C. 6A:9-2.1. No contract shall include a provision for assistance or tuition reimbursement, or for additional compensation for graduate school coursework, unless such coursework culminates in the acquisition of a graduate degree conferred by a duly accredited institution of higher education as defined in N.J.A.C. 6A:9-2.1.

Any actions by the Executive County Superintendent undertaken pursuant to N.J.A.C. 6A:23-3.1 and this Policy may be appealed to the Commissioner of Education pursuant to the procedures set forth at N.J.A.C. 6A:3.

N.J.A.C. 6A:23A-3.1; 6A:23A-7 et seq.

Adopted: June 24, 2009

2000 2000 PROGRAM

Number	Title
2110	Philosophy of Education
2132	School District Goals and Objectives
2200	Curriculum Content
2210	Curriculum Development
2220	Adoption of Courses
2230	Course Guides
2240	Controversial Issues
2260	Affirmative Action Program for School and Classroom Practices
2270	Religion in the Schools
2312	Class Size
2330	Homework
2340	Field Trips
2360	Use of Technology
2361	Acceptable Use of Computer Networks/Computers and Resources
2411	Guidance Counseling
2412	Home Instruction

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2414	Programs for Pupils At Risk
2415	No Child Left Behind Programs
2415.01	Academic Standards, Academic Assessments and Accountability
2415.02	Title I – Fiscal Responsibilities
2415.03	Highly Qualified Teachers
2415.04	Parental Involvement
2415.05	Pupil Surveys, Analysis And/Or Evaluations
2415.06	Unsafe School Choice Option
2416	Programs for Pregnant Pupils
2417	Pupil Intervention and Referral Services
2422	Health Education
2423	Bilingual and ESL Education
2425	Physical Education
2426	Outdoor Education Program
2430	Co-Curricular Activities
2431	Athletic Competition
2432	School Sponsored Publications
2460	Special Education/Sending Schools
2464	Gifted and Talented Pupils
2481	Home or Out-of-School Instruction for General Education Pupils
2510	Adoption of Textbooks
2520	Instructional Supplies
2530	Resource Materials
2531	Copying Copyrighted Materials
2551	Musical Instruments
2560	Live Animals in School
2610	Educational Program Evaluation
2622	Pupil Assessment
2624	Grading System
2700	Services to Nonpublic School Pupils

### 2110 2110. PHILOSOPHY OF EDUCATION/DISTRICT MISSION STATEMENT

Free public education for all children is a cornerstone of a democratic society that values the worth and dignity of each individual. The primary goal of this Board of Education shall be to offer each child in this district the educational opportunity that will enable him/her to function politically, economically, and socially in that democratic society.

The Board, as the agent responsible for the education of the children of the district, will provide a planned program of learning that incorporates into its curriculum the lessons and experiences, within and without the classroom, needed to realize the educational goals of this district. The Board appreciates the need for constant improvement of the instructional program and will strive unremittingly to provide an educational system that assists each pupil in becoming a self-respecting individual who can function effectively and satisfyingly.

It is the expectation of this school district that all pupils achieve the New Jersey Core Curriculum Content Standards at all grade levels.

The Board will seek out and work cooperatively with the available resources of home and community including business and industry, in the improvement of the

# **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

educational program.

The Board will endeavor to employ a high caliber, well-prepared staff of adequate size and wide-ranging abilities. Moreover, the Board will provide pupils and staff, as needs dictate and means permit, with adequate educational supplies, equipment, and facilities.

The purpose of education in the schools of this district is to facilitate the development of each child to his/her greatest potential. The school staff shall recognize individual differences among pupils and encourage their achievement and progress, not only in basic skills but in the ability to think independently and critically. The school staff shall help pupils to understand our democratic society; to believe in it and to act fairly in their relationships with others; to develop in themselves attitudes of respect and helpfulness toward others; to want, and to be able to perform well, some portion of the work of the world; to acquire knowledge and skills necessary to do this with satisfaction to themselves and society; to understand and use effective methods in framing the questions and tackling the problems that they encounter in their lives to the end that they may function politically, economically, and socially in a democratic society.

Adopted 18 November 2004

Revised: 3/25/09

## 2132 2132 SCHOOL DISTRICT GOALS AND OBJECTIVES

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

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

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

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

Adopted: 18 November 2004

2200 M

## 2200 CURRICULUM CONTENT

The Board of Education will provide the instruction and services mandated by law and rules as necessary for the implementation of a thorough and efficient system of free public education and such other instruction and services as the Board deems appropriate for the thorough and efficient education of the pupils of this district. The Board shall annually approve a list of all programs and courses that comprise the district's curriculum and shall approve any subsequent changes in the curriculum in accordance with Policy No. 2220.

For purposes of this policy "curriculum" means planned learning opportunities designed to assist pupils toward the achievement of the intended outcomes of instruction.

The curriculum will be reviewed by the Superintendent and approved annually by the Board. In accordance with law, the curriculum shall, as a minimum, include the curricular mandates of N.J.S.A. 18A - Education and N.J.A.C. 6 and 6A - Education and all of the New Jersey Core Curriculum Content Standards and Cumulative Progress Indicators.

The Superintendent is responsible for implementing the curriculum approved by the Board.

The Board directs the curriculum be consistent with the educational goals and objectives of this district, the New Jersey Core Curriculum Content Standards and responsive to identified pupil needs. The Superintendent shall, in consultation with teaching staff members, assure the effective articulation of curriculum across all grade levels and among the schools of this district.

The curriculum shall provide programs in accordance with Board policies and the New Jersey Core Curriculum Content Standards, including but not limited to:

1. Preparation of all pupils for employment or post secondary study upon graduation from high school;
2. Instruction in workplace readiness skills, visual and performing arts, comprehensive health and physical education, language arts literacy, mathematics, science, social studies (including instruction on the Constitution of the United States, United States history, Community Civics, and the geography, history and civics of New Jersey, and World Languages;
3. Continuous access to sufficient programs and services of a library/media facility, classroom collection, or both, to support the educational program of all pupils in accordance with Policy No. 2530;
4. Guidance and counseling to assist in career and academic planning for all pupils, in accordance with Policy No. 2411;

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

5. A continuum of educational programs and services for all children with disabilities, in accordance with Policy No. 2460 and Regulation Nos. 2460.1 through 2460.14;
6. Bilingual education, English as a Second Language, and English language services for pupils of limited English language proficiency, when the number of such pupils so necessitates, in accordance with Policy No. 2423;
7. Programs and services for pupils at risk who require remedial assistance in accordance with Policy Nos. 2414, 2415, and 5460;
8. Equal educational opportunity for all pupils in accordance with Policy Nos. 2260, 5750 and 5755;
9. Career awareness and exploration as required, and vocational education as appropriate;
10. Educational opportunities for pupils with exceptional abilities, in accordance with Policy No. 2464;
11. Instruction in accident and fire prevention;
12. A substance abuse prevention program;
13. A program for family life education; and
14. Programs that encourage the active involvement of representatives from the community, business, industry, labor and higher education in the development of educational programs aligned with the standards.

N.J.S.A. 18A:6-2; 18A:6-3; 18A:35-1 et seq.  
N.J.A.C. 6A:8-1.1 et seq.; 6A:14 et seq.  
New Jersey Core Curriculum Content Standards

Adopted: 18 November 2004

2210 M

### 2210 CURRICULUM DEVELOPMENT

The Board recognizes its responsibility for the continuing improvement of the educational program of the schools. For purposes of this policy, curriculum shall be defined as the courses of study, subjects, classes, and organized group activities provided by the schools.

The Board shall be responsible for the curriculum of the schools, both courses of study adopted by the Board, and less formal curriculum reported to the Board.

The Board reserves the right to review all curriculum and to direct a continuing program of curriculum review and modification. The Board directs that the curriculum of this district:

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

1. Be consistent with written goals, objectives and identified pupil needs;
2. Develop individual talents and interests and serve diverse learning styles to motivate pupil achievement;
3. Provide for continuous learning through effective articulation among the schools of this district;
4. Provide all pupils continuous access to sufficient programs and services of a library/media facility, classroom collection, or both, to support the educational program;
5. Provide all pupils guidance and counseling to assist in career and academic planning;
6. Provide a continuum of educational programs and services for all handicapped children, pursuant to law and regulation;
7. Provide English as a Second Language (ESL) programs for pupils whose dominant language is not English, pursuant to law and regulation;
8. Provide compensatory education programs for pupils, pursuant to law and regulation;
9. Provide all pupils equal educational opportunity, pursuant to law and regulation;
10. Provide career awareness and vocational education, pursuant to law and regulation; and
11. Provide educational opportunities for gifted and talented pupils.

The Superintendent shall be responsible to the Board for the development of curriculum, and shall establish procedures for curriculum development which ensure the effective participation of teaching staff members; students, as appropriate to their age and grade; the community; members of the Board; and the utilization of all available resources, as appropriate.

The Superintendent shall report to the Board the objectives, evaluate criteria and costs of each proposed program before each such program is initiated, and each such program must be approved by the Board before it may be instituted.

The Board encourages, where it is feasible and in the best interest of the students of the district, participation in state-initiated pilot programs of educational research.

The Superintendent shall report annually on all progress in curriculum development and the implementation of the five-year curriculum plan.

Adopted: 18 November 2004

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

## 2220 ADOPTION OF COURSES

The Board of Education shall provide a comprehensive instructional program to serve the educational needs of the children of this district by the adoption of courses of study.

For purposes of this policy, a "course of study" means the planned content of a series of classes, courses, subjects, studies, or related activities.

No course of study will be taught in this district unless it has been formally adopted by the Board. The Board shall determine which units of the instructional program constitute courses of study and are thereby subject to the adoption procedures of the Board.

The Superintendent is responsible for the continuous evaluation of the courses of study against the educational goals of the Board and shall recommend to the Board such new or altered courses of study as are deemed to be in the best interests of the pupils of this district. The Superintendent's recommendation will include the following information about the proposed course of study:

1. The specific objective of the course of study and the relationship of the course to the educational goals adopted by the Board;
2. The applicability of the course to pupils and an enumeration of those groups of pupils to be affected by it;
3. A description of course content, including any instructional method that departs significantly from the ordinary and is an integral part of the course of study;
4. A rationale for the course in terms of the goals of this district and a justification of the course, especially when it is proposed to take the place of an existing course of study;
5. The resources that implementation of the course will require, including textbooks, material, equipment, and specially trained personnel;
6. The course proficiencies to be mastered by pupils;
7. The methods and standards by which the efficacy of the course will be monitored and evaluated; and
8. A developmental history of the course and, where available, information on its use elsewhere.

The Superintendent shall maintain a current list of all courses of study offered by this district and shall provide each member of the Board with a copy.

N.J.S.A. 18A:4-25; 18A:4-28; 18A:33-1; 18A:35-1 et seq.  
N.J.A.C. 6:4-1.1 et seq.; 6:8-2.6; 6:39-1.2

Adopted: 18 November 2004

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

2230 M

### 2230 COURSE GUIDES

Curriculum guides shall be prepared for each new subject to be taught in the schools of this district. Existing guides shall be reviewed and revised periodically. Each guide should contain objectives, concepts and skills to be taught; appreciations and attitudes to be developed; suggested materials; activities designed to achieve all of these; and evaluation criteria intended to test the extent to which learning objectives have been achieved.

Teachers shall use the guide as the core of the courses they have been assigned to teach. It shall be the responsibility of the Superintendent to ensure that the curriculum guides are being followed.

The Board directs that a copy of each guide be maintained in the office of each principal for review by members of the staff, the community and the Board. New curriculum guides or revisions to existing guides shall be provided by the Superintendent to the Board for study before implementation. Curriculum guide development shall be guided by faculty committee input.

Adopted: 18 November 2004

### 2240 2240 CONTROVERSIAL ISSUES

Any discussion of controversial issues in the classroom shall be conducted in an unprejudiced and dispassionate manner designed to foster a spirit of inquiry. Such discussion shall not:

1. Disrupt the educational process;
2. Fail to match the maturity level of the students;
3. Be unrelated to the goals of the Board and the appropriate curriculum guide; and
4. Tend toward the doctrinaire.

It shall be the Superintendent's responsibility to promulgate rules fostering the concepts and criteria of this policy.

A. The Board of Education has specified certain guidelines to protect the rights and sensibilities of children in school doctrinaire, inappropriate and disruptive discussions that might take place in the classroom. To avoid situations which violate the Board's policy regarding the teaching of controversial issues, it is requested that all instructional staff members observe the following rules:

1. Teachers should use the curriculum guide, textbooks and supplementary materials specified by the Board for the course(s) they have been assigned to teach.
2. If teachers wish to supplement the course guide with material that may be of a controversial nature, (i.e., subject to interpretation) e.g.,

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

potentially obscene, profane, doctrinaire or inappropriate materials, each in relation to the maturity level of the class, they should review the material with the department head or Principal.

3. To help in determining whether material may fall into one or more of the proscribed areas noted above, teachers should check with the school librarian for similar Board-approved supplementary materials known to be read by children of the age concerned. Proposed material should also be checked against that shown on the supplementary reading list for the course.

4. Teachers who use un-reviewed material for teaching without the approval of the appropriate superior may be subject to disciplinary action up to and including dismissal if the material is subsequently judged to be inappropriate for the class in which it was used.

5. If classroom discussion strays from the assigned curriculum, the teacher must give all objective information and differing interpretations. He/she may also express personal opinion, but must acknowledge the rights and privileges of others to hold differing opinions. Emotional criticism and the promotion of a cause within the classroom are inappropriate and unscholarly. The teacher's attitude and actions should always encourage open-mindedness and truthseeking.

B. All staff members are urged to check with their department head or principal to secure permission in advance of an invitation to anyone invited to speak in school if:

1. The speaker is controversial for any reason;

2. The topic is controversial, or sensitive, or known to arouse strong community feelings;

3. The proposed speaker would gain an advantage by having a "captive" or volunteer audience;

4. The staff members is not certain about the administration or community attitude concerning the proposed topic or speaker.

Adopted: 18 November 2004

### 2260 2260. AFFIRMATIVE ACTION PROGRAM FOR SCHOOL AND CLASSROOM PRACTICES (M)

The Board of Education shall, in accordance with law, strive to overcome the effects of any previous patterns of discrimination in school and classroom practices and shall systematically monitor district procedures to ensure continuing compliance with anti-discrimination laws and regulations.

An annually appointed teaching staff member shall serve as Affirmative Action Officer and shall coordinate all activities designed to implement this policy. The Affirmative Action Officer shall identify and recommend the correction or removal of impermissible bias based on race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability. He/She shall:

1. Review current and proposed curriculum guides, textbooks, and supplemental

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

materials for bias;

2. Develop an ongoing program of in-service training for school personnel designed to identify and solve problems of bias in all aspects of the school program;

3. Review current and proposed programs, activities, and practices to ensure that all pupils have equal access to them and are not impermissibly segregated in any duty, work, play, classroom, or school practice except as may be permitted under rules of the State Board of Education;

4. Ensure that similar aspects of the school program receive commensurate support as to staff size and compensation, purchase and maintenance of facilities and equipment, and access to such facilities and equipment;

5. Ensure that tests, procedures, and guidance and counseling materials that are designed to evaluate pupil progress or rate aptitudes, or analyze personality or in any manner establish or tend to establish a category by which a pupil may be judged are not impermissibly differentiated or stereotyped.

Parent(s) or legal guardian(s), pupils, staff members, and members of the public shall be informed annually about the district's affirmative action plan for school and classroom practices, the designation of the Affirmative Action Officer, and the procedure by which an affirmative action complaint may be filed and processed.

The Affirmative Action Officer shall report as required to the Board on progress made in the affirmative action program for school and classroom practices. The Board will annually review district progress toward the objectives of any state-approved affirmative action plan.

The following procedure provides a thorough and appropriate method for the filing and investigation of alleged violations of the Board's affirmative action policy. The procedures set forth below provide clear timelines to be followed for both the filing of and response to complaints. It also indicates the documents and information that must be provided by the complainant at each level of appeal.

### Recommended Procedure:

1. A complainant must present a written complaint alleging a violation of the Board's Affirmative Action policy to the district employee chosen to serve as Affirmative Action Officer.

(a.) The complaint should include the name of the pupil involved and the name and address of anyone acting behalf of the complainant.

(b.) The incident or behavior at issue; and

(c.) The district employee allegedly responsible for a violation of affirmative action policy.

2. The Affirmative Action Officer shall then conduct an informal investigation

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

and provide a written report within ten days, a copy of which will be forwarded to the Superintendent.

3. The complainant may appeal the findings and determination of the Affirmative Action Officer to the Superintendent within ten days of receipt.

(a.) The materials submitted in support of this appeal shall include the original complaint, the Affirmative Action Officers response to the complaint and the complainant's basis for rejecting that response.

4. Before the Superintendent issues a decision on the matter, an informal hearing will be conducted at the complainant's request at a time and place convenient to all parties. This hearing is to be held no later than ten working days after the request for a hearing has been submitted.

(a.) At the hearing, the Superintendent may require the staff member charges and any other person with knowledge of the alleged violation to attend.

5. The Superintendent will issue a written decision on the matter within ten working days after the appeal was filed or a hearing held.

(a.) Copies of the decision shall be provided to all parties and to the Board.

6. The complainant may appeal the Superintendent's decision to the Board by filing a written appeal with the Board Secretary within ten working days of receipt of the decision.

(a.) The written appeal shall include the original complaint, the Affirmative Action Officer's response to the complaint, the Superintendent's decision, a transcript of the hearing before the Superintendent, if one was made or a summary of the hearing to which all parties have agreed, and the complainant's reason for believing the decision should be changed.

(b.) A copy of the appeal shall be provided to the staff member charges with the violation.

7. The Board will conduct a thorough review of all papers submitted. A decision may then be rendered on the basis of the proceedings below. However, if the complainant requests a hearing may be held before the Board, at which all parties will be represented by counsel. The parties may present and examine witnesses, who must testify under oath.

(a.) The Board will issue a written decision within thirty calendar days after the appeal was filed or hearing held.

(b.) Copies of the Board's decision will be provided to all parties.

8. The complainant will be informed of his or her right to appear to the Commissioner of Education or the New Jersey Division on Civil Rights.

9. The records of any complaint processed in accordance with this procedure shall be maintained separate from the pupil's cumulative file. A notation shall be made in the pupil's file however of the presence of the record in a separate file.

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20 U.S.C.A. 1701  
N.J.S.A. 18A:36-20  
N.J.A.C. 6:4-1.3(b)

Adopted: 18 November 2004  
Revised: 4/15/09

## 2270 2270 RELIGION IN THE SCHOOLS

The Board of Education recognizes that an individual's religious and/or spiritual beliefs are matters of personal conviction rather than governmental authority and the pupils of this district are protected by the First Amendment of the United States Constitution and by Article I, Paragraph 4 of the New Jersey State Constitution from the establishment of religion in the schools. School officials will be neutral in their treatment of religion in the school district, showing neither favoritism nor hostility toward religious expression. Accordingly, devotional exercises will be permitted but not sanctioned in this district. The following activities will be permitted in the school district provided the activity is consistent with current United States Supreme Court decisions regarding the relationship between government and religion: prayer during instructional time; organized prayer groups and activities; religious expression and prayer in classroom assignments; student assemblies and extra-curricular events; prayer at graduation; baccalaureate ceremonies; devotional exercises; and other prayer and/or religion related activities. The school district will not permit an activity if the activity advances or inhibits any particular religious expression that is protected by the First Amendment of the United States Constitution.

The Board believes that an understanding of religions and the contributions that religion has made to the advancement of civilization is essential to the thorough education of young people and to their appreciation of a pluralistic society. To that end, the curriculum may be developed to include, as appropriate to the various ages and attainments of the pupils, instruction about the religions of the world.

The Board also acknowledges that religious consciousness has influenced the arts, literature, music, and issues of morality. The instructional and resource materials approved for use in the schools of this district frequently contain religious references or concern moral issues that have traditionally been the focus of religious concern. That such materials may, therefore, be religious in nature shall not, by itself, bar their use by the district. The Board directs that teaching staff members employing such materials be neutral in their approach and avoid using them to advance or inhibit religion in any way.

The Board recognizes that religious traditions vary in their perceptions and doctrines regarding the natural world and its processes. The curriculum is chosen for its place in the thorough and efficient education of the children of this district, not for its conformity to religious principles. Pupils should receive unbiased instruction in the schools so that they may then integrate that knowledge into their worldviews in accordance with their religious and/or spiritual tenets.

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

U.S. Consti. Amend. 1

U.S. Department of Education - Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools - February 7, 2003

N.J. Consti. (1947) Art. 1, para. 4

N.J.S.A. 18A:35-4.6 et seq.; 18A:36-16

Adopted: 18 November 2004

2312 2312 CLASS SIZE

The Superintendent shall develop annually for Board approval a class-per-level plan that results in optimum class sizes.

Adopted: 18 November 2004

2330 2330 HOMEWORK

Homework which is properly designed, carefully planned, and geared to the development of the individual students meets a real need and has a definite place in the educational program. It is assigned to help the student become more self-reliant, learn to work independently, improve the skills that have been taught, and complete certain projects such as the reading of worthwhile books and the preparation of research papers. Home study assignments also afford a way for parents/guardians to acquaint themselves with the school program and their own children's educational progress.

Teachers must use discretion when deciding the number and length of assignments.

Pupils absent for any reason must make up assignments, classwork and tests within a reasonable length of time. Students being excused for field trips, concerts, competitions, etc., must make arrangements with the teachers of the missed classes in order to make up the work missed. This must be done before the absence from class.

Homework shall not be used for punitive reasons.

Adopted: 18 November 2004

2340 2340 FIELD TRIPS

It is the belief of the Board that properly planned field trips which supplement or enrich the program of classroom instruction are a valuable part of the learning experience. In order to attain the greatest educational value and to ensure all safety precautions are met, the following policy in planning and executing any field trip should be followed:

1. Each trip must be educationally justifiable in that it provides the sole means, or the best means, of meeting an educational objective, and is within budgetary limitations.

2. Adequate class time should be used to develop worthwhile objectives for the trip. These objectives, normally, should be within the scope of the unit

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

of work in progress at the time of the trip.

3. School rules and regulations shall apply while students are away from the building.

4. Adequate chaperonage must be provided.

All day trips which are part of the curriculum guide may be approved by the Superintendent and shall be conducted in accordance with procedures established by him/her. The Board must approve in advance all overnight trips and any student trips which are not related to the regular curriculum or fall into any other special category.

If it is not compulsory for students to go on a field trip as a course requirement, those who choose not to go shall receive a regular program of classroom instruction. However, it is the policy of the Board that provision be made to ensure that no student is denied a chance to participate voluntarily on a field trip because of financial embarrassment. Field trips intended as a Maywood activity and underwritten in whole or in part by parent/guardian or other groups must be approved by the Board.

The Board recognizes the value of having students participate in fund-raising activities, either individually or as a group, in order to help defray the cost of certain non-curricular field trips. The Board of Education believes that such fund-raising programs are useful as an educational tool, and foster and encourage an esprit de corps among the students. No student shall be compelled to participate in either group or individual fund-raising activities, and participation shall not be a prerequisite for his/her attendance at a field study or field trip.

Written permission of parent/guardian is required for the participation of any student on any field trip sponsored in whole or in part by the Board.

The Board does not endorse, support, or assume liability in any way for any staff member of this district who takes students on unauthorized trips. No staff member may solicit students of this district for such trips within the facilities or on the school grounds of the district without Board permission.

The Superintendent shall inform the Board of all field trips taken at each regular meeting of the Board.

Adopted: 18 November 2004

2360

2360. USE OF TECHNOLOGY

The Board of Education recognizes the use of technology in the educational process is an essential part of the schooling experience. Technology is to be viewed as a resource to enhance the learning process among other resources available to teachers and pupils. In addition, technology can be used to enhance the administration of the schools and the district. In order to provide direction and meaning to the use of technology as an instructional resource, the Board encourages and supports staff use of technology as a component of the learning process.

# **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

For purposes of this policy "technology" includes, but is not limited to, the use of computers and computer peripherals, communications networks, access to databases and libraries of information and the integration of audio, video, multimedia devices and media for purposes of teaching and learning.

The Superintendent, in consultation with teaching and support staff, shall recommend to the Board the acquisition of appropriate technology to best implement the curricular, instructional, and administrative program of the school district. The Superintendent shall prepare a technology plan for the school district to encompass the following:

## **Curricular, Instructional and Administrative Need**

The technology plan shall define the curricular, instructional and administrative need for technological equipment and media for the district.

## **In-service Education**

The Board shall provide opportunities for school staff to participate in in-service programs on hardware or software programs to be used in the execution of educational and administrative tasks. In-service programs may be provided in or out of the district.

## **Standards, Codes and References**

All technology installations shall conform to the industry standards and applicable federal, State and local statutes and codes.

## **Facilities Planning**

In all facilities projects involving new constructions, additions, and renovations the Superintendent or designee shall ensure the plans include provisions for current and future technology needs in terms of the structural, electric/electronic, mechanical, acoustical and visual systems of the building(s). All educational specifications shall include features required for the use of instructional technology.

## **Computers**

The school district will provide support or maintenance agreements for specified brands of computers. All other computers purchased or donated will be subject to repair only when non-allocated funding is available and therefore may remain unrepaired until funding is available.

## **Computer Software Acquisition and Upgrading**

The school district will only support the specified upgrades and training. Staff members shall not purchase software that has not been included on a list of specified software or has been approved by the Technology Committee.

The Superintendent will recommend the purchase of upgrades to software as needed. An evaluation of upgrades shall be made by appropriate personnel and no upgrade shall be purchased without the express approval of the Technology Committee.

## **Site Licenses**

In the case where more than one copy of a software program is required, the Technology Committee shall attempt to acquire or negotiate a site license with the software developers. In the event a site license is not possible, vendors shall be sought who will provide multiple copies at a discounted cost.

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## Software Copyright

All employees shall strictly adhere to the copyright laws of the United States. No software shall be copied and/or distributed except in accordance with these laws. All software placed on media workstations or any network with public access shall be copy protected by the Technology Committee, who shall assure that individuals who have access to such programs shall not copy them without authorization.

## Internal Communication (District)

The school district shall provide communication between schools by a variety of means.

## External Communications

The Board encourages the use of external communications so schools may utilize the vast resources of external databases and communicate with other schools, external agencies, and businesses throughout the world. Gateways to such communications will be supported by the school district. The use of particular gateways shall be approved by the Technology Coordinator. The Technology Coordinator shall be responsible for the installation of software in district owned computers and/or computer systems that prevents access to gateways and Internet sites that have material considered by the Technology Committee to be inappropriate for use by pupils.

## Computer Laboratories and Distributed Computing

In order to provide teacher, staff, and pupil access to computers, the Board directs that provisions be made to provide computer access in computer laboratories, classrooms, and school libraries/media centers.

## Audio/Video

All audio and/or video materials shall be used in accordance with the copyright laws of the United States. Teachers, pupils, or staff who create audio or video materials containing the voices or images of the individuals involved shall obtain proper releases from those individuals, their parent(s) or legal guardian(s) for instructional use within the school.

## Informing Parents, Legal Guardians and Interested Parties

Upon request, the Building Principal shall make available to parent/legal guardians the computer hardware and software used in the district in order that a computer purchased privately for home use may be compatible with the computer and software the pupil uses in the school setting.

## Technology Coordination

The Board shall appoint a Technology Coordinator to assure the technology needs of the district are met in the most efficient manner possible at the lowest costs available to meet specified needs.

## Broadcast Rights and Copyrights

The Board specifically retains the Broadcast rights and copyrights to all materials created by employees of the Board as part of their responsibilities to the Board. Any financial remuneration for the use of such materials shall be retained by the Board.

## Computer Security

# **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

The Superintendent and Technology Coordinator shall develop security procedures to include, but not be limited to, the following areas:

## 1. Physical Security of Equipment

All computer equipment shall be maintained in a secure manner appropriate to its location.

## 2. Data Security

a. Back-up procedures for system files, libraries, and data shall be practiced in a timely fashion.

b. Disaster recovery plans shall be kept up-to-date at all times.

c. Password protection shall be in place and updated periodically.

d. Resource security shall be in place to prevent unauthorized access to system files, libraries, and data.

## 3. Employee Training

All new employees having, as part of their job responsibilities, access to computers and information systems will be trained in the proper security procedures outlined above.

All employees having, as part of their job responsibilities, access to computers and information systems will be kept up-to-date on current security procedures for equipment and data.

## 4. Transaction Audit Trail

Appropriate procedures will be maintained in order to monitor system activity and users, as necessary.

## 5. Security Officer

The Superintendent shall designate the Technology Coordinator as the district's Computer Security Officer to monitor system security procedures.

### Use of Facsimile (FAX) Machines

Fax machines provide a useful means of communicating and shall be subject to the same rules that apply to the use of telephones. All incoming faxes shall be considered confidential mail. No disclosure of the contents of any fax shall be made except to the individual for whom the fax is intended. Any individual violating this confidentiality shall be subject to discipline as provided by the policies and regulations of the Board.

N.J.A.C. 6A:26-6.1 et seq.  
17 U.S.C. 101 et seq.

Adopted: January 20, 2010

# **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

2361 M

## **2361 ACCEPTABLE USE OF COMPUTER NETWORK/COMPUTERS AND RESOURCES**

The Board of Education recognizes that as telecommunications and other new technologies shift the manner in which information is accessed, communicated and transferred that those changes will alter the nature of teaching and learning. Access to telecommunications will allow pupils to explore databases, libraries, Internet sites, bulletin boards and the like while exchanging information with individuals throughout the world. The Board supports access by pupils to information sources but reserves the right to limit in school use to materials appropriate to educational purposes. The Board directs the Superintendent to effect training of teaching staff members in skills appropriate to analyzing and evaluating such resources as to appropriateness for educational purposes.

The Board also recognizes that telecommunications will allow pupils access to information sources that have not been pre-screened by educators using Board approved standards. The Board therefore adopts the following standards of conduct for the use of computer networks and declares unethical, unacceptable or illegal behavior as just cause for taking disciplinary action, limiting or revoking network access privileges and/or instituting legal action.

The Board provides access to computer network/computers for educational purposes only. The Board retains the right to restrict or terminate pupil access to the computer network/computers at any time, for any reason. The Board retains the right to have district personnel monitor network activity, in any form necessary, to maintain the integrity of the network and ensure its proper use.

### **Standards for Use of Computer Networks**

Any individual engaging in the following actions when using computer networks/computers shall be subject to discipline or legal action:

- A. Using the computer network(s)/computers for illegal, inappropriate or obscene purposes, or in support of such activities. Illegal activities are defined as activities that violate federal, state, local laws and regulations. Inappropriate activities are defined as those that violate the intended use of the network. Obscene activities shall be defined as a violation of generally accepted social standards for use of publicly owned and operated communication vehicles.
- B. Using the computer network(s)/computers to violate copyrights, institutional or third party copyrights, license agreements or other contracts.
- C. Using the computer network(s) in a manner that:
  - 1. Intentionally disrupts network traffic or crashes the network;
  - 2. Degrades or disrupts equipment or system performance;

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3. Uses the computing resources of the school district for commercial purposes, financial gain or fraud;
4. Steals data or other intellectual property;
5. Gains or seeks unauthorized access to the files of others or vandalizes the data of another user;
6. Gains or seeks unauthorized access to resources or entities;
7. Forges electronic mail messages or uses an account owned by others;
8. Invades privacy of others;
9. Posts anonymous messages;
10. Possesses any data which is a violation of this policy; and/or
11. Engages in other activities that do not advance the educational purposes for which computer networks/computers are provided.

### Internet Safety/Protection

The school district is in compliance with the Children's Internet Protection Act and has installed technology protection measures for all computers in the school district, including computers in media centers/libraries, that block and/or filter visual depictions that are obscene as defined in Section 1460 of Title 18, United States Code; child pornography, as defined in Section 2256 of Title 18, United States Code; are harmful to minors including any pictures, images, graphic image file or other visual depiction that taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or depicts, describes, or represents in a patently offensive way, with respect to what is suitable for minors, sexual acts or conduct; or taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

The school district will certify on an annual basis, that the schools, including media centers/libraries, in the district are in compliance with the Children's Internet Protection Act and the school district enforces the requirements of this policy.

This Policy also establishes Internet safety policy and procedures in the district as required in the Neighborhood Children's Internet Protection Act. Policy 2361 addresses access by minors to inappropriate matter on the Internet and World Wide Web; the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications; unauthorized access, including "hacking" and other unlawful activities by minors online; unauthorized disclosures, use, and dissemination of personal identification information regarding minors; and measures designed to restrict minors' access to materials harmful to minors.

Notwithstanding blocking and/or filtering the visual depictions prohibited in the Children's Internet Protection Act, the Board shall determine other Internet material that is inappropriate for minors. The Board will provide

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

reasonable public notice and will hold one annual public hearing during a regular monthly board meeting or during a designated special board meeting to address and receive public community input on the Internet safety policy - Policy and Regulation 2361.

### Consent Requirement

No pupil shall be allowed to use the computer network and the Internet unless they shall have filed a consent form signed by the pupil and his/her parent(s) or legal guardian(s).

### Violations

Individuals violating this policy shall be subject to consequences as indicated in Regulation No. 2361 and other appropriate discipline, which includes but are not limited to:

1. Use of the network only under direct supervision;
2. Suspension of network privileges;
3. Revocation of network privileges;
4. Suspension of computer privileges;
5. Revocation of computer privileges;
6. Suspension from school;
7. Expulsion from school; and/or
8. Legal action and prosecution by the authorities.

N.J.S.A. 2A:38A-3

Federal Communications Commission: Children's Internet Protection Act.

Adopted: 18 November 2004

2411

2411. GUIDANCE COUNSELING (M)

The Board of Education requires that a planned program of guidance and counseling be an integral part of the educational program of the schools to assist pupils in making and implementing informed educational and occupational choices including academic, career and personal/social development.

A program of guidance and counseling, including developmental career guidance and exploration, shall be offered to all pupils in this school district and shall involve the coordinated efforts of all teaching staff members under the leadership of certified guidance and counseling personnel.

The Superintendent is directed to implement a guidance program that carries out the purposes of this policy and:

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

1. Involves teaching staff members at all appropriate levels;
2. Honors the individuality of each pupil;
3. Is integrated with the total educational program;
4. Is coordinated with available resources of the community;
5. Provides for cooperation of school staff with parent(s) or legal guardian(s) and shares parents' or legal guardians' concern for the development of their children;
6. Provides for the means of sharing information among appropriate staff members in the pupil's interest;
7. Is available equitably to all pupils and prohibits biased counseling and the use of materials that discriminate among pupils on the basis of their race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability; and
8. Establishes a referral system that utilizes all the aid the schools and community offer, guards the privacy of the pupil, and monitors the efficacy of such referrals.

N.J.A.C. 6A:19-1.2; 6A:8-2.2

N.J.A.C. 6A:7-1.7; 6A:8-3.2

Revised: January 23, 2013

2412

2412. HOME INSTRUCTION DUE TO HEALTH CONDITION (M)

The Board of Education will provide instructional services to an enrolled pupil whether a general education pupil in Kindergarten through grade twelve or a special education pupil age three to twenty-one at the pupil's home or another suitable out-of-school setting when the pupil is confined to the home or another out-of-school setting due to a temporary or chronic health condition or has a need for treatment which precludes participation in their usual education setting. These services will be provided when a pupil is determined by the school physician to need confinement at their residence or other suitable out-of-school setting and the projected need for confinement is for four consecutive school days or fifteen cumulative school days or more during the school year.

Requests for home instruction shall include a written determination from the pupil's physician documenting the projected need for the pupil's confinement to their residence or other treatment setting for four consecutive school days or fifteen or more cumulative school days during the school year. The written determination from the pupil's physician shall be forwarded to the school physician, who shall verify the need for home instruction. The parent(s) or legal guardian(s) shall be notified concerning the school physician's

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

verification or reason(s) for denial within five school days after receipt of the written determination by the pupil's physician.

The school district shall provide instructional services within five school days after receipt of the school physician's verification or, if verification is made prior to the pupil's confinement, during the first week of the pupil's confinement to the home or out-of-school setting.

The home or out-of-school instruction shall meet the minimum standards as required in N.J.A.C. 6A:16-10.1(c). The school district will maintain a written plan for the delivery of instruction and the teacher providing instruction shall be appropriately certified for the subject, grade level, and special needs of the pupil pursuant to N.J.A.C. 6A:9. The teacher shall provide one-on-one instruction in accordance with the requirements of N.J.A.C. 6A:16-10.1(c)3.

For a pupil with disabilities, the home instruction shall be consistent with the pupil's IEP to the extent appropriate and shall meet the Core Curriculum Content Standards pursuant to N.J.A.C. 6A:8. When the provision for home instruction for a pupil with disabilities will exceed thirty consecutive school days in a school year, the IEP team shall convene a meeting to review and, if appropriate, revise the pupil's IEP.

For a pupil without disabilities, the home instruction shall meet the Core Curriculum Content Standards pursuant to N.J.A.C. 6A:8 and the district's requirements for promotion at that grade level. When the provision for home instruction for a pupil without disabilities will exceed sixty calendar days, the school physician will refer the pupil to the Child Study Team for evaluation according to the requirements of N.J.A.C. 6A:14.

The school district shall be responsible for the costs of providing instruction for pupils as required by N.J.A.C. 6A:16-10.1(b).

The Board reserves the right to withhold home instruction when the reason for the pupil's confinement is such as to expose a teacher to a health hazard or dangerous home situation, a parent(s) or legal guardian(s), or other responsible adult is not present during the hours of instruction, or the condition of the pupil is such as to preclude benefit from such instruction.

Pupils on home instruction will be accounted for on the attendance register as required by the Department of Education. The name of a pupil on home instruction will not be released at a public Board meeting or placed in a public record.

N.J.S.A. 18A:46-10

N.J.A.C. 6A:14-4.8; 6A:14-4.9; 6A:16-10.1

Cross reference: Policy Guide Nos. 2460.2, 5610

Revised: January 23, 2013

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

2414 M

## 2414 PROGRAMS FOR PUPILS AT RISK

The Board of Education recognizes that certain conditions place children at risk of not acquiring the knowledge, skills, behaviors, and attitudes necessary for school success, school completion, and successful functioning as an adult in society.

A "pupil at risk" means a pupil who is in danger of failure to achieve the New Jersey Core Curriculum Content Standards and the high school graduation requirements or dropping out of school because of specific cognitive, affective, economic, social, and/or health needs. The conditions that may place a pupil at risk include the pupil's failure to acquire the essential skills needed to stay on grade level or the pupil's performance below minimum levels of proficiency; history of adjustment or behavioral problems; placement on long-term suspension for violation of school rules; history of poor school attendance; being limited in English language proficiency; being disruptive or disaffected; pregnancy or parenthood; failure to qualify for promotion or graduation; condition of poverty as defined by his/her eligibility for free meals or free milk and/or exhibiting other characteristics identified by the Board.

Programs and services for pupils at risk shall meet the goals of:

1. Enhancing the health, self-esteem, and acquisition of the life skills necessary for age-appropriate development and productive functioning in the school setting and society;
2. Identifying and assisting pupils who are not meeting standards for behavior and achievement in areas such as attendance, conduct, and mastery of the curriculum, as well as performing below state minimum levels of proficiency; and
3. Improving the school climate so that pupils experience school as a safe, supportive, and disciplined place where academic and interpersonal growth and learning can take place.

Programs and services for pupils at risk may be offered during the regular school day, beyond the regular school day, or during the summer. Any such programs and services that do not require the services of a teaching staff member or cannot be reasonably accommodated in the school setting may be delivered by qualified persons who are not necessarily certified but are supervised by appropriately certified teaching staff members.

The Board shall provide staff training necessary to implement the programs and services for pupils at risk.

N.J.A.C. 6:8-1.1 et seq.

Adopted: 18 November 2004

# **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

2415 M

## **2415 NO CHILD LEFT BEHIND PROGRAMS**

The No Child Left Behind Act (NCLB) of 2001 is a reauthorization of the Elementary and Secondary Education Act (ESEA)/Improving America's Schools Act (IASA) 1994, providing funds to help all New Jersey's school children achieve, at a minimum, proficiency in the State standards. NCLB embodies four key principles or pillars of education reform: accountability, flexibility, choice, and methodology. The Board of Education elects to augment the instructional program of pupils by projects supported by federal funds allocated under NCLB and the district will comply with the requirements of all the programs authorized by NCLB.

The district may be eligible for several grant programs funded through NCLB, including, but not limited to, Title I through Title VI. Many of the Titles of NCLB have several parts and subparts that provide a funding source for specific purposes.

### **Application Procedure**

The district will submit an annual No Child Left Behind Consolidated Formula Subgrant Application to the New Jersey Department of Education (NJDOE). The school district's application shall include all information required by the NJDOE and NCLB for the district to be considered for funding under NCLB.

### **Covered Programs**

The intent of NCLB is that all children will meet State academic achievement standards to reach their potential through improved programs. The NCLB Consolidated Formula Subgrant includes the following programs:

1. Title I, Part A provides the programs and resources for disadvantaged students to meet this intent. It requires the State and the district to close the achievement gap by placing a highly qualified teacher in every classroom, improving the qualifications of paraprofessionals who work with disadvantaged students, and using instructional practices that have proven to be effective.
2. Title I, Part D serves neglected and delinquent youth in institutions, community day programs and correctional facilities to assure they also attain high academic levels of performance.
3. Title II, Part A provides the resources for improving teacher and Principal quality and increasing the number of highly qualified teachers and Principals in classrooms and schools, thereby raising student achievement in the academic subjects. It focuses on preparing, training, and recruiting high-quality teachers and Principals and requires the State to develop plans with annual measurable objectives that will ensure all teachers teaching in core academic subjects are highly qualified by the end of the 2005-2006 school year.
4. Title II, Part D facilitates comprehensive and integrated educational technology strategies that target the specific needs of individual schools. It improves student academic achievement through the use of technology in

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

elementary and secondary schools, while addressing the digital divide such that every student is technologically literate by the end of eighth grade. Effective integration of technology resources and systems with teacher training and curriculum development are encouraged in order to identify and showcase best practices in educational technology.

5. Title III, Part A focuses on the teaching of English to limited English proficient (LEP) children including immigrant children and youth.

6. Title IV, Part A provides resources for fostering a safe and drug-free learning environment that supports academic achievement.

7. Title V, Part A provides a flexible source of funding to help districts in the development and implementation of various innovative reform initiatives.

8. Title VI, Part B addresses the unique needs of rural school districts.

9. Title IX covers the general provisions applicable to some/all of the programs.

Throughout NCLB, the use of solid research to improve teaching and learning as well as student behavior is required and promoted, and parent(s)/legal guardian(s) are provided with information and options to improve the educational opportunities provided for their children. The emphasis on scientifically based methodology encourages the use of teaching techniques and practices that are founded on research and proven to produce positive results.

### **Title I**

The largest federal program supporting elementary and secondary education is Title I. NCLB strengthens Title I requirements for the State's assessments, accountability system, and support for school improvement. The law also establishes minimum qualifications for teachers and paraprofessionals in Title I programs.

The school district must use the best available measure for identifying children from low-income families to identify eligible school attendance areas, determine the ranking of each area and to determine allocations as identified in the Title I guidelines and regulations.

The school district will offer Title I services to eligible children enrolled in private elementary and secondary schools. The services and benefits will be equitable in comparison to services and benefits for participating public school children.

The school district will provide the New Jersey Department of Education assurances it will provide the maximum coordination between the Title I program, the regular school program, and services provided by other programs for specialized populations. The Title I program will consider the special needs of homeless children, migrant children, children with disabilities and limited English proficient (LEP) children. Title I funds will be reserved so that migrant children who are otherwise eligible to receive Title 1 services, even if they arrive during the school year, are served.

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## Type of Title I Program

The school district will offer a Target Assistance Title I program to provide targeted services to low-achieving students. The Target Assistance program will be established in accordance with the Title I guidelines and regulations and the New Jersey Department of Education.

## Academic Standards, Academic Assessments and Accountability

The district will comply with the requirements as outlined in Policy 2415.01 - Academic Assessments and Accountability in accordance with the NJDOE and NCLB.

## Fiscal Responsibility

The district will comply with the requirements as outlined in Policy 2415.02 Title I - Fiscal Responsibilities in accordance with the NJDOE and NCLB.

## Staff

The district will comply with the requirements as outlined in Policy 2415.03 - Highly Qualified Teachers in accordance with the NJDOE and NCLB. In addition, the district will ensure all paraprofessionals meet the requirements as required by NCLB and as outlined in Policy 4125 - Employment of Support Staff Members.

## Parental Involvement

The district will comply with the requirements as outlined in Policy 2415.04 - Parental Involvement in accordance with the NJDOE and NCLB.

## Pupil Surveys, Analysis and/or Evaluations

The Protection of Pupil Rights Amendment (PPRA) applies to school districts that receive federal funding from the United States Department of Education. The district will comply with the requirements as outlined in Policy 2415.05 - Pupil Surveys, Analysis and/or Evaluations in accordance PPRA.

## Unsafe School Choice Option

In the event there is a school in the district designated as Persistently Dangerous or in accordance with the Victims of Violent Criminal Offenses as outlined in NCLB, the district will comply with the requirements of Policy 2415.06 - Unsafe School Choice Option in accordance with the NJDOE and NCLB.

## Property

Property acquired through Title I funds for use in public or private schools will be acquired in accordance with the Public School Contracts Law, will be held in title by the Board of Education, and will not be used for other purposes so long as it is required in the Title I program. Property no longer required for Title I purposes will be used for other, similarly funded projects or disposed of in accordance with State and federal guidelines.

## Capital Expenses

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

The Superintendent will assure the district abides by New Jersey's Public Contracts Law; consults appropriate private school officials prior to making any decisions regarding capital expenses; ensure funds that are received to cover capital expenses provide equitable Title I services to private school pupils; ensure accounts for any capital funding is separately maintained; assure lease purchase agreements are consistent with applicable statute and administrative code.

### Post-Award Requirements

The school district will maintain all project records for five years following the completion of the activity for which the funds were used. The school district will prepare and submit all reports as required by the State Department of Education in a timely manner.

### Supplement, Not Supplant

Grant funds provided under federal programs, including No Child Left Behind funding, shall supplement, not supplant other non-federal funds that are available to provide programs and services to eligible students, unless otherwise provided in the grant program.

### Evaluation

The Superintendent will evaluate the NCLB programs as required by the United States and the New Jersey Departments of Education.

### No Child Left Behind Act of 2001

Adopted: 18 November 2004

2415.01 M

### 2415.01 ACADEMIC STANDARDS, ACADEMIC ASSESSMENTS AND ACCOUNTABILITY

The No Child Left Behind Act of 2001 (NCLB), §1111, requires New Jersey to have an accountability system to include challenging academic content and academic achievement standards. New Jersey's Core Curriculum Content Standards define those skills needed for children to be successful in the twenty-first century economy. These skills are measured by State assessments and New Jersey's accountability design determines a school's progress toward meeting established standards. This progress measure is referred to as Adequate Yearly Progress (AYP).

### Testing Requirements

In accordance with NCLB, beginning in the 2002-2003 school year, schools must administer language arts/literacy and mathematics tests in three grade spans: grades 3 through 5, grades 6 through 8, and grades 10 through 12 in all schools. By the 2005-2006 tests must be administered every year in grades three through eight and one year in grades ten through twelve. Beginning in the 2007-2008 school year, science achievement must also be tested. At least 95% of each pupil group must participate in the assessment process. Pupils

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who have been enrolled in the school for less than one academic year are not included in the accountability process. Pupils with disabilities who are moved from their neighborhood school to receive services at another school will be included in their home school's accountability process. Pupils with limited English proficiency must also be assessed, with accommodations. Pupil progress must also be assessed by pupil group (pupils from major racial and ethnic groups, economically disadvantaged pupils, pupils with disabilities, and pupils with limited English proficiency) in accordance with the requirements of NCLB.

## **Adequate Yearly Progress (AYP)**

The New Jersey Department of Education (NJDOE) will establish starting points for AYP and incremental increases in expectations for all schools with the goal of all schools and pupil groups reaching 100 percent proficiency in language arts/literacy, math, and science by the 2013-2014 school year.

Each school's proficiency statistics in each area and pupil subgroup will be compared to the State-wide benchmarks. Results for subgroups with fewer than the number of pupils designated by the NJDOE will be suppressed or excluded from the analysis. Intervals of confidence of 90% will be applied to school results. If a subgroup is identified as not having met AYP, "safe harbor" may be reached if the percentage of pupils not meeting AYP has decreased by 10% from the previous school year.

## **NJDOE School Classification System**

The NJDOE will classify schools into six categories of progress based on a school's progress toward meeting the established standards. These categories are:

### **1. Category I - Schools in Need of Improvement**

These schools did not achieve AYP and have an achievement gap of more than 25% in attaining the State standards. The progress achieved by these schools demonstrates that significantly greater assistance is needed to reach full State standards.

This includes those schools that met the above criteria for one or more grade levels, even though they also achieved Category II, Schools in Performance Monitoring, in another grade level.

### **2. Category II - Schools in Performance Monitoring**

These schools did not achieve AYP; however the schools have demonstrated the ability to make progress toward incrementally eliminating the achievement gap; 25% or less of students failed to achieve the State standards in one content area. If AYP is not made in the next academic year the school will enter Category I.

Category II includes those schools that met the above criteria even though they also achieved Category III, Schools Approaching the Standards, in another grade level.

### **3. Category III - Schools Approaching the Standards**

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

These schools have nearly achieved AYP; less than 5% of students have not achieved State standards in only one content area. These schools are likely to meet the State standards within one academic year. However, if AYP is not made in the next academic year the school will enter Category II.

Category III includes those schools that met the above criteria even though they also achieved Category IV, Schools Receiving Conditional Approval, in another grade level.

### **4. Category IV – Schools Receiving Conditional Approval**

These schools have achieved their designated AYP and are progressing toward meeting the State standards. These schools must be monitored for maintenance of achievement.

Category IV includes those schools that met the above criteria even though they also achieved Category V, Schools Receiving Full Approval, in another grade level.

### **5. Category V – Schools Receiving Full Approval**

Category V schools have met State standards in at least one of the prior two years in each subject area.

### **6. Category VI – Schools Demonstrating Excellence**

Category VI schools have always met or exceeded State standards and may be considered exemplary models of success.

### **The School Improvement Process**

Schools that have not made adequate yearly progress for two consecutive school years in the same content area will be identified as needing school improvement before the beginning of the next school year. If any school in the district is identified as a Title I school in need of improvement, the following steps need to be taken in the Title I portion of the Consolidated Application/Plan for funding of programs governed under the No Child Left Behind Act. The plan must be developed in accordance with NCLB §1116 and NJDOE guidelines and shall include:

1. Improvement Plan – The school must develop a two-year improvement plan showing programs and strategies that will be adopted to improve teaching and learning.

2. Professional Development – The school must provide professional development for the school's staff to improve their skills. At least ten percent of the school's Title I allocation for two years must be spent to support these professional development activities.

3. Intra-district Choice – The district must develop and offer an intra-district school choice program that includes the process to be used to notify parent(s)/legal guardian(s) of pupils enrolled in the school of the school's designation as a school in need of improvement. An intra-district school choice program must offer parent(s)/legal guardian(s) the opportunity to

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

transfer their child to another school within the district that is not identified for improvement.

4. Supplemental Services - The school must offer and provide supplemental educational services to disadvantaged children in accordance with NCLB and NJDOE guidelines.

Districts with schools that fail to make AYP, after being identified as needing school improvement, by the end of the first full year after identification must continue to:

1. Offer the intra-district school choice option to parent(s)/legal guardian(s);

2. Make available supplemental educational services in accordance with NCLB § 1116; and 3.

3. Provide technical assistance in accordance with NCLB §1116.

Districts that have schools that fail to make AYP by the end of the second full year after being identified as needing school improvement must continue 1, 2 and 3 above and take at least one of the following corrective actions as identified in NCLB:

1. Replace the school staff who are relevant to the failure to make adequate yearly progress;

2. Institute and fully implement a new curriculum that includes appropriate professional development for all relevant staff that is based on scientifically based research and offers substantial promise of improving educational achievement for low-achieving students and enabling the school to make adequate yearly progress;

3. Significantly decrease management authority at the school level;

4. Appoint an outside expert to advise the school on its progress toward making adequate yearly progress based on its school plan;

5. Extend the school year or school day for the school; and/or

6. Restructure the internal organizational structure of the school.

If, after one full year of corrective action, a school subject to corrective action continues to fail to make AYP, the district shall continue to offer the intra-district school choice option, make available supplemental educational services and prepare a plan and make necessary arrangements for alternative governance in accordance with NCLB §1116.

The district may delay, for a period not to exceed one year, implementation of certain corrective action and/or restructuring in accordance with NCLB § 1116.

Funds for transportation and supplemental educational services shall be provided in accordance with NCLB, §1116.

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

No Child Left Behind §1116

Adopted: 18 November 2004

2415.02 M

2415.02 TITLE I - FISCAL RESPONSIBILITIES

The Maywood Board of Education will comply with the requirements of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) as amended by the No Child Left Behind Act of 2001.

Maintenance of Effort

To be in compliance with the requirements of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) as amended by the No Child Left Behind Act of 2001, §1120A(a), the Maywood Board of Education will maintain a combined fiscal effort per student, or aggregate expenditures, of State and local funds with respect to the provision of the free public education in the Local Education Agency (LEA) for the preceding fiscal year that is not less than ninety percent of the combined fiscal effort per student, or the aggregate expenditures, for the second preceding fiscal year.

Comparability with Multiple Schools

To be in compliance with the requirements of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) as amended by the No Child Left Behind Act of 2001, §1120A(c), the Maywood Board of Education directs the Superintendent to assign teachers, administrators, and auxiliary personnel to the schools in such a way that the equivalence of personnel is ensured among schools.

Comparability of Materials and Supplies

To be in compliance with the requirements of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) as amended by the No Child Left Behind Act of 2001, §1120A(c), the Maywood Board of Education directs the Superintendent to distribute curriculum materials and instructional supplies to the schools in such a way that the equivalence of such material is ensured among schools.

No Child Left Behind Act of 2001 §1120A

Adopted: 18 November 2004

2415.03 2415.03 HIGHLY QUALIFIED TEACHERS

The No Child Left Behind Act (NCLB) requires all teachers be or become highly qualified in the core academic content area(s) they teach in accordance with the United States Department of Education and the New Jersey Department of Education highly qualified teacher requirements.

Teachers who have achieved highly qualified status retain highly qualified

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status permanently for the teaching assignment designated on the approved highly qualified teacher forms. No teacher providing direct instruction in core content areas is grandfathered or exempt from this process.

The district shall maintain the appropriate highly qualified documentation for all teachers who provide direct instruction in core content areas. When a teacher changes teaching assignments, which requires different content expertise, additional highly qualified teacher forms must be completed and kept on file within the district. Highly qualified teacher documentation should be completed for all new teachers and for those with new teaching assignments at the beginning of each school year.

When a teacher obtains employment in a new school district, the new district must contact the previous place of employment to have the teacher's official highly qualified teacher forms sent to the new district. A teacher hired from another State must hold New Jersey certification and must meet New Jersey's highly qualified teacher requirements. Out-of-State teachers may provide documentation to support their highly qualified teacher status from the previous State in which they taught.

All Title I schools must send out a Right-to-Know letter in the beginning of every school year informing parent(s) or legal guardian(s) that they have the right to know the qualifications of their child's teacher. The letter should be sent by all Title I and non-Title I districts. In addition, in all Title I schools, the parent(s) or legal guardian(s) of pupils whose teacher is not yet highly qualified must be notified. Copies of these letters must be kept on file in the school.

No Child Left Behind Act of 2001, §1119

Adopted: March 24, 2010

### 2415.04 2415.04 PARENTAL INVOLVEMENT

A school district that receives Title I funds must implement programs, activities and procedures for the involvement of parents in programs assisted by Title I funding. The district will reserve not less than one percent of its allocation under subpart 2 to carry out these requirements, (unless the district's allocation is \$5,000 or less), which shall include promoting family literacy and parenting skills. Parents of pupils receiving Title I services shall be involved in the decisions regarding how funds will be allotted for parental involvement activities.

Each school served with Title I funds shall jointly develop with, and distribute to, parents of participating pupils, this parental involvement policy, agreed on by such parents, that shall describe the means for carrying out the requirements of No Child Left Behind Act (NCLB) of 2001, §1119(a) through (f). Parents will be notified of this policy in an understandable and uniform format and, to the extent practicable, provided in a language the parents can understand. This policy shall be made available to the local

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community and updated periodically to meet the changing needs of parents and schools within the district.

"Parent", for the purposes of this policy, means a parent and/or legal guardian. "School", for the purposes of this policy, is a specific school in a Target Assistance Title I program or schools within the district in a school-wide Title I program.

### Policy Involvement

Each school served with Title funds will

1. Convene an annual meeting, at a convenient time, to which all parents of participating pupils shall be invited and encouraged to attend, to inform parents of their school's participation and the requirements of this Policy, and the right of the parents to be involved;
2. Offer a flexible number of meetings, such as meetings in the morning or evening, and may provide, with Title I funds, transportation, child care, or home visits, as such services relate to parental involvement;
3. Involve parents, in an organized, ongoing, and timely way, in the planning, review, and improvement of programs, including the planning, review, and improvement of the school parental involvement policy and the joint development of the school-wide program plan under NCLB, §1114(b)(2);
4. Provide parents of participating pupils:
  - a. Timely information about programs required by NCLB, § 1118;
  - b. A description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet; and
  - c. If requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such suggestions as soon as practicably possible; and
5. Submit any parent comments on the plan when the school makes the plan available to the Board of Education, if the school-wide program plan under § 1114(b)(2) of NCLB is not satisfactory to the parents of participating pupils.

### Shared Responsibilities For High Student Academic Achievement

Each school served by Title I funds shall jointly develop with parents of all pupils served with Title I funds, a school-parent compact that outlines how parents, the entire school staff, and students will share the responsibility for improved student academic achievement and the means by which the school and parents will build and develop a partnership to help children achieve the State's high standards. The compact will:

1. Describe the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables the pupils served by Title I funds to meet the State's student

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

academic achievement standards, and the ways in which each parent will be responsible for supporting their children's learning, such as monitoring attendance, homework completion, and television watching; volunteering in their child's classroom; and participating, as appropriate, in decisions relating to the education of their children and positive use of extra-curricular time; and

2. Address the importance of communication between teachers and parents on an ongoing basis through, at a minimum:

a. Parent-teacher conferences in elementary schools, at least annually, during which the compact shall be discussed as the compact relates to the individual pupil's achievement;

b. Frequent reports to parents on their children's progress; and

c. Reasonable access to staff, opportunities to volunteer and participate in their child's class, and observation of classroom activities.

### **Building Capacity For Involvement**

To ensure effective involvement of parents and to support a partnership among the school involved, parents, and the community to improve student academic achievement, each school and school district assisted with Title I funds:

1. Shall provide assistance to parents of pupils served by the school in understanding such topics as the State's academic content standards and State student academic achievement standards, State and local academic assessments, the requirements of this Policy, and how to monitor a child's progress and work with educators to improve the achievement of their children;

2. Shall provide materials and training to help parents to work with their children to improve their children's achievement, such as literacy training and using technology, as appropriate, to foster parental involvement;

3. Shall educate teachers, pupil services personnel, Building Principals, and other staff, with the assistance of parents, in the value and utility of contributions of parents, and in how to reach out to, communicate with, and work with parents as equal partners, implement and coordinate parent programs, and build ties between parents and the school;

4. Shall, to the extent feasible and appropriate, coordinate and integrate parent involvement programs and activities with Head Start, Reading First, Early Reading First, Even Start, the Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program, and public pre-school and other programs, and conduct other activities, such as parent resource centers, that encourage and support parents to more fully participate in the education of their children;

5. Shall ensure that information related to school and parent programs, meetings, and other activities is sent to the parents of participating children in a format and, to the extent practicable, in a language the parents can understand;

6. May involve parents in the development of training for teachers,

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

Principals, and other educators to improve the effectiveness of such training;

7. May provide necessary literacy training from Title I funds if the school district has exhausted all other reasonably available sources of funding for such training;

8. May pay reasonable and necessary expenses associated with local parental involvement activities, including transportation and child care costs, to enable parents to participate in school-related meetings and training sessions;

9. May train parents to enhance the involvement of other parents;

10. May arrange school meetings at a variety of times, or conduct in-home conferences between teachers or other educators, who work directly with participating children, with parents who are unable to attend such conferences at school, in order to maximize parental involvement and participation;

11. May adopt and implement model approaches to improving parental involvement;

12. May establish a district-wide parent advisory council to provide advice on all matters related to parental involvement in Title I programs;

13. May develop appropriate roles for community-based organizations and businesses in parent involvement activities; and

14. Shall provide such other reasonable support for parental involvement activities under this Policy as parents may request.

### **Accessibility**

In carrying out the parental involvement requirements of NCLB, §1118 and this Policy, the school and school district, to the extent practicable, shall provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children, to include providing information and school reports required under NCLB, § 1111 in a format and, to the extent practicable, in a language such parents understand.

The district will inform parents of any parental information and resource centers that provide training, information, and support to parents and individuals who work with local parents, school districts, and schools receiving Title I funds.

The Superintendent of Schools will submit this Policy to the New Jersey Department of Education for review to be sure the Policy meets the requirements of NCLB, §1118.

No Child Left Behind Act of 2001, §1118

Adopted: 18 November 2004

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

2415.05      2415.05    PUPIL SURVEYS, ANALYSIS AND/OR EVALUATIONS

The Protection of Pupil Rights Amendment (PPRA) (20 U.S.C. §1232h; 34 CFR Part 98) applies to school districts that receive funding from the United States Department of Education.

### Consent

PPRA requires written consent from parents/legal guardians and pupils who are eighteen years old or emancipated minor pupils before minor students are required to participate in a survey, analysis, or evaluation funded in whole or in part by a program of the United States Department of Education that concerns one or more of the following eight areas referred to as "protected information surveys":

1.      Political affiliations or beliefs of the pupil or pupil's parent;
2.      Mental or psychological problems of the pupil or pupil's family;
3.      Sex behavior or attitudes;
4.      Illegal, anti-social, self-incriminating or demeaning behavior;
5.      Critical appraisals of others with whom respondents have close family relationships;
6.      Legally recognized privileged or analogous relationships, such as with lawyers, physicians, and ministers;
7.      Religious practices, affiliations, or beliefs of the student or parents; or
8.      Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

This consent requirement also applies to the collection, disclosure or use of pupil information for marketing purposes, referred to as "marketing surveys", and for certain physical examinations and screen- mgs.

### "Opt a Pupil Out" Notice

The parents and eligible pupils will be provided an opportunity to opt a pupil out of participating in:

1.      The collection, disclosure, or use of personal information obtained from pupils for marketing, to sell, or otherwise distribute information to others;
2.      The administration of any other "protected information survey" not funded in whole or in part by the United States Department of Education; and
3.      Any non-emergency, invasive physical examination required as a condition of attendance, administered by the school district or its agents, and not necessary to protect the immediate health and safety of a pupil,

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

except for hearing, vision, scoliosis screenings, or any physical examination or screening permitted or required under State law.

## Inspection

The parents and eligible pupils, upon request and before administration or use, have the right to inspect:

1. Protected information surveys of pupils;
2. Instruments used to collect personal information from pupils for any of the above marketing sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

The building principal shall be responsible for obtaining the consent, annual direct notification to parents and eligible pupils at the start of each school year and after any substantive changes of the "opt a pupil out" rights and the inspection rights provisions of PPRA and this Policy. The "opt a pupil out" notice shall include any specific or approximate dates of the activities eligible for a pupil to "opt out."

## PPRA Consent/Opt Out Violations

Parents or students who believe their rights under PPRA may have been violated may file a complaint with United States Department of Education.

The Protection of Pupil Rights Alllendment (PPRA)  
(20 U.S.C. §1232h; 34 CFR Part 98)  
No Child Left Behind Act of 2001, Title X, Part F, §1061

Adopted: 18 November 2004

2415.06 PART ONE OF TWO

## 2415.06 UNSAFE SCHOOL CHOICE OPTION

The Unsafe School Choice Option (USCO) provision of The No Child Left Behind Act of 2001 (NCLB) §9532 contains two provisions that apply to school districts that receive funds under NCLB: Provision I - Persistently Dangerous Schools and Provision II - Victims of Violent Criminal Offenses.

Effective the beginning of each school year, school districts receiving NCLB funds must be prepared to complete the transfer of pupils who choose to exercise Provision I and Provision II of NCLB and this Unsafe School Choice Option Policy. Compliance with the Policy is a condition of receiving funds under any and all titles under NCLB. The Superintendent is required to certify compliance with this USCO Policy to the New Jersey Department of Education (NJDOE) in the application for NCLB funds.

## USCO Policy Provision I - Persistently Dangerous Schools (PDS)

1. Criteria for Determining Persistently Dangerous Schools.

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

A persistently dangerous school is a public elementary or secondary school building (except for Regional Day Schools, Educational Services Commissions and Special Services School Districts) that meets the objective criteria determined by the New Jersey Department of Education (NJDOE) for three consecutive years and is part of a school district that receives funds under NCLB. The NJDOE will use the most current available data from the Electronic Violence and Vandalism Reporting System (EVVRS) to identify persistently dangerous schools on or before July 31 of each year, in compliance with federal regulations (68 FR 16789).

### **2. Procedures and Guidelines for Schools Determined to be Persistently Dangerous.**

Once the district receives notification a school is identified as persistently dangerous, the district must inform all parents of enrolled pupils in the school of the designation within fifteen calendar days of the notice and offer them the option for their children to transfer to a safe public school within the district by the beginning of the respective school year. The district must complete all transfers by the beginning of the school year following the July notification. Pupils are not required to accept the transfer option, but they must be afforded the opportunity to do so. Parental notice regarding the status of the school and the offer to transfer pupils should be made simultaneously. Parents of enrolled pupils must be notified of the persistently dangerous designation whether or not there is another school within the district for the transferring pupils.

To the extent possible, the district will allow transferring pupils to transfer to schools that are making adequate yearly progress in accordance with NCLB and have not been identified as being in need of school improvement, corrective action or restructuring. The district will take into account the needs and preferences of the affected pupils and parents.

### **3. Corrective Action Plan for a School Identified as Persistently Dangerous.**

If a school in the district is identified as persistently dangerous, the district will submit to the NJDOE, on or before August 25, documentation of compliance with the parent notification requirement and actions taken to complete the transfer arrangements for all pupils exercising the option by the first day of the school year. The district will also develop and submit for approval a corrective action plan to the NJDOE on or before September 30 of the same year, which will apply to the respective school year. The corrective action plan, which must be completed in the format provided by the NJDOE, will describe how the school will reduce the number of incidents of violence as determined by the EVVRS. The NJDOE will provide schools with guidance for their corrective action plans, as well as monitor the school district's timely completion of the approved plans.

In the spring of each following year, the NJDOE will re-evaluate the status of a school identified as persistently dangerous. The NJDOE will review the school's progress towards completing their corrective action plan and compare the current year's incidents of violence, as reported on the EVVRS, to the criteria for determining persistently dangerous schools (PDS). A school identified as maintaining the persistently dangerous designation will be

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

notified by the NJDOE on or before July 31 of the respective year and will be required to submit for approval a revised corrective action plan by August 25 of that year, which will apply to the respective school year. The school district must inform all parents of enrolled pupils in the school of the designation within fifteen calendar days of the notice and offer them the option for their children to transfer to a safe public school by the beginning of the respective school year.

A school no longer designated persistently dangerous will be notified on or before July 31 of the respective year. The persistently dangerous designation will be removed after one or more years contingent upon successful fulfillment of the criteria for removal, as determined by and in accordance with guidance provided by the NJDOE.

#### **4. Procedures and Guidelines for Early Warning of Schools.**

Effective in 2004, if a school meets the criteria set forth in this Policy for two consecutive years, the district will be notified of their pattern of offenses on or before August 15 of each year. If notified, the district will develop and submit to the NJDOE for approval a corrective action plan on or before September 30 of the same year, which will apply to the respective school year. The corrective action plan, which must be completed in the format provided by the NJDOE, will describe how the school will reduce the number of incidents of violence as determined by the EVVRS. The NJDOE will provide the school with guidance for their corrective action plan, as well as monitor the school's timely completion of the approved plan. This school shall become a top priority for intensified district support for research-based programs and technical assistance. A school receiving an "early warning" notice is not required to provide the transfer option to pupils.

In the spring of each following year, the NJDOE will re-evaluate the school's progress towards completing their corrective action plan and compare the current year's incidents of violence, as reported on the EVVRS, to the criteria for determining persistently dangerous schools. Schools will be notified of their status on or before July 31 of the respective year.

A school that has successfully completed their corrective action plan and reported violent incidents that no longer meet the Criteria for Determining Persistently Dangerous Schools for one school year (the year in which the corrective action plan was in effect) will no longer be required to submit a Corrective Action Plan.

A school that does not successfully complete their Corrective Action Plan and that meets the criteria set forth in this Policy for a third consecutive year will be designated as persistently dangerous and will be required to submit for approval a revised corrective action plan on or before September 30 of that year, which will apply to the respective school year. The district will also provide the transfer option to pupils in the school designated as persistently dangerous.

#### **5. Schools Not Receiving NCLB Funds, but Meeting the Criteria for PDS.**

School buildings and districts that do receive federal funds under NCLB, but meet anyone of the criteria for persistently dangerous schools, will be contacted by the NJDOE and be required to develop and submit for approval a

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

Corrective Action Plan on or before September 30 of the respective year. The Corrective Action Plan must be completed in the format provided by the NJDOE and describe how the school will reduce the number of incidents of violence as determined by the EVVRS. The NJDOE will provide the school guidance for their corrective action plan, as well as monitor the school's timely completion of the approved plan.

## USCO Policy Provision II - Victims Of Violent Criminal Offenses

The Victim of Violent Criminal Offenses provision of NCLB requires a pupil who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary or secondary school that the pupil attends, be allowed to attend a safe public elementary or secondary school within the district, including a public charter school.

The Superintendent will consult with the Board attorney and communicate with designated local and/or county law enforcement authorities, per the provisions of the Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials and N.J.A.C. 6A:16-6.2(b)12, on questions and issues that arise in the implementation of the individual victims of violent criminal offenses section of this Policy.

### 1. Criteria for Determining Victims of Violent Criminal Offenses

The following criteria must be used to determine when an enrolled pupil has become a victim of a violent criminal offense while in or on the grounds of a public elementary or secondary school that the pupil attends. These criteria only apply to a pupil who has become a victim of one or more of the violent criminal offenses enumerated below.

A pupil is considered a victim of a violent criminal offense when:

a. A referral has been made to law enforcement officials for suspicion that one of the violent criminal offenses enumerated below has occurred; and

b. One or more of the following applies:

(1) Law enforcement officials have filed formal charges against the perpetrator(s) for commission of the violent crime; or

(2) The perpetrator(s) of the violent crime has been disciplined in accordance with school policy; or

(3) The perpetrator(s) of the violent crime either has not been identified or is not an enrolled pupil(s), but it is clear that the pupil (victim) has become a victim of a violent criminal offense based on objective indicators such as physical evidence, eyewitness testimony, and/or circumstantial evidence; or

(4) The pre-existence of a restraining order against the perpetrator(s) of the violent crime.

### 2. Procedures and Guidelines

Effective the first day of each school year beginning in 2003, the district

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

must be prepared to begin the transfer of any pupil who chooses to exercise the unsafe school choice option provision. The district must offer, within ten calendar days, an opportunity to transfer to a safe public school within the district to any pupil who has become a victim of a violent criminal offense while in or on the grounds of a public school that the pupil attends. While the pupil must be offered the opportunity to transfer, the pupil may elect to remain at the school.

To the extent possible, the district will allow any transferring pupil to transfer to a school that is making adequate yearly progress in accordance with NCLB and has not been identified as being in need of school improvement, corrective action or restructuring. The district will take into account the needs and preferences of the affected pupil and his or her parent(s). Transfers must occur within thirty days of the determination that the pupil was a victim of a violent criminal offense.

### **3. Violent Criminal Offenses**

The violent criminal offenses under New Jersey statutes that apply to the individual victim provision are identified and explained below. The offenses apply to completed offenses, as well as threats and attempts to commit the offenses. The offenses and attempts to commit the offenses apply only when they occur in or on the grounds of a school that the pupil attends. The offenses apply whether they occur wholly or in part in or on the grounds of a school that the pupil attends.

The offenses apply only to acts or attempts that are directed at a person (victim) or a group of specified individuals (victims), rather than acts that indiscriminately affect the entire school population or non-specified individuals or groups. For the purposes of this Unsafe School Choice Option Policy, the term "victim" shall not include a pupil who purposely, knowingly or recklessly provokes the conduct constituting the criminal incident against him or her.

### **4. Applicable Violent Criminal Offenses**

Below is a description of each applicable violent criminal offense that is based upon New Jersey statutes and references to statutory citations that provide complete explanations of each designated offense. The descriptions provided below are not intended to be a complete explanation of each offense or a substitute for the actual provisions of the authorizing statutes.

#### **2415.07 PART TWO OF TWO**

Instead, the descriptions are provided as an aid in facilitating understanding of the general intent and practical applications of the violent criminal offenses that pertain to this Unsafe School Choice Option Policy.

#### **a. Homicide [N.J.S.A. 2C:11-2]**

A person is a victim of a homicide when he or she is the child, sibling or other relative of a decedent, resulting from someone purposely, knowingly or recklessly causing the death of the pupil's parent, sibling or relative in or on school grounds.

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

### b. Assault [N.J.S.A. 2C:12-1(a) (I) and 2C:12-1(b) (I)]

A person is a victim of an assault when the actor purposely, knowingly or recklessly causes bodily injury to the victim [N.J.S.A. 2C:12-1(a) (I)]; negligently, recklessly, knowingly or purposely causes bodily injury to the victim with a deadly weapon [N.J.S.A. 2C:12-1 (a) (2), N.J.S.A. 2C:12-1 (b) (2) and N.J.S.A. 2C:12-1(b) (3)]; attempts by physical menace to put the victim in fear of imminent serious bodily injury [N.J.S.A. 2C:12-1(a) (3)]; or knowingly points a firearm at or in the direction of the victim, whether or not the actor believes it to be loaded. [N.J.S.A 2C:12-1 (d) (4)].

### c. Aggravated Sexual Assault [N.J.S.A. 2C:14-2]

A person is a victim of an aggravated sexual assault when the actor commits an act of sexual penetration with the victim under any of the following circumstances:

- (1) The victim is less than thirteen years old.
- (2) The victim is:
  - (a) At least thirteen, but less than sixteen years old; and
  - (i) The actor is related to the victim by blood or affinity to the third degree; or
  - (ii) The actor has supervisory or disciplinary power over the victim by virtue of the actor's legal, professional or occupational status; or
  - (iii) The actor is a foster parent, a legal guardian or stands in loco parentis within the household.
- (3) The act is committed on the victim during the commission, or attempted commission, whether alone or with one or more persons, of robbery, kidnapping, homicide, aggravated assault on another, burglary, arson or criminal escape.
- (4) The actor is armed with a weapon or any object fashioned in such a manner as to lead the victim to reasonably believe it to be a weapon and threatens by word or gesture to use the weapon or object on the victim.
- (5) The actor is aided or abetted by one or more other persons and the actor uses physical force or coercion on the victim.
- (6) The actor uses physical force or coercion and severe personal injury is sustained by the victim.
- (7) The victim is one whom the actor knew or should have known was physically helpless, mentally defective or mentally incapacitated.

### 5. Sexual Assault

A person is a victim of a sexual assault when:

- a. The actor commits an act of sexual contact with a victim who is less than thirteen years old and the actor is at least four years older than the

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

victim; or

b. The actor commits an act of sexual penetration with a victim under any of the following circumstances:

(1) The actor uses physical force or coercion, but the victim does not sustain severe personal injury.

(2) The victim is at least sixteen but less than eighteen years old.

(3) The actor has supervisory or disciplinary power of any nature or in any capacity over the victim.

(4) The victim is at least thirteen but less than sixteen years old and the actor is at least four years older than the victim.

6. Bias Intimidation [N.J.S.A. 2C:16-1(a)]

A person is a victim of the crime of bias intimidation when an actor commits, attempts to commit, conspires with another to commit or threatens the immediate commission of an offense specified in chapters 11 through 18 of Title 2C of the New Jersey Statutes; N.J.S.A. 2C:33-4; N.J.S.A. 2C:39-3; N.J.S.A. 2C:39-4 or N.J.S.A. 2C:39-5 in the following circumstances:

a. With a purpose to intimidate a victim or a group of specified victims because of race, color, religion, gender, handicap, sexual orientation or ethnicity; or

b. Knowing that the conduct constituting the offense would cause a victim or a group of specified victims to be intimidated because of race, color, religion, gender, handicap, sexual orientation or ethnicity; or

c. Under circumstances that caused any victim of the underlying offense to be intimidated and the victim, considering the manner in which the offense was committed, reasonably believed either that:

(1) The offense was committed with a purpose to intimidate the victim or any person or entity in whose welfare the victim is interested because of race, color, religion, gender, handicap, sexual orientation or ethnicity; or

(2) The victim or the victim's property was selected to be the target of the offense because of race, color, religion, gender, handicap, sexual orientation or ethnicity.

7. Terroristic Threat [N.J.S.A. 2C:12-3(a) and 2C:12-3(b)]

A person is a victim of a terroristic threat when the actor threatens to commit one of the violent criminal offenses enumerated under the USCO Policy Provision II against the victim with the purpose to put the pupil in imminent fear of one of the violent crimes enumerated in the USCO Policy Provision II under circumstances reasonably causing the victim to believe the immediacy of the threat and the likelihood that it will be carried out. The definition of terroristic threat applies to N.J.S.A. 2C: 12-3(a) insofar as the threat was directed at a person (victim) or a group of specified individuals (victims).

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

### 8. Robbery [N.J.S.A. 2C: 15-1]

A person is a victim of a robbery when the actor, in the course of committing a theft, inflicts bodily injury; or uses force upon the victim; or threatens the victim with or purposely puts the victim in fear of immediate bodily injury.

### 9. Kidnapping [N.J.S.A. 2C:13-1]

A person is a victim of a kidnapping when the actor unlawfully removes the victim from the school or school grounds; or the actor unlawfully confines the victim with the purpose of holding the victim for ransom or reward as a shield or hostage; or the actor unlawfully removes the victim from the school or school grounds or a substantial distance from where he or she is found in school or on school grounds; or if the actor unlawfully confines a pupil for a substantial period of time to facilitate commission of a crime or flight thereafter, or to inflict bodily injury on or terrorize the victim.

### 10. Arson [N.J.S.A. 2C: 17-1]

A person is a victim of arson when the actor starts a fire or causes an explosion in or on the grounds of a school whereby purposely or knowingly the victim or group of specified victims are in danger of death or bodily injury; or with the purpose of destroying or damaging the victim's or group of specified victim's property that is in the school or on school grounds.

## Miscellaneous Provisions of USCO

### 1. Transfer Time Period - Persistently Dangerous Schools

The transfer will be temporary and will be in effect as long as the pupil's original school is identified as persistently dangerous.

### 2. Charter School Transfer Option

While NCLB permits affected pupils to be afforded the opportunity to attend a public charter school, in addition to a safe public elementary school or secondary school within the school district, the application of this provision in New Jersey is limited. Transfers to a charter school can only occur as a part of the charter school's "equal opportunity" selection process and among charter schools administered under the same managing authority (i.e., charter schools within the charter school district).

Since charter schools in New Jersey are considered public LEA's, pursuant to N.J.S.A. 18A:36A-3, operated independently of a local board of education, transfers may only take place among charter schools within the LEA. Therefore, pupils may be permitted to transfer to another charter school that is administered under the same managing authority of the charter school, but are not permitted to transfer to a school in the local public school district administered by a local board of education.

However, pursuant to N.J.S.A. 18A:36A-7, a charter school must be open to all pupils on a space available basis and may not discriminate in its admission policies or practices (although it may establish reasonable criteria to evaluate prospective pupils), and in accordance with N.J.S.A. 18A:36A-8, if

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

there are more applications to enroll in the charter school than there are spaces available, the charter school must select pupils to attend using a random selection process for enrollment.

### **3. Funding Sources for USCO**

The Unsafe School Choice Option law does not authorize resources specifically to help cover USCO costs. However, under certain circumstances Federal funds may be used. For example, funds under SDFSCA (Title IV, Part A of the NCLB) may be used to establish safe zones of passage to and from school to ensure that pupils travel safely on their way to school and on their way home [Section 4115(b)(2)(E)(v)]. In addition, SDFSCA funds may be used to help cover costs such as tuition or transportation related to the Unsafe School Choice Option or expansion of public school choice [Section 5121(8) and 5131(12 and (25))].

### **4. Special Education Pupils**

The district will provide transferred special education pupils with the program required by the pupil's Individualized Education Program (IEP).

### **5. Transfer Schools**

In the event there is not another school within the school district for a transferring pupil, the district is not required to transfer the pupil to a school outside the school district.

Under the federal regulations (68 FR 16789), this Policy only applies to offenses that occur in the 2003- 2004 school year and thereafter. Beginning with the 2004-2005 school year, the district must provide the transfer option to victims of violent criminal offenses that occurred in the previous school year, if the determination that the pupil was a victim was made thirty days or fewer before the end of the school year.

The district will use the school choice option as one response to incidents of victimization. Additionally, the district will develop and implement appropriate strategies for addressing the circumstances that contribute to or support victimization, as well as consistently and pro actively manage individuals who have victimized pupils. The district will promote the importance of school safety and respond to the needs of pupils and staff. Pursuant to the law, the district will provide an opportunity for pupils, parents and school district and law enforcement personnel to discuss methods for keeping schools safe from violence; to create school safety plans; and to recognize pupils in need of help. The district will organize activities to prevent school violence, including, but not limited to, age-appropriate opportunities for pupil discussion on conflict resolution, issues of pupil diversity and tolerance. Law enforcement personnel will be invited to join members of the teaching staff in the discussions. Programs shall also be provided for school district employees that are designated to help school district employees recognize warning signs of school violence and to instruct school district employees on recommended conduct during an incident of school violence.

N.J.S.A. 18A:17-46 requires a public hearing in the third week in October of each year for the Superintendent to report to the Board all acts of violence

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

and vandalism that occurred in the district during the previous school year. The public hearing shall be transcribed and kept on file in the Board of Education Office. The transcript shall be made available to the public upon request. The Board must also file the transcript with the NJDOE for review.

No Child Left Behind Act of 2001 §9532

Adopted: 18 November 2004

2415.20 2415.20 NO CHILD LEFT BEHIND COMPLAINTS

Pursuant to 20 USC 7844, Sec 9304 (a)(3)(C), of the No Child Left Behind Act of 2001 (NCLB), a Board of Education shall adopt a policy and written procedures that offer parent(s) or legal guardian(s), public agencies, other individuals, or organizations a method for receipt and resolution of complaints alleging violations in the administration of the NCLB programs as identified by the New Jersey Department of Education (NJDOE).

Policy and Regulation 2415.20 set forth the requirements for resolving complaints presented by any individual or organization that:

1. A school, school district, other agency authorized by the school district, or by the NJDOE violated the administration of education programs required by the Elementary and Secondary Education Act as amended by NCLB; and/or

2. The NJDOE violated the administration of education programs required by the Elementary and Secondary Education Act as amended by NCLB.

A Complaint shall be a written allegation that shall identify the alleged NCLB violation, the facts supporting the alleged violation, and any supporting documentation.

A Complaint alleging a school in the district, school district, or other agency authorized by the school district, or the NJDOE violated the administration of a program must be submitted to the Superintendent or his designee. The Superintendent or his designee shall be responsible to coordinate the investigation of the Complaint. The Superintendent or his designee shall submit a written report regarding the outcome of the investigation to the complainant. If the complainant is not satisfied with the outcome of the investigation, the complainant may initiate a Complaint by submitting a written Complaint to the NJDOE to the attention of the County Superintendent. The County Superintendent will coordinate the investigation of a Complaint. When the investigation is complete, the County Superintendent will notify the complainant in writing regarding the outcome of the investigation. If it is determined a violation has occurred, the Assistant Commissioner assigned to oversee the matter shall identify and impose appropriate consequences or corrective actions as required by regulation to resolve the Complaint. If the complainant does not agree with the NJDOE's decision, the complainant may appeal to the United States Department of Education Secretary.

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

A Complaint alleging the NJDOE violated the administration of a program must be submitted to the New Jersey Department of Education Chief of Staff or the United States Department of Education Secretary. The NJDOE requests the complainant first contact the New Jersey Department of Education Chief of Staff to resolve the issue. The NJDOE Office of Strategic Initiatives and Accountability will coordinate the investigation of a Complaint. When the investigation is complete, the Chief of Staff will notify the complainant in writing regarding the outcome of the investigation. If it is determined a violation has occurred, the Chief of Staff shall identify and impose appropriate consequences or corrective actions as required by regulation to resolve the Complaint. If a complainant does not agree with the NJDOE's decision, the complainant may appeal to the United States Department of Education Secretary.

New Jersey Department of Education 1/26/07 Memorandum-No Child Left Behind Complaint Policy and Procedure

Adopted: March 28, 2008

2416 M

### 2416 PROGRAMS FOR PREGNANT PUPILS

No pupil, married or unmarried, who is otherwise eligible for enrollment in this district will be denied an educational program because of pregnancy, childbirth, pregnancy-related disabilities, or actual or potential parenthood.

The Board of Education reserves the right to require as a prerequisite for participation in the regular instructional program and in the co-curricular program that a pregnant pupil present to the school principal her physician's written statement that such participation will not be injurious to her health or jeopardize her pregnancy.

The Superintendent shall develop a program of special instruction in health and nutrition and shall direct appropriate teaching staff members to counsel the pregnant pupil, to assist her in securing necessary medical services, to cooperate with community resources on her behalf, and to encourage her toward the completion of an appropriate educational program.

A pregnant pupil who does not wish to attend regular classes or is physically unable to do so during her pregnancy may, with her consent, be assigned to an alternate instructional program which may include home instruction or a program offered by another school district or institution.

The parent(s) or legal guardian(s) of a pregnant pupil under eighteen years of age shall be notified of any change in the pupil's regular educational program.

A pupil who has received an alternate instructional program for reasons associated with pregnancy shall be readmitted to the regular program upon her request and the written statement of her physician that she is physically fit for attendance.

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

Adopted: 18 November 2004

## 2417 2417 - PUPIL INTERVENTION AND REFERRAL SERVICES

The Board of Education directs the establishment and implementation of a coordinated system in each school building in which general education pupils are served, for the planning and delivery of intervention and referral services that are designed to assist pupils who are experiencing learning, behavior, or health difficulties and to assist staff who have difficulties in addressing pupils' learning, behavior, or health needs in accordance with the requirements of N.J.S.A. 18A:46-18.1.

The intervention and referral services shall be provided to aid pupils in the general education program and, pursuant to N.J.S.A.18A:46-18.1 et seq. and N.J.A.C.6A:16-1 et seq., may be provided for pupils who have been determined to be in need of special education programs and services. The intervention and referral services provided for pupils who have been determined to be in need of special education programs and services shall be coordinated with the pupil's Individualized Education Program team, as appropriate.

The functions of the system of intervention and referral services in each school building shall be to:

1. Identify learning, behavior, and health difficulties of pupils;
2. Collect thorough information on the identified learning, behavior, and health difficulties;
3. Develop and implement action plans which provide for appropriate school or community interventions or referrals to school and community resources, based on the collected data and desired outcomes for the identified learning, behavior, and health difficulties;
4. Provide support, guidance, and professional development to school staff who identify learning behavior, and health difficulties;
5. Provide support, guidance, and professional development to school staff who participate in each building's system for planning and providing intervention and referral services;
6. Actively involve parent(s) or legal guardian(s) in the development and implementation of intervention and referral services actions plans;
7. Coordinate the access to and delivery of school resources and services for achieving the outcomes identified in the intervention and referral services action plans;
8. Coordinate the services of community-based social and health provider agencies and there community resources for achieving the outcomes identified in the intervention and referral services.
9. Maintain records of all requests for assistance, intervention and referral services action plans, and related pupil information pursuant to

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N.J.A.C.6A:16-8.2(a)9;

10. Review and assess the effectiveness of the provisions of each intervention and referral services action plan in achieving the outcomes identified in each action plan and modify each action plan to achieve the outcomes, as appropriate; and

11. At a minimum, annually review the intervention and referral services action plans and the actions taken as a result of the building's system of intervention and referral services pursuant to N.J.A.C.6A:16-8.3.

The Board of Education established the following guidelines for the involvement of school staff and community members in each building's system of intervention and referral services pursuant to N.J.A.C.6A:16-8.3.

Each I & RS Team will be composed of the Principal or a regular teaching staff member appointed by the Principal to act in his/her place; a regular teaching staff member; an educational services staff member; the staff member who referred a pupil in need of assistance or identified an issue requiring remediation; and such other staff members as may be required to assist the pupil or study the issued.

The I & RS Team will identify pupils in need and plan for appropriate intervention or referral services and/or referral to community resources, based on desired outcomes.

When a pupil is referred to the I & RS Team, the team may provide support and guidance to the pupil's classroom teachers, plan and provide for appropriate interventions, coordinate access to and delivery of school services to the pupil, and coordinate the services of community members and/or community-based social and health provider agencies that may aid in the development and implementation of intervention and referral services action plans.

Parent(s) or legal guardian(s) shall be notified whenever a pupil is referred to the I & RS Team except as such notice may be waived by laws protecting abused children and the confidentiality of persons seeking drug or alcohol rehabilitation. Parent(s) or legal guardian(s) shall be offered an opportunity to participate in the development and implementation of intervention and referral services action plans.

The Principal shall, in consultation with the I & RS Team, report to the Board at the end of the school year on the concerns and issues identified by the team and the effectiveness of the services provided in achieving the outcomes identified in the intervention and referral services action plan.

Revised: January 23, 2013

2422 M

2422 HEALTH EDUCATION

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

The Board of Education will provide a comprehensive health education program aligned with the New Jersey Department of Education's Core Curriculum Content Standards. This program will be a coordinated sequential curriculum at all grade levels, with instructional units appropriate to the age, growth and development, and maturity of pupils.

The Superintendent will develop and recommend to the Board a program of health education designed for pupils to master the Cumulative Progress Indicators of the Department of Education's Comprehensive Health Education and Physical Education Core Curriculum Content Standards.

### Staffing

Except as provided below for human sexuality and family life education, courses in health education will be taught by teachers whose certification qualifies them to teach health education. Teachers of the human sexuality and family life, substance use and abuse, and HIV prevention programs will be offered specific in-service training.

### Excusal

Any pupil whose parent(s) or legal guardian(s) presents to the School Principal a signed statement that any part of the instruction in health, human sexuality and family life education or sex education program is in conflict with his/her conscience or sincerely held moral or religious beliefs shall be excused from the portion of the course in which such instruction is being given, and no penalties as to credit or graduation shall result.

### Community Involvement

The Superintendent will ensure the program is aligned with the New Jersey Department of Education's Core Curriculum Content Standards. The programs of instruction for human sexuality and family life education will be developed through appropriate consultation and in participation with teachers, school administrators, parent(s) or legal guardian(s), appropriate age school pupils, physicians, members of the clergy, and representative members of the community. Such consultation shall continue, as appropriate, as the program is continually evaluated and revised.

### Human Sexuality and Family Life Education

All pupils will learn the biological, cultural, and psychological aspects of human sexuality and family life. The Board will adopt a coordinated, sequential human sexuality and family life education program aligned with the New Jersey Department of Education's Core Curriculum Content Standards.

Any education that is given as part of any planned course, curriculum or other instructional program and that is intended to impart information or promote discussion or understanding in regard to human sexual behavior, sexual feelings and values, human sexuality and reproduction, pregnancy avoidance or termination, HIV infection or sexually transmitted diseases, and any materials including, but not limited, to handouts, speakers, notes or audiovisuals presented on school property concerning methods for the prevention of acquired immune deficiency syndrome (HIV/AIDS), other sexually transmitted diseases and of avoiding pregnancy, will stress that abstinence from sexual activity is the

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only completely reliable means of eliminating the sexual transmission of HIV/AIDS and other sexually transmitted diseases and of avoiding pregnancy.

The Board will include in its human sexuality and family life curriculum, instruction on reasons, skills and strategies for remaining or becoming abstinent from sexual activity. Any instruction concerning the use of contraceptives or prophylactics, such as condoms, will also include information on their failure rates for preventing pregnancy, HIV and other sexually transmitted diseases in actual use among adolescent populations and shall clearly explain the difference between risk reduction through the use of such devices and risk elimination through abstinence. In addition, the human sexuality and family life curriculum will stress the importance of avoiding intravenous drug use.

A copy of the complete district human sexuality and family life education curriculum and all instructional materials shall be available for public inspection in each school in the district prior to its use in any classroom. The parent(s) or legal guardian(s) of each pupil enrolled in the program shall receive annually an outline of the curriculum and a list of instructional materials for that pupil's grade along with notice of the availability for review of the complete curriculum and all materials.

The human sexuality and family life program may be taught by district personnel certified to teach biology, comprehensive science, elementary grades, health, health and physical education, home economics, nursery school, psychology, or special education classes, and the school nurse. The program may utilize the contributions of such community resource persons as parent(s) or legal guardian(s), physicians, the clergy, attorneys, school social workers, school psychologists, and law enforcement personnel. The Board encourages the utilization of teachers in other disciplines through an interdisciplinary approach.

### **Use and Abuse of Alcohol, Tobacco, and Other Drugs**

All students will learn the physical, mental, emotional, and social effects of the use and abuse of alcohol, tobacco, and other drugs. The Board will adopt a coordinated, sequential human sexuality and family life education program aligned with the New Jersey Department of Education's Core Curriculum Content Standards.

N.J.S.A. 18A:35-1 et seq.; 18A:35-4 et seq.;  
18A:40A-1 et seq.  
N.J.A.C. 6:4-1.5

Adopted: 18 November 2004

### **2423 2423 BILINGUAL AND ESL EDUCATION**

The Board of Education will provide programs of bilingual education, English as a second language (ESL), and English language services for pupils of Limited English Proficiency (LEP) as required by law and rules of the State Board of Education. Pupils of LEP are those pupils whose native language is other than English and who have sufficient difficulty speaking, reading,

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writing, or understanding the English language as measured by an English language proficiency test, so as to be denied the opportunity to learn successfully in the classrooms where the language of instruction is English.

### Identification of LEP Pupils

The Board will conduct of a screening process to determine the native language of each pupil at the time of enrollment in the school district. A census shall be maintained of all pupils whose native language is other than English. The English language proficiency of each pupil whose native language is not English shall be determined by a screening process that includes the administration of a New Jersey Department of Education approved English language proficiency test, an assessment of the pupil's level of reading in English, a review of the pupil's previous academic performance, results of standardized tests in English, and a review of the input of teaching staff members responsible for the educational program of the limited English proficient pupils.

### Program Implementation

The district shall provide the following programs:

1. An English language services program whenever there are one or more, but fewer than ten LEP pupils enrolled within the schools of the district. English language services shall be in addition to the regular school program;
2. An ESL program whenever there are ten or more LEP pupils enrolled within the schools of the district; and
3. A bilingual program whenever there are twenty or more LEP pupils in any one language classification. Where the age range, grade span, and/or geographical location of eligible pupils makes a full-time bilingual program impractical, the Board may offer an instructional program alternative, provided that program has been approved or a waiver for the alternative program has been requested and approval has been granted by the Department of Education. The Board may establish a program in bilingual education for any language classification with fewer than twenty pupils.

All teachers in these programs shall be appropriately certified in accordance with the requirements as outlined in N.J.A.C. 6A:15-1.9. Every pupil participating in a bilingual, ESL, or English language services program shall be entitled to continue such participation for a period of three years.

Bilingual, ESL, and English Language Services Program Enrollment, Assessment, Exit, and Re-entry

Pupils enrolled in a bilingual, ESL, or English languages services program shall be assessed annually with a New Jersey Department of Education approved English language proficiency test to determine their progress in achieving English language proficiency goals and readiness for exiting the program. LEP pupils enrolled in a bilingual, ESL, or English language services program shall be placed in a monolingual English Program when they have demonstrated readiness to function successfully in the English-only program. This process

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shall be initiated by the pupil's level of English proficiency as measured by a New Jersey Department of Education established standard on an English language proficiency test, and the readiness of the pupil shall be further assessed on the basis of multiple indicators which shall, at a minimum, include classroom performance, the pupil's reading level in English, the judgment of the teaching staff member or members responsible for the education program of the pupil, and performance on achievement tests in English.

In accordance with provisions of N.J.S.A. 18A:35-22.1, a parent(s) or legal guardian(s) may remove a pupil who is enrolled in a bilingual education program at any time; except that during the first three years of a pupil's participation in a bilingual education program, parent(s) or legal guardian(s) may only remove the pupil at the end of each school year. If during the first three years of a pupil's participation in a bilingual education program, a parent(s) or legal guardian(s) wishes to remove the pupil prior to the end of each school year, the removal must be approved by the Executive County Superintendent of Schools. The parent(s) or legal guardian(s) may appeal the Executive County Superintendent's decision to the Commissioner of Education.

Newly exited pupils who are not progressing in the mainstream English program may be considered for re-entry to bilingual and ESL programs in accordance with the provisions of N.J.A.C. 6A:15-1.10(e)1 through (e)5.

When the exit review process is completed, the pupil's parent(s) or legal guardian(s) shall be informed by mail of the placement determination. A parent(s) or legal guardian(s), or teaching staff member who disagrees with the proposed placement may appeal the decision in writing to the Principal, who will provide a written explanation for the decision within 45 working days. The complainant may appeal this decision in writing to the Board. The Board will review the appeal and respond in writing within forty-five calendar days. A complainant not satisfied with the Board's explanation may appeal to the Commissioner of Education.

### **Parental Involvement**

The parent(s) or legal guardian(s) of a pupil of limited English proficiency will be notified in accordance with the provisions of N.J.A.C. 6A:15-1.13 that their child has been identified as eligible for enrollment in a bilingual, or ESL or English language services program. Notice shall be in writing, in the language of which the child of the parents so notified possesses a primary speaking ability, and in English. The notice must also include the information that the parents have the option of declining enrollment if they so chose.

Parent(s) or legal guardian(s) shall receive progress reports in the same manner and frequency as those sent to parents or legal guardians of other pupils.

Parent(s) or legal guardian(s) of pupils of limited English proficiency will be offered opportunities for involvement in the development and review of program objectives. An advisory committee on bilingual education shall be formed with the majority being parent(s) or legal guardian(s) of pupils of limited English proficiency.

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## Graduation

Pupils of limited English proficiency will qualify for graduation from high school in accordance with N.J.A.C. 6A:8-5.1(a) and Policy No. 5460.

## Program Plan

The Superintendent shall prepare and submit a plan for a bilingual, ESL, or English language services program every three years to the Board and the New Jersey Department of Education for approval in accordance with the provisions of N.J.A.C. 6A:15-1.6.

N.J.S.A. 18A:35-15 through 18A:35-25  
N.J.A.C. 6A:15-1.1 et seq.

Adopted: March 24, 2010

## 2425 2425 PHYSICAL EDUCATION

The Board of Education recognizes the value of physical activity in the development and maintenance of sound physical and mental health. Accordingly, the Board directs the establishment, in accordance with law, and the New Jersey Core Curriculum Content Standards of a program of physical education and the enrollment therein of every pupil in attendance in the schools of this district, insofar as each is physically capable of participation. Each course will provide pupils with a regimen of physical exercise and activity, assist pupils in the development of physical skills and achievements, encourage pupils in a spirit of sharing and cooperation, and instill in pupils a life-long appreciation for physical activity. The successive courses of physical education will be so designed as to provide pupils with exposure to a variety of athletic and physical activities.

N.J.S.A. 18A:35-5

Adopted: 18 November 2004

2426 The Board of Education recognizes that out-of-school "field" experiences, when designed as extensions of classroom education, greatly enhance learning and are valuable components of a balanced educational experience. The Outdoor Education Program is designed to function as an integral part of the district's curriculum. The program shall include field trips intended to provide educational experiences in areas such as:

Geologic, Environmental and Ecologic Studies  
Archeology and Paleontology  
Natural Sciences  
Ethnic and Cultural Studies  
Arts, Crafts and Literature inspired by the natural world

Supplementary activities may include:

Hiking  
Boating  
Swimming

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Bicycling  
Skating  
Photography  
Astronomy  
Dance  
Theatre/Cinema  
Outdoor arts, crafts and writing

The Outdoor Education Program Coordinator shall present a complete and detailed annual program to the Superintendent and the Board for approval, on an annual basis.

Adopted: 18 November 2004

## 2428.1 2428.1 STANDARDS-BASED INSTRUCTIONAL PRIORITIES

The school district shall implement a coherent curriculum for all pupils, including English language learners (ELLs), gifted and talented pupils, and pupils with disabilities, that is content-rich and aligned to the Core Curriculum Content Standards (CCCS). The curriculum shall guide instruction to ensure every pupil masters the CCCS.

Instruction shall be designed to engage all pupils and modified based on pupil performance. The curriculum shall include: interdisciplinary connections throughout; integration of 21st century skills; a pacing guide; a list of instructional materials including various levels of text at each grade; benchmark assessments; and modifications for special education pupils, English language learners in accordance with N.J.A.C. 6A:15, and gifted pupils.

The school district shall collect and analyze pupil achievement data by subgroups (such as economically disadvantaged, race and ethnicity, pupils with disabilities, English language learners) and make educational decisions based on such data.

The school district shall:

1. Transmit required pupil, faculty, school, and school district data to New Jersey Standards Measurement and Resources for Teaching (NJ SMART), the New Jersey Department of Education's data warehouse, on a schedule and in a form specified by the Department of Education;
2. Use NJ SMART and its data query resources to track pupil progress year-to-year and school-to-school and to identify continuously enrolled pupils by school and school district;
3. Ensure teachers, school administrators, and central office supervisors receive training in NJ SMART and its data query resources;
4. Analyze assessments of pupil progress in relation to curricular benchmarks and the results of State and non-State year-end tests reported by subgroups (such as economically disadvantaged, race and ethnicity, pupils with disabilities, and English language learners).

The school district central office staff shall prepare data on comparative performance for all schools in the district and make them available to the

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schools. This analysis shall include the following comparisons using State assessment data:

1. Each grade level across all schools within the district;
2. Schools within the district;
3. Comparable districts by district factor groups; and
4. Data with State averages.

The school district shall ensure a free appropriate public education is available to all pupils with disabilities according to the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 et seq., and N.J.A.C. 6A:14.

The school district shall provide English language learners with instructional services pursuant to N.J.A.C. 6A:15 and provide gifted and talented pupils with appropriate instructional services pursuant to N.J.A.C. 6A:8-3.1.

The school district shall provide library-media services that are connected to classroom studies in each school building, including access to computers, district-approved instructional software, appropriate books including novels, anthologies and other reference materials, and supplemental materials that motivate pupils to read in and out of school and to conduct research. The school district will provide these library-media services under the direction of a certified school library media specialist.

[Required for all school districts that include pupils in at least two of the grades from six through twelve

### Secondary Education Initiatives

The school district shall develop a plan in 2008-2009 for implementing the secondary education initiatives specified in N.J.A.C. 6A:13-2.2(c) through (e) by the 2009-2010 school year, except that secondary school districts previously subject to N.J.A.C. 6A:10 and 6A:10A shall immediately comply with the secondary education initiatives specified in N.J.A.C. 6A:13-2.2(c) through (e).

The school districts shall:

1. Have a school-level planning team to guide the development and implementation of the secondary education reforms described in N.J.A.C. 6A:13-2.2. A representative group of teachers and administrators shall determine team membership and operating procedures.
2. Provide instructional services, professional development, and other support to assist secondary schools with the implementation of the secondary education initiatives specified in N.J.A.C. 6A:13-2.2.
3. Create personalized learning environments that strengthen relationships among pupils, teachers, staff members, families and the larger community for pupils in grades six through twelve. These personalized learning environments may include:

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- a. Small learning communities in free-standing facilities or within larger facilities;
- b. Ninth grade academies where freshman pupils remain together and are provided with a supportive environment to enhance their successful transition to high school;
- c. Pupil support systems where pupils are assigned an adult mentor or team of adults who know(s) them and can support pupil efforts in achieving goals and solving problems;
- d. Academies with a career focus;
- e. Multi-grade academies where pupils at various grade levels may remain with a core group of teachers for multiple years in an academy-type format which may be organized around a particular theme and involve interdisciplinary teaming; or
- f. Other practices for personalizing learning environments that strengthen relationships among pupils, teachers, staff members, families, and the larger community.

The school district shall implement academic coursework aligned to N.J.A.C. 6A:8-5.1 that prepares all pupils for success in postsecondary education and/or careers after graduation, including the development of academic skills integral to success in rigorous high school courses.

Beginning in 2008-2009, all pupils entering grade nine shall complete by the end of their high school education, at a minimum, coursework in language arts literacy, mathematics, and science. These shall include college level preparatory English I, II, III and IV, Algebra I, Lab Biology or the equivalent content taught in an integrated or career-based format, and other coursework as specified in N.J.A.C. 6A:8.

All required courses shall:

- 1. Be developed, reviewed, evaluated, and revised by a broad cross-section of teachers, content supervisors, and Principals;
- 2. Satisfy the Core Curriculum Content Standards and indicators in each content area according to the graduation requirements in N.J.A.C. 6A:8-5.1; and
- 3. Be aligned to the district curriculum which identifies the purpose of instruction, including the essential content to be mastered in each course with interim benchmarks and assessments and final assessments.

Secondary school districts that administer the high school State assessment and in which ten percent or more of their pupils satisfy high school graduation requirements through the Special Review Assessment (SRA) shall submit to the Department of Education by November 15 of the subsequent school year an analysis of all pupils who graduated by means of the SRA in the previous school year. The analysis shall include:

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1. The names of high school courses and grades achieved for SRA pupils in language arts literacy, mathematics, and science;
2. The attendance records for SRA pupils for each year of high school;
3. Review of the High School Proficiency Assessment (HSPA) and corresponding Grade Eight Proficiency Assessment (GEPA)/New Jersey Assessment of Skills and Knowledge 8 (NJ ASK8) scores attained by pupils;
4. Review of whether SRA pupils were taught by appropriately certified staff in English, mathematics, and science in grades nine through twelve; and
5. Development of a plan for increasing the proportion of pupils graduating by means of the State high school assessment based on data.

Where applicable, secondary school districts shall collaborate with sending and receiving districts to implement the secondary education initiatives outlined in N.J.A.C. 6A:13-2.2.

The Commissioner shall appoint and consult with an advisory committee composed of educators with experience and knowledge in secondary education to guide the implementation of secondary education reform.]

N.J.A.C. 6A:13-2.1; 6A:13-2.2

Adopted: June 24, 2009

2430 M

### 2430 CO-CURRICULAR ACTIVITIES

The Board of Education shall encourage and sponsor a program of extracurricular activities. The activity offerings shall be of sufficient variety and number to meet the wide range of interests and needs of Maywood students not already met by community programs.

The assistance of parents/guardians in planning the schools' programs shall be encouraged. Secret societies of any kind shall be prohibited pursuant to New Jersey statute.

The guidance goals for each student shall be a balanced program of appropriate academic studies and activities to be determined by the school, the parents/guardians and the student. Guidance is necessary to encourage the non-participants who need activities, and to prevent the over-enthusiastic from emphasizing activities at the cost of their academic performance.

Activities which are for public view should be kept to the minimum necessary for their educational value. Public performances of the activities shall be supervised in order to prevent excessive time and effort being expended by students. Such performances should not be held for purposes which contribute to private gain or advantage.

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Students shall have equal access to all extra-curricular activities regardless of race, color, creed, religion, sex, national origin, ancestry, social or economic status, or non-prohibitive or unrelated handicap.

Students who have a cumulative grade point of "C" or higher for all courses taken the previous marking period and who maintain a satisfactory average conduct/attitude grade are eligible to participate in extra-curricular activities. Students not meeting these academic and behavior standards are not eligible for participation in extra-curricular activities. Further, extra-curricular activities administrative regulations relative to this policy will be devised by the Superintendent as part of his/her total direction of programs approved by the Board.

Adopted: 18 November 2004

2431 M

### 2431 ATHLETIC COMPETITION

#### Interscholastic Competition

District participation in interscholastic competition of any kind shall be subject to prior approval by the Board. This shall include approval of membership in any leagues, associations and conferences, and of any new agreements with other schools for a series of games or events. Only the Board shall appoint advisors, coaches, or physicians for interscholastically competitive groups.

Each student participating in interscholastic athletic competition must pass a physical examination before being accepted for the program. Written permission from a parent/guardian is required before a student may enroll in a competitive sports program.

#### Intramural Competition

The school district intramural athletic program shall be permissible for children of the district.

The Board holds as paramount the welfare of the students participating in competitive athletics. All such activities must be supervised by a coach holding proper certification. Parental consent slips will be required.

#### Eligibility Standards

Participation in interscholastic sports should not interfere with academic progress. All students who become involved in such programs must meet the following requirements:

1. Only students having a grade point average of 70% or better for all courses taken the previous marking period are eligible. A comment grade of one (1) is required for conduct (as indicated on the report card.) Students who do not meet these requirements will be placed on probation.
2. During the marking period, all team members' grades and attitude will

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be continually monitored and reviewed. Students falling below the 70% level or having an eighteen (18) in behavior will be automatically placed on probation where they may practice, but will be excluded from playing in a game. A student remains on probation until the grade or conduct improves to the required levels.

3. Any student who is on probation for a period exceeding three weeks will be dropped from the team for the remainder of the season.

4. Any student who is placed on probation a second time for a particular subject area will be dropped from the team for the remainder of the season.

5. Students who are absent from school or arrive later (after the end of 4th period) for reasons or activities not previously approved by the school Principal, may not practice or participate in any interscholastic activity that day.

6. Students who are suspended from school are automatically suspended from the sport during the period of suspension. Further disciplinary action, if warranted, will be decided by the principal.

7. The parent(s) will be informed in writing or via phone of any probationary status or suspension and are welcome to discuss the situation with the principal by either telephone or appointment. The principal will make the final decision on all recommendations forwarded to his/her attention by the Eligibility Committee, teachers and coaches.

### **Health Requirements**

Good physical condition, freedom from injury, and full recovery from illness are prerequisites to participation in athletic competition and practice for such competition. HIV status shall not be screened as a part of athletic physicals or reported in school health records.

An examination of each candidate for a school athletic squad or team shall be conducted within 365 days prior to the first practice session with examinations being conducted at the medical home of the pupil. The "medical home" is defined as a health care provider and that provider's practice site chosen by the pupil's parent(s) or legal guardian(s) for the provision of health care. Since the school physician is a "health care provider", the parent(s) or legal guardian(s) may choose either the school physician or their own private physician to provide the medical examination.

The medical examination shall be conducted in accordance with N.J.S.A 6A:16-2.2(h)1 and 2 and Regulation 2431.2. The medical report shall include a determination concerning the pupil's participation on an athletic team or squad from the examining physician, nurse practitioner/clinical nurse specialist, or physician's assistant. The medical report shall be provided to the school physician if the school physician did not provide the medical examination.

If the pupil's medical examination was completed more than sixty days prior to the first practice session, the pupil must provide a health history update of medical problems experienced since the last medical examination in accordance with N.J.A.C. 6A:16-2.2(h)4. This health history must be completed and signed

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by the parent(s) or legal guardian(s).

The school district will provide written notification to the parent(s) or legal guardian(s), signed by the school physician, stating approval of the pupil's participation in the athletics, based solely on the medical report, or the written reasons for the school physician's disapproval of the pupil's participation. The school physician's signature on the notification indicates the medical report complies with the requirements of N.J.A.C. 6A:16-2.2(h)5.

The health findings of this medical examination shall be maintained as part of the pupil's health record.

The medical examination conducted to determine the fitness of a candidate for athletic competition and the health history update must include, as a minimum, the respective medical history information and physical assessments set forth in rules of the State Board of Education and incorporated in their entirety in regulations implementing this policy.

Adopted: 18 November 2004

### 2431.4      2431.4    PREVENTION AND TREATMENT OF SPORTS-RELATED CONCUSSIONS AND HEAD INJURIES

A concussion is a traumatic brain injury caused by a direct or indirect blow to the head or body. In order to ensure the safety of pupils that participate in interscholastic athletics, it is imperative that student-athletes, coaches, and parents are educated about the nature and treatment of sports-related concussions and other head injuries. Allowing a student-athlete to return to play before recovering from a concussion increases the chance of a more serious brain injury.

Every school district that participates in interscholastic athletics is required to adopt a policy concerning the prevention and treatment of sports-related concussions and other head injuries among student-athletes in accordance with the provisions of N.J.S.A. 18A:40-41.1 et seq. For the purpose of this Policy, "interscholastic athletics" shall be Kindergarten through twelfth grade school-sponsored athletic programs where teams or individuals compete against teams or individuals from other schools or school districts.

The school district will adopt an Interscholastic Athletic Head Injury Training Program to be completed by the team or school physician, licensed athletic trainer(s) involved in the interscholastic athletic program, all staff members that coach an interscholastic sport, designated school nurses, and other appropriate school district personnel as designated by the Superintendent. This Training Program shall be in accordance with guidance provided by the New Jersey Department of Education and the requirements of N.J.S.A. 18A:40-41.2.

The Principal or designee shall distribute the New Jersey Department of Education Concussion and Head Injury Fact Sheet and Parent/Guardian Acknowledgement Form to every student-athlete who participates in interscholastic sports. The Principal or designee shall obtain a signed

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acknowledgement of the receipt of the Fact Sheet by the student-athlete's parent and keep on file for future reference.

Prevention of a sports-related concussion and head injuries is an important component of the school district's program. The school district may require pre-season baseline testing of all student-athletes before the student-athlete begins participation in an interscholastic athletic program.

Any student-athlete who exhibits the signs or symptoms of a sports-related concussion or other head injury during practice or competition shall be immediately removed from play and may not return to play that day. Emergency medical assistance shall be contacted when symptoms get worse, loss of consciousness, direct neck pain associated with the injury, or any other sign the supervising school staff member determines emergency medical attention is needed. If available when the student-athlete is exhibiting signs or symptoms, the student-athlete will be evaluated by the school or team physician. The Principal or designee shall contact the student-athlete's parent and inform the parent of the suspected sports-related concussion or other head injury.

Possible signs of a concussion can be observed by any school staff member or the school or team physician. Any possible symptoms of a concussion can be reported by the student-athlete to: coaches; licensed athletic trainer; school or team physician; school nurse; and/or parent. The Principal or designee shall provide the student-athlete with Board of Education approved suggestions for management/medical checklist to provide to their parent and physician or other licensed healthcare professional trained in the evaluation and management of sports-related concussions and other head injuries.

A student-athlete who participates in interscholastic athletics and who sustains or is suspected of sustaining a concussion or other head injury shall be required to have a medical examination conducted by their physician or licensed health care provider. The student-athlete's physician or licensed health care provider shall be trained in the evaluation and management of concussion to determine the presence or absence of a sports-related concussion or head injury.

The student-athlete's physician or licensed health care provider must provide to the school district a written medical release/clearance for the student-athlete indicating when the student-athlete is able to return to the activity. The medical release/clearance must indicate the student-athlete is asymptomatic at rest and either may return to the interscholastic athletic activity because the injury was not a concussion or other head injury or may begin the district's graduated return to competition and practice protocol outlined in Regulation 2431.4. A medical release/clearance not in compliance with this Policy will not be accepted.

The school district shall provide a copy of this Policy and Regulation 2431.4 to all youth sports team organizations that operate on school grounds. In accordance with the provisions of N.J.S.A. 18A:40-41.5, the school district shall not be liable for the injury or death of a person due to the action or inaction of persons employed by, or under contract with, a youth sports team organization that operates on school grounds, if the youth sports team organization provides the school district proof of an insurance policy in the amount of not less than \$50,000 per person, per occurrence insuring the youth

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

sports team organization against liability for any bodily injury suffered by a person and a statement of compliance with the school district's Policy and Regulation 2431.4 – Prevention and Treatment of Sports-Related Concussions and Head Injuries.

For the purposes of this Policy a "youth sports team organization" means one or more sports teams organized pursuant to a nonprofit or similar charter or which are member teams in a league organized by or affiliated with a county or municipal recreation department.

This Policy and Regulation shall be reviewed and approved by the school physician and shall be reviewed annually, and updated as necessary, to ensure it reflects the most current information available on the prevention, risk, and treatment of sports-related concussion and other head injuries.

N.J.S.A. 18A:40-41.1; 18A:40-41.2; 18A:40-41.3; 18A:40-41.4; 18A:40-41.5

Adopted: November 16, 2011

### 2432 2432 SCHOOL SPONSORED PUBLICATIONS

The Board of Education permits and encourages the preparation and distribution or Internet website posting of school sponsored publications by pupils under staff direction in order that pupils learn the rights and responsibilities of the press in a free society.

No school sponsored publication may contain materials that:

1. Are grossly prejudicial to an ethnic, national, religious, or racial group or to either gender;
2. Libel any person or persons;
3. Infringe rights of privacy protected by law or regulation;
4. Seek to promote a religion or religious point-of-view, or establish the supremacy of a particular religion or religious point-of-view over any other;
5. Advocate the use or advertise the availability of any substance or material that constitutes a direct and substantial danger to the health of pupils;
6. Contain obscenity or material otherwise deemed to be harmful to impressionable pupils;
7. Incite violence, advocate the use of force, or urge the violation of law or school regulations;
8. Advertise goods or services for the benefit of profit-making organizations;

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9. Solicit funds for non-school organizations when such solicitations have not been approved by the Board;

10. Promote, favor or oppose any candidate for election to the Board or the adoption of any bond issue, proposal, or question submitted at any school election; or

11. Except as may be required for literary purposes, do not conform to acceptable standards of grammar, clear expression, and responsible research.

Issues on which opposing points of view have been responsibly promoted may be introduced in a school-sponsored publication provided that all proponents are given an equal opportunity to present their views.

In order to ascertain that school sponsored publications do not violate the standards established by this policy, the Board requires that each publication be submitted to the Principal for review in advance of its distribution and/or posting. A publication that contains material in violation of this policy may not be distributed.

Where the Principal cannot show, within two school days, that the publication violates the prohibitions of this policy, the publication must be released for distribution and/or posting. The Principal's determination, if any, that the publication violates this policy must be supported by references to specific material in the publication. Materials may not be censored that are not in violation of the principles or prohibitions of this Policy, e.g., materials that are embarrassing or personally offensive to the review, administration, staff or Board. Pupils must be offered the opportunity to modify or delete any material that violates this policy.

The Principal's determination may be appealed to the Superintendent and the Board.

The Board requires that the distribution of school publications take place only at the places and during the times established by regulation in order that the instructional program is not disrupted.

N.J.S.A. 2C:34-3;

N.J.S.A. 18A:42-4

Adopted: 18 November 2004

2460 2460 SPECIAL EDUCATION

The Maywood School Board of Education assures compliance with Part B of the Individuals with Disabilities Education Act (IDEA) and the New Jersey Administrative Code 6A:14-1 et seq. Furthermore, the Board will have programs and procedures in effect to ensure the following:

1. All pupils with disabilities, who are in need of special education and related services, including pupils with disabilities attending nonpublic schools, regardless of the severity of their disabilities, are located, identified, and evaluated according to N.J.A.C. 6A:14-3.3;

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2. Homeless pupils are located, identified, and evaluated according to N.J.A.C. 6A:14-3.3, and are provided special education and related services in accordance with the IDEA, including the appointment of a surrogate parent for unaccompanied homeless youths as defined in 42 U.S.C. §§11431 et seq.;
3. Pupils with disabilities are evaluated according to N.J.A.C. 6A:14-2.5 and 3.4;
4. An Individualized Education Program (IEP) is developed, reviewed and, as appropriate, revised according to N.J.A.C. 6A:14-3.6 and 3.7;
5. To the maximum extent appropriate, pupils with disabilities are educated in the least restrictive environment according to N.J.A.C. 6A:14-4.2;
6. Pupils with disabilities are included in State-wide and district-wide assessment programs with appropriate accommodations, where necessary according to N.J.A.C. 6A:14-4.10. All pupils with disabilities will participate in State-wide assessments or the applicable Alternative Proficiency Assessment in grades three, four, five, six, seven, eight, and eleven in accordance with their assigned grade level.
7. Pupils with disabilities are afforded procedural safeguards required by N.J.A.C. 6A:14-2.1 et seq., including appointment of a surrogate parent, when appropriate.
8. A free appropriate public education is available to all pupils with disabilities between the ages of three and twenty-one, including pupils with disabilities who have been suspended or expelled from school.
  - a. The obligation to make a free, appropriate public education available to each eligible pupil begins no later than the pupil's third birthday and that an individualized education program (IEP) is in effect for the pupil by that date;
  - b. If a child's third birthday occurs during the summer, the child's IEP Team shall determine the date when services under the IEP will begin;
  - c. A free appropriate public education is available to any pupil with a disability who is eligible for special education and related services, even though the pupil is advancing from grade to grade;
  - d. The services and placement needed by each pupil with a disability to receive a free, appropriate public education are based on the pupil's unique needs and not on the pupil's disability; and
  - e. The services and placement needed by each pupil with a disability to receive a free, appropriate public education are provided in appropriate educational settings as close to the pupil's home as possible and, when the IEP does not describe specific restrictions, the pupil is educated in the school he or she would attend if not a pupil with a disability.
9. Children with disabilities participating in early intervention programs assisted under IDEA Part C who will participate in preschool programs under N.J.A.C. 6A:14 will experience a smooth transition and have an IEP developed

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

and implemented according to N.J.A.C. 6A:14-3.3(e) and N.J.A.C. 6A:14-3.7.

10. Full educational opportunity to all pupils with disabilities is provided;

11. The compilation, maintenance, access to, and confidentiality of pupil records are in accordance with N.J.A.C. 6A:32-7;

12. Provision is made for the participation of pupils with disabilities who are placed by their parent(s) in nonpublic schools according to N.J.A.C. 6A:14-6.1 and 6.2;

13. Pupils with disabilities who are placed in private schools by the district Board are provided special education and related services at no cost to their parent(s) according to N.J.A.C. 6A:14-1.1(d) and N.J.A.C. 6A:14-7.5(b)3;

14. All personnel serving pupils with disabilities are highly qualified and appropriately certified and licensed, where a license is required, in accordance with State and Federal law;

15. The in-service training needs for professional and paraprofessional staff who provide special education, general education or related services are identified, and that appropriate in-service training is provided. The district Board shall maintain information to demonstrate its efforts to:

a. Prepare general and special education personnel with content knowledge and collaborative skills needed to meet the needs of children with disabilities;

b. Enhance the ability of teachers and others to use strategies, such as behavioral interventions, to address the conduct of pupils with disabilities that impedes the learning of pupils with disabilities and others;

c. Acquire and disseminate to teachers, administrators, school Board members, and related services personnel, significant knowledge derived from educational research and other sources and how the district will, if appropriate, adopt promising practices, materials and technology;

d. Ensure that the in-service training is integrated to the maximum extent possible with other professional development activities; and

e. Provide for joint training activities of parent(s) and special education, related services and general education personnel.

16. Instructional material will be provided to blind or print-disabled pupils in a timely manner.

17. For pupils with disabilities who are potentially eligible to receive services from the Division of Developmental Disabilities in the Department of Human Services the district will provide, pursuant to the Uniform Application Act, N.J.S.A. 30:4-25.10 et seq., the necessary materials to the parent(s) to apply for such services.

18. The school district will not accept the use of electronic mail from the parent(s) to submit requests to a school official regarding referral, identification, evaluation, classification, and the provision of a free, appropriate public education.

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19. The school district will provide teacher aides and the appropriate general or special education teaching staff time for consultation on a regular basis as specified in each pupil's IEP.

The school district shall provide an Assurance Statement to the County Office of Education that the Board of Education has adopted the required special education policies and procedures/regulations and the district is complying with the mandated policies and procedures/regulations.

N.J.A.C. 6A:14-1 et seq.

20 USC §1400 et seq.

34 C.F.R. §300 et seq.

Adopted: 4/15/09

2464 M

### 2464 GIFTED AND TALENTED PUPILS

The Board of Education recognizes its responsibility to identify gifted and talented pupils within the school district and to provide these pupils appropriate instructional adaptations and services. To that end, the Board directs each such pupil in the school district be identified and offered an appropriate educational program and services.

For purposes of this policy, gifted and talented pupils will be defined as those exceptionally able pupils who possess or demonstrate high levels of abilities, in one or more content areas, when compared to their chronological peers in the district and who require modification of their educational program if they are to realize their full potential and achieve in accordance with their capabilities. The abilities of each pupil may be manifested as: general intellectual ability, specific academic aptitude, creative or productive thinking, leadership ability or artistic talent.

The Superintendent will coordinate the development of and the Board will approve appropriate curricular and instructional modifications to be used for gifted and talented pupils indicating content, process, products and learning environments.

The Superintendent will develop procedures, using multiple measures, for an ongoing identification process in order to establish appropriate educational challenges for gifted and talented pupils initiated in Kindergarten through grade eight. The identification methodology will be developmentally appropriate, non-discriminatory and related to the programs and services offered by the district. These procedures will be reviewed annually.

The educational programs offered to pupils will encourage and challenge them in the specific areas of their abilities, but will not replace the basic instructional program of the various grades of this district. The program offered to a gifted and talented pupil may be infused into the pupil's regular instructional program, provided that a written description of the infusion has been prepared and filed in the pupil's record.

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Programs for the gifted and talented will be periodically evaluated for their continuing efficacy and adjusted accordingly.

The parent(s) or legal guardian(s) of any pupil identified as gifted or talented shall be consulted regarding any program designed to address the pupil's particular needs.

N.J.S.A. 18A:61A-2; 18A:35-4.16

N.J.A.C. 6:37-1.1; 6A:8-1.3; 6A:8-3.1(a)5.

P.L. 108-382, Sec. 10201 et seq.

Adopted: 18 November 2004

### 2467 2467 SURROGATE PARENTS AND FOSTER PARENTS

Federal and State laws require the Board ensure the rights of a pupil are protected through the provision of an individual to act as surrogate for the parent(s) and assume all parental rights under N.J.A.C. 6A:14-2.2 when:

1. The parent (as defined according to N.J.A.C. 6A:14-1.3) cannot be identified or located after reasonable efforts;
2. An agency of the State of New Jersey has guardianship of the pupil and that agency has not taken steps to appoint a surrogate parent for the pupil;
3. The pupil is a ward of the State and no State agency has taken steps to appoint a surrogate parent for the pupil;
4. No parent can be identified for the pupil in accordance with N.J.A.C. 6A:14-1.3 except a foster parent, the foster parent does not agree to serve as the pupil's parent, and no State agency has taken steps to appoint a surrogate parent for the pupil; and
5. The pupil is an unaccompanied homeless youth and no State agency has taken steps to appoint a surrogate parent for the pupil.

### Qualifications and Selection

The district will make reasonable efforts to appoint a surrogate parent within thirty days of its determination that a surrogate parent is required for a pupil. If the district fails to appoint a surrogate parent for a ward of the State, a judge may appoint a surrogate parent if the judge determines a surrogate parent is necessary for such a pupil.

The person serving as a surrogate parent:

1. Shall have no interest that conflicts with those of the pupil he/she represents;
2. Shall possess the knowledge and skills that ensure adequate representation of the pupil;

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3. Shall not be replaced without cause;
4. Shall be at least eighteen years of age;
5. Shall have a criminal history review in accordance with N.J.S.A. 18A:6-7.1 completed prior to his or her serving as the surrogate parent, if the school district compensates the surrogate parent for such services; and
6. Shall not be an employee of the New Jersey Department of Education, this district, or a public or nonpublic agency that is involved in the education or care of the child.

[Optional – A surrogate parent may be paid solely to act in this capacity.]

The Director of Special Services, or his/her designee, will determine whether there is a need for a surrogate parent for a pupil, contact any State agency that is involved with the pupil to determine whether the State has a surrogate parent appointed for the pupil, and will make reasonable efforts to appoint a surrogate parent for the pupil within thirty days of determining that there is a need for a surrogate parent for the pupil.

When a pupil (who is or may be a pupil with a disability) is in the care of a foster parent residing in this district, and the foster parent is not the parent of the pupil as defined in N.J.A.C. 6A:14-1.3, the Director of Special Services, or his/her designee, shall contact the pupil's case manager at the Division of Youth and Family Services (DYFS) in the Department of Human Services to determine whether the parent(s) retains the right to make educational decisions and to determine the whereabouts of the parent(s).

If the parent(s) retains the right to make educational decisions and the parent's whereabouts are known to the school district, the Child Study Team shall obtain all required consent from and provide written notices to the parent(s).

If the district cannot ascertain the whereabouts of the parent(s), the Director of Special Services, or his/her designee, shall consult with the pupil's case manager at DYFS to assist in identifying an individual, including the foster parent, who may serve as a surrogate. If there is no foster parent, or if the foster parent is unwilling to serve as the pupil's parent pursuant to N.J.A.C. 6A:14-1.3, the Director of Special Services, or his/her designee, shall consult with the pupil's case manager at DYFS to assist in identifying an individual to serve as a surrogate parent and the Director of Special Services, or his/her designee, shall appoint a surrogate parent and obtain all required consent from and provide written notices to the surrogate parent.

### Training

N.J.A.C 6A:14-2.2(b) (d) requires the district train surrogate parents so they have the knowledge and skills that ensure adequate representation of the pupil. The Director of Special Services, or his/her designee, shall

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coordinate the training for surrogate parents. The training will include, but not be limited to:

1. Providing the surrogate parent a copy of:
  - a. Parental Rights in Special Education booklet;
  - b. N.J.A.C. 6A:14;
  - c. The Special Education Process;
  - d. Code Training Materials from the Department of Education website; and
  - e. Other relevant materials.

2. Providing the surrogate parent an opportunity to meet with the Director of Special Services, or his/her designee, to discuss the rights of the surrogate parent and the applicable statutes, administrative codes, and Federal laws. The Director of Special Services, or his/her designee, shall provide the surrogate parent the opportunity to review and to become familiar with the State and Federal requirements for assessment, individualized educational program development, and parental rights with respect to the referral and placement process, including their rights with respect to seeking a due process hearing if they disagree with the local procedure or decisions;

3. Providing the surrogate parent adequate time to become familiar with the pupil and the nature of the pupil's disability through a review of the pupil's record;

4. Providing the surrogate parent an opportunity to confer with the pupil's case manager to discuss the pupil; and

5. Other information and resources to provide the surrogate parent the knowledge and skills to ensure adequate representation of the pupil.

### Rights of the Surrogate Parent

A surrogate parent appointed in accordance with N.J.A.C. 6A:14-2.2 shall assume all parental rights under N.J.A.C. 6A:14.

N.J.A.C. 6A:14-2.2

Adopted: 4/15/09

2481 2481. HOME OR OUT-OF-SCHOOL INSTRUCTION FOR GENERAL EDUCATION PUPILS (M)

The district will provide instructional services to enrolled general education pupils at the pupil's home or other suitable out-of-school setting under the following conditions:

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A. The pupil is mandated by State law and rule for placement in an alternative education program for violations of N.J.A.C. 6A:16-5.5 (firearm offenses) and 6A:16-5.6 (assault with weapons offenses), but placement is not immediately available;

B. The pupil is placed on short-term or long-term suspension from participation in the general education program pursuant to N.J.A.C. 6A:16-7.2 and 7.3; or

C. A court order requires the pupil receive instructional services in the home or other out-of-school setting.

The district in which the pupil resides is responsible for the costs of providing instruction in the home or out-of-school setting either directly or through contract with another Board of Education, Educational Services Commission, Jointure Commission or approved clinic or agency. The district shall provide services no later than five school days after the pupil has left the general education program.

The services to be provided shall meet the minimum standards as required in N.J.A.C. 6A:16-10.2(d). The district will develop an Individualized Program Plan (IPP) for the delivery of instructional services and pupil progress in accordance with requirements of N.J.A.C. 6A:16-10.2(d)1. The IPP shall be based upon consultation with the pupil's parent(s) or legal guardian(s) and a multi-disciplinary team of professionals with appropriate instructional and educational services credentials to assess the educational, behavioral, emotional, social, and health needs of the pupil and recommend a program to address both educational and behavioral goals. The IPP shall incorporate any prior findings and actions recommended through the school building's system of Intervention and Referral Services pursuant to N.J.A.C. 6A:16-8 and recommend placement in an appropriate educational program. The school district shall review the pupil's progress, consult with the pupil's parent(s) or legal guardian(s), and revise the IPP no less than every sixty calendar days.

The teacher(s) providing the instruction will be appropriately certified for the subject and grade level of the pupil. One-on-one instruction will be provided for no fewer than ten hours per week on three separate days of the week and no fewer than ten hours per week of additional guided learning experiences that may include the use of technology to provide audio and visual connections to the pupil's classroom. If home instruction is provided to pupils in a small group rather than through one-on-one instruction, direct instruction, that may include guided learning experiences, shall be provided for no fewer than twenty hours per week provided on no fewer than three separate days during the week and the pupil to teacher ratio shall not exceed 10:1.

Pupils will receive instruction that meets the Core Curriculum Content Standards in accordance with N.J.A.C. 6A:8 and that meets the school district's requirements for promotion and graduation.

If instruction is delivered in the pupil's home, a parent or other adult 21 years of age or older who has been designated by the parent shall be present during all periods of home instruction. Refusal or failure by a parent(s) or legal guardian(s) to participate in the development and revision of the pupil's IPP or to be present in the home as required may be deemed a violation

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of compulsory education laws, pursuant to N.J.S.A. 18A:38-25 through 31, and child neglect laws, pursuant to N.J.S.A. 9:6-1 et seq.

The Director of Special Services shall maintain a summary record, pursuant to N.J.A.C. 6A:16-10.2(g)1, concerning pupils receiving home or out-of-school instruction because they could not be placed in the setting recommended as most appropriate in the pupils' IPPs. The Superintendent shall provide the summary report annually to the County Superintendent pursuant to N.J.A.C. 6A:16-10.2(g).

N.J.S.A. 18A:38-1 through 18A:38-25  
N.J.A.C. 6A:16-10.2

Revised: January 23, 2013

### 2510 2510 ADOPTION OF TEXTBOOKS

The Board of Education shall approve all textbooks used in the educational program of this district, "Textbook" means the principal source of instructional material for any given course of study, in whatever form the material may be presented, which is available or distributed to every pupil enrolled in the course of study.

The Superintendent shall be responsible for the selection and recommendation of textbooks for Board consideration and approval, but the Board may approve textbooks not recommended by the Superintendent.

In considering the approval of any proposed textbook, the Board will weigh its value as a learning tool; its suitability for the maturity level and educational accomplishment of the pupils who will be using book; its freedom from bias; its relationship to a course of study adopted by the Board; its relationship to a continuous multi grade program; its impact on community standards of taste; the manner by which was selected; and its cost, appearance, and durability.

The Superintendent shall develop regulations for the selection of textbook that include effective consultation with professional staff members at all appropriate levels.

This process shall include the review and recommendation for selection of textbooks by the district curriculum committee, particularly those teachers who will be using these textbooks as an integral part of the instructional program.

The staff shall continually research new sources of textbooks and explore the innovative use of all possible books.

Textbooks currently in use shall be periodically evaluated for their continuing usefulness and relevance and shall be replaced or updated with new editions as often as necessary to meet the needs of pupils and the curriculum.

Textbooks with copyright dates more than five years old shall be reviewed annually for their continuing suitability.

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A list of all approved textbooks shall be maintained and revised annually by the Superintendent and made available for the use of the professional staff and for the information of members of the Board and the public.

N.J.S.A. 18A:34-1; 18A:34-2

Adopted: 18 November 2004

2520 M

### 2520 INSTRUCTIONAL SUPPLIES

The Board of Education shall supply each teaching staff member with the supplies, materials, and equipment necessary for the implementation of the approved program and each pupil with the supplies and materials required for the successful completion of courses of study.

The Board expressly exempts from this policy such clothing or personal equipment as may be required by the Board for reasons related to the safety and health of pupils or the protection of school property and are individualized or non-reusable, and any materials used in the manufacture or preparation of useful or decorative items that pupils are permitted to retain, except that no pupil will be denied participation in any course of study or school sponsored activity because of his/her financial inability to bear the cost of such clothing, equipment, or materials.

The Superintendent shall develop regulations for the selection and utilization of instructional supplies that include effective consultation with teaching staff members at all appropriate levels.

N.J.S.A. 18A:34-1

Adopted: 18 November 2004

### 2530 2530 RESOURCE MATERIALS

The Maywood Board of Education shall provide a diversity of instructional resources including textbooks, other printed and electronic materials, computer software and Internet access, audiovisual aids and devices, and laboratory materials and equipment necessary to implement the district and school educational goals and objectives and meet pupil needs. Instructional resources shall be used in a way that will:

1. Provide an effective basic education for all students;
  2. Enrich and support the curriculum, taking into consideration the varied interests, abilities, and maturity levels of the students served;
1. Stimulate growth in factual knowledge, literary appreciation, aesthetic values and ethical standards;
  2. Present opposing sides of controversial issues so that young citizens may,

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under guidance, develop the skill of critical reading and thinking;

3. Portray the many religious, ethnic and cultural groups and their contributions to our American heritage;

4. Provide sufficient variety, quantity and quality to implement the instructional program effectively.

Materials and equipment shall be located as close to the student and teacher as is economically feasible, and in sufficient quantity to be easily available.

The Superintendent shall provide the Board with recommendations for the acquisition of instructional resources consistent with the budget. The Superintendent shall consider recommendations of staff members on the appropriateness of particular items to specific programs.

Adopted: 18 November 2004

### 2531 2531 USE OF COPYRIGHTED MATERIALS

The Board of Education encourages teaching staff members to make judicious use of appropriate printed materials, sound recording, televised programs, Internet materials and computer software in the curriculum but recognizes that federal law, applicable to public school districts, protects the originators of those materials from the unauthorized use of their copyrighted works. The Board expressly forbids the use of school equipment for the illegal reproduction of copyrighted materials.

In order to define the fair and reasonable use that teaching staff members may make of copyrighted works for educational purposes without the permission of the copyright owner and to reduce the risk of copyright infringement, the Board directs the Superintendent to promulgate regulations regarding the copying and distribution of copyrighted materials for instructional purposes.

Computer software may be reproduced only for archival purposes or when copying is an essential step in the utilization of the program. Computer software should be purchased in sufficient quantity to permit its classroom use without simultaneous loading. Where appropriate, the Superintendent shall seek a licensing agreement with the software publisher that permits the reproduction of software, the simultaneous use of software, and the purchase of multiple copies of software at discount prices.

Pupils and staff members shall be instructed that copyright infringement is a form of theft. A pupil or staff member who reproduces or uses copyrighted material in violation of this policy will be subject to discipline.

17 U.S.C. 101 et seq.

Adopted: 18 November 2004

### 2551 2551 MUSICAL INSTRUMENTS

The Board of Education will purchase and maintain a supply of musical

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instruments for pupils enrolled in the instrumental music program.

In general, pupils are encouraged to purchase their own musical instruments. District-owned instruments will be available to those pupils for whom the purchase of a musical instrument would impose a difficult financial burden.

District-owned instruments will be available to pupils, in the order in which requests are made, until the supply is exhausted. If necessary, instruments will be redistributed among schools to satisfy the demand.

Instruments will be loaned only to those pupils whose parent(s) or legal guardian(s) has agreed in writing to assure the safe return of the instrument and to bear the cost of replacement in the case of loss, theft or destruction, and necessary repairs in the case of damage due to accident, misuse, alteration and modification or excessive wear, while in the possession of the pupil.

No fee will be charged for the loan of district-owned musical instruments.

Adopted: 18 November 2004

### 2560 2560 LIVE ANIMALS IN SCHOOL

The Board of Education recognizes the appropriate use of live animals as instructional resources can enrich the educational program. The observation and nurture of live animals can help children learn specific biological and behavioral principles and gain respect for all living things.

A staff member who uses live animals shall observe proper precautions for the safety of pupils and the animals. The Principal or designee must approve a live animal being brought into the school building and the use of any animal in a course of instruction or the establishment of an animal habitat in a classroom.

Any animal used in school must have been lawfully acquired in accordance with applicable State law and local ordinance. An animal susceptible to rabies must have been vaccinated against rabies and proof of such vaccination must be included with the request to bring a live animal into the school submitted to the Principal or designee before a live animal is brought onto school grounds or into a school building. No animal shall be permitted in any area of the school where a pupil who is allergic to the animal might be exposed to the animal.

A teacher or other qualified adult must assume primary responsibility for the animal, its nourishment, and its sanitary living conditions. The staff member in charge must make proper arrangements for the animal's care and feeding over weekends, holidays, and school vacation periods.

No experiment that deprives a living animal of nourishment or exposes the animal to harm shall be conducted.

A pupil in Kindergarten through grade twelve may refuse to dissect, vivisect, incubate, capture, or otherwise harm or destroy animals or any parts thereof as part of a course of instruction. In the event the school program will

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require any such activities, the school will notify the pupil and parent(s) or legal guardian(s) at the beginning of each school year of the right to decline participation in such activities. Within two weeks of the receipt of the notice from the school, the parent(s) or legal guardian(s) shall notify the school if the right to decline participation in such activities will be exercised. Any pupil who chooses to refrain from participation in or observation of such activities shall be offered an alternative education project for the purpose of providing the pupil with the factual knowledge, information, or experience required by the course of study. A pupil may refuse to participate in an alternative education project which involves or necessitates any harmful use of an animal or animal part(s). A pupil shall not be discriminated against, in grading or in any other manner, based upon a decision to exercise the rights afforded pursuant to this act.

N.J.S.A. 18A:35-4.25

Adopted: March 24, 2010

2610

2610. EDUCATIONAL PROGRAM EVALUATION (M)

The Board of Education directs the Superintendent to develop and implement a systematic plan for the continuous evaluation of the educational program against the educational goals established by this Board. To this end, the Superintendent shall employ such tests and methods as may be indicated by sound professional judgment. Wherever possible, the assessment program shall follow evaluation procedures set forth in the course guides.

The Superintendent shall maintain a calendar of assessment activities and shall make periodic evaluation reports to the Board during the school year. Findings of the assessment program may be used to evaluate the progress of pupils and the effectiveness of staff members. The Board will annually make available to the public the collective progress of pupils toward the goals of the district.

The Board will annually, prior to the end of the school year and in conjunction with appropriate members of the administrative staff, conduct a review of the educational progress of the district, assess district and pupil needs, and establish long range and short range objectives for the educational program. The Board's annual report will be submitted to the Commissioner of Education as required.

The Superintendent shall annually recommend improvements in the educational program based on the Board's evaluation of the district's program. The Board reserves the right to employ experts from outside the school district to serve in the evaluation process.

N.J.S.A. 18A:7A-11

N.J.A.C. 6:8-3.2; 6A:8-4.1 et seq.

N.J.A.C. 6A:19-2.6 [vocational districts]

Adopted: January 20, 2010

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

2622 M

## 2622 PUPIL ASSESSMENT

The Board of Education anticipates that all pupils leaving the benchmark grades, as established by the New Jersey State Board of Education, shall demonstrate competency in the New Jersey Core Curriculum Content Standards as established by the New Jersey State Board of Education. The Board will comply with law and rules of the State Board of Education in the assessment of pupil achievement and establish a curriculum evaluation schedule for all content areas at all grade levels.

### Assessments

The Superintendent shall develop and present to the Board annually for its approval an assessment program that complies with rules of the State Board of Education. As a minimum, the program shall include the following assessments.

1. Selected grades, as established by the New Jersey State Board of Education, shall be assessed using The New Jersey Assessment of Skills and Knowledge.
2. Eighth grade pupils in the district shall be assessed using the Grade Eight Proficiency Assessment (GEPA) as provided by the New Jersey Department of Education.
3. The Board may determine that pupils in the district may be assessed by other standardized testing instruments.

### Records

Notwithstanding Policy No. 8330, information regarding individual pupil test scores shall be released only to the pupil, his/her parent(s) or legal guardian(s), or individuals eligible by court order and school personnel and school officials deemed appropriate by the Commissioner.

### Dissemination of Information

The school district must release to the public the results of statewide assessments in accordance with the New Jersey Department of Education guidelines. Additionally, the results of the performance of school district pupils on statewide assessments shall be released annually through the dissemination of the school district's New Jersey School Report Card and other such means as determined by the Superintendent. Pupils with disabilities and Limited English Proficiency may not be included in the summary data.

### Parental Notification

Parent(s) or legal guardian(s) shall be informed of the district assessment program and of any special tests that are to be administered to their children.

### PROGRAM EXCEPTIONS

#### Pupils With Disabilities

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

Pupils with disabilities shall participate in all state assessments unless the pupil's disability is so severe that the pupil is not receiving instruction in any of the knowledge and skills measured by the statewide assessment in a subject area with or without accommodations. The Board shall provide appropriate accommodations or modifications to the statewide assessment system as specified by the New Jersey Department of Education as defined in N.J.A.C. 6A:14-1.3 or eligible of Section 504 of the Rehabilitation Act as determined by the Individual Education Plan (IEP) Team or the 504 Team in compliance with the New Jersey Department of Education guidelines. Special Review Assessment (SRA) may be used for pupils with disabilities or the Alternate Proficiency Assessment may be used for pupils with severe disabilities.

### **Pupils With Limited English Proficiency (LEP)**

Pupils with Limited English Proficiency (LEP) shall participate in all statewide assessments and may be provided appropriate accommodations or modifications as specified by the New Jersey Department of Education. High school pupils of LEP may demonstrate proficiency for graduation through one or more of the following means:

1. HSPA;
2. SRA process in English;
3. SRA process in the native language along with an English proficiency assessment; or
4. SRA process in English with accommodations.

N.J.S.A. 18A:7C-6.2

N.J.A.C. 6:4-1.5; 6:8-2.2 et seq.; 6A:8-4.1 et seq.;  
6A:8-5.1 et seq.; 6A:14-1.1 et seq.;  
6A:14-3.7; 6A:14-4.12; 6A:15-1.11

Adopted: 18 November 2004

### **2624 2624 GRADING SYSTEM**

The Board of Education recognizes that a system of measuring, recording, and reporting the achievements of individual pupils is important to the continuing process of learning. The Board, therefore, directs the instructional program of this school district include a system of grading that measures progress toward the New Jersey Core Curriculum Content Standards and the educational goals of the district.

Pupils shall be informed at the outset of any course of study of the behaviors and achievements that are expected of them and shall be kept informed of their progress during the course of study. As a rule, grading should reward pupils for positive efforts and minimize failure, and pupils should be encouraged to evaluate their own achievements.

The Superintendent shall develop and continually review in consultation with

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

Building Principal(s), teaching staff members, parent(s) or legal guardian(s), and pupils, a grading program appropriate to the course of study and maturity of pupils. Contested grades may be appealed to the Building Principal(s). The final decision on any contested grade will be the responsibility of the Superintendent. A pupil classified as disabled will be graded in accordance with his/her Individualized Educational Program (IEP) or the Section 504 Plan.

Adopted: 18 November 2004

2700 M

### 2700 SERVICES TO NONPUBLIC SCHOOL PUPILS

The Board of Education shall provide, in accordance with law and to the limit of State aid available for such purposes, services to pupils enrolled in nonpublic schools located within this school district in which a child may legally fulfill compulsory school attendance requirements and which complies with Title VI of the Civil Rights Act of 1964.

Textbooks        N.J.S.A. 18A:58-37.1 et seq.  
                    N.J.A.C. 6A:23-6.1 et seq.

The Board shall, on individual request, purchase and loan, without charge, textbooks to pupils attending a nonpublic school located in this district, provided the pupil is a New Jersey resident and the pupil's tuition is not paid by a district Board of Education. Such loan of textbooks will be indicated in each book by a label. Any textbook so loaned will remain the property of this Board. Textbooks loaned to nonpublic school pupils shall be returned at the end of the school year or the district may enter into agreements with the nonpublic schools to store the textbooks without cost to this Board.

A request for the loan of textbooks shall be signed by the parent(s) or legal guardian(s) of nonpublic school pupils and submitted in writing directly to this Board or may be forwarded collectively by the nonpublic school. Requests must be received by the Board by March 1 of the preceding school year.

Textbooks shall be purchased in the same manner as are textbooks purchased for use in this district. Nonpublic school pupils shall be subject to the rules and sanctions for the care of textbooks set forth in Policy No.5513, Care of School Property, in the same manner as are pupils of this district.

Remedial Services        N.J.S.A. 18A:46-19.1 et seq.  
N.J.A.C. 6A:14-1.1 et seq.

The Board shall provide services for the identification, referral, evaluation, and determination of eligibility for special education and/or related services, the development of individualized education programs, and speech correction for articulation disorders.

The eligibility of pupils in nonpublic schools for such services shall be determined by the criteria established by rules of the State Board and used to determine the eligibility of pupils enrolled in this district for the same services. Services shall be provided only upon the written consent of the parent(s) or legal guardian(s)

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

of the pupil and shall include procedural safeguards provided to pupils of this district under N.J.A.C. 6A:14.2 et seq. and Policy No. 2460.

Remedial services will be supplied by appropriately certified personnel who are not employees of the nonpublic school, except that speech correction may be provided by employees of the nonpublic school. Such services shall be provided only upon consent of the parent(s) or legal guardian(s) of the pupil. Services may also be provided under contract with a public or private agency approved by the Commissioner for the provision of remedial services. The location in which services are provided will be determined by the Board, and will comply with rules of the State Board.

Auxiliary Services        N.J.S.A. 18A:46A-1 et seq.  
                                 N.J.A.C. 6A:14-1.1 et seq.

The Board shall provide supportive services for acquiring communication proficiency in the English language for children of limited English speaking ability, supplementary instruction services, and home instruction services. Auxiliary services will be provided only upon the written consent of the pupil's parent(s) or legal guardian(s).

Auxiliary services may be provided by appropriately certified personnel who are employees of this district or of the nonpublic school. Services may also be provided under contract with a public or private agency approved by the Commissioner for the provision of auxiliary services. The location in which services are provided will be determined by the Board, and will comply with rules of the State Board.

Nursing and Emergency Services  
N.J.S.A. 18A:40-23 et seq.  
N.J.A.C. 6A:16-2.4 et seq.

The Board shall provide basic nursing services in accordance with N.J.A.C. 6A:16-2.4 et seq. within the limits of funds appropriated or otherwise made available for this purpose according to N.J.S.A. 18A:40-23. Nursing services shall include the extension of emergency care for pupils enrolled full time in the nonpublic school who are injured or become ill at school, or during participation on a school team or squad pursuant to N.J.A.C. 6A:16-1.4(a)1.

The Superintendent and the administrator of the nonpublic school shall meet annually to review funding, to agree on basic nursing services and additional medical services to be provided based on funding, and to assure the nonpublic school has a copy of N.J.S.A. 18A:40-23 to 31. If agreement cannot be reached between the district and the nonpublic school, the County Office of Education shall be consulted for clarification. The district may provide additional nursing services when all basic nursing services have been provided, or will be provided, within the limits of funds appropriated or otherwise made available for this purpose according to N.J.S.A. 18A:40-23. The nursing services provided to a nonpublic school shall not include instructional services.

Funds spent on services delivered under this policy in anyone nonpublic school shall not exceed the amount allocated to that school on a per pupil basis, less the cost to this district of administrative services directly attributable to the provision of such services or six percent of the funds

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

allocated for each participating nonpublic school, whichever is less.

Nursing services shall include assistance with medical examinations and dental screening, screening of hearing examinations, maintenance of pupil health records, notification of local and county health officials of any pupil who has not been properly immunized, and the conduct of scoliosis examinations. If the Board and the nonpublic school agree, emergency care shall be provided to nonpublic school pupils who become ill or are injured in school or during participation on a school athletic team or squad in the same manner such services are provided to pupils of this district.

Nursing and health care services shall be provided by a professional registered nurse licensed in New Jersey who is an employee of this district, an employee of a third party contractor, or an independent contractor. The location of the services will be determined by the Board and will comply with the rules of the State Board.

The Board may purchase equipment and supplies for the provision of services under this policy, within the allocation of funds, and may lend any such equipment to a nonpublic school without charge provided it is understood that such equipment remains the property of the Board.

A nonpublic school pupil whose parent(s) or legal guardian(s) objects in writing to the receipt of nursing services shall not be compelled to receive such services, except for a physical examination to determine whether the pupil is ill or infected with a communicable disease.

The Superintendent or designee will retain a written statement verifying the annual meeting was held with the nonpublic school. The Superintendent or designee will also retain a copy of the contract document; Board meeting minutes approving the contract that describes the methods by which nursing services to the nonpublic pupils will be provided for the ensuing school year; a rationale for the distribution of funds; and a description of the type and number of services which were provided during the previous year to nonpublic pupils will be recorded on a form provided by the Commissioner of Education as required in N.J.A.C. 6A:16-2.4(a).

### **Delivery of Services**

The Board shall provide any transportation necessitated by the provision of services under this policy.

Records regarding individual pupils receiving services under this policy shall be kept in accordance with State Board rules and Policy No.8330 on Pupil Records.

The Board shall file with the Commissioner a report on the number of nonpublic school pupils identified as eligible to receive services at a time and in a form required by the New Jersey Department of Education.

N.J.S.A.        18A:40-23 et seq.;    18A:40A-17(c);  
                  18A:46-19.1 et seq.;    18A:46A-1 et seq.;  
                  18A:58-37.1 et seq.  
N.J.A.C.        6A:14-1.1 et seq.;    6A:16-2.4 et seq.

# **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

Revised: January 23, 2013

3000 3000 TEACHING STAFF MEMBERS

Number	Title
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3112	Abolishing Positions
3124	Employment Contract
3125	Employment of Teaching Staff Members
3126	Induction Program for Provisional Teachers
3130	Assignment and Transfer
3134	Assignment of Additional Duties
3141	Resignation
3142	Nonrenewal of a Nontenured Teaching Staff Member
3143	Dismissal
3144	Certification of Tenure Charges
3146	Conduct of Reduction in Force
3150	Discipline
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3160	Physical Examination
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3211	Code of Ethics
3211.3	Consulting Outside the District
3212	Attendance
3214	Conflict of Interest
3216	Dress and Grooming
3217	Use of Corporal Punishment
3218	Substance Abuse
3221	Evaluation of Nontenured and Tenured Teaching Staff Members
3223	Evaluation of Administrators
3230	Outside Activities
3231	Outside Employment as Athletic Coach
3232	Tutorial Services
3233	Political Activities
3240	Professional Development
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3245	Research Projects by Staff Members
3270	Professional Responsibilities
3280	Liability for Pupil Welfare
3281	Inappropriate Staff Conduct
3310	Academic Freedom
3321	Acceptable Use of Computer Network(s)/Computers and Resources by Teaching Staff Members
3322	Teaching Staff Member's Use of Cellular Telephones
3340	Grievance
3362	Sexual Harassment
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3381	Protection Against Retaliation
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3412	Placement on Guide Column
3420	Benefits
3425	Work Related Disability Pay
3431	Uncompensated Leave
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3432	Sick Leave
3433	Vacations
3435	Anticipated Disability
3436	Personal Leave
3437	Military Leave
3438	Sabbatical Leave
3439	Jury Duty
3440	Job Expenses

3111

### 3111. CREATING POSITIONS

The Board of Education recognizes its authority to create and fill teaching staff member positions to implement a thorough and efficient system of free public schools.

The Board shall create new positions as they are required, approve job titles, and specify the number of positions required to staff adequately each employment category. Job descriptions shall be prepared in accordance with Policy No. 1400. The Board shall, on a careful review of the position, establish the background experiences and personal qualities, if any, to be required of candidates or preferred among applicants for a particular position. Any such local qualifications shall be flexibly applied.

The Superintendent shall recommend to the Board such new positions or additions to existing employment categories as may be required by the specific instructional needs of pupils of the district and each school within the district.

Positions shall, to the maximum extent possible, conform to certification regulations of the State Board of Education. When district organization requires the creation of a nonconforming, unrecognized position, the approval of the county Superintendent shall be sought before the position is filled.

N.J.S.A. 18A:16-1; 18A:28-1 et seq.

N.J.A.C. 6A:9-5.1; 6A:9-5.5

P.L. 1995 Chapter 125

Revised: January 23, 2013

### 3112 3112 ABOLISHING POSITIONS

The Board of Education reserves the right under state law to abolish unilaterally any existing position in whole or in part and to reduce the number of employees in any category for reasons of economy, reduction in the number of pupils, change in the administrative or supervisory organization, change in the educational program or other good cause.

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

Should it become necessary to reduce the number of employees in the district, the laws and regulations of the state shall be the controlling guides. If, in the case of such reduction, candidates for termination are non-tenured personnel only, the primary basis for selection for termination or reduction shall be the needs of the district's educational program and the individual's contribution towards achievement of that program based on properly completed observations and evaluations.

If, in the case of such reduction, candidates for termination or reduction in grade are tenured in this district, the state regulations regarding seniority shall be the primary basis for decision. In the event that there should be equal applicable seniority among staff members, the decision for reduction or termination shall be based on the needs of the district's educational program and the individual's contribution towards achievement of that program based on properly completed observations, evaluations, and continued professional development after initial employment.

In no case shall any choice be based on arbitrary, capricious or discriminatory reasons.

The Superintendent shall prepare guidelines for restructuring positions and for determining objectively which employees are to be dismissed as a result, and shall present his/her recommendations to the Board for action.

N.J.S.A. 18A:28-1; 18A:28-9 et seq.

Adopted: 18 November 2004

### 3124 3124 EMPLOYMENT CONTRACT

The Board of Education requires that every nontenured teaching staff member employed by this district annually sign an employment contract for a term of not more than one year.

The employment contract shall include the specific title of the position to which the teaching staff member is appointed; the term for which employment is contracted, including beginning and ending dates; a full description of the certification held by the teaching staff member and the date, if any, on which certification will expire; the salary at which the teaching staff member will be employed; the intervals at which the salary will be paid; and a provision for the termination of the contract on sixty days notice duly given by either party.

N.J.S.A. 18A:27-2 et seq.; 18A:28-8  
N.J.A.C. 6:11-3.1(b)

Adopted: 18 November 2004

### 3125 3125 EMPLOYMENT OF TEACHING STAFF MEMBERS

The Board of Education believes it is vital to the successful operation of the

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

district that teaching staff member positions be filled with highly qualified and competent teaching staff members.

The Superintendent shall recruit, screen, and recommend to the Board suitable candidates for district employment. The Board shall approve the employment, fix the compensation, and establish the term of employment for every teaching staff member employed by this district. Approval shall be given only to those candidates for employment recommended by the Superintendent.

The Superintendent may appoint a person to fill a sudden vacancy, subject to ratification of that action by the Board at the next Board meeting, and may appoint substitute teachers in accordance with this policy.

No teaching staff member shall be employed unless he/she is a holder of a valid certificate in accordance with the New Jersey Department of Education and applicable statutes and administrative codes.

The Superintendent shall require proof of any candidate's certification or pending application for certification.

No person shall be employed in a position involving regular contact with pupils unless the Board has notice that no criminal history record information exists on file in the Federal Bureau of Investigation, Identification Division, or the State Bureau of Identification which would disqualify the individual from being employed or utilized in such capacity or position.

Criminal history record checks will be required pursuant to New Jersey Department of Education regulations and procedures. Any person to be employed by the district, other than a school bus driver must undergo a criminal history background check. School bus drivers are subject to criminal history record checks in accordance with New Jersey and Federal licensing requirements. All contracted employees having regular pupil contact must undergo a criminal record history check. Approval letters will be valid only for the district or contract service provider through which the person to be employed made application for employment.

A permanent employee hired prior to October 8, 1986, who applies for and is selected for a different position in the district is "grandfathered" and not required to undergo a criminal history background check. An employee hired after October 8, 1986 for a position without regular pupil contact and later receives a position with pupil contact, must undergo a criminal history background check at the time of transfer to the new position.

Individuals who provide volunteer services are subject to this criminal history record information requirement. Student teachers are subject to this criminal history record information requirement. An individual shall be permanently disqualified from employment or service in the school district if the criminal history record check reveals a record of conviction for crimes as defined in N.J.S.A. 18A:6-7.17et seq.

Substitute employees, who are rehired annually by the Board, are required to undergo a criminal history record check upon initial employment, provided the substitute continues in the employ of at least one of the districts at which the substitute was employed within one year of the approval of the criminal history record check. A substitute employee later selected for a permanent

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

position within the district does not need to undergo a new criminal history background check provided there is no break in service in the substitute employment. A break in service is when the employee is no longer approved by the employing Board of Education. An employee who has been laid off (dismissed because of employee reduction) and is asked to be re-employed by the district and/or contractor must submit to a new criminal history background check.

The Board or contracted service provider may employ an applicant on an emergent basis for a period not to exceed three months, pending completion of a criminal history records check if the Board or contractor demonstrates to the Commissioner of Education that special circumstances exist which justify the emergent employment as prescribed in N.J.S.A. 18A:6-7.1c. In the event the criminal background check is not completed for an emergent hired employee within three months, the Board or contractor may petition the Commissioner for an extension of time, not to exceed two months, in order to retain the employee.

No criminal history record check shall be furnished unless the applicant provided written consent to the check. The applicant shall bear the cost for the check, including all costs for administering and processing the check. The district will deny employment to an applicant if the applicant is required and refuses to submit to a criminal history background check.

### **Nepotism**

A teaching staff member's misstatement of fact material to his/her qualifications for employment or the determination of his/her salary will be considered by the Board to constitute grounds for dismissal.

All new employees will be required, within three days of the first day of hire, to complete the federal Form I-9 and supply the documentation necessary to demonstrate the employee's identity and employment eligibility under the Immigration Reform and Control Act of 1986. Completed Forms I-9 will be retained for three years or until one year after the end of the employee's separation, whichever is longer.

### **Part-time Teaching Staff Members**

A "part-time teaching staff member" is a member employed less than full-time. "Full-time" is employment for a full school day and a full school week; a full school day is defined by the worksite, and a full school week is five days, Monday through Friday.

Part-time teaching staff members will be compensated on the salary schedule negotiated for full-time teaching staff members, prorated to their part-time service.

Part-time teaching staff members will receive employment benefits negotiated for full-time teaching staff members, prorated to their part-time service.

The Board recognizes that part-time teaching staff members who serve the statutory probationary period will earn the protections of tenure and seniority.

# **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

## Substitute Teachers

The Board will employ substitutes for absent teachers in order to ensure continuity in the instructional program and will annually approve a list of substitutes and the rate of pay.

The Superintendent may select substitutes from the list approved by the Board to serve in the place of an absent teacher who retains an entitlement to a regular position. The Superintendent may employ, subject to ratification by the Board at the next meeting of the Board, substitutes who have not received the prior approval of the Board when no approved substitute is available.

Preference will be given to substitutes who are fully certified in the area for which they are engaged. A substitute who holds a county substitute certificate or a regular certificate without appropriate endorsements shall serve no more than twenty consecutive days in the same position.

A substitute teacher shall follow the daily lesson plan provided by the regular teacher and, when that plan is exhausted or unavailable, the instructions of the Principal. A substitute may not plan or direct an instructional program except as expressly permitted by the Superintendent.

A long-term substitute teacher (a substitute who has been employed to replace a teaching staff member who will be absent for extended period of time) will be employed under contract as a leave-replacement in order to ensure continuity of instructional services and will be compensated on the salary guide from the first day of service in that position. Any such contract offered will clearly state that employment is as a substitute for a regular teaching staff member and will be for a fixed period of time.

## Summer School Teachers

The Board shall approve the employment, fix the compensation, and set the term of employment for each person employed in the summer school program established for this district. The Board will employ only those candidates recommended by the Superintendent.

Primary consideration will be given to candidates for summer school employment who are employed in this district.

Service as a summer school teacher will not count toward the accrual of tenure or seniority.

## Athletic Coaches

The Board authorizes the Superintendent to recommend the employment of qualified coaches for the district interscholastic and intramural athletic programs. The Board will employ as athletic coaches only those persons who have experience in and knowledge of the specific sport, are properly certified, and possess the personal characteristics that qualify them to serve as role models to the pupils they coach.

The Superintendent shall advertise a vacancy in a coaching position by posting notice of the vacancy in this school district and by simultaneously advertising the vacancy by appropriate means throughout the region. The

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

Superintendent may thereafter recommend to the Board the employment of any qualified candidate for the coaching position who possesses an instructional certificate issued by the New Jersey State Board of Examiners.

In the event there is no qualified and certified applicant for a coaching position, the Superintendent may recommend to the Board a candidate who is the holder of a county substitute's certificate, provided the Superintendent demonstrates to the County Superintendent the vacant coaching position has been advertised and no qualified applicant based on the written school district standards for the position has applied. The Superintendent must provide a letter to the County Superintendent attesting to the prospective employee's knowledge and experience in the sport in which he or she will coach. Approval of the County Superintendent shall be obtained prior to such employment by the Board.

An athletic coach employed under a county substitute's certificate shall be employed for a single designated sports season and the 20-day limitation provided in N.J.A.C. 6:11-4.5(c) shall not apply to such coaching situations.

An athletic coach employed by this district who is not a regular employee of this district shall be employed only for the duration of the specific sport season. He/She shall be paid the stipend that would be paid to a district employee in the same position and shall be supervised by the Building Administrator. No out-of-district athletic coach shall be eligible for tenure or for employment benefits.

An athletic trainer shall possess an educational services certificate issued by the State Board of Examiners pursuant to N.J.S.A. 18A:26-4 and 18A:26-5.

N.J.S.A. 18A:6-5 et seq.; 18A:6-7.1 et seq.; 18A:16-1;  
18A:26-1 et seq.; 18A:27-1; 18A:27-4; 18A:54-20  
N.J.A.C. 6:11-3.1; 6:11-4.2 et seq.; 6:11-5.1 et seq.;  
6:11-3.24; 6:11-11.21

Revised: January 23, 2013

3126

### 3126 INDUCTION PROGRAM FOR PROVISIONAL TEACHERS

The Board of Education may employ a holder of a certificate of eligibility (CE) or certificate of eligibility with advanced standing (CEAS) after its mentoring plan has been approved pursuant to N.J.A.C. 6A:9-8.4.

The State-approved district training program shall provide essential knowledge and skills through training that includes on-going mentoring, observations and evaluations, formal instruction in professional education aligned with the Professional Standards for Teachers, and other provisions as outlined in N.J.A.C. 6A:9-8.3(b). The training may be provided by the school district or consortia of districts in conjunction with a college or university in accordance with N.J.A.C. 6A:9-8.4(c). The district or consortium shall submit a written plan for the department's approval. In the event that joint sponsorship with a college or university cannot be achieved, the department

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

may authorize the district or consortium to provide the formal instruction independently or in joint sponsorship with a non-collegiate entity. The district or consortium's written plan shall include documentation of its efforts to secure college or university participation. In the event the district is unable to provide formal instruction to provisional teachers in their employ, the district may provide access to formal instruction through a network of Department of Education authorized providers.

The district's local mentor plan shall be in accordance with the requirements as outlined in N.J.A.C. 6A:9-8.4. All novice teachers are required to participate in a mentoring program that takes place over a period of thirty weeks for provisional teachers holding a CEAS and thirty-four weeks for provisional teachers holding a CE. Provisional teachers shall participate for a proportionally longer period of time if in a part-time teaching position. The mentoring program shall be implemented by the mentor teacher, supervised by the school Principal, and conducted within the parameters of a school district's local mentor plan and the requirements of N.J.A.C. 6A:9-8.3. In the event that no State funds are available to pay the costs of mentoring fees, candidates who are required to complete a provisional year of teaching in order to obtain standard certification shall be responsible for payment of mentoring fees during the provisional year.

A local Professional Development Committee shall be established pursuant to N.J.A.C. 6A:9-15.3(d) and this Committee shall develop a local mentor plan that includes the requirements as outlined in N.J.A.C. 6A:9-8.4(c). The Professional Development Committee shall submit the local mentor plan to the Board of Education for initial approval. The Professional Development Committee shall submit the addendum for the twenty-day clinical experience pursuant to N.J.A.C. 6A:9-8.3(b)1 to the Board of Education for initial approval and to the Executive County Superintendent for final approval. After plan review, the Board shall submit the plan to the Executive County Superintendent for final review and approval. The Executive County Superintendent shall notify the Department of Education of plan approval. Every three years, the district's mentor plan shall be revised and re-submitted to the Executive County Superintendent based on program evaluation.

The Board of Education shall be responsible for the implementation of the local mentor plan and the district shall submit a report on the effectiveness of the local mentor plan to the Department on an annual basis. The report, using data collected on a Department of Education developed form, shall include program impact on job satisfaction, adequacy of time and training, and recommended program changes and additions. The district shall align the mentor plan with the Professional Standards for Teachers.

The Board of Education shall be responsible to budget any State funds appropriated for the novice teacher mentoring program. The Board shall ensure that State funds appropriated for this program shall supplement, and not supplant, any Federal, State or local funds already devoted to planning and implementing a novice teacher mentor program. The Board of Education shall ensure that State funds shall be used for stipends for mentor teachers, the costs associated with release time, substitutes for mentor teachers and novice teachers, and/or professional development and training activities related to the program.

An appropriately certified Building Principal or administrative designee

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authorized to supervise instructional staff shall observe and evaluate the provisional teacher three times during the first year of mentoring for purposes of certification. All performance evaluations shall be aligned with the Professional Standards for Teachers as defined in N.J.A.C. 6A:9-3.3 and reported on State-developed forms. Performance evaluations for career and technical education teachers shall also include career and technical education knowledge and skills. Evaluations shall be completed in accordance with the requirements of N.J.A.C. 6A:9-8.6 et seq. Mentor teachers shall not assess or evaluate the performance of provisional teachers. Interactions between provisional teachers and experienced mentor teachers are formative in nature and considered a matter of professional privilege. Mentor teachers shall not be compelled to offer testimony on the performance of provisional teachers.

Within thirty days after the conclusion of the State-approved district training program, the Principal shall submit the final evaluation directly to the Secretary of the New Jersey State Board of Examiners that shall contain a recommendation regarding standard certification for each provisional teacher. The final evaluation for each provisional teacher shall include a recommendation of approved, insufficient, or disapproved. Candidates who receive a recommendation of "disapproved" or two recommendations of "insufficient" may petition the Board of Examiners for approval of additional opportunities to seek provisional employment in districts other than those in which they received unfavorable recommendations pursuant to N.J.A.C. 6A:9-17.18.

N.J.S.A. 18A:26-2; 18A:26-2a

N.J.A.C. 6A:9-8.3; 6A:9-8.4; 6A:9-8.6; 6A:9-8.7

Adopted: March 24, 2010

### 3130 3130 ASSIGNMENT AND TRANSFER

The Board of Education and the Superintendent will strive to assign teaching staff members to positions in which their service will best benefit the educational program of the district. Each teaching staff member must possess the certificate and endorsement appropriate to the position to which he/she is appointed. The Superintendent shall require each newly employed or reassigned teaching staff member to exhibit the appropriately endorsed certificate before the member assumes responsibility for the duties of the position.

The Board will approve an assignment that requires a teaching staff member's transfer to a different building, to a different seniority employment category, to a different tenure position, or to a nontenurable position only upon the recommendation of the Superintendent and by a roll call majority vote of the full membership of the Board. The Board will not withhold its approval of the Superintendent's recommendation for arbitrary and capricious reasons. A teaching staff member may be transferred without the teaching staff member's consent.

The Superintendent shall recommend such teaching staff member transfers as will contribute to the provision of a thorough and efficient educational system. No teaching staff member shall be transferred for disciplinary reasons. The Board will consider and may grant the request of a teaching

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staff member who requests transfer to a new position.

Teaching staff members should be given written notice of their annual assignments no later than June 15, but nothing in this policy shall preclude the reassignment of a teaching staff member at any time.

N.J.S.A. 18A:25-1; 18A:27-4.1; 18A:28-6

Adopted: 18 November 2004

### 3134 3134 ASSIGNMENT OF ADDITIONAL DUTIES

The professional responsibilities of teaching staff members include such extra duties as may be assigned by the Board of Education. The Board will appoint teaching staff members to extra duty positions including, but not necessarily limited to, the positions of department chairperson, account treasurer, co-curricular activity advisor, athletic coach, monitor, and chaperone.

A teaching staff member who requests appointment to an extra duty position may be given preference over other candidates for the position. Wherever possible, the Board will fill athletic coaching positions with physical education teachers.

Any teaching staff member appointed to an extra duty position is expected to serve unless excused for extenuating circumstances. A member's refusal to serve or resignation from extra duty service without permission may constitute an act of insubordination subject to discipline.

A teaching staff member can accrue no tenure or seniority rights in an extra duty position and is not entitled to reappointment to an extra duty position.

Performance in an extra duty position will be considered in a teacher staff member's evaluation, in determining whether to renew a nontenured member, and in determining which of two or more tenured members with identical seniority entitlements will be retained in a reduction in force.

The Superintendent will inform the Board of extra duty positions required for the implementation of the district's program, post notice of vacancies in those positions, and recommend appointments to those positions.

N.J.S.A. 18A:27-4

Adopted: 18 November 2004

### 3141 3141 RESIGNATION

The Board of Education will enter a contract with each nontenured teaching staff member providing, in part, for the termination of employment by either party on proper notice in accordance with Policy No. 3124.

An employee's resignation must be tendered to the Board through the Superintendent who may accept the resignation on behalf of the Board. Any

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such acceptance of a resignation will be ratified by the Board at its next meeting.

A member who offers insufficient notice of resignation will be paid only through the last day of service. In addition, the Board may notify the Commissioner of Education of any tenured teaching staff member who terminates his/her position without having given sixty days notice to the Board and without the express permission of the Board. The certificate of any such member may be suspended.

N.J.S.A. 18A:26-10; 18A:28-8  
N.J.A.C. 6:11-3.8

Adopted: 18 November 2004

### 3142 3142 NONRENEWAL OF A NONTENURED TEACHING STAFF MEMBER

The Board of Education recognizes its obligation to employ only those professional staff members best trained and equipped to meet the educational needs of the pupils 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 shall renew the employment contract of a 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.

When the nontenured teaching staff member's performance does not meet the standards of the district, the Superintendent shall recommend not to renew the teaching staff member's contract. A nontenured teaching staff member who is not recommended for renewal by the Superintendent shall be deemed nonrenewed. Prior to notifying the staff member of the nonrenewal, the Superintendent will notify the Board of the recommendation not to renew the 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 staff member their employment will be discussed in executive session in order for the staff member to exercise their statutory right to request a public discussion.

The Superintendent shall notify each teaching staff member to whom reemployment will not be offered of such nonrenewal in writing on or before May 15. Any teaching staff member who received written notice a contract will not be offered may within fifteen days of notification request in writing a statement of the reasons for nonrenewal. The Superintendent will provide a written statement of reasons within thirty days after the receipt of any such request.

The nontenured teaching staff member shall have the right to an informal appearance before the Board to permit the staff member an opportunity to convince the members of the Board to offer reemployment. The staff member must request the appearance before the Board within ten calendar days of

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receipt of the statement of reasons.

The Board is not required to offer reemployment or vote on reemployment after an informal hearing 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 teaching staff member reemployment after an informal hearing.

N.J.S.A. 18A:27-3.1 et seq.; 18A:27-4.1;  
18A:27-10 et seq.  
N.J.A.C. 6:3-4.1 et seq.; 6:3-4.2 et seq.

Adopted: 18 November 2004

3143 3143 DISMISSAL

The Board of Education will enter a contract with each nontenured teaching staff member providing, in part, for the termination of employment by either party on proper notice in accordance with Board Policy No. 3124.

The Board may dismiss a nontenured teaching staff member when dismissal is in the best interest of the school district. Termination notice will be duly given in writing and will state the reason therefore.

The Board will determine whether to permit an employee to continue to perform services during the period between the giving of notice and the date of termination.

N.J.S.A. 18A:6-30; 18A:6-30.1; 18A:27-9

Adopted: 18 November 2004

3144 3144 CERTIFICATION OF TENURE CHARGES

The Board of Education will challenge the continued employment of any tenured teaching staff member who demonstrates inefficiency in the performance of his/her duties, is incapable of performing those duties, violates by unbecoming conduct the public trust placed with employees of this district, or by other means demonstrates unfitness for district employment. When charges are filed against a tenured teaching staff member by any person, the Board shall determine the gravity of the charges and the probity of supporting evidence in accordance with law and these guidelines:

1. Charges may be instituted against a tenured teaching staff member of the district by any person by filing with the Board Secretary a written statement, signed by the charging person, that sets forth the specific charges and the statutory ground on which each is based. The statement of charges must be accompanied by a written statement of evidence made under oath in support of the charges. The Board Secretary shall promptly notify the Superintendent and the Board President that such charges have been filed.

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2. Where the charges allege incapacity, unbecoming conduct, or good cause other than inefficiency, a copy of the charges and a copy of the statement of evidence shall, within seventy-two hours of the time charges have been filed with the Board Secretary, be served on the charged employee together with a letter offering the employee the opportunity of submitting to the Board Secretary a written statement of position and a written statement of evidence under oath, provided that such statements are filed with the Board Secretary no later than fifteen days after the date on which the charges were served on the employee.

3. Where the charge alleges inefficiency, the following actions will be taken:

a. A copy of the charges and a copy of the statement of evidence shall, within seventy-two hours of the time charges have been filed with the Board Secretary, be served on the charged employee together with a letter informing the employee that, unless the specified inefficiencies are corrected within a specified improvement period of ninety or more days, the Board shall certify those charges of inefficiency to the Commissioner of Education.

b. At the same time, the employee's professional improvement plan will be revised to address the specific charges of inefficiency and to assist the employee toward improvement within the specified period.

c. The employee's performance will be observed and evaluated over the improvement period, excluding summer vacation.

d. At the conclusion of the specified improvement period, the Superintendent shall report to the Board an assessment of the employee's progress.

e. Thereafter, the Board will determine in private session whether the employee has corrected all the inefficiencies originally charged. If all the charged inefficiencies have been corrected, the Board shall advise the employee within thirty days of the end of the improvement period that the charges are withdrawn. If the Board finds that any or all charged inefficiencies have not been corrected, the Board Secretary shall serve the employee, within thirty days of the end of the improvement period, a copy of the charges and a copy of the statement of evidence together with a letter offering the employee the opportunity of submitting to the Board Secretary a written statement of position and a written statement of evidence under oath, provided that such statements are filed with the Board Secretary no later than fifteen days after the date on which the charges were served on the employee.

4. Within forty-five days of the time the employee files written statements of position and evidence or the expiration of the fifteen day period within which the employee may submit such statements, whichever first occurs, the Board shall meet in private session to determine, by a majority of the full Board, (a) whether the charges, if true, are sufficiently serious to warrant the imposition of sanctions by the Commissioner and (b) whether there is probable cause to credit the evidence in support of the charges.

5. If the Board determines to certify charges against the employee, the Board Secretary will file the charges and a certificate of determination with the Commissioner of Education and serve notice of such certification on the

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employee in accordance with rules of the State Board of Education.

6. If no action is taken with regard to the charges within the requisite periods of time set forth in this policy, the charges will be considered dismissed and no further action may be taken on them. The charged employee will be promptly notified whenever charges are dismissed by Board action or inaction.

N.J.S.A. 18A:6-8.3; 18A:6-10 et seq.;  
18A:25-6; 18A:25-7

N.J.A.C. 6:11-3.4; 6:11-3.5; 6:24-5.1 et seq.

Adopted: 18 November 2004

3146 3146 CONDUCT OF REDUCTION IN FORCE

When teaching staff member positions have been abolished, in accordance with Board Policy No. 3112, the Board of Education will transfer and/or dismiss affected teaching staff members as required by law.

No tenured teaching staff member will be transferred or dismissed in a reduction in force affecting a category of employment in which a nontenured teaching staff member is employed. When two or more nontenured teaching staff members are employed within the category affected by a reduction in force, the nontenured teaching staff member(s) shall be retained in that category who has demonstrated greater competence.

Tenure and seniority entitlements will govern the transfer and dismissal of tenured teaching staff members affected by a reduction in force, except that, when two or more tenured teaching staff members within the same employment category affected by a reduction in force possess an identical seniority entitlement to that category, the teaching staff member(s) shall be retained in that category who has demonstrated greater competence.

The Superintendent shall collect and maintain the information requisite to the calculation of each tenured teaching staff member's seniority status. The Superintendent shall develop and maintain district seniority lists and shall recommend dismissals and transfers in a reduction in force in accordance with those lists. No seniority list shall be a public document or published in the absence of a reduction in force or reemployment from a preferred eligible list.

Teaching staff members affected by a reduction in force will be informed of their seniority status and of the effect of the reduction in force on their employment, as promptly as possible after the Board's action to abolish positions. Wherever possible, the Board will give sixty days notice of a pending dismissal. If notice cannot be given a full sixty days before the end of the employee's service, salary in lieu of notice will be given for the remaining notice period beyond the end of service.

N.J.S.A. 18A:28-1; 18A:28-9 et seq.  
N.J.A.C. 6:3-5.1

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Adopted: 18 November 2004

## 3150 3150 DISCIPLINE

The Board of Education directs all teaching staff members to observe statutes of the State of New Jersey, rules of the State Board of Education, policies of this Board, and duly promulgated administrative rules and regulations governing staff conduct. Violations of those statutes, rules, policies and regulations will be subject to discipline.

The Superintendent shall deal with disciplinary matters on a case-by-case basis. Discipline measures will include verbal and written warnings as appropriate and will provide, wherever possible, for progressive penalties for repeated violations. Penalties may include suspension, withholding one or more increments, and dismissal.

In the event disciplinary action is contemplated, notice will be given to the teaching staff member in ordinary and concise language of the specific acts and omissions upon which the disciplinary action is based; the text of the statute, policy, or rule that the member is alleged to have violated; a date when the member may be heard and the administrator who will hear the matter; and the penalty that may be imposed.

N.J.S.A. 18A:25-7; 18A:27-4  
N.J.S.A. 34:13A-1 et seq.; 34:19-1

Adopted: 18 November 2004

## 3151 3151 ASSESSMENT OF PAY

The Board of Education believes that the proper performance of a teaching staff member's professional duties requires the punctual commencement and proper completion of all assigned services.

The Superintendent shall assess the following penalties when a teaching staff member fails to render or only partially renders services for which the Board has contracted:

Any unexcused absence during the working day will result in a wage deduction equal to the ratio of the periods missed to the total periods scheduled, times one two-hundredths for ten month employees, 1/220 for eleven month employees and 1/240 for twelve month employees, of the employee's annual salary.

The Principal shall determine whether a teaching staff member's tardiness or absence is excused or unexcused.

A record of instances of tardiness and absences will be maintained in each teaching staff member's personnel file in accordance with Board Policy No. 3212.

The Superintendent is authorized to direct properly cautioned teaching staff members who are repeatedly tardy not to report at all on those days when they

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cannot report on time and to suffer such wage penalties as may be appropriate.

N.J.S.A. 18A:25-7; 18A:27-4; 18A:29-4

Adopted: 18 November 2004

### 3152 3152 WITHHOLDING AN INCREMENT

Advancements on the salary guide, including annual employment and adjustment increments, are not automatically granted and must be earned by satisfactory performance. Advancements require favorable evaluations of the employee's performance of assigned duties, a satisfactory attendance record, and adherence to the rules of this district and high standards of professional conduct.

The Board of Education may determine, by recorded roll call majority vote of the full membership and at any time prior to the commencement of the school year or contract year in which the employee's salary will vest, to withhold any or all of the increments indicated by the salary guide or by Board policy. In no case will the Board withhold a portion of an increment.

The Board shall, within ten days of its formal action to withhold an increment, give written notice to the affected employee of both the action and the reason or reasons for which it was taken.

The purpose of the Board in withholding increments is to improve the educational program and encourage the highest possible professional performance of its employees. Accordingly, all reasonable efforts will be made to inform employees of any deficiencies that may result in the withholding of an increment and to assist them in the correction of those deficiencies.

An increment withheld may be restored only by action of the Board. Nothing in this policy shall limit the right of a successor Board to restore an employee from whom an increment or increments have been withheld to that place on the salary guide he/she would have achieved had the increment or increments not been withheld.

N.J.S.A. 18A:25-7; 18A:29-14

N.J.A.C. 6:24-4.1

Adopted: 18 November 2004

### 3159 3159 TEACHING STAFF MEMBER/SCHOOL DISTRICT REPORTING RESPONSIBILITIES

All certificate holders shall report their arrest or indictment for any crime or offense to the Superintendent of Schools within fourteen calendar days in accordance with the provisions of N.J.A.C. 6A:9-17.1. For purposes of this policy, "certificate holders" shall include all individuals who hold certificates, credentials, certificates of eligibility (CEs), and certificates of eligibility with advance standing (CEASs) issued by the State Board of

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Examiners. For purposes of this policy, the term "certificate" shall include all standard, emergency and provisional certificates, all credentials, and all CE's and CEAS's issued by the State Board of Examiners.

The report submitted to the Superintendent shall include the date of arrest or indictment and charge(s) lodged against the certificate holder. Such certificate holders shall also report to the Superintendent the disposition of any charges within seven calendar days of the disposition. Failure to comply with these reporting requirements may be deemed "just cause" for revocation or suspension of certification pursuant to N.J.A.C. 6A:9-17.5. The school district shall make these reporting requirements known to all new employees upon initial employment and to all employees on an annual basis.

The Superintendent of Schools shall notify the New Jersey State Board of Examiners when:

1. Tenured teaching staff members who are accused of criminal offenses or unbecoming conduct resign or retire from their positions;
2. Nontenured teaching staff members, including substitute teachers, who are accused of criminal offenses or unbecoming conduct resign, retire, or are removed from their positions;
3. A certificate holder fails to maintain any license, certificate, or authorization pursuant to N.J.A.C. 6A:9-4.1(b) that is mandated in order for the holder to serve in a position;
4. The Superintendent of Schools becomes aware that a certificate holder has been convicted of a crime or criminal offense while in the district's employ; or
5. The Superintendent has received a report from the Division of Youth and Family Services (DYFS) substantiating allegations of abuse or neglect or establishing "concerns" regarding a certificated teaching staff member.

In the event the New Jersey State Board of Examiners issues an order to show cause based on the information that the school district provided about the certificate holder, it shall be the responsibility of the school district to cooperate with the Board of Examiners in any proceeding arising from the order to show cause.

The Superintendent of Schools shall also notify the New Jersey State Board of Examiners, in accordance with the provisions of N.J.S.A. 18A:16-1.3, whenever a nontenured, certificated employee is dismissed prior to the end of the school year for just cause as a result of misconduct in office. This notification requirement shall not apply in instances where the employee's contract is not renewed. The Superintendent of Schools will comply with the additional notice requirements to the New Jersey State Board of Examiners in the event it is subsequently determined by a disciplinary grievance arbitration, a court, or an administrative tribunal of competent jurisdiction that the basis for the dismissal did not constitute misconduct in office. In addition, whenever the Superintendent of Schools notifies the New Jersey State Board of Examiners of an employee's dismissal for reasons of misconduct in accordance with the provisions of N.J.S.A. 18A:16-1.3, the employee shall receive a simultaneous copy of the notifying correspondence.

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N.J.S.A. 18A:16-1.3

N.J.A.C. 6A:9-17.1; 6A:9-17.4

Adopted: 11/18/09

3160

3160. PHYSICAL EXAMINATION (M)

The Board of Education requires each newly employed teaching staff member undergo a physical examination. The physical examination shall include, but is not limited to, a health history to include past serious illnesses and injuries; current health problems; allergies; and a record of immunizations. The physical examination shall also include a health screening to include height and weight; blood pressure; pulse and respiratory rate; vision screening; hearing screening; and Mantoux test for tuberculosis.

A teaching staff member may provide health status information, including medications, which may be of value to medical personnel in the event of an emergency requiring treatment. The staff member may also choose to share with the Principal and, if desired, with the certified school nurse, information regarding current health status to assure ready access in a medical emergency. School employee physicals, examinations and/or annual medical updates do not require screening or disclosure of HIV status.

Candidates for employment will be required to undergo a physical examination to include a health history, health screening and medical evaluation. This pre-employment physical examination shall not be used to determine a candidate's disabilities. This examination shall be used only to determine whether the applicant is able to perform with reasonable accommodation job-related functions pursuant to P.L. 101-336, American with Disabilities Act of 1990.]

The physical examinations required by this policy shall be limited to those assessments or information necessary to determine the individual's physical and mental fitness to perform with reasonable accommodation in the position he/she seeks or currently holds and to detect any health risks to pupils or other employees.

Physical examinations required by this policy may be conducted by a physician or institution designated by the Board or, at the employee's election, by a physician or institution designated by the employee and approved by the Board. The cost of any such examination conducted by the physician or institution designated by the Board shall be borne by the Board. The cost of any such examination conducted by the physician or institution chosen by the employee and approved by the Board shall be borne by the employee.

All staff members' medical and health records, including computerized records, will be secured and will be stored and maintained separately from other personnel files. The information contained in medical records will be kept confidential. Only the staff member, the Superintendent, and the school medical inspector shall have access to medical information regarding an individual employee. The section of the medical record that contains the health history may be shared with the staff member's Building Principal and the school nurse with the consent of the staff member.

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Additional individual psychiatric or physical examinations of any staff member may be required by the Board whenever, in the judgment of the Board, a staff member shows evidence of deviation from normal physical or mental health. Any additional individual examinations will be pursuant to the requirements of N.J.A.C. 6A:32-6.3. Additional examinations and/or certifications may be required to verify fitness in accordance with Policy No. 3161 or disability in accordance with Policy Nos. 3425 and 3435.

42 U.S.C.A. 12101  
N.J.S.A. 18A:16-2 et seq.  
N.J.A.C. 6A:32-6.1: 6A:32-6.2; 6A:32-6.3

Adopted: January 20, 2010

### 3161 3161 EXAMINATION FOR CAUSE

The Board of Education may, in accordance with law, require the psychiatric or physical examination of any teaching staff member who shows evidence of deviation from normal physical or mental health.

The Superintendent shall recommend to the Board the examination of any teaching staff member whose physical or mental condition so departs from normal health as to adversely affect the performance of the member's duties. Any such recommendation must be accompanied by competent evidence. If the Board determines that deviation from normal health has been demonstrated, it may require that the member submit to a physical or mental examination.

A requirement for physical or mental examination shall be made known to the employee by written notice setting forth the nature of the examination required, the reasons for the requirement, and a statement offering the member the opportunity to appear before the Board to explain or refute those reasons, provided any such hearing is requested in writing within three working days of the receipt of the notice.

A teaching staff member who fails to request an appearance before the Board within the time permitted or, having appeared before the Board, fails to persuade the Board that he/she should not be required to submit to the required examination shall be ordered to submit to an appropriate examination by a physician or institution designated by the Board and at the Board's expense.

The teaching staff member may, at his/her option, submit names of physicians or institutions to the Board for consideration to complete the appropriate examination(s). The Board is not required to designate a physician or institution submitted for consideration by the teaching staff member, but the Board will not act unreasonably in withholding its approval of a physician or institution submitted by a teaching staff member. The cost of the examination will be borne by the Board if the Board designates a physician or institution from the names submitted from the teaching staff member.

If the teaching staff member's request is denied, or if the teaching staff member does not request the Board to consider a physician or institution, the

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staff member may elect to submit to an appropriate examination conducted by a physician or institution of the teaching staff member's own choosing and at his/her expense, provided the physician or institution so chosen is approved by the Board, pursuant to N.J.S.A. 18A:16-3, and is authorized and directed by the member to report the results of the examination to the Board.

If the results of the examination show mental abnormality or communicable disease, the teaching staff member shall be placed on sick leave and compensated in accordance with his/her sick leave entitlement, if any, until proof of recovery, satisfactory to the Board, is furnished. No leave of absence granted under this policy shall exceed the term of the contract of a nontenured teaching staff member or a period of two years in the case of a tenured teaching staff member.

A teaching staff member who refuses to submit to the examination required by the Board and has exhausted the hearing procedures established by law and this policy shall be subject to discipline, which may include the certification of tenure charges to the Commissioner of Education.

42 U.S.C.A. 12101

N.J.S.A. 18A:6-10; 18A:16-2 et seq.; 18A:16-4;  
18A:25-7; 18A:28-5; 18A:30-1 et seq.

N.J.A.C. 6:29-7.4

N.J.A.C. 8:57-1.16

Adopted: 18 November 2004

### 3211 3211 CODE OF ETHICS

The Board of Education endorses the code of ethics for professional educators published by the National Education Association.

#### Preamble

The educator, believing in the worth and dignity of each human being, recognizes the supreme importance of the pursuit of truth, devotion to excellence, and the nature of democratic principles. Essential to these goals is the protection of freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator accepts the responsibility to adhere to the highest ethical standards.

The educator recognizes the magnitude of the responsibility inherent in the teaching process. The desire for the respect and confidence of one's colleagues, of students, of parent(s) or legal guardian(s), and of the members of the community provides the incentive to attain and maintain the highest possible degree of ethical conduct. The Code of Ethics of the Education Profession indicates the aspiration of all educators and provides standards by which to judge conduct.

#### Principle I -- Commitment to the Student

The educator strives to help each student realize his/her potential as a worthy and effective member of society. The educator therefore works to stimulate the spirit of inquiry, the acquisition of knowledge and

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understanding, and the thoughtful formulation of worthy goals.

In fulfillment of the obligation to the student, the educator--

1. Shall not unreasonably restrain the student from independent action in the pursuit of learning.
2. Shall not unreasonably deny the student access to varying points of view.
3. Shall not deliberately suppress or distort subject matter relevant to the student's progress.
4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety.
5. Shall not intentionally expose the student to embarrassment or disparagement.
6. Shall not on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, family, social or cultural background, or sexual orientation, unfairly--
  - a. Exclude any student from participation in any program
  - b. Deny benefits to any student
  - c. Grant any advantage to any student
7. Shall not use professional relationships with students for private advantage.
8. Shall not disclose information about students obtained in the course of professional service, unless disclosure serves a compelling professional purpose or is required by law.

### Principle II -- Commitment to the Profession

The education profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service.

In the belief that the quality of the services of the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards to promote a climate that encourages the exercise of professional judgment, to achieve conditions which attract persons worthy of the trust to careers in education, and to assist in preventing the practice of the profession by unqualified persons.

In fulfillment of the obligation to the profession, the educator--

1. Shall not in an application for a professional position deliberately make a false statement or fail to disclose a material fact related to competency and qualifications.
2. Shall not misrepresent his/her professional qualifications.

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3. Shall not assist entry into the profession of a person known to be unqualified in respect to character, education, or other relevant attribute.

4. Shall not knowingly make a false statement concerning the qualifications of a candidate for a professional position.

5. Shall not assist a non-educator in the unauthorized practice of teaching.

6. Shall not disclose information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.

7. Shall not knowingly make false or malicious statements about a colleague.

8. Shall not accept any gratuity, gift, or favor that might impair or appear to influence professional decisions or actions.

Adopted: 18 November 2004

### 3211.3          3211.3    CONSULTING OUTSIDE THE DISTRICT

The Board of Education recognizes that teaching staff members will have expertise and knowledge in areas that other school districts, agencies, and other entities may desire. Recognizing that the school district will request the expertise from teaching staff members from other school districts, agencies and other entities, the Board supports sharing of its teaching staff members with other school districts, agencies, and other entities to the extent it does not interfere with the efficient operation of the school district.

The Superintendent may recommend to the Board a teaching staff member's attendance in another school district, agency or other entity without additional remuneration to the teaching staff member or school district, upon a written request from the agency or from the teaching staff member.

The Board of Education recognizes teaching staff members will have expertise and knowledge in areas that other school districts, public and private agencies, and private business organizations may desire to compensate as a paid consultant. When a teaching staff member serves as a paid consultant, the teaching staff member is not permitted to use normal work hours for any paid consulting activities. The teaching staff member must complete any paid consulting activities on their own time to include vacation days, evenings, weekends, and/or school holidays.

The teaching staff member must comply with the New Jersey School Ethics Act N.J.S.A. 18A:12-21 et seq. and, if required, must comply with financial disclosure requirements of N.J.S.A. 18A:12-24 and 12-25.

N.J.S.A. 18A:12-21 et seq.

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

Adopted: 18 November 2004

3212 M

## 3212 ATTENDANCE

The Maywood Board of Education believes that the regular presence of assigned personnel is vital to the success of the district's educational program.

Therefore, the Superintendent shall develop procedures to encourage all staff to strive for excellent attendance records. These procedures should include a requirement that the staff member personally report all illness and request all leave at the earliest possible time. Procedures shall be in accord with New Jersey statutes and district negotiated contracts.

Provisions shall be made for public acknowledgment of exceptional staff attendance records.

### Tardiness

Tardiness shall be defined for purposes of this policy as failure by an employee to have arrived at the assigned facility and properly signed the official record of the school for the morning session, as may be specified by the Board or their administrative officers, as well as to have failed to assume a proper assignment in either the homeroom, class or study hall at the time and place specified by the Superintendent.

Tardiness shall be construed as personal absence and charged as such against the employee's personal sick leave. When the employee has no personal leave credit, payroll deductions shall be made. Eight cases of tardiness in any one school year may be construed as one day's absence and charged as such. The time shown on the office clock shall be the official time.

Teachers are required by the Board to sign the official attendance sheet personally when entering and leaving the building.

Adopted: 18 November 2004

3214 3214 CONFLICT OF INTEREST

No teaching staff member of the Board of Education shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity which is in conflict with the proper discharge of the teaching staff member's duties.

No teaching staff member shall use or attempt to use his/her position to secure unwarranted privileges or advantages.

No teaching staff member of the Board shall act in his/her official capacity in any matter wherein he/she has a direct or indirect personal financial interest.

No teaching staff member of the Board shall accept any gift, favor, service or other thing of value under circumstances from which it might be reasonably

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

inferred that such gift, service or other thing of value was given or offered for the purpose of influencing the teaching staff member in the discharge of his/her duties.

The Board does not approve of the routine presentation of gifts to school district employees on occasions such as Christmas, etc. When a student feels a spontaneous desire to present a gift to a staff member, the gift must not be elaborate or unduly expensive. The Maywood Board of Education considers the writing of letters to staff members expressing gratitude or appreciation a more welcome and in most circumstances a more appropriate tribute.

The giving of gifts having monetary significance to teachers, principals, and other personnel either by individuals or class groups is prohibited.

N.J.S.A. 18A:6-8; 18A:11-1

Adopted: 18 November 2004

### 3216 3216 DRESS AND GROOMING

The Board of Education expects all staff members to be neatly groomed and dressed in clothing suitable for the subject of instruction or the work being performed. Employees must recognize that their standards of dress and grooming should set positive models for pupil standards. Dress or grooming that is a physical hazard to employees and students, acts to distract employees and students from their duties and functions, detracts from student learning and attention, and which does not set an acceptable standard for children in our community, shall be prohibited.

N.J.S.A. 18A:27-4

Adopted: 18 November 2004

### 3217 3217 USE OF CORPORAL PUNISHMENT

The Board of Education cannot condone an employee's resort to force or fear in the treatment of pupils, even those pupils whose conduct appears to be open defiance of authority. Each pupil is protected by law from bodily harm and from offensive bodily touching.

Teaching staff members shall not use physical force or the threat of physical force to maintain discipline or compel obedience except as permitted by law, but may remove pupils from the classroom or school by the lawful procedures established for the suspension and expulsion of pupils.

A teaching staff member who:

1. Uses force or fear to discipline a pupil except as such force or fear may be necessary to quell a disturbance threatening physical injury to others, to obtain possession of weapons or other dangerous objects upon the person or within the control of a pupil, to act in self-defense, or to protect persons

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

or property;

2. Touches a pupil in an offensive way even though no physical harm is intended;

3. Permits pupils to harm one another by fighting; or

4. Punishes pupils by means that are cruel or unusual;

will be subject to discipline by this Board and may be dismissed.

N.J.S.A. 18A:6-1; 18A:37-1

Adopted: 18 November 2004

3218 M

### 3218 SUBSTANCE ABUSE

The Board of Education recognizes that chemical dependency is an illness which is preceded by the misuse and/or abuse of alcohol, anabolic steroids, and other drugs. The Board recognizes that the use/misuse of alcohol, anabolic steroids, and other drugs, and the problems associated with it, are becoming increasingly commonplace in today's society. It is generally accepted that alcoholism and other chemical dependencies are illnesses that can be treated successfully if they are identified as early as possible, and if appropriate treatment is promptly instituted. The Board believes that the therapeutic approach to the problem is more effective than one which is solely punitive in nature.

For purposes of this policy, "substance" shall mean:

1. All controlled dangerous substances as defined and prohibited in New Jersey Statutes and Codes including, but not limited to, illegal drugs, designer drugs, and other chemicals which alter the perception, reasoning and motor abilities of a person. (Note: A "controlled dangerous substance," defined in N.J.S.A. 24:21-2, includes, but is not limited to, opiates, narcotics, barbiturates, and hallucinogens.);

2. All chemicals or chemical compounds that release vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including but not limited to, glue or any other commercially or illicitly available materials containing solvents having the property of releasing toxic vapors or fumes as defined at N.J.S.A. 2A:170-25;

3. All prescription and over-the-counter medications having the potential to alter the perception, reasoning and motor abilities of a person unless taken as directed;

4. All alcoholic beverages; and

5. Anabolic steroids.

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

## Standard of Conduct

The Board clearly prohibits the unlawful possession, use, or distribution of illicit substances, drugs, alcohol, anabolic steroids and/or drug paraphernalia (as defined by N.J.S.A. 2C:36-1) on school premises or as part of any of its activities by any employee of the district as well as reporting to the workplace under the influence of any illicit substances, drugs, alcohol, and/or anabolic steroids. Compliance with this standard of behavior is mandatory.

The Board will make every effort to educate its employees regarding the misuse of illegal substances, alcohol, drugs, and anabolic steroids. Further, the Board will assist and provide guidance to an employee who is having a problem concerning the abuse of these substances on how to receive additional help and counseling.

## Program Review

The Board shall review its substance abuse program on a biennial basis to determine its effectiveness and implement changes as required and to ensure that disciplinary sanctions are consistently enforced.

Any information gathered through a school investigation, counseling session, request by an employee for help, etc., shall comply with the confidentiality requirements established in Federal regulations found in 42 CFR Part II. Employees shall be subject to procedures and sanctions defined in Regulation No. 3218. All employees shall be provided with a copy of this policy and the accompanying regulations.

N.J.S.A. 2C:33-15 et seq.

N.J.S.A. 24:21-2 et seq.

42 C.F.R. II

34 CFR 85.600 et seq.

20 U.S.C. 1145g, 3224a

41 U.S.C.A. 701 et seq.

Adopted: 18 November 2004

3221

3221. EVALUATION OF NONTENURED TEACHING STAFF MEMBERS (M)

The Board of Education recognizes the importance of implementing a program for the evaluation of nontenured teaching staff members in accordance with law for the purposes of identifying and correcting deficiencies, improving professional competence, improving the quality of instruction received by pupils of this district, and assisting the Board in determining the member's reemployment.

The program of evaluation of nontenured teaching staff members shall include the observation and evaluation of each such employee in the performance of his or her duties by an appropriate supervisor no fewer than three times during each school year, but not less than once during each semester. Evaluations are to take place before April 30 of each year. The evaluations may cover

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

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 must be completed prior to April 30. The number of required observations and evaluations may be reduced proportionately when an individual teaching staff member's term of service is less than one academic year. Each evaluation shall be followed by a conference between the teaching staff member and his or her superior or supervisor(s). The purpose of the observation and evaluation of nontenured teaching staff members shall be to improve professional competence, identify deficiencies, extend assistance for the correction of such deficiencies, provide a basis for recommendations regarding reemployment, and improve the quality of instruction received by the pupils served by the school(s) in the district.

Supervisors shall make every effort to assist nontenured teaching staff members in the remediation of deficiencies disclosed by observation and evaluation and may conduct additional observations and evaluations. Supervisors should recognize the purposes of this policy cannot be realized by evaluations that do not record the weaknesses as well as the strengths of teaching staff members. Assessments that are less than honest and candid serve neither the professional growth of the employee nor the interest of the district in building a staff of highly competent, well-trained personnel.

This Policy shall be distributed to each teaching staff member at the beginning of his or her employment.

N.J.S.A. 18A:27-3.1 et seq.  
N.J.A.C. 6A:9-8.6; 6A:32-4.5

Revised: January 23, 2013

### 3222 3222 EVALUATION OF TENURED TEACHING STAFF

The Board of Education recognizes that the continuing evaluation of tenured teaching staff members is essential to the achievement of the educational goals of this district. The purpose of a program of evaluation will be to promote professional excellence and improve the skills of tenured teaching staff members, improve pupil learning and growth, and provide a basis for the review of teaching staff member performance. The Board will provide leadership, adequate resources for supervision and professional development, time for the proper conduct of evaluations, and time for in-service training.

The Superintendent shall develop, in consultation with tenured teaching staff members, job descriptions and evaluation criteria for each teaching staff member position. Job descriptions will be clearly and concisely stated and will be provided to the Board for its approval.

The Superintendent shall distribute to each teaching staff member, no later than October 1 of each school year, a copy of this policy and the teaching staff member's job description and evaluation criteria; any amendments made subsequently to these documents will be distributed no later than ten days after their adoption.

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

The Superintendent shall develop, in consultation with teaching staff members, procedures for the evaluation of tenured teaching staff members that include, as a minimum:

1. The collection and reporting of data that is appropriate to the job description and includes as a minimum the observation of classroom instruction;
2. Observation conferences between the tenured teaching staff member and the evaluating supervisor;
3. The preparation of individual professional improvement plans;
4. The preparation by the supervisor of an annual written performance report, which shall include the teaching staff member's performance areas of strength and weakness, an individual professional improvement plan developed by the member and the supervisor, and a summary of the results of formal and informal assessments of the member's pupils along with a statement as to how these pupil indicators relate to the effectiveness of the overall program and to the member's performance;
5. The conduct of an annual summary conference between the supervisor and the member that will include a review of the member's performance, progress toward the objectives set forth in the professional improvement plan developed at the previous annual conference, pupil assessments and growth toward program objectives, and the written performance report prepared by the supervisor; and
6. The signing of the annual written performance report within five working days of the annual summary conference and the provision that the member may, within ten working days of the signing of the report, augment the report with additional performance data.

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

Revised: January 23, 2013

3223 M

### 3223 EVALUATION OF ADMINISTRATORS

The Board of Education recognizes that the continuing evaluation of administrators is essential to the achievement of the educational goals of this district. In order to ensure the greatest benefit to the district of a program of administrator evaluation, the Board shall provide adequate resources for supervision and professional development, time for the proper conduct of evaluations, and time for in-service training to encourage improvement in job performance.

The Superintendent will develop, in consultation with administrators, job descriptions for each administrative position. Such job descriptions will state in concise form the program objectives and major responsibilities of the position and will include evaluation criteria that evolve logically from those objectives and responsibilities. The Superintendent shall provide each administrator, no later than October 1 a copy of this policy and the job description and evaluation criteria of his/her position; any amendments made subsequently will be distributed no later than ten days after their adoption.

The Superintendent shall report to the Board on the effectiveness of the evaluation system and shall recommend such changes in the system as may be required to increase its effectiveness.

Tenured Administrators

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

Tenured administrators shall be evaluated in order to promote their professional excellence and improve their skills, to enhance pupil learning and growth, and to provide a basis for the review of administrative performance.

Each tenured administrator, except the Superintendent, shall be evaluated annually by appropriately certified and trained administrators or supervisors. The Superintendent shall, in consultation with administrators, develop procedures for the evaluation of tenured administrators that include, as a minimum:

1. The collection and reporting of evaluation data appropriate to the job description and evaluation criteria, including observations of the administrator's performance;
2. Observation conferences between the administrator and the evaluating supervisor;
3. The preparation of individual professional improvement plans;
4. The preparation by the supervisor of an annual written performance report that includes the administrator's performance areas of strength and weakness, an individual professional improvement plan developed by the supervisor and the administrator, a summary of available indicators of pupil progress and growth and a statement of how these indicators relate to the effectiveness of the overall program and the performance of the individual administrator, and provision for entry into the record by the administrator, within ten working days after the signing of the report, of performance data not included by the supervisor; and
5. The conduct of an annual summary conference between the administrator and the evaluating supervisor, which will be held before the written performance report is filed and will include a review of the administrator's performance and progress toward the objectives set by the individual professional improvement plan developed at the previous annual conference, review of available indicators of pupil progress and growth toward the program objectives, and a review of the written performance report and the signing of the report within ten working days of the review.

### **Nontenured Administrators**

Nontenured administrators shall be evaluated for the purpose of identifying and correcting deficiencies, improving professional competence, establishing a means for determining reemployment, and improving the quality of the educational program of this district.

The evaluation of nontenured administrators shall be conducted by appropriately certified supervisors and shall include, as a minimum:

1. The observation of the administrator in the performance of duties not less than three times in each school year and not less than once in each semester;
2. The conduct of a conference between the nontenured administrator and

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

the evaluating supervisor no later than fifteen working days after each such observation; and

3. The preparation of a written evaluation report of the nontenured administrator's total performance, which shall be signed and retained by both parties to the conference and may be augmented by the written disclaimer of the nontenured administrator, provided that such disclaimer is submitted no later than ten working days after the conference.

The Superintendent shall provide each nontenured administrator with a copy of this policy on his/her appointment.

N.J.S.A. 18A:27-3.1 et seq.  
N.J.A.C. 6:3-4.1; 6:3-4.3

Adopted: 18 November 2004

### 3230 3230 OUTSIDE ACTIVITIES

The Board of Education recognizes that teaching staff members enjoy a private life outside the schools in which they enjoy associations and engage in activities for a variety of personal, economic, religious, or cultural reasons. The Board believes that the role of the teaching profession is such that teachers exert a continuing influence away from the schools. Further, the Board has directed the evaluation of staff in terms of their faithfulness to and effectiveness in discharging professional duties. Accordingly, the Board reserves the right to determine when activities outside the schools interfere with a staff member's professional performance and the discharge of the member's responsibilities to the pupils of this district.

The Board directs that all teaching staff members be governed in the conduct of personal activities by the following guidelines:

1. Teaching staff members should refrain from conduct, associations, and offensive speech that, if given publicity, would tend to have an adverse or harmful effect upon pupils or the school community;

2. Teaching staff members should not devote time during the working day to an outside activity without valid reason. They should not solicit or accept customers for private enterprises on school premises or during the school day without the express permission of the Principal;

3. The Board does not endorse, support, or assume liability in any way for any staff member of this district who takes pupils on trips not approved by the Board or Superintendent, and shall not be liable for the welfare of pupils who travel on such trips. No staff member may solicit pupils of this district for such trips within the facilities or on the school grounds of the district;

4. Teaching staff members shall not campaign on school premises on behalf of any candidate for local, state, or national office or for any public question on the ballot;

5. Teaching staff members should not act as a practice tutor students currently enrolled in their classes privately for compensation;

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

6. Copyrights and patents to materials or equipment developed, written, prepared, processed, or tested by teaching staff members in the performance of their professional duties reside with and may be claimed by the Board.

N.J.S.A. 18A:42-4

N.J.S.A. 19:1.1 et seq.

Adopted: 18 November 2004

### 3231 3231 OUTSIDE EMPLOYMENT AS ATHLETIC COACH

The Board of Education will permit, in accordance with this policy, employees of this school district to serve as an athletic coach in another school district.

An employee who wishes to accept employment as athletic coach in another school district must request and receive permission to do so from the Superintendent of this district if an accommodation of the teacher's duties is required. An employee who does not require any accommodation must inform the Superintendent of their employment as an athletic coach in another district.

Service as an athletic coach in another school district must not conflict with or interfere with the performance of an employee's professional responsibilities in this district. No employee of this district shall be permitted to coach an out-of-district team that competes with a team sponsored by this district.

An employee of this district cannot accept employment as an athletic coach in another school district when he/she has been offered appointment as coach of the same rank and in the same sport in this district, except that the Superintendent may permit such an employee to accept out-of-district employment when the interests of pupils so warrant.

N.J.A.C. 6:29-3.3

Adopted: 18 November 2004

3232 The Board recognizes that the discharge of its responsibility to provide a thorough and efficient system of education for each child in the district may require special help for some students beyond the regular classroom program.

Teachers are encouraged to remain at least one afternoon a week to provide additional instruction to those students who are not achieving in terms of their ability. Student requests for additional instruction are to be honored. In order to avoid conflicts, it is suggested that additional instruction be provided by staff after the regular school day in accordance with a schedule to be prepared by the Principal.

It shall be the policy of this Board that no teacher shall be permitted to receive compensation for tutoring a student assigned to them. It is also the responsibility of teachers to remain free from the endorsement of any private

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

tutoring service.

N.J.A.C. 6:8-3.8(c)

Adopted: 18 November 2004

### 3233 3233 POLITICAL ACTIVITIES

The Board of Education recognizes and encourages the right of all citizens, including teaching staff members, to engage in political activity. The Board prohibits the use of school premises and school time, however, for partisan political purposes.

The Board establishes the following guidelines to govern teaching staff members in their political activities:

1. A teaching staff member shall not engage in political activity on school premises unless permitted in accordance with Board Policy No. 7510 Use of School Facilities and/or applicable Federal and State laws;
2. A teaching staff member shall not post political circulars or petitions on school premises nor distribute such circulars or petitions to pupils nor solicit campaign funds or campaign workers on school premises;
3. A teaching staff member shall not display any material that would tend to promote any candidate for office on an election day in a school facility that is used as a polling place;
4. A teaching staff member shall not engage in any activity in the presence of pupils while on school property, which activity is intended and/or designed to promote, further or assert a position(s) on labor relations issues.

A certificated staff member employed by this district who is a member of the Senate or General Assembly of the State of New Jersey shall be entitled to time off from school district duties, without loss of pay, during the periods of his/her attendance at regular or special sessions of the legislature and hearings or meetings of any legislative committee or commission.

A certificated staff member employed by this district who is a member of the Board of Chosen Freeholders of any county of New Jersey shall be entitled to time off from his/her duties, without pay, during the periods of his/her attendance at regular or special meetings of the Board and of any committee thereof and at such other times as he/she shall be engaged in performing the necessary functions and duties of his/her office as a member of the Board.

No other teaching staff member who holds elective or appointive office is so entitled to time off, except as such time off may be provided for by Board policy or negotiated agreement.

The provisions of this policy do not apply to the discussion and study of politics and political issues appropriate to the curriculum, the conduct of pupil elections, or the conduct of employee representative elections.

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Nothing in this Policy shall be interpreted to impose a burden on the constitutionally protected speech or conduct of a staff member or pupil.

N.J.S.A. 11:17-2

N.J.S.A. 18A:6-8.1; 18A:6-8.2; 18A:6-8.4; 18A:42-4

N.J.S.A. 19:34-42

Green Township v. Rowe, Superior Court of New Jersey - Appellate Division A-2528-98T5

Adopted: 18 November 2004

3240

3240 PROFESSIONAL DEVELOPMENT

The Board of Education encourages all teaching staff members to pursue a program of continuing professional development by course work or matriculation in institutions of higher learning, participation in workshops and conferences, membership in professional organizations, and independent scholarship.

Teaching staff members may be permitted to: visit other schools and classrooms; attend local, regional, or national conferences; participate in committees, workshops, and panels, both within and outside the district. Requests for participation in such professional development activities must be submitted in writing to the Superintendent or designee for approval. In addition, the Board of Education must approve all travel expenditures in accordance with N.J.S.A. 18A:11-12 and the State of New Jersey Department of the Treasury, Office of Management and Budget Circulars 08-19-OMB and 06-14-OMB (OMB Circulars) and any superseding circulars and any additional requirements set forth in N.J.A.C. 6A:23A-7 et seq.

A teaching staff member who has been granted time off and/or approved to be reimbursed for a professional development activity shall submit to the Superintendent or designee, with a copy to the School Business Administrator/Board Secretary, within 10 working days, a brief written report that includes the primary purpose of the travel, the key issues addressed at the event, and their relevance to improving instruction or the operations of the school district.

Each active teacher shall be required to complete 100 clock hours of State-approved continuing professional development and/or in-service every five years pursuant with N.J.A.C. 6A:9-15.2 et seq. Professional activities/meetings referenced in this Policy shall align with the Professional Standards for Teachers as set forth in N.J.A.C. 6A:9-3.3.

The Superintendent shall prepare and distribute to all teaching staff members regulations governing professional development activities. The Superintendent shall report regularly to the Board on the professional development activities of teaching staff members.

N.J.S.A. 18A:31-2; 18A:6-111

N.J.A.C. 6A:9-3.3; 6A:9-15.2; 6A:9-15.3; 6A:13-2.1

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Revised: January 23, 2013

3244

3244. IN-SERVICE TRAINING (M)

The Board of Education believes that the continuing improvement of the professional skills of teaching staff members is essential to the provision of a thorough and efficient system of education. The Board accepts the responsibility for providing training for staff members in order to encourage and foster their professional growth and improve the instructional and support services of this district. Staff training shall include district-wide and school-wide programs as well as individual personal improvement programs.

The Superintendent shall plan and present to the Board a program of in-service training that is consistent with the assessed needs and goals of the district. The in-service training program will be developed in consultation with appropriate teaching staff members and shall include the demonstrable results by which the effectiveness of the program will be evaluated.

The Superintendent shall report periodically to the Board on the conduct of the in-service training program and the results of its evaluation.

N.J.A.C. 6A:9-15.1 et seq.

Adopted: January 20, 2010

3245 3245 RESEARCH PROJECTS BY STAFF MEMBERS

The Board of Education encourages the participation of teaching staff members in research projects that are soundly designed and professionally conducted.

Teaching staff members may seek funding from local, state, and federal sources, public and private, for locally conducted research projects. Any research project involving pupils must be approved by the Board; all other research projects involving district personnel, facilities, and/or resources may be approved by the Superintendent.

An application for approval of a proposed research project must set forth the purpose of the project; a detailed description of the project; the degree to which, if any, the project will interrupt or displace the regular instructional program; a projection of the number of pupils, if any, and staff members who will be involved, the period of time that will be devoted to the project, and the project costs; the source of funding; any background information necessary to an understanding of the project; the means by which the project will be evaluated; and an assessment of the contribution the project will make to the educational program of this district.

A written report must be made to the Superintendent when a research project is terminated, either completed or incomplete. The Superintendent may also require progress reports during the course of any research project and may notify appropriate administrators of the conduct of any research project.

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Adopted: 18 November 2004

## 3270 3270 PROFESSIONAL RESPONSIBILITIES

The Board of Education will establish and enforce rules for the assignment of specific duties to teaching staff members and for the conduct of teaching staff members during the work day.

The Board directs the Superintendent to require the preparation of lesson plans by each teacher that implement the goals and objectives of the educational program. Teachers shall also be responsible for providing adequate direction and guidance to substitutes. Lesson plans will be subject to periodic review by the Principal.

The Superintendent shall apply uniformly throughout the district, except as may otherwise be provided in this policy, the following additional rules for teaching staff member conduct:

1. During the work day, teaching staff members may be assigned extra or alternative duties by the Principal in accordance with Board Policy No. 3134;
2. Teaching staff members are expected to attend every faculty meeting unless expressly excused by the Principal.
3. Teaching staff members may leave the school grounds during mealtime, but must inform the Main Office that they are leaving the premises.

Teaching staff members who are assigned as department heads or who are assigned to work on curriculum revision during the regular school day will be given an appropriate reduction in teaching assignments.

Adopted: 18 November 2004

## 3280 3280 LIABILITY FOR PUPIL WELFARE

Teaching staff members are responsible for supervision of pupils and must discharge that responsibility with the highest levels of care and prudent conduct. All teaching staff members of this district shall be governed by the following rules in order to protect the well-being of pupils and to avoid any assignment of liability to this Board of Education or to a staff member personally in the event a pupil is injured.

The Superintendent shall prepare such regulations as may be required to enforce the following rules:

1. Each teaching staff member must maintain the highest standard of care in the supervision, control and protection of pupils, commensurate with the member's assigned duties and responsibilities;
2. A teaching staff member should not voluntarily assume responsibility for duties he/she cannot reasonably perform. Such assumed responsibilities carry the same potential for liability as do assigned responsibilities;
3. A teaching staff member must provide proper instruction in safety

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wherever course guides so provide;

4. A teaching staff member must report immediately to the Building Principal any accident or safety hazard the member detects;
5. A teaching staff member must not send pupils on personal errands;
6. A teaching staff member must never transport pupils in a personal vehicle without the approval of the Building Principal;
7. A teaching staff member must not require a pupil to perform tasks that may be detrimental to the health or well-being of the pupil or other pupils;
8. A teaching staff member will refrain from the use of personal furnishings and equipment in the classroom without the express permission of the Principal;
9. A teaching staff member must immediately report any instance of substance abuse, violence, vandalism, accidents, or suspected child abuse in accordance with Policy Nos. 8442, 8461, and 8462.

N.J.S.A. 9:6-8.8 et seq.

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

N.J.S.A. 59:1-1 et seq.

Adopted: 18 November 2004

3281

3281 INAPPROPRIATE STAFF CONDUCT

The Board of Education recognizes its responsibility to protect the health, safety and welfare of all pupils within this school district. Furthermore, the Board recognizes there exists a professional responsibility for all school staff to protect a pupil's health, safety and welfare. The Board strongly believes that school staff members have the public's trust and confidence to protect the well-being of all pupils attending the school district.

In support of this Board's strong commitment to the public's trust and confidence of school staff, the Board of Education holds all school staff to the highest level of professional responsibility in their conduct with all pupils. Inappropriate conduct and conduct unbecoming a school staff member will not be tolerated in this school district.

The Board recognizes and appreciates the staff-pupil professional relationship that exists in a school district's educational environment. This Policy has been developed and adopted by this Board to provide guidance and direction to avoid actual and/or the appearance of inappropriate staff conduct and conduct unbecoming a school staff member toward pupils.

School staff's conduct in completing their professional responsibilities shall be appropriate at all times. School staff shall not make inappropriate comments to pupils or about pupils and shall not engage in inappropriate language or expression in the presence of pupils. School staff shall not engage in inappropriate conduct toward or with pupils. School staff shall not

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engage or seek to be in the presence of a pupil beyond the staff member's professional responsibilities. School staff shall not provide transportation to a pupil in their private vehicle or permit a pupil into their private vehicle unless there is an emergency or a special circumstance that has been approved in advance by the Building Principal/immediate supervisor and the parent/legal guardian.

The Commissioner of Education has determined inappropriate conduct by a school staff member outside their professional responsibilities may be considered conduct unbecoming a staff member. Therefore, school staff members are advised to be concerned with such conduct which may include, but are not limited to, communications and/or publications using e-mails, text-messaging, social networking sites, or any other medium that is directed and/or available to pupils or for public display.

A school staff member is always expected to maintain a professional relationship with pupils and to protect the health, safety and welfare of school pupils. A staff member's conduct will be held to the professional standards established by the New Jersey State Board of Education and the New Jersey Commissioner of Education. Inappropriate conduct or conduct unbecoming a staff member may also include conduct not specifically listed in this Policy, but conduct determined by the New Jersey State Board of Education, the New Jersey Commissioner of Education and/or appropriate courts to be inappropriate or conduct unbecoming a school staff member.

School personnel, compensated and uncompensated (volunteers), are required to report to their immediate supervisor or Building Principal any possible violations of this Policy. In the event the report alleges conduct by the Building Principal or the immediate supervisor, the school staff member may report directly to the Superintendent. In addition, school personnel having reasonable cause to believe a pupil has been subjected to child abuse or neglect or acts of child abuse or neglect as defined under N.J.S.A. 9:6-8.10 are required to immediately report to the Division of Youth and Family Services in accordance with N.J.A.C. 6A:16-10.1 et seq. and inform the Building Principal or immediate supervisor after making such report. However, notice to the Building Principal or designee need not be given when the school staff member believes such notice would likely endanger the referrer or child(ren) involved or when the staff member believes that such disclosure would likely result in retaliation against the child or in discrimination against the referrer with respect to his/her employment.

Reports may be made in writing or with verbal notification. The immediate supervisor or Building Principal will notify the Superintendent of Schools of all reports, including anonymous reports. The Principal will investigate all reports with a final report to the Superintendent of Schools. The Superintendent may, at any time after receiving a report, take such appropriate action as necessary and as provided for in the law. This may include, but is not limited to, notifying law enforcement, notifying the Division of Youth and Family Services in accordance with N.J.A.C. 6A:16-10.2 et seq., and/or any other measure provided for in the law.

This Policy will be distributed to all school staff and provided to staff members at anytime, upon request.

N.J.S.A. 18A:28-5 et seq.

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N.J.A.C. 6A:16-10.1 et seq.

Adopted: March 24, 2010

3310 3310 ACADEMIC FREEDOM

The curriculum adopted by the Board of Education is designed to address the educational goals established for this school district and to meet the needs of pupils. The course guides prepared for each course of study describe the material to be covered in each course and, in general, the approach to be employed by the teaching staff member responsible for the course.

The Board recognizes that some deviation from the course guide is necessary to the free exchange of ideas within the classroom. Exposure to a wide range of ideas encourages the spirit of inquiry that is essential to the learning process; the thorough examination of those ideas aids pupils in developing powers of reasoning and in acquiring habits of academic discipline.

The Board directs that the discussion of any issue not specifically covered by the course guide be conducted in an unprejudiced and dispassionate manner. The Board will not condone classroom discussion that is unrelated to the educational goals of this district or to the subject of the course of study, disrupts the educational process, does not match the maturity level of the pupils, neglects to inform pupils of various responsible points of view on the subject under discussion, or fails to take into account the sensibilities of the community.

Adopted: 18 November 2004

3321 3321 ACCEPTABLE USE OF COMPUTER NETWORK(S)/COMPUTERS AND RESOURCES BY TEACHING STAFF MEMBERS

The Board recognizes that as telecommunications and other new technologies shift the manner in which information is accessed, communicated and transferred, that those changes will alter the nature of teaching and learning. Access to telecommunications will allow teaching staff members to explore databases, libraries, Internet sites, bulletin boards and the like while exchanging information with individuals throughout the world. The Board supports access by teaching staff members to information sources but reserves the right to limit in-school use to materials appropriate to educational purposes. The Board directs the Superintendent to effect training of teaching staff members in skills appropriate to analyzing and evaluating such resources as to appropriateness for educational purposes.

The Board also recognizes that telecommunications will allow teaching staff members access to information sources that have not been pre-screened using Board approved standards. The Board therefore adopts the following standards of conduct for the use of computer network(s) and declares unethical, unacceptable, inappropriate or illegal behavior as just cause for taking disciplinary action, limiting or revoking network access privileges, instituting legal action or taking any other appropriate action as deemed necessary.

The Board provides access to computer network(s)/computers for administrative

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and educational purposes only. The Board retains the right to restrict or terminate teaching staff members access to the computer network(s)/computers at any time, for any reason. The Board retains the right to have the Superintendent or designee, monitor network activity, in any form necessary, to maintain the integrity of the network(s) and ensure its proper use.

### Standards for Use of Computer Network(s)

Any individual engaging in the following actions declared unethical, unacceptable or illegal when using computer network(s)/computers shall be subject to discipline or legal action:

- A. Using the computer network(s)/computers for illegal, inappropriate or obscene purposes, or in support of such activities. Illegal activities are defined as activities which violate federal, state, local laws and regulations. Inappropriate activities are defined as those that violate the intended use of the network(s). Obscene activities shall be defined as a violation of generally accepted social standards for use of publicly owned and operated communication vehicles.
- B. Using the computer network(s)/computers to violate copyrights, institutional or third party copyrights, license agreements or other contracts.
- C. Using the computer network(s) in a manner that:
  - 1. Intentionally disrupts network traffic or crashes the network;
  - 2. Degrades or disrupts equipment or system performance;
  - 3. Uses the computing resources of the school district for commercial purposes, financial gain or fraud;
  - 4. Steals data or other intellectual property;
  - 5. Gains or seeks unauthorized access to the files of others or vandalizes the data of another user;
  - 6. Gains or seeks unauthorized access to resources or entities;
  - 7. Forges electronic mail messages or uses an account owned by others;
  - 8. Invades privacy of others;
  - 9. Posts anonymous messages;
  - 10. Possesses any data which is a violation of this policy; and/or
  - 11. Engages in other activities that do not advance the educational purposes for which computer network(s)/computers are provided.

### Violations

Individuals violating this policy shall be subject to appropriate disciplinary actions as defined by Policy No. 3150, Discipline which includes but are not

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limited to:

1. Use of the network(s)/computers only under direct supervision;
2. Suspension of network privileges;
3. Revocation of network privileges;
4. Suspension of computer privileges;
5. Revocation of computer privileges;
6. Suspension;
7. Dismissal;
8. Legal action and prosecution by the authorities; and/or
9. Any appropriate action that may be deemed necessary as determined by the Superintendent and approved by the Board of Education.

N.J.S.A. 2A:38A-3

Revised: February 20, 2013

### 3322 3322 TEACHING STAFF MEMBER'S USE OF CELLULAR TELEPHONES

The Maywood Board of Education recognizes a school teaching staff member may need to make a personal telephone call during their workday when the telephone call cannot be made before the staff member reports to work and/or after the staff member's workday has concluded.

In the event the staff member has an occasion to make a personal telephone call during their workday, and the telephone call is of such a nature that it cannot be made before the staff member's workday begins or after the workday has concluded, the school staff member may make a personal telephone call using their personal cellular telephone during the workday provided the telephone call is made during the staff member's duty free lunch or break periods and is made outside the presence of pupils either in an area inside or outside the school building designated by the staff member's Building Principal or immediate supervisor.

A personal telephone call by a school staff member on their personal cellular telephone shall not be made while the staff member is performing assigned school district responsibilities.

In the event the staff member has an emergency requiring immediate attention that requires the personal use of their personal cellular telephone, the teaching staff member shall inform their Building Principal or immediate supervisor before or immediately after using the cellular telephone, depending on the nature of the emergency. In addition, any staff member using their personal cellular telephone during work hours while operating their personal or school district owned vehicle must comply with all local and state laws

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

regarding cell phone usage, including, but not limited to, the use of a hands-free device.

Adopted: 18 November 2004

Revised: July 23, 2008

3340 3340 GRIEVANCE

The Board of Education shall develop and practice reasonable and effective means for the resolution of disputes that may arise in the employment of teaching staff members not covered by the terms of a negotiated agreement or individual contract with the Board.

Adopted: 18 November 2004

3362 M

3362 SEXUAL HARASSMENT

The Board of Education recognizes that an employee's right to freedom from employment discrimination includes the opportunity to work in an environment untainted by sexual harassment. Sexually offensive speech and conduct are wholly inappropriate to the harmonious employment relationships necessary to the operation of the school district and intolerable in a workplace to which the children of this district are exposed.

Sexual harassment includes all unwelcome sexual advances, requests for sexual favors, and verbal or physical contacts of a sexual nature that would not have happened but for the employee's gender. Whenever submission to such conduct is made a condition of employment or a basis for an employment decision, or when such conduct is severe and pervasive and has the purpose or effect of unreasonably altering or interfering with work performance or creating an intimidating, hostile, or offensive working environment, the employee shall have cause for complaint.

The sexual harassment of any employee of this district is strictly forbidden. Any employee or agent of this Board who is found to have sexually harassed an employee of this district will be subject to discipline which may include termination of employment. Any employee who has been exposed to sexual harassment by any employee or agent of this Board is encouraged to report the harassment to an appropriate supervisor. An employee may complain of any failure of the Board to take corrective action by recourse to the procedure by which a discrimination complaint is processed. The employee may appeal the Board's action or inaction to the United States Equal Employment Opportunity Commission or the New Jersey Division of Civil Rights. Complaints regarding sexual harassment shall be submitted following the procedures outlined in Regulation No. 1530, Equal Employment Opportunity.

The Superintendent or his/her designee shall instruct all employees and agents of this Board to recognize and correct speech and behavior patterns that may be sexually offensive with or without the intent to offend.

# **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

Adopted: 18 November 2004

## 3370 3370 TEACHING STAFF MEMBER TENURE

The Board of Education recognizes that the benefit of tenure is conferred by law on teaching staff members who have completed the requisite period of probationary service in this school district. The Board also recognizes that certain service does not qualify the teaching staff member who performs that service for the grant of tenure.

Tenure in any administrative or supervisory position as listed in N.J.S.A. 18A:28-5 shall accrue only by employment in that administrative or supervisory position. Tenure so accrued will not extend to any other administrative or supervisory position and nothing shall limit or restrict tenure rights which were or may be acquired pursuant to N.J.S.A. 18A:28-6.

The Board specifically directs that service in the following positions will not accrue toward the tenure status and will be performed only under contract renewable at the discretion of the Board:

1. Substitute teacher;
2. Summer school teacher;
3. Home instructor;
4. Co-curricular advisor;
5. Athletic coach; and
6. Department chairperson other than a supervisor.

Nothing in this policy will be deemed to confer tenure on any employee who serves in a position not listed above and for whom tenure is not provided by law.

N.J.S.A. 18A:16-1.1; 18A:28-3 et seq.;  
18A:28-5 et seq.

Adopted: 18 November 2004

## 3381 3381 PROTECTION AGAINST RETALIATION

The Board of Education will take no retaliatory action, by discharge, demotion, suspension, or any other adverse action, against an employee because that employee has conscientiously:

1. Disclosed or threatened to disclose to a supervisor or public body an activity, policy, or practice of this Board or any district officer that the employee reasonably believes to be in violation of law or rule;
2. Provided information to a public body conducting an investigation,

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

hearing, or inquiry into any alleged violation of law by the Board or an officer of this district; or

3. Objected to or refused to participate in an activity, policy, or practice of this district that the employee reasonably believes to be in violation of law or rule, fraudulent, criminal, or incompatible with a clear mandate of public policy concerning the public health, safety, or welfare or protection of the environment.

An employee who has reason to believe that the Board has engaged in an illegal activity or an activity contrary to public policy must report that belief in writing to the Superintendent before notice is given to a supervisor or a public body. The Superintendent shall promptly report the same to the Board and institute an investigation of the reported activity. The findings of the investigation will be reported in writing to the Board and to the employee.

The protection of law and this policy apply only to employees who have given notice in accordance with this policy and have afforded the Board a reasonable period of time to take any corrective action that may be required or have acted in circumstances that the employee believes in good faith constitute an emergency.

The Superintendent shall post notice of this policy and inform employees of their rights under the New Jersey Conscientious Employee Protection Act.

N.J.S.A. 34:19-1

Adopted: 18 November 2004

3410 3410 COMPENSATION

The Board of Education will establish the compensation for teaching staff members not covered by the terms of a negotiated agreement or individual contract with the Board.

Adopted: 18 November 2004

TEACHING STAFF MEMBERS

3411/page 1 of 1

Placement on Salary Guide Step

3411 PLACEMENT ON SALARY GUIDE STEP

The Board of Education retains the authority to specify the salary of new positions and to determine the credit to be awarded for placement on an existing salary schedule.

The Superintendent is authorized to credit for placement on the salary schedule all appropriate service of an applicant for employment in this District, not to exceed ten years.

Each classified employee shall be informed annually of his/her salary by July 1st.

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

In order to advance one step on a salary guide, a classified employee must have served at least one-half of the prior contract year with the District.

Adopted: 18 November 2004

### 3411 3411 PLACEMENT ON SALARY GUIDE STEP

The Board of Education retains the authority to specify the salary of new positions and to determine the credit to be awarded for placement on an existing salary schedule.

The Superintendent is authorized to credit for placement on the salary schedule all appropriate service of an applicant for employment in this District, not to exceed ten years.

Each classified employee shall be informed annually of his/her salary by July 1st.

In order to advance one step on a salary guide, a classified employee must have served at least one-half of the prior contract year with the District.

Adopted: 18 November 2004

### 3412 3412 PLACEMENT ON GUIDE COLUMN

The Board of Education encourages all teaching staff members to enroll in programs of advanced education and will provide additional compensation to those who successfully complete such programs. The Board reserves the right to approve a change in the salary of a teaching staff member who meets the following standards for advanced studies:

1. Courses must have been offered by an accredited institution of higher education, except as this requirement is waived by the Superintendent;
2. Courses must be those offered for the attainment of a graduate degree or those specifically related to a member's assigned duties;
3. Courses must lead toward a degree that will contribute to the member's performance in this school district;
4. Course registration must be approved in advance by the Superintendent;
5. Courses must have been taken after the award of the last earned degree credited on the guide; and
6. Course credit will be given on the salary guide only for the successful completion of a course, and the submission of a transcript directly to the Superintendent by the institution in which the course was taken.

Where initial placement on the salary guide recognizes an employee's academic achievements by degrees conferred and credits awarded by an accredited college or university in accordance with Policy No.3411, proof of academic achievement must be by official transcript issued by the college or university.

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N.J.S.A. 18A.29-13

Adopted: 18 November 2004

### 3420 3420 BENEFITS

The Board of Education will establish benefits for teaching staff members not covered by the terms of a negotiated agreement or individual contract with the Board.

Adopted: 18 November 2004

### 3425 3425 WORK RELATED DISABILITY PAY

The Board of Education will permit, in accordance with law, the absence without loss of pay or of annual or accumulated sick leave benefits of a teaching staff member disabled by accident or injury arising out of and in the course of employment. Any such employee shall seek the workers' compensation benefits to which he/she is entitled by law.

An employee whose disability has qualified for the receipt of workers' compensation benefits shall be presumed eligible for work related disability pay under this policy. When an employee's disability is so brief as to preclude the employee's application for workers' compensation benefits, the employee may request and the Board may grant work related disability pay.

Any employee who qualifies for work related disability pay under this policy will be entitled to receive full pay during the period he/she is on disability leave of absence, for up to twelve consecutive months.

As a condition of receiving full salary, an employee who receives workers' compensation benefits for his/her work-related disability must endorse and deliver to the Board all workers' compensation temporary disability checks received for the period covered by this policy.

N.J.S.A. 18A:30-2.1; 18A:66-32.1

N.J.S.A. 34:15-38

Adopted: 18 November 2004

### 3431 3431 UNCOMPENSATED LEAVE

#### Leave of Absence Without Pay

It is the policy of the Board of Education to not consider granting leaves of absence without pay to all district employees except those unpaid leaves permitted by federal law, State law and all negotiated employment contracts.

All requests for extended leaves of absence for whatever reason shall be considered on a case-by-case basis by the Board.

All such leaves of absence are granted from the Maywood School System and not

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from a specific position. No such leave shall be granted for employment in another business or occupation except as determined by negotiated agreement or the Board.

### Definition of Unauthorized Leave

The Superintendent shall develop procedures for application for and approval of such leaves as have been authorized. A district employee takes "unauthorized" leave by:

1. Being absent from assigned duties without having followed the district procedures;
2. Refusing to provide properly assigned services, either individually or as part of a collective action;
3. Using sick leave improperly;
4. Using other leave benefits improperly; or
5. Failing to attend required meetings without permission of the Superintendent or his/her designee.

An employee is deemed to be on unauthorized leave at such times and on such occasions as the employee may absent himself/herself from required duties.

### Disciplinary Action

Unauthorized leave shall constitute a breach of contract and may result in the initiation of dismissal procedures, loss of increment or other disciplinary action as may be deemed appropriate.

### Right of the Board of Education

The Board of Education reserves the right to specify the conditions when not otherwise covered by the terms of the negotiated agreement under which uncompensated leave may be taken. The Board of Education also reserves the right to grant any and all unpaid leave of absences.

Adopted: 18 November 2004

### 3431.1 3431.1 FAMILY LEAVE

In accordance with the federal Family and Medical Leave Act (FMLA) and the New Jersey Family Leave Act, the Board of Education will grant teaching staff members up to twelve weeks leave of absence in any twelve month period for the provision of the care made necessary by the birth or adoption of a child or by the serious health condition of a spouse, parent, child or the employee.

No employee shall be required to take family leave or to extend family leave beyond the time requested. An employee shall not be discriminated against for having exercised his/her rights under the Family and Medical Leave Act or the New Jersey Family Leave Act nor discouraged from the use of family leave.

For the purposes of this policy, a "parent" is a biological, adoptive, or

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foster parent; stepparent; parent-in-law; a legal guardian in a parent-child relationship; or a person who has the sole or joint legal or physical custody, care, guardianship, or visitation with a child. "Serious health condition" is an illness, injury, impairment, or physical or mental condition that requires inpatient care in a hospital, hospice, or residential medical facility or continuing medical treatment or continuing supervision by a health care provider. A "week" is the number of days an employee normally works each calendar week.

### Eligibility

An employee shall become eligible for family leave after he/she has worked twelve months in this district and at least one thousand hours, excluding overtime, during the previous twelve month period. The calculation of the twelve month period shall commence with the commencement of the family leave. Leave taken for the birth or adoption of a child may commence at any time within one year after the birth or adoption, regardless of when the birth or adoption occurs.

An employee on family leave shall not work full-time for another employer, unless he/she was so employed full-time prior to the commencement of family leave. An employee on family leave may work part-time up to half of the hours regularly worked for this Board prior to the family leave or part-time in any employment outside the district that commenced prior to the family leave.

### Types of Leave

An employee may take family leave in consecutive weeks, as intermittent leave, or as reduced leave. An employee who requests intermittent or reduced leave shall make a reasonable effort to schedule such leave so as not to unduly disrupt the instructional program.

1. Intermittent leave is non-consecutive leave comprised of intervals each of which is at least one but less than twelve weeks within a consecutive twelve month period for each single serious health condition. An employee is entitled to take intermittent leave when medically necessary for the serious medical condition of a family member, but the employee and the Board must agree to intermittent leave for the birth or adoption of a child.

2. Reduced leave is non-consecutive leave of up to the equivalent of twelve weeks that is taken in increments of less than one full week at a time but not less than one workday, unless the Board and employee agree to a shortened workday. Reduced leave may not be scheduled for more than twenty-four consecutive weeks. An employee is entitled to take only one reduced leave schedule within a twelve month period. An employee is entitled to take reduced leave for the serious medical condition of a family member, but the employee and the Board must agree to reduced leave for the birth or adoption of a child.

3. The fact that a holiday may occur within the week taken by an employee as Family and Medical Leave Act (FMLA) has no effect and the week is counted as a week of FMLA. However, if the employee is out on FMLA and the school district is closed and the employee would not be expected to report for work for one or more weeks, the days the school district is closed for this employee do not count against the employee's FMLA leave entitlement.

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

Any leave time remaining after an employee has exhausted his/her entitlement to intermittent leave in any twelve month period may be taken as consecutive leave or reduced leave, and any leave time remaining after an employee has exhausted his/her entitlement to reduced leave in any twelve month period may be taken as consecutive leave or intermittent leave.

### Notice

An employee eligible for family leave must give reasonable advance notice in writing to the Superintendent, except where emergent circumstances warrant shorter notice. Whenever emergent circumstances make written notice impracticable, the employee may give oral notice to the Superintendent but any oral notice must be followed by written notice delivered within two working days.

1. Notice for leave to be taken for the birth or adoption of a child shall be given at least thirty days prior to the commencement of the leave, except that if the date of the birth or adoption requires leave to begin in less than thirty days, the employee shall provide such notice as is practicable.

2. Notice for leave to be taken for the serious medical condition of a family member shall be given at least fifteen days prior to the commencement of leave, except that if the date of the treatment or supervision requires leave to begin in less than thirty days, the employee shall provide such notice as is practicable.

### Benefits

Family leave shall be unpaid leave.

In accordance with law, the Board will maintain coverage under any group health insurance policy, group subscriber contract, or health care plan at the level and under the conditions coverage would have been provided if the employee had not been absent on family leave. However, an employee who fails to return to work after the period of leave for which he or she is entitled has expired will be expected to reimburse the district for those paid benefits, as allowed by law.

An employee returning from family leave shall be entitled to the position he/she held when leave commenced or to a similar position, full-time or part-time, within his/her certification, except as his/her entitlement to a position may have been affected by a reduction in force. The employee's tenure and seniority rights, if any, and other benefits shall be preserved, but the employee shall accrue no additional time toward tenure or seniority for the period of the leave, except as may be provided by law.

The return of an employee prior to the expiration of family leave shall be permitted if the return does not unduly disrupt the instructional program or require the Board to incur the cost of continuing the employment of a substitute under contract. If an instructional employee seeks to return to duty near the end of a semester, the district may require the employee to remain on leave without pay until the next semester so as not to unduly disrupt the instructional program.

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

Family leave granted to a nontenured employee cannot work to extend the employee's employment beyond the expiration of his/her employment contract.

### Verification of Leave

The Board shall require the certification of the health care provider verifying the purpose of requested family leave. Certification of a serious health condition shall contain the date on which the condition commenced, its probable duration, and relevant medical information known to the provider. Certification of a birth or adoption shall contain the projected date of birth or placement. In the event the Board doubts the validity of the certification, the employee shall obtain the opinion of a second health care provider approved by the Board. If the certification and opinion disagree, the employee shall, at Board expense, obtain an opinion from a third health care provider approved by both the employee and the Board. The opinion of the third health care provider shall be final and binding.

In order that an employee's entitlement to family leave can be properly determined, the Superintendent shall ensure the keeping of accurate attendance records that distinguish family leave from other kinds of leave.

29 U.S.C. 2601 et seq.  
29 C.F.R. 825.200 et seq.  
N.J.S.A. 34:11B-1 et seq.

Adopted: 18 November 2004

3431.3

3431.3 NEW JERSEY'S FAMILY LEAVE INSURANCE PROGRAM

Board of Education employees are eligible to apply for benefits under New Jersey's Family Leave Insurance Program administered by the State of New Jersey - Department of Labor and Workforce Development. New Jersey's Family Leave Insurance Program (NJFLI) may provide up to six weeks of family leave insurance benefits payable to covered employees from either the New Jersey State Plan or an approved employer-provided private plan.

A benefit provided through the NJFLI will be for the employee to bond with a child during the first twelve months after the child's birth, if the covered individual or the domestic partner or civil union partner of the covered individual is a biological parent of the child, or the first twelve months after the placement of the child for adoption with the covered individual. An employee who intends to apply to the State of New Jersey for benefits under this provision of the NJFLI must provide the Superintendent of Schools written notice thirty calendar days prior to beginning the leave. Failure to provide this thirty-day notice may result in a reduction in the employee's maximum family leave insurance benefits. Intermittent leave to bond with a newborn or newly adopted child must be agreed to by the Superintendent of Schools and the employee and, if agreed to, must be taken in periods of seven days or more.

A benefit provided through the NJFLI will also be to care for a family member with a serious health condition supported by a certification provided by a health care provider. An employee who intends to apply to the State of New Jersey for benefits under this provision of the NJFLI for consecutive leave

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must provide the school district reasonable and practical notice unless the time of the leave is unexpected or the time of the leave changes for unforeseen reasons. An employee who intends to apply for benefits under this provision of the NJFLI for intermittent leave must provide the school district with a written notice at least fifteen calendar days prior to beginning the leave.

For the purposes of this Policy, "family member" means a child, spouse, domestic partner, civil union partner, or parent of a covered individual. "Child" means a biological, adopted, or foster child, stepchild, or legal ward of a covered individual, child of a domestic partner of the covered individual, or child of a civil union partner of the covered individual, who is less than nineteen years of age or is nineteen years of age or older but incapable of self-care because of mental or physical impairment.

All applications for benefits under the NJFLI must be filed directly with the State of New Jersey – Department of Labor and Workforce Development. The eligibility requirements, wage requirements, benefit duration and amounts, and benefit limitations shall be in accordance with the provisions of the NJFLI as administered by the State of New Jersey – Department of Labor and Workforce Development. A formal appeal may be submitted to the State of New Jersey – Department of Labor and Workforce Development if an employee or the Board disagrees with a determination on a claim.

The NJFLI provides eligible individuals a monetary benefit and not a leave benefit. The school district administrative and related staff will comply with the State of New Jersey – Department of Labor and Workforce Development requests for information in accordance with the provisions of N.J.A.C. 12:21-3.9.

The Board may elect to provide employees with Family Leave Insurance benefits coverage under a private plan which must be approved by the State of New Jersey – Department of Labor and Workforce Development.

A printed notification of covered individuals' rights relative to the receipt of benefits under the NJFLI will be posted in each of the school district worksites and in a place or places accessible to all employees at the worksite. Each employee shall receive a copy of this notification in writing at the time of the employee's hiring, whenever the employee provides written notice to the Superintendent of their intention to apply for benefits under the NJFLI, or at any time upon the first request of the employee. The written notification may be transmitted to the employee in electronic form.

N.J.S.A. 43:21-25 et seq.  
N.J.A.C. 12:21-1.1 et seq.

Adopted: March 24, 2010

3432 3432 SICK LEAVE

The Board of Education shall grant sick leave, in accordance with law, to teaching staff members absent from work because of personal disability or quarantine. Each steadily employed employee eligible for sick leave will be

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

entitled annually to the number of paid sick leave days negotiated with the employee's majority representative or provided in an individual contract with the Board.

Adopted: 18 November 2004

3433

3433 VACATIONS

The Board of Education believes that the school district benefits when teaching staff members employed to work twelve months a year are given periodic relief from the responsibilities of their positions without loss of compensation.

The Board reserves the right to determine the conditions under which vacation time may be taken when not otherwise covered by the terms of a negotiated agreement or individual contract with the Board.

Adopted: 18 November 2004

3435 3435 ANTICIPATED DISABILITY

The Board of Education shall provide for leaves of absence, in accordance with law and the policies of this Board, for any employee of this district not covered by the terms of a negotiated agreement whose absence from duties will be required for a foreseeable event of disability such as childbirth or surgery.

An employee who anticipates disability shall so notify the Superintendent as soon as the employee is under medical supervision for the condition and a date is projected for the anticipated disability. Because of the potentially disabling nature of pregnancy and the certainty of temporary disability at birth, the Board will presume that a pregnant employee is disabled for work thirty days before the anticipated date of childbirth and continues to be disabled for thirty days after birth, except that any such employee who presents medical certification of her fitness may continue to work until she is actually disabled and may return to work as soon as she is able.

The Board reserves the right to require an employee who requests an extended leave of absence that includes anticipated disability to commence and/or terminate the leave at times that ensure continuity in the educational program in accordance with Policy No. 3431. No person who is required to take leave at a time other than that requested will be denied the use of sick leave for the anticipated disability that occurs or is presumed to occur during the leave.

An employee who anticipates a disability may request a leave of absence to commence before disability and to extend beyond the period of disability. Any such request shall be subject to Board discretion and the Board's policy on leave of absence. An employee on voluntary leave of absence is not eligible for sick leave pay for disability occurring during the period of that absence.

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29 C.F.R. 1604-1 et seq.

N.J.S.A. 10:5-12

N.J.S.A. 18A:6-6; 18A:16-2; 18A:30-1 et seq.

Adopted: 18 November 2004

3436 The Board of Education will provide compensated absence for reasons of personal necessity for teaching staff members not covered by the terms of a negotiated agreement or individual contract with the Board.

The Board reserves the right to determine the reasons for which personal leave will be granted, the number of days that may be used in any one school year for personal leave, and the manner of proof of personal necessity.

N.J.S.A. 18A:30-7

Adopted: 18 November 2004

3437 3437 MILITARY LEAVE

The Board of Education recognizes that military service rendered by any district employee in the defense of the country or in maintaining preparedness for conflict, foreign or domestic, is a service benefiting all citizens. Any permanent or full-time officer and/or employee of the district will be provided military leave and related benefits pursuant to the Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. Section 4301 et seq., P.L. 2001 Chapter 351 amending N.J.S.A. 38:23-1, N.J.S.A. 38A:1-1 and N.J.S.A. 38A:4-4., and any other applicable Federal and State laws.

A permanent or full-time temporary officer or employee of the school district who is a member of the organized militia of New Jersey (New Jersey National Guard, New Jersey Naval Militia Joint Command) shall be entitled, in addition to pay received, if any, to a leave of absence without loss of pay or time on all days in which he/she is engaged in any period of State or Federal active duty. The leave of absence for Federal active duty or active duty for training shall not exceed ninety workdays in the aggregate in any calendar year. A permanent or full-time temporary officer or employee who has served less than one year in the district shall receive this leave without pay, but without loss of time. This paid leave shall be in addition to the regular vacation or other accrued leave provided to the officer or employee. Any leave of absence for such duty in excess of ninety workdays shall be without pay, but without loss of time.

A permanent or full-time temporary officer or employee of the school district who is a member of the organized reserve of the Army of the United States, United States Naval Reserve, United States Air Force Reserve or United States Marine Corps Reserve, or other organization affiliated therewith, including the National Guard of other states, shall be entitled, in addition to pay received, if any, to a leave of absence without loss of pay or time on all work days he/she shall be engaged in any period of active duty, provided such leave of absence shall not exceed thirty workdays in any calendar year. A permanent or full-time temporary officer or employee who has served less than one year in the district shall receive this leave without pay, but without

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

loss of time. This paid leave shall be in addition to the regular vacation or other accrued leave provided to the officer or employee. Any leave of absence for such duty in excess of thirty workdays shall be without pay, but without loss of time.

Military leave with pay is not authorized for Inactive Duty Training (IDT) as defined in N.J.A.C. SA:2- 21.

The district will provide benefits and rights for staff on military leave as required by Federal and State laws.

The military leave requirements in this Policy are the minimum requirements of applicable Federal and State laws. The district, at its option, may provide additional military leave with pay and related benefits.

Pursuant to N.J.S.A. 52:13H-2.1, in accordance with the provisions of Article VIII, Section II, paragraph 5 of the New Jersey Constitution, upon application by the district to the State Treasury and approval of the application by the Director of the Division of Budget and Accounting, reimbursement shall be made by the State of New Jersey for any costs incurred as a result of the provisions of P.L. 2001, Chapter 351.

N.J.S.A. 18A:6-33; 18A:28-11.1; 18A:29-11; 18A:66-8.1

N.J.S.A. 38:23-1 et seq.; 38A:1-1; 38A:4-4;  
52:13H-2.1;

N.J.A.C. 5A:2-2.1

Uniformed Services Employment and reemployment Rights Act (USERRA), 38 U.S.C. Section 4301 et seq.

Adopted: 18 November 2004

### **3438 3438 SABBATICAL LEAVE**

Any teacher who has completed five years of service in the Maywood School District may be entitled to take a leave of absence for one or two semesters subject to the following restrictions:

1. Application submitted by March 1st of the school year prior to the leave.
2. A plan of study in education approved by the Superintendent.
3. The applicant will notify the Superintendent by December 15 and/or April 15 during his/her leave of his/her intent for the following semester.
4. No more than two people may be on leave at one time.
5. A person on leave does not receive service credits.

### **Rights While On All Leaves**

The staff member on leave shall be entitled to request and receive the right to continue to be covered by insurance for hospitalization, surgical benefits and major medical, dental insurance, and life insurance, so long as the employee reimburses the Board monthly the cost of said insurance at the Board rate.

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Adopted: 18 November 2004

3439 3439 JURY DUTY

The Board of Education will indemnify any teaching staff member against loss of pay incurred by a call to jury duty. No such employee will be penalized in any way for an absence caused by service on a panel of grand or petit jurors. The time any such employee is absent on jury duty will not be charged against personal leave and will count as school district service.

Teaching staff members shall report a call to jury duty during the school term to the Principal or their immediate supervisor who shall determine whether or not a replacement is available. Teaching staff members scheduled for jury service during the school term for whom the administration indicates a replacement cannot reasonably be found shall seek from the Assignment Judge an excusal or deferment of service. Teaching staff members shall obtain from the Superintendent, or designee, a letter indicating the lack of availability of a substitute in such instances.

A teaching staff member who is a full-time teacher and is absent from school duties on jury duty for any court of New Jersey, any court of any other State, any federal district court, or in the U.S. District Court for New Jersey will receive their usual compensation from the school district for each day the teaching staff member is present for jury duty. In the event there is any jury duty compensation, excluding mileage and lodging, paid to the teaching staff member for their time on jury duty, the teaching staff member will reimburse the school district the amount of any jury duty compensation paid to the staff member.

An employee summoned to jury duty shall promptly report the summons to his/her immediate supervisor. On return from jury duty, the employee must submit to his/her immediate supervisor a court record of the number of days served on jury duty.

While on jury duty, an employee must report daily to his/her supervisor the schedule for the following day.

N.J.S.A. 2B:20-1 et seq.; 2B:20-10; 2B:20-16

Adopted: 18 November 2004

3440 \*\*\* ABOLISHED POLICY \*\*\* AS OF JUNE 18, 2009 \*\*\*

3440 TRAVEL EXPENSES

The Board of Education will reimburse teaching staff members for travel expenses in accordance with applicable New Jersey Statutes.

For the purpose of this Policy:

1. Travel Expenditures - means those costs paid by the school district using local, State, or Federal funds, whether paid directly by the school district or by employee reimbursement, for travel by school district employees and/or

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Board of Education members to training and seminars, conventions and conferences, regular school district business, and retreats.

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

3. 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.

4. Regular School District Business - means all regular official business travel, including attendance at meetings, conferences, and any other gatherings which are not covered by the definitions for training and seminars and convention and conferences above.

5. Retreats - means meetings with school district employees and 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.

School district travel expenditures include, but are not limited to, all costs for transportation, meals, lodging, and registration or conference fees to and from the travel event. School district travel expenditures include costs for all required training and all travel authorized in existing school district employee contracts and school Board policies. This includes, but is not limited to, required professional development and other staff training, required training for new school Board members, and attendance at specific conferences authorized in existing employee contracts.

The school district shall not bear costs for car rentals, limousine services, and/or chauffeuring costs to or during the event, as well as costs for employee attendance for coordinating other attendees' accommodations at the travel event.

All travel by district teaching staff members shall be educationally necessary and fiscally prudent and all travel expenditures shall be directly related to and within the scope of the teaching staff member's current responsibilities and the school district's professional development plan. All travel expenditures must be for travel that is critical to the instructional needs of the school district or furthers the efficient operation of the school district and is in compliance with State travel payment guidelines as established by the Department of the Treasury and with guidelines established by the Federal Office of Management and Budget; except that those 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.

A teaching staff member shall submit to the building administrator within 7 calendar days of incurring the travel expense(s) a brief report that includes

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

the primary purpose for the travel and the key issues that were addressed at the event and their relevance to improving instruction or the operation of the school district.

The detailed documentation that demonstrates compliance with the school Board's travel policy including travel approvals, reports, and receipts for all school district funded expenditures, as appropriate, shall be maintained in the school business administrator's office, attached to the purchase order.

Travel for teaching staff members may occur only upon prior written approval of the Superintendent of Schools and prior approval by a majority of the full voting membership of the Board.

For regular school district business travel only, the Board authorizes an annual maximum amount per employee for regular business travel in an amount which Board the board will approve at the reorganization meeting every year, and travel for this amount will not need board approval.

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

Travel payments will be paid only upon compliance with P.L. 2007, c. 53 and this Policy's provisions and approval requirements.

The Board will not ratify or approve payments or reimbursements for travel after completion of the travel event. An employee or organization shall not receive an amount for travel and/or travel-related expenses in advance of the travel pursuant to N.J.S.A. 18A:19-1 et seq.

A Board member shall recuse himself/herself from voting on travel if the Board member, a member of his immediate family, or a business organization in which he/she has an interest, has a direct or indirect financial involvement that may reasonably be expected to impair his/her objectivity or independence of judgment. A Board member shall not act in his/her official capacity in any matter in which he/she or a member of his/her immediate family has a personal involvement that is or creates some benefit to the school official or member of his/her immediate family; or undertake any employment or service, whether compensated or not, which may reasonably be expected to prejudice his/her independence of judgment in the execution of his/her official duties.

The Board shall exclude from the requirements of prior Board approval any travel caused by or subject to contractual provisions, other statutory requirements, or Federal regulatory requirements. The Board may not exclude such travel from the subsistence requirements and annual maximum travel expenditure pursuant to P.L. 2007 c. 53.

One-day trips that do not involve overnight lodging are not eligible for a subsistence payment or reimbursement except in limited circumstances authorized in the Department of the Treasury guidelines. Overnight travel is eligible for a subsistence payment or reimbursement as authorized in Department of the Treasury guidelines, except as otherwise superseded by the

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

following provisions:

1. Per diem payment or reimbursement for lodging and meals will be actual reasonable costs, not to exceed the Federal per diem rates as established in the Federal register for the current year;
2. Lodging expenses may exceed the Federal per diem rates if the hotel is the site of the convention, conference, seminar, or meeting and the going rate of the hotel is in excess of the Federal per diem rate. If the hotel at the site of the convention, conference, seminar, or meeting is no longer available, lodging may be paid for similar accommodations at a rate not to exceed the hotel rate for the event;
3. Receipts are required for hotel expenses;
4. In any case in which the total per diem reimbursement is greater than the Federal per diem rate, except as stated in 2. above, the costs will be considered to be excessive and shall not be paid by school district funds;
5. The school district shall patronize hotels and motels that offer special rates to government employees unless alternative lodging offers greater cost benefits; and
6. Payment or reimbursement is approved for the full cost of an official convention meal that the employee or school Board member attends, when the meal is scheduled as an integral part of the convention or conference proceedings. If a meal is included in the registration fee, the allowance for the meal is not eligible for reimbursement.

Annually in the prebudget year, the Board shall establish by Board resolution, a maximum travel expenditure amount for the budget year, which the school district shall not exceed in that budget year. The Board resolution shall also include the maximum amount established for the prebudget year and the amount spent to date. The maximum school district travel expenditure amount shall include all travel in accordance with P.L. 2007 c. 53 supported by local and State funds.

The school district shall maintain separate accounting for school district travel expenditures as necessary to ensure compliance with the school district's maximum travel expenditure amount. This may include, but need not be limited to, a separate or offline accounting of such expenditures or expanding the school district's accounting system. The tracking system shall be sufficient to demonstrate compliance with the Board's policy and P.L. 2007 c. 53, and shall provide auditable information.

Any Board of Education that violates its established maximum travel expenditure as set forth in P.L. 2007 c. 53, or that otherwise is not in compliance with the travel limitations set forth in P.L. 2007 c. 53 may be subject to sanctions by the Commissioner as authorized pursuant to N.J.S.A. 18A:4-23 and N.J.S.A. 18A:4-24, including reduction of State aid in an amount equal to any excess expenditure.

A person who approves any travel in violation of the P.L. 2007 c. 53 or this Policy shall be required to reimburse the school district in an amount equal to three times the cost associated with attending the event. An employee or

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

Board member who travels in violation of the Board's policy or P.L. 2007 c. 53 shall be required to reimburse the school district in an amount equal to three times the cost associated with attending the event.

P.L. 2007 c. 53

Adopted: 18 November 2004

Revised: July 26, 2007

4000 4000 SUPPORT STAFF MEMBERS

Number	Title
4111	Creating Positions
4123	Probationary Period
4124	Employment Contract
4125	Employment of Support Staff Members
4130	Assignment and Transfer
4140	Termination
4145	Layoffs
4146	Nonrenewal of Nontenured Support Staff Employment Contract
4150	Discipline
4150.1	Suspending an Employee
4151	Assessment of Pay
4152	Freezing or Reducing Wages
4160	Physical Examination
4161	Examination for Cause
4211	Attendance
4211.3	Consulting Outside the District
4214	Conflict of Interest
4215	Code of Ethics
4216	Staff Dress and Grooming
4218	Substance Abuse
4220	Employee Evaluation
4230	Outside Activities
4233	Political Activities
4240	Employee Training
4281	Inappropriate Staff Conduct
4321	Acceptable Use of Computer Network(s)/Computers and Resources by Support Staff Members
4322	Support Staff Member's Use of Cellular Telephones
4340	Grievance
4352	Sexual Harassment
4360	Support Staff Member Tenure
4381	Protection Against Retaliation
4410	Compensation
4411	Placement on Salary Guide Step
4413	Overtime Compensation
4415	Substitute Wages
4420	Benefits
4425	Work Related Disability Pay
4431	Uncompensated Leave
4431.1	Family Leave

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4432	Sick Leave
4433	Vacations
4434	Holidays
4435	Anticipated Disability
4436	Personal Leave
4437	Military Leave
4438	Jury Duty
4440	Job Expenses

### 4111 4111 CREATING POSITIONS

The Board of Education recognizes its authority to establish support staff positions that, when filled by qualified employees, will assist the district in the achievement of educational goals set by the Board.

The Board will create new positions as required, approve a job title appropriate to the position, and determine the number of persons required to staff adequately each such position.

The Superintendent shall recommend to the Board such new positions or additional staffing in existing positions as may be required by pupil enrollments and the operational needs of the district.

N.J.S.A. 18A:16-1; 18A:17-24; 18A:28-1

Adopted: 18 November 2004

### 4123 4123 PROBATIONARY PERIOD

Each employee hired by the Board of Education shall serve a probationary period as established by the Board of Education. Unless otherwise contracted, the minimum probation period shall be 60 days duration. During the probation period the employee may be summarily dismissed, at the sole discretion of the Board and without notice.

New probationary employees are not eligible for employment benefits except sick leave. Employees transferring to a new position shall retain those benefits already in force.

During the probationary period, time off the job for uncompensated leave, sick leave (in excess of the regular entitlement), temporary military leave, and any other leave will not count toward the completion of the probationary period.

An employee who completes the probationary period will be entitled to all the rights and privileges accorded such employees by the policies of the Board and by contracts if any negotiated with the employee's representative.

An employee who successfully completes a probationary period in one classification of employment who is transferred to another classification or position of employment must serve a new probationary period in the new classification or position. If the employee does not perform successfully in the new classification or position, he or she shall not be entitled to

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

reinstatement in the former classification.

Adopted: 18 November 2004

### 4124 4124 EMPLOYMENT CONTRACT

The Board of Education requires that every nontenured employee annually sign an employment contract for a term of not more than one year.

The employment contract shall include the date; name of the employee; the beginning and ending dates of service; the salary to be paid and the manner of payment; an authorization for salary deductions as applicable; and such other terms and conditions as may be necessary to a complete statement of the employment relationship.

The contract will include provision for a probationary period and the termination of the contract by either party following the completion of the probationary period on sixty days notice.

In the event that the salary entered on the written contract differs from that formally approved by the Board, the salary approved by the Board shall be the salary paid.

Adopted: 18 November 2004

### 4125

#### 4125. EMPLOYMENT OF SUPPORT STAFF MEMBERS (M)

The Board of Education believes it is vital to the successful operation of the district that support staff positions be filled with highly qualified and competent employees.

The Superintendent shall recruit, screen, and recommend to the Board suitable candidates for district employment. The Board shall approve the employment, fix the compensation, and establish the term of employment for every support staff member employed by this district. Approval shall be given only to those candidates for employment recommended by the Superintendent.

No person shall be employed in a position involving regular contact with pupils unless the Board has notice that no criminal history record information exists on file in the Federal Bureau of Investigation, Identification Division, or the State Bureau of Identification which would disqualify the individual from being employed or utilized in such capacity or position.

Criminal history record checks will be required pursuant to New Jersey Department of Education regulations and procedures. Any person to be employed by the district must undergo a criminal history background check. All contracted employees having regular pupil contact must undergo a criminal record history check. Approval letters will be valid only for the district or contract service provider through which the person to be employed made application for employment.

A permanent employee hired prior to October 8, 1986, who applies for and is selected for a different position in the district is "grandfathered" and not

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

required to undergo a criminal history background check. An employee hired after October 8, 1986 for a position without regular pupil contact and later receives a position with pupil contact, must undergo a criminal history background check at the time of transfer to the new position.

Individuals who provide volunteer services and crossing guards, not employed or contracted by the district, are not subject to this criminal history record information requirement. An individual shall be permanently disqualified from employment or service in the school district if the criminal history record check reveals a record of conviction for crimes as defined in N.J.S.A. 18A:6-7.1.

Substitute employees, who are rehired annually by the Board, are required to undergo a criminal history record check upon initial employment, provided the substitute continues in the employ of at least one of the districts at which the substitute was employed within one year of the approval of the criminal history record check. A substitute employee later selected for a permanent position within the district does not need to undergo a new criminal history background check provided there is no break in service in the substitute employment. A break in service is when the employee is no longer approved by the employing Board of Education. An employee who has been laid off (dismissed because of employee reduction) and is asked to be re-employed by the district and/or contractor must submit to a new criminal history background check.

School bus drivers to be employed by the district must submit to a criminal history background check upon initial employment within the district and upon renewal of their school bus driver endorsement.

The Board or contracted service provider may employ an applicant on an emergent basis for a period not to exceed three months, pending completion of a criminal history records check if the Board or contractor demonstrates to the Commissioner of Education that special circumstances exist which justify the emergent employment as prescribed in N.J.S.A. 18A:6-7.1c. In the event the criminal background check is not completed for an emergent hired employee within three months, the Board or contractor may petition the Commissioner for an extension of time, not to exceed two months, in order to retain the employee.

No criminal history record check shall be furnished unless the applicant provided written consent to the check. The applicant shall bear the cost for the check, including all costs for administering and processing the check. The district will deny employment to an applicant if the applicant is required and refuses to submit to a criminal history background check.

The responsible administrator(s) shall seek candidates for employment who possess the attributes of good character, appreciation of children, good health, and emotional maturity. They may administer such screening tests as may bear upon a candidate's ability to perform the tasks for which he/she is being considered and review such recommendations from former employers and others as may be of assistance in assessing the candidate's qualifications. Application records will be retained in confidence and for official use only.

Nepotism

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

The Board will not employ, but may reemploy, the child, sibling, spouse, or parent(s) or legal guardian(s), in fact or in law, or any dependent of a Board member or full-time employee of this district.

Preference may be given to residents of this school district.

All new employees will be required, within three days of the first day of hire, to complete the federal Form I-9 and supply the documentation necessary to demonstrate the employee's identity and employment eligibility under the Immigration Reform and Control Act of 1986. Completed Forms I-9 will be retained for three years or until one year after the end of the employee's separation, whichever is longer.

An employee's misstatement of fact material to his/her qualifications for employment or the determination of his/her salary will be considered by the Board to constitute grounds for dismissal.

### **Bus Drivers**

In order to qualify for employment as a regular or substitute school bus driver a candidate must be a reliable person of good moral character, physically fit, have a minimum of three years' previous driving experience, and possess a valid bus driver's license approved by the New Jersey Department of Law and Public Safety, Division of Motor Vehicles that is neither suspended nor revoked.

The Board and any contractor providing transportation services to the Board will annually submit to the County Superintendent, prior to the assignment of any driver, the following information regarding each driver and substitute driver employed by this Board or by any contractor supplying transportation services to this Board:

1. The driver's name and social security number;
2. Certification of the driver's possession of a valid school bus driver's license; and
3. Certification that the driver has qualified for employment after a criminal background check.

Prior to employment as a bus driver, and upon application for renewal of a school bus driver's license, a bus driver shall submit to the Commissioner of Education his/her name, address and fingerprints taken by a State or municipal law enforcement agency. No criminal history record check shall be furnished unless the applicant provided written consent to the check. The Commissioner shall notify the applicant, in writing, of the applicant's qualification or disqualification as a school bus driver. A school bus driver shall be disqualified from employment or service if the individual's check reveals a record of conviction for crimes and offenses as prescribed in N.J.S.A. 18A:39-19.1. The Board shall also be notified of a disqualification.

Any bus driver who fails to comply with the requirements of this policy will be subject to discipline and may be dismissed.

### **Aides/Paraprofessionals**

The Board will employ school aides and/or classroom aides to assist in the supervision of pupil activities under the direction of a Principal, teacher or

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

other designated certified professional personnel. Aides will serve the needs of pupils by performing nonprofessional duties and may work only under the direct supervision of teaching staff members.

In accordance with the requirements of No Child Left Behind Act of 2001, each school district receiving Title I funds shall ensure that all paraprofessionals hired after January 8, 2002 and working in a program supported with Title I funds shall have:

1. Completed at least two years of study at an institution of higher education;
  2. Obtained an associate's (or higher) degree; or
  3. Met a rigorous standard of quality and can demonstrate, through formal State or local academic assessment:
    - a. Knowledge of, and the ability to assist in instructing, reading, writing, and mathematics; or
    - b. Knowledge of, and the ability to assist in instructing, reading readiness, writing readiness, and mathematics readiness as appropriate.
- Paraprofessionals hired before January 8, 2002 and working in a program supported with Title I funds are required to satisfy the above stated requirements not later than four years after the date of January 8, 2002. A district that is implementing a School-wide Program must comply with all the requirements outlined above and a district that has a Target Assistance Program must ensure that all paraprofessionals paid in whole or part with Title I funds meet the requirements outlined above. The Superintendent will ensure paraprofessionals working in a program supported with Title I funds meet the above stated requirements.

Preference may be given to persons who possess a teaching staff member's certificate.

Preference may be given to residents of this school district.

The Superintendent shall submit a job description for each type of aide to be employed in the district, setting forth the duties to be performed, the types of proficiency needed, the qualifications to be required, and the arrangement for the supervision of aides to the County Superintendent for approval. In addition, the Superintendent shall annually submit to the County Superintendent the names of persons employed as aides, a statement certifying that these persons meet the approved qualifications and the positions are being supervised in accordance with approved plan for the use of school and/or classroom aides.

### **Part-Time Employees**

A "part-time support staff member" is a person employed for less than full-time. "Full-time" is employment for a full fiscal year, full workweek, and a full workday. A "full work day" is defined by the worksite, and a "full work week" is five days, Monday through Friday.

The Board may employ part-time support staff members as district needs

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

require. Part-time employment shall be for periods and hours specified in the Board's resolution of employment.

### Substitutes

The Board will employ substitutes for absent support staff members as necessary to ensure continuity in the operation of the school district. The Board shall annually approve a list of support staff substitutes and the positions in which each is permitted to serve and may approve additional substitutes during the school year.

N.J.S.A. 18A:6-5 et seq.; 18A:6-7.1 et seq.; 18A:16-1 et seq.;

18A:17-41; 18A:27-4.1; 18A:39-17 et seq.

N.J.S.A. 18A:54-20 [vocational districts]

N.J.A.C. 6A:9-7.1; 6A:27-12.1

No Child Left Behind Act of 2001 – Section 1119(c)

Cross reference: Policy Guide Nos. 4415, 8630

Revised: January 23, 2013

### 4140 4140 TERMINATION

All support staff employees shall submit their resignations in writing. The resignation is to be directed to the Board of Education in care of the School Business Administrator/Board Secretary. The employee shall specify the effective date of resignation and this date shall be approved unless the Board of Education desires to accept the resignation sooner.

The resignation does not become effective until it has been formally approved by the Board of Education, and may be withdrawn by the employee at any time prior to Board action.

Any employee of the Maywood School District who terminates his/her employment of his/her own volition or is released by the Board for cause will forfeit all benefits accrued during his/her employment.

If an employee returns to the employ of the Board of Education after having had prior service, said employee will begin with the same benefits as any other new employee, except as covered by New Jersey state law.

Adopted: 18 November 2004

### 4145 4145 LAYOFFS

The Board of Education shall provide the support staff necessary for the operation of the district in a manner that is efficient and economical.

The Board reserves the right to abolish support staff positions and reduce district staff commensurately whenever reasons of economy, reorganization of the school district, reduction in the number of pupils, or other good cause so warrant. The School Business Administrator/Board Secretary shall continually review the efficiency and effectiveness of district organization and recommend to the Board the creation and abolishment of support staff positions and the reallocation of duties and positions.

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

When two or more employees are employed in the same classification of employment in which a position is abolished, the employee shall be reemployed who has demonstrated greater competence.

When, as the result of the abolishment of a position, an employee is demoted in position, the employee shall receive the salary of the position to which he/she has been assigned.

N.J.S.A. 18A:6-10; 18A:17-4

Adopted: 18 November 2004

4146 4146 NONRENEWAL OF NONTENURED SUPPORT STAFF  
EMPLOYMENT CONTRACTS

The Board will renew the employment contract of a nontenured support staff member only upon the recommendation of the Superintendent and by a recorded roll call majority vote of the full membership of the Board. The Board will not withhold its approval for arbitrary and capricious reasons. A nontenured support staff member who is not recommended for renewal by the Superintendent is deemed nonrenewed.

The Superintendent shall notify the Board of the recommendation not to renew the support staff member's contract and the reasons for the recommendation. This recommendation will be made in executive session at a full Board meeting or in public session after the employee has been notified of the recommendation and the employee requests the discussion be held in the public session. The support staff member whose contract is not renewed has the right to a written statement for the reasons for nonrenewal. The Board will also provide any nontenured support staff member with an opportunity to meet informally with the Board, provided that a request for such an appearance is received within ten days after the support staff member receives the statement of reasons provided by the Board.

The Board is not required to offer reemployment or vote on reemployment after an informal hearing with a support staff member who was not recommended for reemployment by the Superintendent. The Board may, with a majority vote of its full membership in public session and without the recommendation of the Superintendent, offer the support staff member reemployment after the employee has had the opportunity to meet informally with 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 Administrator's functions.

N.J.S.A. 18A:27-4.1.

Adopted: 18 November 2004

4150 4150 DISCIPLINE

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

The Board of Education directs all support staff members to observe statutes, rules of the State Board of Education, policies of this Board, and duly promulgated administrative rules and regulations governing staff conduct. Violations of those statutes, rules, policies, and regulations will be subject to discipline.

The School Business Administrator/Board Secretary shall deal with disciplinary matters on a case-by-case basis. Discipline will include, as appropriate, verbal and written warnings, transfer, suspension, freezing wages, and dismissal; discipline will provide, wherever possible, for progressive penalties for repeated violations.

In the event disciplinary action is contemplated, notice will be given to the employee in ordinary and concise language of the specific acts and omissions upon which the disciplinary action is based; the text of the statute, policy, rule, or regulation that the employee is alleged to have violated; a date when the employee may be heard and the administrator who will hear the matter; and the penalty that will be imposed.

N.J.S.A. 18A:25-7; 18A:27-4

N.J.S.A. 34:13A-1 et seq.; 34:19-1

Adopted: 18 November 2004

4150.1            4150.1    SUSPENDING AN EMPLOYEE

The Board will endeavor to protect the school children of this district from the influence of unfit persons. The Board of Education shall terminate the employment of any non-tenured employee who demonstrates inefficiency in the performance of his/her duties, is incapable of performing those duties, violates by unbecoming conduct the public trust placed upon employees of this district, or by other means fails to exhibit the good behavior necessary to sustain tenure. When charges are filed against a tenured employee by any person, the Board shall determine their gravity and probity in accordance with statute.

In the case of any support employee who, in opinion of the Superintendent or School Business Administrator/Board Secretary is unfit to continue employment in this district or in any public school of the state by reason of his/her physical or mental condition, the following procedure shall be followed:

1. The Superintendent or School Business Administrator/Board Secretary shall present to the Board his/her reasons for questioning the physical or mental condition of the employee.

2. Should the Board determine that the reasons given constitute sufficient cause to order the employee to be examined, it shall order said employee to be given written notice by the School Business Administrator/Board Secretary of those reasons, and a date when he/she would be heard by the Board if he/she should so desire. He/she shall also be notified that he/she may have a person of his/her own choosing present to advise him/her at such hearing.

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

3. Should the Board, following a hearing (if requested by the employee), order an examination, said examination may be conducted by a physician designated by the employee and paid by the employee or by a physician designated by the Board and compensated by the Board, or by both.

4. Should the physician designated by the Board disagree with the physician designated by the employee, the two physicians shall agree in good faith on a third impartial physician who shall examine the employee and whose medical opinion shall be conclusive and binding on the issue of medical capacity to perform assigned duties.

5. If as a result of such examination, the employee is found to be unfit to perform the duties to which he/she is assigned, he/she shall be placed on sick leave with the compensation to which he/she is entitled until proof of recovery is furnished to the Board. Such proof shall be obtained from a physician chosen and paid for by the employee or from a physician designated and compensated by the Board or by both. Should the two physicians disagree a third physician chosen in good faith by those two physicians shall examine the employee. He/she shall provide the conclusive medical opinion which shall be binding on the issue of recovery.

6. Should a tenured employee refuse to submit to examination following the exhaustion of proper appeals, the Board shall consider the certification of tenure charges for reasons of insubordination.

7. In the case of a non-tenured employee, the Board shall terminate his/her contract according to its provisions.

Adopted: 18 November 2004

### 4151 4151 ASSESSMENT OF PAY

The Board of Education believes that district operations suffer without the punctual commencement and proper completion of all assigned services.

The School Business Administrator/Board Secretary shall assess the following penalties when a support staff member fails to render or only partially renders services for which the Board has contracted:

Any unexcused absence during the working day will result in a wage deduction equal to the ratio of the periods missed to the total periods scheduled, times 1/200 for ten month employees, 1/220 for eleven month employees, and 1/140 for twelve month employees of the employee's annual salary.

The School Business Administrator/Board Secretary shall determine whether an employee's tardiness or absence is excused or unexcused.

A record of instances of tardiness and absences will be maintained in each employee's personnel file.

Adopted: 18 November 2004

### 4152 4152 FREEZING OR REDUCING WAGES

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

No advancement on a salary guide, including annual increments and raises as set forth in guides now in effect or as may be adopted from time to time by the Board of Education, shall be considered automatic. Advancement on any such guide shall require favorable reports covering professional competence, performance of duties assigned, and record of attendance of each employee.

As a general policy, the Board will not withhold a salary increment on the basis of a single poor evaluation or a single incident except in flagrant cases. A staff member should generally be given a year to demonstrate the effectiveness of the recommended remedial action before punitive action is taken.

The School Business Administrator/Board Secretary must also show to the satisfaction of the Board that the standards by which an employee has been evaluated are not exceptional or unusual and are expected of all employees in a similar classification.

Adopted: 18 November 2004

4160

4160. PHYSICAL EXAMINATION (M)

The Board of Education requires each newly employed support staff member undergo a physical examination. The physical examination shall include, but is not limited to, a health history to include past serious illnesses and injuries; current health problems; allergies; and a record of immunizations. The physical examination shall also include a health screening to include height and weight; blood pressure; pulse and respiratory rate; vision screening; hearing screening; and Mantoux test for tuberculosis.

A support staff member may provide health status information, including medications, which may be of value to medical personnel in the event of an emergency requiring treatment. The staff member may also choose to share with the Principal and, if desired, with the certified school nurse, information regarding current health status to assure ready access in a medical emergency. School employee physicals, examinations and/or annual medical updates do not require screening or disclosure of HIV status.

Candidates for employment will be required to undergo a physical examination to include a health history, health screening and medical evaluation. This pre-employment physical examination shall not be used to determine a candidate's disabilities. This examination shall be used only to determine whether the applicant is able to perform with reasonable accommodation job-related functions pursuant to P.L. 101-336, American with Disabilities Act of 1990.

The physical examinations required by this policy shall be limited to those assessments or information necessary to determine the individual's physical and mental fitness to perform with reasonable accommodation in the position he/she seeks or currently holds and to detect any health risks to pupils or other employees.

Physical examinations required by this policy may be conducted by a physician or institution designated by the Board or, at the employee's election, by a physician or institution designated by the employee and approved by the Board.

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

The cost of any such examination conducted by the physician or institution designated by the Board shall be borne by the Board. The cost of any such examination conducted by the physician or institution chosen by the employee and approved by the Board shall be borne by the employee.

All staff members' medical and health records, including computerized records, will be secured and will be stored and maintained separately from other personnel files. The information contained in medical records will be kept confidential. Only the staff member, the Superintendent, and the school medical inspector shall have access to medical information regarding an individual employee. The section of the medical record that contains the health history may be shared with the staff member's Building Principal and the school nurse with the consent of the staff member.

Additional individual psychiatric or physical examinations of any staff member may be required by the Board whenever, in the judgment of the Board, a staff member shows evidence of deviation from normal physical or mental health. Any additional individual examinations will be pursuant to the requirements of N.J.A.C. 6A:32-6.3. Additional examinations and/or certifications may be required to verify fitness in accordance with Policy No. 3161 or disability in accordance with Policy Nos. 3425 and 3435.

42 U.S.C.A. 12101

N.J.S.A. 18A:16-2 et seq.

N.J.A.C. 6A:32-6.1; 6A:32-6.2; 6A:32-6.3

Adopted: January 20, 2010

### 4161 4161 EXAMINATION FOR CAUSE

The Board of Education may, in accordance with law, require the psychiatric or physical examination of any support staff member who shows evidence of deviation from normal physical or mental health.

The Superintendent shall recommend to the Board the examination of any support staff member whose physical or mental condition so departs from normal health as to adversely affect the performance of the member's duties. Any such recommendation must be accompanied by competent evidence. If the Board determines that deviation from normal health has been demonstrated, it may require that the member submit to a physical or mental examination.

A requirement for physical or mental examination shall be made known to the employee by written notice setting forth the nature of the examination required, the reasons for the requirement, and a statement offering the member the opportunity to appear before the Board to explain or refute those reasons, provided any such hearing is requested in writing within three working days of the receipt of the notice.

A support staff member who fails to request an appearance before the Board within the time permitted or, having appeared before the Board, fails to persuade the Board that he/she should not be required to submit to the required examination shall be ordered to submit to an appropriate examination

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

by a physician or institution designated by the Board and at the Board's expense.

The support staff member may, at his/her option, submit names of physicians or institutions to the Board for consideration to complete the appropriate examination(s). The Board is not required to designate a physician or institution submitted for consideration by the support staff member, but the Board will not act unreasonably in withholding its approval of a physician or institution submitted by a support staff member. The cost of the examination will be borne by the Board if the Board designates a physician or institution from the names submitted from the support staff member.

If the support staff member's request is denied, or if the support staff member does not request the Board to consider a physician or institution, the staff member may elect to submit to an appropriate examination conducted by a physician or institution of the support staff member's own choosing and at his/her expense, provided the physician or institution so chosen is approved by the Board, pursuant to N.J.S.A. 18A:16-3, and is authorized and directed by the member to report the results of the examination to the Board.

If the results of the examination show mental abnormality or communicable disease, the support staff member shall be placed on sick leave and compensated in accordance with his/her sick leave entitlement, if any, until proof of recovery, satisfactory to the Board, is furnished. No leave of absence granted under this policy shall exceed the term of the contract of a nontenured support staff member or a period of two years in the case of a tenured support staff member.

A support staff member who refuses to submit to the examination required by the Board and has exhausted the hearing procedures established by law and this policy shall be subject to discipline, which may include the certification of tenure charges to the Commissioner of Education.

42 U.S.C.A. 12101

N.J.S.A. 18A:6-10; 18A:16-2 et seq.; 18A:16-4;  
18A:30-1 et seq.

N.J.A.C. 6:29-7.4

N.J.A.C. 8:57-1.16

Adopted: 18 November 2004

4211 4211 ATTENDANCE

The Maywood Board of Education believes that the regular presence of assigned personnel is vital to the success of the district's educational program.

Therefore, the Superintendent and School Business Administrator/Board Secretary shall develop procedures to encourage all support staff to strive for excellent attendance records. These procedures should include a requirement that the staff member personally report all illness and request all leave at the earliest possible time. Procedures shall be in accord with New Jersey statutes and district negotiated contracts.

Provisions shall be made for public knowledge of exceptional staff attendance

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

records.

### Tardiness

Tardiness shall be defined for purposes of this policy as failure by an employee to have arrived at the assigned facility and properly signed the official record of the school for the assigned time period specified by the Board or its administrative officers.

Tardiness shall be construed as personal absence and charged as such against the employee's personal leave. When the employee has no personal leave credit, payroll deductions shall be made. Eight cases of tardiness in any one school year may be construed as one day's absence and charged as such. The time shown on the office clock shall be the official time.

All personnel are required by the Board to sign the official attendance sheet personally when entering and leaving the building.

Adopted: 18 November 2004

### 4211.3 4211.3 CONSULTING OUTSIDE THE DISTRICT

The Board of Education recognizes that support staff members will have expertise and knowledge in areas that other school districts, agencies, and other entities may desire. Recognizing that the school district will request the expertise from support staff members from other school districts, agencies and other entities, the Board supports sharing of its support staff members with other school districts, agencies, and other entities to the extent it does not interfere with the efficient operation of the school district.

The Superintendent may recommend to the Board a support staff member's attendance in another school district, agency or other entity without additional remuneration to the support staff member or school district, upon a written request from the agency or from the support staff member.

The Board of Education recognizes support staff members will have expertise and knowledge in areas that other school districts, public and private agencies, and private business organizations may desire to compensate as a paid consultant. When a support staff member serves as a paid consultant, the support staff member is not permitted to use normal work hours for any paid consulting activities. The support staff member must complete any paid consulting activities on their own time to include vacation days, evenings, weekends, and/or school holidays.

The support staff member must comply with the New Jersey School Ethics Act N.J.S.A. 18A:12-21 et seq. and, if required, must comply with financial disclosure requirements of N.J.S.A. 18A:12-24 and 12-25.

N.J.S.A. 18A:12-21 et seq.

Adopted: 18 November 2004

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

### 4214 4214 CONFLICT OF INTEREST

No support staff member of the Board of Education shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity which is in conflict with the proper discharge of the support staff member's duties.

No support staff member shall use or attempt to use his/her position to secure unwarranted privileges or advantages.

No support staff member of the Board shall act in his/her official capacity in any matter wherein he/she has a direct or indirect personal financial interest.

No support staff member of the Board shall accept any gift, favor, service or other thing of value under circumstances from which it might be reasonably inferred that such gift, service or other thing of value was given or offered for the purpose of influencing the support staff member in the discharge of his/her duties.

The Board does not approve of the routine presentation of gifts to school district employees on occasions such as Christmas, etc. When a student feels a spontaneous desire to present a gift to a staff member, the gift must not be elaborate or unduly expensive. The Maywood Board of Education considers the writing of letters to staff members expressing gratitude or appreciation a more welcome and in most circumstances a more appropriate tribute.

The giving of gifts having any monetary significance to teachers, principals, and other personnel either by individuals or class groups is prohibited.

N.J.S.A. 18A:6-8; 18A:11-1

Adopted: 18 November 2004

### 4215 4215 CODE OF ETHICS

All support staff employees will:

Represent themselves honestly in the application and selection procedure;

Report to work as scheduled;

Discuss complaints with their immediate superior, or through approved channels;

Not advise or counsel pupils except in special cases with the knowledge and consent of the Principal;

Complete thoroughly their assigned tasks;

Endeavor to establish good working relationships with other employees, professional as well as non-professional;

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

Commit themselves to providing the best possible services for pupils;

Uphold all rules and regulations as set by the Board, the Superintendent, and the principals;

Keep the trust under which confidential information may be given;

Adhere to all the conditions of a contract;

Give prompt notice of any change in availability for continued employment; and

Protect and care for district property.

Adopted: 18 November 2004

4216

### 4216 STAFF DRESS AND GROOMING

The Board of Education expects all staff members to be neatly groomed and dressed in clothing suitable for the subject of instruction or the work being performed. Staff should use mature judgment and discretion in their grooming and dress and convey an adult and professional image to pupils and the public.

Dress or grooming that is a physical hazard to employees and students, acts to distract employees and students from their duties and functions, detracts from student learning and attention, and which does not set an acceptable standard for the children in our community, shall be prohibited.

Adopted: 18 November 2004

4218 M

### 4218 SUBSTANCE ABUSE

The Board of Education recognizes that chemical dependency is an illness which is preceded by the misuse and/or abuse of alcohol, anabolic steroids, and other drugs. The Board recognizes that the use/misuse of alcohol, anabolic steroids, and other drugs, and the problems associated with it, are becoming increasingly commonplace in today's society. It is generally accepted that alcoholism and other chemical dependencies are illnesses that can be treated successfully if they are identified as early as possible, and if appropriate treatment is promptly instituted. The Board believes that the therapeutic approach to the problem is more effective than one which is solely punitive in nature.

For purposes of this policy, "substance" shall mean:

1. All controlled dangerous substances as defined and prohibited in New Jersey Statutes and Codes including but not limited to: illegal drugs, designer drugs, and other chemicals which alter the perception, reasoning and

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

motor abilities of a person. (Note: A "controlled dangerous substance defined in N.J.S.A. 24:21-2, includes, but is not limited to, opiates, narcotics, barbiturates, and hallucinogens.);

2. All chemicals or chemical compounds that releases vapors or fumes causing a condition of intoxication, inebriation, excitement stupefaction, or dulling of the brain or nervous system, including, but not limited to glue or any other commercially or illicitly available materials containing solvents having the property of releasing toxic vapors or fumes as defined at N.J.S.A. 2A:170-25.9;

3. All prescription and over-the-counter medications having the potential to alter the perception, reasoning and motor abilities of a person unless taken as directed;

4. All alcoholic beverages; and

5. Anabolic steroids.

### Standard of Conduct

The Board clearly prohibits the unlawful possession, use, or distribution of illicit substances, drugs, alcohol, anabolic steroids and/or drug paraphernalia (as defined by N.J.S.A. 2C:36-1) on school premises or as part of any of its activities by any employee of the district as well as reporting to the workplace under the influence of any illicit substances, drugs, alcohol, and/or anabolic steroids. Compliance with this standard of behavior is mandatory.

The Board will make every effort to educate its employees regarding the misuse of illegal substances, alcohol, drugs, and anabolic steroids. Further, the Board will assist and provide guidance to an employee who is having a problem concerning the abuse of these substances on how to receive additional help and counseling.

### Program Review

The Board shall review its substance abuse program on a biennial basis to determine its effectiveness and implement changes as required and to ensure that disciplinary sanctions are consistently enforced.

Any information gathered through a school investigation, counseling session, request by an employee for help, etc., shall comply with the confidentiality requirements established in Federal regulations found in 42 CFR Part II. Employees shall be subject to procedures and sanctions defined in Regulation No. 3218. All employees shall be provided with a copy of this policy and the accompanying regulations.

N.J.S.A. 2C:33-15 et seq.; 24:21-2 et seq.

42 C.F.R. II

34 CFR 85.600 et seq.

20 U.S.C. 1145g, 3224a

41 U.S.C.A. 701 et seq.

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

Adopted: 18 November 2004

## 4219 4219 COMMERCIAL DRIVER CONTROLLED

The Board of Education is committed to a safe, efficient and alcohol and drug-free workplace, that protects the district's pupils as well as the health and safety of its employees and the general public. The Board requires all drivers performing any safety-sensitive function are free of drugs and alcohol and will test those employees who operate a commercial motor vehicle in accordance with 49 C.F.R. 382 et seq. and 49 C.F.R. 40 et seq. Safety-sensitive function as defined by 49 C.F.R. 382.107 means all time from the time a driver begins work or is required to be in readiness to work until the time the driver is relieved from work and all responsibility for performing work. Safety-sensitive function shall include:

A. All time at the terminal facility or any public property waiting to be dispatched unless relieved from duty;

B. All time inspecting equipment;

C. All time spent at the driving controls of a commercial motor vehicle in operation;

D. All time other than driving time in or upon the commercial vehicle except in an area defined as a sleeping berth;

E. All time loading and unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle or in giving or receiving receipts for shipments loaded and unloaded;

F. All time spent performing driver requirements related to accidents; and

G. All time repairing, obtaining assistance, or remaining in attendance with the vehicle.

The Omnibus Transportation Employee Testing Act requires all operators of commercial motor vehicles subject to the Commercial Drivers License requirements to be tested for controlled substances and alcohol. Federal regulations of the U.S. Department of Transportation require that school bus drivers as well as drivers of private carriers of passengers contracted by the Board be required to submit to alcohol and controlled substance testing in accordance with 49 C.F.R. Part 40. The Board designates the School Business Administrator as the Designated Employer Representative (DER) of the Board of Education. The Board may contract with a service agent to provide the testing services as required by Federal Regulations.

No driver at any work site will possess, manufacture, use, sell, or distribute any quantity of any controlled substance, lawful or unlawful, which in sufficient quantity could result in impaired performance, with the exception of substances administered by or under the instructions of a physician. No driver shall perform safety-sensitive functions within four hours after using alcohol and the district will not permit a driver that used alcohol within four hours of performing safety-sensitive functions to perform such functions if the district has actual knowledge of the use.

# **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

## Violations

Any violation of this policy may result in discipline, up to and including termination.

## Prohibited Substances

The presence of any of the following controlled substances in the body, as evidenced by the results of the initial screening and subsequent confirmatory analysis provided in the policy, is prohibited for any employee assigned to a classification covered by this policy. All cutoff concentrations are as per 49 C.F.R. 40.87 and are expressed in nanograms per milliliter (ng/mL).

Type of Drug or Metabolite	Initial Test	Confirmation Test
Marijuana metabolites	50	
Delta-9-tetrahydrocanna- Binol-9-carboxylic acid (THC)		15
Cocaine metabolites (Benzoylecgonine)	300	150
Phencyclidine (PCP)	25	25
Amphetamines	1000	
Amphetamine		500
Methamphetamine		500*
Opiate metabolites	2000	
Codeine		2000
Morphine		2000
6-acetylmorphine (6-AM)		10**
Alcohol	.02 or higher	.02 or higher

(\*Specimen must also contain amphetamine at a concentration greater than or equal to 200 ng/mL.)

(\*\*Test for 6-AM in the specimen. Conduct this test only when specimen contains morphine at a concentration greater than or equal to 2000 ng/mL.)

## Testing Procedure

All testing for controlled dangerous substances will be conducted in accordance with 49 C.F.R. Part 40, Subparts A, B, C, D, E, F, G, H and I. The district will only test for the above stated five drugs or classes of drugs in accordance with 49 C.F.R. 40.85. Testing for alcohol will be conducted in accordance with as 49 C.F.R. Part 40, Subparts J, K, L, M and N.

## Definitions

"Alcohol" means the drinking or swallowing of any beverage, liquid mixture or preparation (including medication) containing alcohol.

"Confirmatory Drug Test" means a second analytical procedure performed on a urine specimen to identify and quantify the presence of a specific drug or drug metabolite.

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"Confirmed Drug Test" means a confirmation drug test received by a Medical Review Officer (MRO) from a certified laboratory.

"Controlled substances" means those substances identified in 49 C.F.R. 40.85.

"CCF" means the Federal Drug Testing Custody and Control Form.

"Designated Employer Representative" is an employee of the district authorized to take immediate action(s) to remove employees from safety-sensitive duties, or cause employees to be removed from these covered duties, and to make required decisions in the testing and evaluation processes. The Designated Employer Representative (DER) shall receive test results and other communications for the employer, consistent with the requirements of this policy and 49 C.F.R. 40. Service agents cannot act as a DER.

"FMCSA" means Federal Motor Carrier Safety Administration.

"Initial Drug Test" means the test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.

"Initial Validity Screening" means the first test used to determine if a specimen is adulterated, diluted or substituted.

"Medical Review Officer" is a licensed physician responsible for receiving and reviewing laboratory results generated by the district's drug testing program and evaluating medical explanations for certain drug test results.

"Possess" means either in or on the driver's person, personal effects, motor vehicle or areas substantially entrusted to the control of the driver.

"Service agent" is any person or entity, other than an employee of the Board, who provides services specified under 49 C.F.R. 40 to the Board.

"Substance Abuse Professional" is a person who evaluates employees who have violated a drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing and aftercare. Individuals permitted to act as Substance Abuse Professionals must possess the credentials as outlined in 49 C.F.R. 40.281.

"Work Site" means any motor vehicle, office, building, yard or other location at which the driver is to perform work.

### Categories of Testing

For the purpose of this policy, the occurrence of the following circumstances/instances shall require an employee to submit to a controlled substance and alcohol screening:

#### A. Pre-Employment Testing

An individual who has applied for and has been selected to operate a Board vehicle shall, before beginning employment with the Board, submit to a controlled substance screening in conjunction with any required physical examination as per Policy No. 4160. Such screening shall be conducted in

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

accordance with the procedures set forth in this policy and 49 C.F.R. 40. No individual receiving a positive confirmed test result will be employed by the Board.

An exception to the pre-employment screening may be made if the prospective employee:

1. Has participated in a drug controlled substance testing program that met the requirements of 49 C.F.R. 382 et seq. within the previous thirty days and while participating in that program either:

- a) Was tested for controlled substances within the past six months (from the date of application to the district), or

- b) Participated in the random controlled substances testing program for the previous twelve months (from the date of application to the district), and

- c) The DER must ensure that no prior employer, to the DER's knowledge, has records of a violation of a controlled substance testing program within the previous six months.

If an individual is so exempted, the Designated Employer Representative (DER) shall contact the alcohol and/or controlled substances testing program in which the driver participated and obtain the following information in accordance with 49 C.F.R. 382.301(c):

1. Name and address of the program;

2. Verification of the driver's participation;

3. Verification that the program conforms to federal guidelines;

4. Verification the driver qualified and did not refuse to be tested for controlled substances;

5. The date the driver was last tested for controlled substances; and

6. The results of any tests taken within the last six months and any other violations.

In accordance with 49 C.F.R. 382.301(d), the district will conduct pre-employment alcohol tests before the first performance of safety-sensitive functions by a new covered employee or someone who has transferred to a position involving the performance of safety-sensitive functions. The alcohol test will be conducted after making a contingent offer of employment or transfer, subject to the individual passing the pre-employment alcohol test. All alcohol testing will be completed in accordance with 49 C.F.R. 40 et seq. A covered employee will not be offered employment and/or the transfer unless the result of the test indicates an alcohol concentration of less than 0.04.

An individual who has applied for and has been selected to operate a Board vehicle or any existing employee transferring into a new position now required to operate a Board vehicle, shall submit a written consent authorizing the district to obtain the following information from other employers who have employed the employee during any period during the two years before the date

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

of the individual's application date or transfer into the new position. The written consent from the individual will permit the Designated Employer Representative (DER) to obtain the following information from previous DOT-regulated employers:

1. Alcohol tests with a result of 0.04 or higher alcohol concentration;
2. Verified positive drug tests;
3. Refusals to be tested (including verified adulterated or substituted drug test results);
4. Other violations of DOT agency drug and alcohol testing regulations; and
5. With respect to any employee who violated a DOT drug and alcohol regulation, documentation of the employee's successful completion of DOT return-to-duty requirements (including follow-up tests). If this information is not available from the previous employer, the DER must seek to obtain this information from the individual.

The DER will obtain and review this information before the employee first performs any driving and/or safety-sensitive functions. If this is not feasible, the DER will not permit the individual to work after thirty days from the individual's first date of employment in the position unless the DER has obtained or made and documented a good faith effort to obtain this information.

Adopted: 11/18/09

### 4220 4220 EMPLOYEE EVALUATION

The Superintendent and School Business Administrator/Board Secretary shall maintain factual personnel records on all non-professional employees.

Before salaries for non-professional staff members are approved for succeeding years, administrative and supervisory personnel in the schools shall submit to the Board a report on the work and attitude of each employee under their jurisdiction.

Evaluation shall cover the major areas of the employee's responsibilities and shall include the following:

1. Specific work assignment
2. Attitude toward children
3. Attitude toward public education
4. Attitude toward supervisors, teachers, and fellow employees
5. Work habits

The employee's supervisor has the responsibility for seeing that each employee knows the basis upon which he/she is to be evaluated in advance of the evaluation.

Increments on the salary scale shall be granted upon the approval of the Board.

Custodial and Maintenance Work

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

In order to ensure the best possible cleaning and maintenance programs for the schools, the Director/Supervisor of Buildings and Grounds shall submit periodic reports to the School Business Administrator/Board Secretary.

Revised: January 23, 2013

### 4230 4230 OUTSIDE ACTIVITIES

The Board of Education recognizes that employees enjoy a private life outside the school in which they enjoy associations and engage in activities with others for a variety of personal, economic, religious, or cultural reasons. The Board believes that school employees exert a continuing influence away from the school. Further, the Board has directed the evaluation of staff in terms of their faithfulness to and effectiveness in discharging district duties. Accordingly, the Board reserves the right to determine when activities outside the school interfere with an employee's performance and the discharge of the employee's responsibilities to this district.

The Board directs that all employees be governed in their activities outside the school by the following guidelines:

1. Employees should not devote time during the working day to an outside activity without valid reason, and they should not solicit or accept customers for private enterprises on school premises or during the school day without the express permission of the School Business Administrator/Board Secretary;

The Board will not endorse, support, nor assume liability for any employee who conducts a private activity in which pupils or employees of this district participate;

2. Employees shall refrain from public utterances or conduct that have an adverse or harmful effect upon the school community or interfere with the harmonious working relationships expected of district employees;

3. Copyrights and patents to materials or equipment developed, written, prepared, processed, or tested by employees in the performance of their school district duties reside with and may be claimed by the Board.

Adopted: 18 November 2004

### 4233 4233 POLITICAL ACTIVITIES

The Board of Education recognizes and encourages the right of all citizens, including school employees, to engage in political activity. However, the Board prohibits the use of school premises and school time for partisan political purposes.

The Board establishes the following guidelines to govern all support staff members in their political activities:

1. An employee shall not engage in political activity on school premises unless permitted in accordance with Policy No. 7510 - Use of School Facilities and/or applicable Federal and State laws;

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

2. An employee shall not post political circulars or petitions on school premises nor distribute such circulars or petitions to pupils nor solicit campaign funds or campaign workers on school premises;

3. An employee shall not display any material that would tend to promote any candidate for office on an election day in a school facility that is used as a polling place;

4. An employee shall not engage in any activity in the presence of pupils while on school property, which activity is intended and/or designed to promote, further or assert a position(s) on labor relations issues.

The provisions of this policy do not apply to the conduct of employee representative elections.

Nothing in this Policy shall be interpreted to impose a burden on the constitutionally protected speech or conduct of a staff member or pupil.

N.J.S.A. 18A:42-4

Green Township v. Rowel Superior Court of New Jersey - Appellate Division A-2528-98T5

Adopted: 18 November 2004

4240 4240 EMPLOYEE TRAINING

The Board recognizes that the skills required of support staff members change with changing technology. In order to ensure both optimum efficiency in district operations, and continued growth in expertise, the Superintendent shall ensure that appropriate programs of in-service are developed for all categories of support staff.

The School Business Administrator/Board Secretary may authorize leave for attendance of personnel at state, regional, and national job-related meetings without pay deduction and with expenses paid by the school system according to established allowances. The number of absences for such leave is a value judgment on the part of the School Business Administrator/Board Secretary and is subject to budget limitations for employing substitutes and reimbursement for travel, meals, and lodging.

An employee must have approval for courses from the Superintendent or School Business Administrator/Board Secretary prior to registration. Reimbursement is given for 100% of the tuition costs, and registration fees up to the amount specified in the prevailing contractual agreement for a full year (July 1, to June 30).

Adopted: 18 November 2004

4281

4281 INAPPROPRIATE STAFF CONDUCT

The Board of Education recognizes its responsibility to protect the health, safety and welfare of all pupils within this school district. Furthermore,

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the Board recognizes there exists a professional responsibility for all school staff to protect a pupil's health, safety and welfare. The Board strongly believes that school staff members have the public's trust and confidence to protect the well-being of all pupils attending the school district.

In support of this Board's strong commitment to the public's trust and confidence of school staff, the Board of Education holds all school staff to the highest level of professional responsibility in their conduct with all pupils. Inappropriate conduct and conduct unbecoming a school staff member will not be tolerated in this school district.

The Board recognizes and appreciates the staff-pupil professional relationship that exists in a school district's educational environment. This Policy has been developed and adopted by this Board to provide guidance and direction to avoid actual and/or the appearance of inappropriate staff conduct and conduct unbecoming a school staff member toward pupils.

School staff's conduct in completing their professional responsibilities shall be appropriate at all times. School staff shall not make inappropriate comments to pupils or about pupils and shall not engage in inappropriate language or expression in the presence of pupils. School staff shall not engage in inappropriate conduct toward or with pupils. School staff shall not engage or seek to be in the presence of a pupil beyond the staff member's professional responsibilities. School staff shall not provide transportation to a pupil in their private vehicle or permit a pupil into their private vehicle unless there is an emergency or a special circumstance that has been approved in advance by the Building Principal/immediate supervisor and the parent/legal guardian.

The Commissioner of Education has determined inappropriate conduct by a school staff member outside their professional responsibilities may be considered conduct unbecoming a staff member. Therefore, school staff members are advised to be concerned with such conduct which may include, but are not limited to, communications and/or publications using e-mails, text-messaging, social networking sites, or any other medium that is directed and/or available to pupils or for public display.

A school staff member is always expected to maintain a professional relationship with pupils and school staff members shall protect the health, safety and welfare of school pupils. A staff member's conduct will be held to the professional standards established by the New Jersey State Board of Education and the New Jersey Commissioner of Education. Inappropriate conduct or conduct unbecoming a staff member may also include conduct not specifically listed in this Policy, but conduct determined by the New Jersey State Board of Education, the New Jersey Commissioner of Education and/or appropriate courts to be inappropriate or conduct unbecoming a school staff member.

School personnel, compensated and uncompensated (volunteers), are required to report to their immediate supervisor or Building Principal any possible violations of this Policy. In the event the report alleges conduct by the Building Principal or the immediate supervisor, the school staff member may report directly to the Superintendent. In addition, school personnel having reasonable cause to believe a pupil has been subjected to child abuse or neglect or acts of child abuse or neglect as defined under N.J.S.A. 9:6-8.10 are required to immediately report to the Division of Youth and Family

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Services in accordance with N.J.A.C. 6A:16-10.1 et seq. and inform the Building Principal or immediate supervisor after making such report. However, notice to the Building Principal or designee need not be given when the school staff member believes such notice would likely endanger the referrer or child(ren) involved or when the staff member believes that such disclosure would likely result in retaliation against the child or in discrimination against the referrer with respect to his/her employment.

Reports may be made in writing or with verbal notification. The immediate supervisor or Building Principal will notify the Superintendent of Schools of all reports, including anonymous reports. The Principal will investigate all reports with a final report to the Superintendent of Schools. The Superintendent may, at any time after receiving a report take such appropriate action as necessary and as provided for in the law. This may include, but is not limited to, notifying law enforcement, notifying the Division of Youth and Family Services in accordance with N.J.A.C. 6A:16-10.2 et seq., and/or any other measure provided for in the law.

This Policy will be distributed to all school staff and provided to staff members at anytime, upon request.

N.J.S.A. 18A:28-5 et seq.  
N.J.A.C. 6A:16-10.1 et seq.

Adopted: March 24, 2010

### 4321 4321 ACCEPTABLE USE OF COMPUTER NETWORK(S)/COMPUTERS AND RESOURCES BY SUPPORT STAFF MEMBERS

The Board recognizes that as telecommunications and other new technologies shift the manner in which information is accessed, communicated and transferred, that those changes will alter the nature of teaching and learning. Access to telecommunications will allow support staff members to explore databases, libraries, Internet sites, bulletin boards and the like while exchanging information with individuals throughout the world. The Board supports access by support staff members to information sources but reserves the right to limit in-school use to materials appropriate to educational purposes. The Board directs the Superintendent to effect training of support staff members in skills appropriate to analyzing and evaluating such resources as to appropriateness for educational purposes.

The Board also recognizes that telecommunications will allow support staff members access to information sources that have not been pre-screened using Board approved standards. The Board therefore adopts the following standards of conduct for the use of computer network(s) and declares unethical, unacceptable, inappropriate or illegal behavior as just cause for taking disciplinary action, limiting or revoking network access privileges, instituting legal action or taking any other appropriate action as deemed necessary.

The Board provides access to computer network(s)/computers for administrative and educational purposes only. The Board retains the right to restrict or terminate support staff members access to the computer network(s)/computers at any time, for any reason. The Board retains the right to have the Superintendent or designee monitor network activity, in any form necessary, to

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maintain the integrity of the network(s) and ensure its proper use.

### Standards for Use of Computer Network(s)

Any individual engaging in the following actions declared unethical, unacceptable or illegal when using computer network(s)/computers shall be subject to discipline or legal action:

A. Using the computer network(s)/computers for illegal, inappropriate or obscene purposes, or in support of such activities. Illegal activities are defined as activities which violate federal, state, local laws and regulations. Inappropriate activities are defined as those that violate the intended use of the network(s). Obscene activities shall be defined as a violation of generally accepted social standards for use of publicly owned and operated communication vehicles.

B. Using the computer network(s)/computers to violate copyrights, institutional or third party copyrights, license agreements or other contracts.

C. Using the computer network(s) in a manner that:

1. Intentionally disrupts network traffic or crashes the network;
2. Degrades or disrupts equipment or system performance;
3. Uses the computing resources of the school district for commercial purposes, financial gain or fraud;
4. Steals data or other intellectual property;
5. Gains or seeks unauthorized access to the files of others or vandalizes the data of another user;
6. Gains or seeks unauthorized access to resources or entities;
7. Forges electronic mail messages or uses an account owned by others;
8. Invades privacy of others;
9. Posts anonymous messages;
10. Possesses any data which is a violation of this policy; and/or
11. Engages in other activities that do not advance the educational purposes for which computer network(s)/computers are provided.

### Violations

Individuals violating this policy shall be subject to appropriate disciplinary actions as defined by Policy No. 4150, Discipline which includes but are not limited to:

1. Use of the network(s)/computers only under direct supervision;

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2. Suspension of network privileges;
3. Revocation of network privileges;
4. Suspension of computer privileges;
5. Revocation of computer privileges;
6. Suspension;
7. Dismissal;
8. Legal action and prosecution by the authorities; and/or
9. Any appropriate action that may be deemed necessary as determined by the Superintendent and approved by the Board of Education.

N.J.S.A. 2A:38A-3

Revised: February 20, 2013

### 4322 4322 SUPPORT STAFF MEMBER'S USE OF CELLULAR TELEPHONES

The Maywood Board of Education recognizes a school support staff member may need to make a personal telephone call during their workday when the telephone call cannot be made before the staff member reports to work and/or after the staff member's workday has concluded.

In the event the staff member has an occasion to make a personal telephone call during their workday, and the telephone call is of such a nature that it cannot be made before the staff member's workday begins or after the workday has concluded, the school staff member may make a personal telephone call using their personal cellular telephone during the workday provided the telephone call is made during the staff member's duty free lunch or break periods and is made outside the presence of pupils either in an area inside or outside the school building designated by the staff member's Building Principal or immediate supervisor.

A personal telephone call by a school staff member on their personal cellular telephone shall not be made while the staff member is performing assigned school district responsibilities.

In the event the staff member has an emergency requiring immediate attention that requires the personal use of their personal cellular telephone, the support staff member shall inform their Building Principal or immediate supervisor before or immediately after using the cellular telephone, depending on the nature of the emergency. In addition, any staff member using their personal cellular telephone during work hours while operating their personal or school district owned vehicle must comply with all local and state laws regarding cell phone usage, including, but not limited to, the use of a hands-free device.

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Adopted: 18 November 2004

Revised: July 23, 2008

## 4340 4340 GRIEVANCE

The Board of Education shall develop and practice reasonable and effective means for the resolution of disputes that may arise in the employment of support staff members not covered by the terms of a negotiated agreement or individual contract with the Board.

Adopted: 18 November 2004

## 4352 M

## 4352 SEXUAL HARASSMENT

The Board of Education recognizes that an employee's right to freedom from employment discrimination includes the opportunity to work in an environment untainted by sexual harassment. Sexually offensive speech and conduct are wholly inappropriate to the harmonious employment relationships necessary to the operation of the school district and intolerable in a workplace to which the children of this district are exposed.

Sexual harassment includes all unwelcome sexual advances, requests for sexual favors, and verbal or physical contacts of a sexual nature that would not have happened but for the employee's gender. Whenever submission to such conduct is made a condition of employment or a basis for an employment decision, or when such conduct is severe and pervasive and has the purpose or effect of unreasonably altering or interfering with work performance or creating an intimidating, hostile, or offensive working environment, the employee shall have cause for complaint.

The sexual harassment of any employee of this district is strictly forbidden. Any employee or agent of this Board who is found to have sexually harassed an employee of this district will be subject to discipline, which may include termination of employment. Any employee who has been exposed to sexual harassment by any employee or agent of this Board is encouraged to report the harassment to an appropriate supervisor. An employee may complain of any failure of the Board to take corrective action by recourse to the procedure by which a discrimination complaint is processed. The employee may appeal the Board's action or inaction to the New Jersey Division on Civil Rights or to the United States Equal Employment Opportunity Commission. Complaints regarding sexual harassment shall be submitted following the procedures outlined in Regulation 1530, Equal Employment Opportunity.

The Superintendent or his/her designee shall instruct all employees of this Board to recognize and correct speech and behavior patterns that may be sexually offensive with or without the intent to offend.

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

Adopted: 18 November 2004

## 4360 4360 SUPPORT STAFF MEMBER TENURE

The Board of Education directs that the tenure status of support staff members be determined only in accordance with law and this policy and such contractual terms as may have been negotiated with the employee's majority representative.

The Board will not grant tenure to any employee for whom such tenure has not been provided in law or in a contract negotiated by this Board.

N.J.S.A. 18A:17-2; 18A:17-3

Adopted: 18 November 2004

## 4381 4381 PROTECTION AGAINST RETALIATION

The Board of Education will take no retaliatory action, by discharge, demotion, suspension, or any other adverse action, against an employee because that employee has conscientiously:

1. Disclosed or threatened to disclose to a supervisor or public body an activity, policy, or practice of this Board or any district officer that the employee reasonably believes to be in violation of law or rule;
2. Provided information to a public body conducting an investigation, hearing, or inquiry into any alleged violation of law by the Board or an officer of this district; or
3. Objected to or refused to participate in an activity, policy, or practice of this district that the employee reasonably believes to be in violation of law or rule, fraudulent, criminal, or incompatible with a clear mandate of public policy concerning the public health, safety, or welfare or protection of the environment.

An employee who has reason to believe that the Board has engaged in an illegal activity or an activity contrary to public policy must report that belief in writing to the Superintendent before notice is given to a supervisor or a public body. The Superintendent shall promptly report the same to the Board and institute an investigation of the reported activity. The findings of the investigation will be reported in writing to the Board and to the employee.

The protection of law and this policy apply only to employees who have given notice in accordance with this policy and have afforded the Board a reasonable period of time to take any corrective action that may be required or have acted in circumstances that the employee believes in good faith constitute an emergency.

The Superintendent shall post notice of this policy and inform employees of their rights under the New Jersey Conscientious Employee Protection Act.

N.J.S.A. 34:19-1

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

Adopted: 18 November 2004

## 4410 4410 COMPENSATION

The Board of Education will establish the compensation for support staff members not covered by the terms of a negotiated agreement or individual contract with the Board.

Adopted: 18 November 2004

## 4411 4411 PLACEMENT ON SALARY GUIDE STEP

The Board of Education retains the authority to specify the salary of new positions and to determine the credit to be awarded for placement on an existing salary schedule.

The Superintendent is authorized to credit for placement on the salary schedule all appropriate service of an applicant for employment in this District, not to exceed ten years.

Each classified employee shall be informed annually of his/her salary by July 1st.

In order to advance one step on a salary guide, a classified employee must have served at least one-half of the prior contract year with the District.

Adopted: 18 November 2004

## 4413 4413 OVERTIME COMPENSATION

The Board of Education will compensate overtime work in accordance with law. "Overtime work" means work in excess of forty hours in a single workweek.

No overtime shall be worked without the express advance approval of the School Business Administrator/Board Secretary.

Employees who work overtime and for whom no contrary provision has been collectively bargained shall earn compensatory time at the rate of one and one-half hours for every hour of overtime worked, in lieu of overtime compensation. Such employees who accrue compensatory time beyond two hundred forty hours shall be compensated at the rate earned by the employee at the time compensation is paid.

An employee who has unused accrued compensatory time when his/her employment is terminated shall be paid, upon termination, for the unused time at a rate of pay not less than:

1. The average rate received by the employee during the last three years of employment; or
2. The final rate received by the employee, whichever is the higher rate.

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The School Business Administrator/Board Secretary is directed to make and maintain such records regarding employees' hours and wages as may be required by law.

29 U.S.C.A. 207(o)  
29 U.S.C.A. 207(p)  
N.J.S.A. 34:11-56(a)4

Adopted: 18 November 2004

### 4415 4415 SUBSTITUTE WAGES

In order to ensure reliable assistance in the absence of regular support staff employees, the Board of Education will offer competitive compensation to qualified substitute secretaries, clerks, custodians, maintenance workers, bus drivers, teacher aides, and cafeteria workers. In no instance shall the wages paid a substitute exceed the wages paid the regular employee.

Substitutes support staff members will be paid at a per diem rate set annually by the Board.

### 4420 4420 BENEFITS

The Board of Education reserves the right to establish benefits for support staff members not covered by the terms of a negotiated agreement or individual contract with the Board.

Adopted: 18 November 2004

### 4425 4425 WORK RELATED DISABILITY PAY

The Board of Education will permit, in accordance with law, the absence without loss of pay or of annual or accumulated sick leave benefits of a support staff member disabled by accident or injury arising out of and in the course of employment. Any such employee shall seek the workers' compensation benefits to which he/she is entitled by law.

An employee whose disability has qualified for the receipt of workers' compensation benefits shall be presumed eligible for work related disability pay under this policy. When an employee's disability is so brief as to preclude the employee's application for worker's compensation benefits, the employee may request and the Board may grant work related disability pay.

Any employee who qualified for work related disability pay under this policy shall receive full pay during the period he/she is on disability leave of absence, up to one calendar year.

As a condition of receiving full salary, an employee who receives workers' compensation benefits for his/her work-related disability must endorse and deliver to the Board all workers' compensation temporary disability checks received for the period covered by this policy.

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N.J.S.A. 18A:30-2.1; 18A:66-32.1  
N.J.S.A. 34:15-38

Adopted: 18 November 2004

4431 4431 UNCOMPENSATED LEAVE

Leave of Absence Without Pay

It is the policy of the Board of Education to not consider granting leaves of absence without pay to all district employees except those unpaid leaves permitted by federal law, State law and all negotiated employment contracts.

All requests for extended leaves of absence for whatever reason shall be considered on a case-by-case basis by the Board. The Superintendent shall make recommendations to the Board in each case.

All such leaves of absence are granted from the Maywood School System and not from a specific position. No such leave shall be granted for employment in another business or occupation except as determined by negotiated agreement or the Board.

Definition of Unauthorized Leave

The Superintendent shall develop procedures for application for and approval of such leaves as have been authorized. A district employee takes "unauthorized" leave by:

1. Being absent from assigned duties without having followed the district procedures;
2. Refusing to provide properly assigned services, either individually or as part of a collective action;
3. Using sick leave improperly;
4. Using other leave benefits improperly; or
5. Failing to attend required meetings without permission of the Superintendent or his/her designee.

An employee is deemed to be on unauthorized leave at such times and on such occasions as the employee may absent himself/herself from required duties.

Disciplinary Action

Unauthorized leave shall constitute a breach of contract and may result in the initiation of dismissal procedures, loss of increment or other disciplinary action as may be deemed appropriate.

Right of the Board of Education

The Board of Education reserves the right to specify the conditions when not otherwise covered by the terms of the negotiated agreement under which

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uncompensated leave may be taken. The Board of Education also reserves the right to grant any and all unpaid leave of absences.

Adopted: 18 November 2004

### 4431.1 4431.1 FAMILY LEAVE

In accordance with the federal Family and Medical Leave Act (FMLA) and the New Jersey Family Leave Act, the Board of Education will grant support staff members up to twelve weeks leave of absence in any twelve month period for the provision of the care made necessary by the birth or adoption of a child or by the serious health condition of a spouse, parent, child or the employee.

No employee shall be required to take family leave or to extend family leave beyond the time requested. An employee shall not be discriminated against for having exercised his/her rights under the Family and Medical Leave Act or the New Jersey Family Leave Act nor discouraged from the use of family leave.

For the purposes of this policy, a "parent" is a biological, adoptive, or foster parent; stepparent; parent-in-law; a legal guardian in a parent-child relationship; or a person who has the sole or joint legal or physical custody, care, guardianship, or visitation with a child. "Serious health condition" is an illness, injury, impairment, or physical or mental condition that requires inpatient care in a hospital, hospice, or residential medical facility or continuing medical treatment or continuing supervision by a health care provider. A "week" is the number of days an employee normally works each calendar week.

#### Eligibility

An employee shall become eligible for family leave after he/she has worked twelve months in this district and at least one thousand hours, excluding overtime, during the previous twelve month period. The calculation of the twelve month period shall commence with the commencement of the family leave. Leave taken for the birth or adoption of a child may commence at any time within one year after the birth or adoption, regardless of when the birth or adoption occurs.

An employee on family leave shall not work full-time for another employer, unless he/she was so employed full-time prior to the commencement of family leave. An employee on family leave may work part-time up to half of the hours regularly worked for this Board prior to the family leave or part-time in any employment outside the district that commenced prior to the family leave.

#### Types of Leave

An employee may take family leave in consecutive weeks, as intermittent leave, or as reduced leave. An employee who requests intermittent or reduced leave shall make a reasonable effort to schedule such leave so as not to unduly disrupt the instructional program.

1. Intermittent leave is non-consecutive leave comprised of intervals each of which is at least one but less than twelve weeks within a consecutive twelve month period for each single serious health condition. An employee is entitled to take intermittent leave when medically necessary for the serious

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medical condition of a family member, but the employee and the Board must agree to intermittent leave for the birth or adoption of a child.

2. Reduced leave is non-consecutive leave of up to the equivalent of twelve weeks that is taken in increments of less than one full week at a time but not less than one workday, unless the Board and employee agree to a shortened workday. Reduced leave may not be scheduled for more than twelve consecutive weeks. An employee is entitled to take only one reduced leave schedule within a twelve month period. An employee is entitled to take reduced leave for the serious medical condition of a family member, but the employee and the Board must agree to reduced leave for the birth or adoption of a child.

3. The fact that a holiday may occur within the week taken by an employee as Family and Medical Leave Act (FMLA) has no effect and the week is counted as a week of FMLA. However, if the employee is out on FMLA and the school district is closed and the employee would not be expected to report for work for one or more weeks, the days the school district is closed for this employee do not count against the employee's FMLA leave entitlement.

Any leave time remaining after an employee has exhausted his/her entitlement to intermittent leave in any twelve month period may be taken as consecutive leave or reduced leave, and any leave time remaining after an employee has exhausted his/her entitlement to reduced leave in any twelve month period may be taken as consecutive leave or intermittent leave.

### Notice

An employee eligible for family leave must give reasonable advance notice in writing to the Superintendent, except where emergent circumstances warrant shorter notice. Whenever emergent circumstances make written notice impracticable, the employee may give oral notice to the Superintendent, but any oral notice must be followed by written notice delivered within two working days.

1. Notice for leave to be taken for the birth or adoption of a child shall be given at least thirty days prior to the commencement of the leave, except that if the date of the birth or adoption requires leave to begin in less than thirty days, the employee shall provide such notice as is practicable.

2. Notice for leave to be taken for the serious medical condition of a family member shall be given at least fifteen days prior to the commencement of leave, except that if the date of the treatment or supervision requires leave to begin in less than thirty days, the employee shall provide such notice as is practicable.

### Benefits

Family leave shall be unpaid leave.

In accordance with law, the Board will maintain coverage under any group health insurance policy, group subscriber contract, or health care plan at the level and under the conditions coverage would have been provided if the employee had not been absent on family leave. However, an employee who fails to return to work after the period of leave for which he or she is entitled

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has expired will be expected to reimburse the district for those paid benefits, as allowed by law.

An employee returning from family leave shall be entitled to the position he/she held when leave commenced or to a similar position, full-time or part-time, within his/her certification, except as his/her entitlement to a position may have been affected by a reduction in force. The employee's tenure and seniority rights, if any, and other benefits shall be preserved, but the employee shall accrue no additional time toward tenure or seniority for the period of the leave, except as may be provided by law.

The return of an employee prior to the expiration of family leave shall be permitted if the return does not unduly disrupt the instructional program or require the Board to incur the cost of continuing the employment of a substitute under contract.

Family leave granted to a nontenured employee cannot work to extend the employee's employment beyond the expiration of his/her employment contract.

### Verification of Leave

The Board shall require the certification of the health care provider verifying the purpose of requested family leave. Certification of a serious health condition shall contain the date on which the condition commenced, its probable duration, and relevant medical information known to the provider. Certification of a birth or adoption shall contain the projected date of birth or placement. In the event the Board doubts the validity of the certification, the employee shall obtain the opinion of a second health care provider approved by the Board. If the certification and opinion disagree, the employee shall, at Board expense, obtain an opinion from a third health care provider approved by both the employee and the Board. The opinion of the third health care provider shall be final and binding.

In order that an employee's entitlement to family leave can be properly determined, the Superintendent shall ensure the keeping of accurate attendance records that distinguish family leave from other kinds of leave.

29 U.S.C. 2601 et seq.  
29 C.F.R. 825.200 et seq.  
N.J.S.A. 34:11B-1 et seq.

Adopted: 18 November 2004

### 4431.3 4431.3 NEW JERSEY'S FAMILY LEAVE INSURANCE PROGRAM

Board of Education employees are eligible to apply for benefits under New Jersey's Family Leave Insurance Program administered by the State of New Jersey - Department of Labor and Workforce Development. New Jersey's Family Leave Insurance Program (NJFLI) may provide up to six weeks of family leave insurance benefits payable to covered employees from either the New Jersey State Plan or an approved employer-provided private plan.

A benefit provided through the NJFLI will be for the employee to bond with a child during the first twelve months after the child's birth, if the covered

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individual or the domestic partner or civil union partner of the covered individual is a biological parent of the child, or the first twelve months after the placement of the child for adoption with the covered individual. An employee who intends to apply to the State of New Jersey for benefits under this provision of the NJFLI must provide the Superintendent of Schools written notice thirty calendar days prior to beginning the leave. Failure to provide this thirty-day notice may result in a reduction in the employee's maximum family leave insurance benefits. Intermittent leave to bond with a newborn or newly adopted child must be agreed to by the Superintendent of Schools and the employee and, if agreed to, must be taken in periods of seven days or more.

A benefit provided through the NJFLI will also be to care for a family member with a serious health condition supported by a certification provided by a health care provider. An employee who intends to apply to the State of New Jersey for benefits under this provision of the NJFLI for consecutive leave must provide the school district reasonable and practical notice unless the time of the leave is unexpected or the time of the leave changes for unforeseen reasons. An employee who intends to apply for benefits under this provision of the NJFLI for intermittent leave must provide the school district with a written notice at least fifteen calendar days prior to beginning the leave.

For the purposes of this Policy, "family member" means a child, spouse, domestic partner, civil union partner, or parent of a covered individual. "Child" means a biological, adopted, or foster child, stepchild, or legal ward of a covered individual, child of a domestic partner of the covered individual, or child of a civil union partner of the covered individual, who is less than nineteen years of age or is nineteen years of age or older but incapable of self-care because of mental or physical impairment.

All applications for benefits under the NJFLI must be filed directly with the State of New Jersey – Department of Labor and Workforce Development. The eligibility requirements, wage requirements, benefit duration and amounts, and benefit limitations shall be in accordance with the provisions of the NJFLI as administered by the State of New Jersey – Department of Labor and Workforce Development. A formal appeal may be submitted to the State of New Jersey – Department of Labor and Workforce Development if an employee or the Board disagrees with a determination on a claim.

The NJFLI provides eligible individuals a monetary benefit and not a leave benefit. In addition, the school district administrative and related staff will comply with the State of New Jersey – Department of Labor and Workforce Development requests for information in accordance with the provisions of N.J.A.C. 12:21-3.9.

The Board may elect to provide employees with Family Leave Insurance benefits coverage under a private plan which must be approved by the State of New Jersey – Department of Labor and Workforce Development.

A printed notification of covered individuals' rights relative to the receipt of benefits under the NJFLI will be posted in each of the school district worksites and in a place or places accessible to all employees at the worksite. Each employee shall receive a copy of this notification in writing at the time of the employee's hiring, whenever the employee provides written notice to the Superintendent of their intention to apply for benefits under

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

the NJFLI, or at any time upon the first request of the employee. The written notification may be transmitted to the employee in electronic form.

N.J.S.A. 43:21-25 et seq.  
N.J.A.C. 12:21-1.1 et seq.

Adopted: March 24, 2010

### 4432 4432 SICK LEAVE

The Board of Education shall grant sick leave, in accordance with law, to support staff members absent from work because of personal disability or quarantine. Each steadily employed employee eligible for sick leave will be entitled annually to the number of paid sick leave days negotiated with the employee's majority representative or provided in an individual contract with the Board.

Adopted: 18 November 2004

### 4433 4433 VACATIONS

The Board of Education believes that it is beneficial to the school district that persons employed to work twelve months a year be given periodic relief from the responsibilities of their position without loss of compensation.

The Board reserves the right to determine the conditions under which vacation time may be taken when not otherwise covered by the terms of a negotiated agreement or individual contract with the Board.

Adopted: 18 November 2004

### 4434 4434 HOLIDAYS

The Board of Education will compensate support staff members for holidays in accordance with the holiday provisions of current valid negotiated contracts.

Compensation for holidays for non-association/non-union represented support staff members will be determined by the Board on an annual basis.

Unless specified in a current valid negotiated contract, if the recognized holiday falls on a Saturday or Sunday, the holiday will be determined by the Superintendent and published to staff accordingly.

N.J.S.A. 36:1-1

Adopted: 18 November 2004

### 4435 4435 ANTICIPATED DISABILITY

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

The Board of Education shall provide for leaves of absence, in accordance with law and the policies of this Board, for any employee of this district not otherwise covered by the terms of the negotiated agreement whose absence from duties will be required for a foreseeable event of disability such as childbirth or surgery.

An employee who anticipates disability shall so notify the Superintendent as soon as the employee is under medical supervision for the condition and a date is projected for the anticipated disability. Because of the potentially disabling nature of pregnancy and the certainty of temporary disability at parturition, the Board will presume that a pregnant employee is disabled for work thirty days before the anticipated date of childbirth and continues to be disabled for thirty days after parturition, except that any such employee who presents medical certification of her fitness may continue to work until she is actually disabled and may return to work as soon as she is able.

The Board reserves the right to require an employee who requests an extended leave of absence that includes anticipated disability to commence and/or terminate the leave at times that ensure continuity in district operations. Whenever possible, partial year leaves of absence will begin and end at divisions in the academic calendar and will cause not more than one interruption in employment continuity during the school year in which the leave is taken. No person who is required to take leave at a time other than that requested will be denied the use of sick leave for the anticipated disability that occurs or is presumed to occur during the leave.

An employee who anticipates a disability may request a leave of absence to commence before disability and to extend beyond the period of disability. Any such request shall be subject to Board discretion and the Board's policy on leave of absence. An employee on voluntary leave of absence is not eligible for sick leave pay for disability occurring during the period of that absence.

42 U.S.C.A. 2000e-2(a)  
29 C.F.R. 1604-1 et seq.  
N.J.S.A. 10:5-12(a)  
N.J.S.A. 18A:6-6; 18A:16-2; 18A:30-1 et seq.

Adopted: 18 November 2004

4436 4436 PERSONAL LEAVE

The Board of Education will provide for an employee's compensated absence for reason of personal necessity not covered by the terms of a negotiated agreement or individual contract with the Board.

The Board reserves the right to determine the reasons for which personal leave will be granted, the number of days that may be used in any one school year for personal leave, and the manner of proof of personal necessity.

Adopted: 18 November 2004

4437 4437 MILITARY LEAVE

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

The Board of Education recognizes that military service rendered by any district employee in the defense of the country or in maintaining preparedness for conflict, foreign or domestic, is a service benefiting all citizens. Any permanent or full-time officer and/or employee of the district will be provided military leave and related benefits pursuant to the Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. Section 4301 et seq., P.L. 2001 Chapter 351 amending N.J.S.A. 38:23-1, N.J.S.A. 38A:1-1 and N.J.S.A. 38A:4-4., and any other applicable Federal and State laws.

A permanent or full-time temporary officer or employee of the school district who is a member of the organized militia of New Jersey (New Jersey National Guard, New Jersey Naval Militia Joint Command) shall be entitled, in addition to pay received, if any, to a leave of absence without loss of pay or time on all days in which he/she is engaged in any period of State or Federal active duty. The leave of absence for Federal active duty or active duty for training shall not exceed ninety workdays in the aggregate in any calendar year. A permanent or full-time temporary officer or employee who has served less than one year in the district shall receive this leave without pay, but without loss of time. This paid leave shall be in addition to the regular vacation or other accrued leave provided to the officer or employee. Any leave of absence for such duty in excess of ninety workdays shall be without pay, but without loss of time.

A permanent or full-time temporary officer or employee of the school district who is a member of the organized reserve of the Army of the United States, United States Naval Reserve, United States Air Force Reserve or United States Marine Corps Reserve, or other organization affiliated therewith, including the National Guard of other states, shall be entitled, in addition to pay received, if any, to a leave of absence without loss of pay or time on all work days he/she shall be engaged in any period of active duty, provided such leave of absence shall not exceed thirty workdays in any calendar year. A permanent or full-time temporary officer or employee who has served less than one year in the district shall receive this leave without pay, but without loss of time. This paid leave shall be in addition to the regular vacation or other accrued leave provided to the officer or employee. Any leave of absence for such duty in excess of thirty workdays shall be without pay, but without loss of time.

Military leave with pay is not authorized for Inactive Duty Training (IDT) as defined in N.J.A.C. 5A:2-2.1.

The district will provide benefits and rights for staff on military leave as required by Federal and State laws.

The military leave requirements in this Policy are the minimum requirements of applicable Federal and State laws. The district, at its option, may provide additional military leave with pay and related benefits.

Pursuant to N.J.S.A. 52:13H-2.1, in accordance with the provisions of Article VIII, Section II, paragraph 5 of the New Jersey Constitution, upon application by the district to the State Treasury and approval of the application by the Director of the Division of Budget and Accounting, reimbursement shall be made by the State of New Jersey for any costs incurred as a result of the provisions of P.L. 2001, Chapter 351.

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N.J.S.A. 18A:6-33; 18A:28-11;1; 18A:29-11; 18A:66-8.1  
N.J.S.A. 38:23-1 et seq.; 38A:1-1; 38A:4--4; 52:13H-2.1;  
N.J.A.C. 5A:2-2.1  
Uniformed Services Employment and reemployment Rights Act (USERRA), 38 U.S.C. Section 4301 et seq.

Adopted: 18 November 2004

4438 4438 JURY DUTY

The Board of Education will indemnify all full-time employees against loss of pay incurred by a call to jury duty. No employee will be penalized in any way for an absence caused by service on a panel of grand or petit jurors. The time any such employee is absent will not be charged against personal leave and will count toward district service.

A full-time employee who is absent from their school district duties while on jury duty for any court of New Jersey, any court of any other State, any federal district court, or in the u.s. District Court for New Jersey will receive their usual compensation from the school district for each day the support staff member is present for jury duty. In the event there is any jury duty compensation, excluding mileage and lodging, paid to the employee for their time on jury duty, the employee will reimburse the school district the amount of any jury duty compensation paid to the staff member.

An employee summoned to jury duty shall promptly report the summons to his/her immediate supervisor.

On return from jury duty, the employee must submit to his/her immediate supervisor a court record of the number of days served on jury duty.

While on jury duty, an employee must report daily to his/her supervisor the schedule for the following day and must report to work when he/she is excused from jury duty for half a day or more or suffer loss of pay.

N.J.S.A. 2B~20-1 et seq.; 2B:20-16

Adopted: 18 November 2004

4440 \*\*\* ABOLISHED POLICY \*\*\* AS OF JUNE 18, 2009 \*\*\*

4440 Travel Expenses

The Board of Education will reimburse support staff members for travel expenses in accordance with applicable New Jersey Statutes.

For the purpose of this Policy:

1. Travel Expenditures - means those costs paid by the school district using local, State, or Federal funds, whether paid directly by the school district or by employee reimbursement, for travel by school district employees and/or Board of Education members to training and seminars, conventions and

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conferences, regular school district business, and retreats.

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

3. 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.

4. Regular School District Business - means all regular official business travel, including attendance at meetings, conferences, and any other gatherings which are not covered by the definitions for training and seminars and convention and conferences above.

5. Retreats - means meetings with school district employees and 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.

School district travel expenditures include, but are not limited to, all costs for transportation, meals, lodging, and registration or conference fees to and from the travel event. School district travel expenditures include costs for all required training and all travel authorized in existing school district employee contracts and school Board policies. This includes, but is not limited to, required professional development and other staff training, required training for new school Board members, and attendance at specific conferences authorized in existing employee contracts.

The school district shall not bear costs for car rentals, limousine services, and/or chauffeuring costs to or during the event, as well as costs for employee attendance for coordinating other attendees' accommodations at the travel event.

All travel by district support staff members shall be educationally necessary and fiscally prudent and all travel expenditures shall be directly related to and within the scope of the teaching staff member's current responsibilities and the school district's professional development plan. All travel expenditures must be for travel that is critical to the instructional needs of the school district or furthers the efficient operation of the school district and is in compliance with State travel payment guidelines as established by the Department of the Treasury and with guidelines established by the Federal Office of Management and Budget; except that those 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.

A support staff member shall submit to the building administrator within 7 calendar days of incurring the travel expense(s) a brief report that includes the primary purpose for the travel and the key issues that were addressed at

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the event and their relevance to improving instruction or the operation of the school district. This report shall be attached to the purchase order for reimbursement.

The detailed documentation that demonstrates compliance with the school Board's travel policy including travel approvals, reports, and receipts for all school district funded expenditures, as appropriate, shall be maintained in the school business administrator's office, attached to the purchase order.

Travel for support staff members may occur only upon prior written approval of the Superintendent of Schools and prior approval by a majority of the full voting membership of the Board.

For regular school district business travel only, the Board authorizes an annual maximum amount per employee for regular business travel in an amount which Board the board will approve at the reorganization meeting every year, and travel for this amount will not need board approval.

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

Travel payments will be paid only upon compliance with P.L. 2007, c. 53 and this Policy's provisions and approval requirements.

The Board will not ratify or approve payments or reimbursements for travel after completion of the travel event. An employee or organization shall not receive an amount for travel and/or travel-related expenses in advance of the travel pursuant to N.J.S.A. 18A:19-1 et seq.

A Board member shall recuse himself/herself from voting on travel if the Board member, a member of his immediate family, or a business organization in which he/she has an interest, has a direct or indirect financial involvement that may reasonably be expected to impair his/her objectivity or independence of judgment. A Board member shall not act in his/her official capacity in any matter in which he/she or a member of his/her immediate family has a personal involvement that is or creates some benefit to the school official or member of his/her immediate family; or undertake any employment or service, whether compensated or not, which may reasonably be expected to prejudice his/her independence of judgment in the execution of his/her official duties.

The Board shall exclude from the requirements of prior Board approval any travel caused by or subject to contractual provisions, other statutory requirements, or Federal regulatory requirements. The Board may not exclude such travel from the subsistence requirements and annual maximum travel expenditure pursuant to P.L. 2007 c. 53.

One-day trips that do not involve overnight lodging are not eligible for a subsistence payment or reimbursement except in limited circumstances authorized in the Department of the Treasury guidelines. Overnight travel is eligible for a subsistence payment or reimbursement as authorized in Department of the Treasury guidelines, except as otherwise superseded by the

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following provisions:

1. Per diem payment or reimbursement for lodging and meals will be actual reasonable costs, not to exceed the Federal per diem rates as established in the Federal register for the current year;
2. Lodging expenses may exceed the Federal per diem rates if the hotel is the site of the convention, conference, seminar, or meeting and the going rate of the hotel is in excess of the Federal per diem rate. If the hotel at the site of the convention, conference, seminar, or meeting is no longer available, lodging may be paid for similar accommodations at a rate not to exceed the hotel rate for the event;
3. Receipts are required for hotel expenses;
4. In any case in which the total per diem reimbursement is greater than the Federal per diem rate, except as stated in 2. above, the costs will be considered to be excessive and shall not be paid by school district funds;
5. The school district shall patronize hotels and motels that offer special rates to government employees unless alternative lodging offers greater cost benefits; and
6. Payment or reimbursement is approved for the full cost of an official convention meal that the employee or school Board member attends, when the meal is scheduled as an integral part of the convention or conference proceedings. If a meal is included in the registration fee, the allowance for the meal is not eligible for reimbursement.

Annually in the prebudget year, the Board shall establish by Board resolution, a maximum travel expenditure amount for the budget year, which the school district shall not exceed in that budget year. The Board resolution shall also include the maximum amount established for the prebudget year and the amount spent to date. The maximum school district travel expenditure amount shall include all travel in accordance with P.L. 2007 c. 53 supported by local and State funds.

The school district shall maintain separate accounting for school district travel expenditures as necessary to ensure compliance with the school district's maximum travel expenditure amount. This may include, but need not be limited to, a separate or offline accounting of such expenditures or expanding the school district's accounting system. The tracking system shall be sufficient to demonstrate compliance with the Board's policy and P.L. 2007 c. 53, and shall provide auditable information.

Any Board of Education that violates its established maximum travel expenditure as set forth in P.L. 2007 c. 53, or that otherwise is not in compliance with the travel limitations set forth in P.L. 2007 c. 53 may be subject to sanctions by the Commissioner as authorized pursuant to N.J.S.A. 18A:4-23 and N.J.S.A. 18A:4-24, including reduction of State aid in an amount equal to any excess expenditure.

A person who approves any travel in violation of the P.L. 2007 c. 53 or this Policy shall be required to reimburse the school district in an amount equal to three times the cost associated with attending the event. An employee or

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Board member who travels in violation of the Board's policy or P.L. 2007 c. 53 shall be required to reimburse the school district in an amount equal to three times the cost associated with attending the event.

P.L. 2007 c. 53

Revised: July 26, 2007  
5000 5000 PUPILS

Number	Title
5111	Eligibility of Resident/Nonresident Pupils
5112	Entrance Age
5114	Children Displaced by Domestic Violence
5116	Education of Homeless Children
5130	Withdrawal From School
5200	Attendance
5230	Late Arrival and Early Dismissal
5240	Tardiness
5250	Excusal from Class or Program
5310	Health Services
5320	Immunization
5330	Administration of Medication
5331	Anaphylaxis to Food
5350	Pupil Suicide Prevention
5410	Promotion and Retention
5411	Promotion From Eighth Grade
5412	Middle School Graduation
5420	Reporting Pupil Progress
5440	Honoring Pupil Achievement
5450	Athletic Awards
5466	Graduation and Year Book Fees
5500	Expectations for Pupil Conduct
5511	Dress and Grooming
5512	Hazing
5512.01	Harassment, Intimidation and Bullying
5513	Care of School Property
5514	Pupil Use of Vehicles
5516	Remotely Activating Communication Devices - Pagers & Cellular Telephones
5520	Disorder and Demonstration
5530	Substance Abuse
5533	Smoking
5550	Disaffected Pupils
5560	Disruptive Pupils
5570	Sportsmanship
5600	Pupil Discipline
5610	Suspension
5611	Removal of Pupils From The General Education Program for Weapons/Firearms Offenses
5612	Assault by Pupils on Board Members or Employees
5620	Expulsion
5700	Pupil Rights

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5701	Academic Dishonesty
5710	Pupil Grievance
5721	Independent Publications
5750	Equal Educational Opportunity
5751	Sexual Harassment
5752	Marital Status and Pregnancy
5755	Equity in Educational Programs and Services
5770	Pupil Right of Privacy
5810	Pupil Participation in School Governance
5820	Student Government
5830	Pupil Fund Raising
5840	Pupil Organizations
5841	Exclusionary Pupil Organizations
5842	Equal Access of Pupil Organizations
5843	Latchkey Program
5850	Social Events and Class Trips
5860	Safety Patrol
5880	Public Performances by Pupils

5111

The Maywood Board of Education shall admit to its schools, free of charge, persons over five and under twenty years of age, pursuant to N.J.S.A. 18A:38-1, or such younger or older pupil as is otherwise entitled by law to a free public education.

### Eligibility to Attend School

The Board shall admit pupils eligible to attend school free of charge that are domiciled within the district as defined in N.J.A.C. 6A:22-3.1 et seq.

The Board shall also admit any pupil that is kept in the home of a person other than the pupil's parent or guardian, where the person is domiciled in the school district and is supporting the pupil without remuneration as if the pupil were his or her own child in accordance with N.J.A.C. 6A:22-3.2 et seq. A pupil is only eligible to attend school in the district pursuant to this provision if the pupil's parent or guardian files, together with documentation to support its validity, a sworn statement that he or she is not capable of supporting or providing care for the pupil due to family or economic hardship and the pupil is not residing with the other person solely for the purpose of receiving a free public education. In addition, the person keeping the pupil must file, if so required by the district, a sworn statement that he or she: is domiciled within the district; is supporting the child without remuneration and intends to do so for a time longer than the school term; will assume all personal obligations for the pupil relative to school requirements; and provides a copy of his or her lease if a tenant, or a sworn landlord's statement if residing as a tenant without a written lease. Pursuant to N.J.S.A. 18A:38-1(c), any person who fraudulently allows a child of another person to use his or her residence and is not the primary financial supporter of that child and any person who fraudulently claims to have given up custody of his or her child to a person in another district commits a disorderly persons offense.

A pupil is eligible to attend school free of charge pursuant to N.J.S.A. 18A:38-1(b) if the pupil is kept in the home of a person domiciled in the district, other than the parent or guardian, where the parent or guardian is a

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member of the New Jersey National Guard or the reserve component of the United States armed forces and has been ordered into active military service in time of war or national emergency. Eligibility under this provision shall cease at the end of the current school year upon the parent or guardian's return from active military duty.

A pupil is eligible to attend school free of charge pursuant to N.J.S.A. 18A:38-1(d) if the pupil's parent or guardian temporarily resides within the district and elects to have the pupil attend school in the district of temporary residence, notwithstanding the existence of a domicile elsewhere. Where required by the district, the parent or guardian shall demonstrate that such temporary residence is not solely for purposes of a pupil attending school within the district of temporary residence. Where one of a pupil's parents or guardians temporarily resides in the district while the other is domiciled or temporarily resides elsewhere, eligibility to attend school shall be determined in accordance with the criteria of N.J.A.C. 6A:22-3.1(a)1.i.

A pupil is eligible to attend school in the district free of charge:

1. If the pupil's parent or guardian moves to another district as the result of being homeless, subject to the provisions of N.J.A.C. 6A:17-2 - Education of Homeless Children;
2. If the pupil is placed in the home of a district resident by court order (as defined in N.J.A.C. 6A:22-3.2(e)) or by a society, agency, or institution pursuant to N.J.S.A. 18A:38-2;
3. If the pupil had previously resided in the district and if the parent or guardian is a member of the New Jersey National Guard or the United States reserves and has been ordered to active service in time of war or national emergency, resulting in the relocation of the pupil out of the district, pursuant to N.J.S.A. 18A:38-3(b). The district shall not be obligated for transportation costs; and
4. If the pupil resides on Federal property within the State pursuant to N.J.S.A. 18A:38-7.7 et seq.

The physical condition of an applicant's housing, an applicant's compliance with local housing ordinances, or terms of lease shall not affect eligibility to attend school.

A pupil's immigration/visa status and their eligibility to attend school shall be in accordance with N.J.A.C. 6A:22-3.3(b) and Regulation 5111.

### **Proof of Eligibility**

The district shall accept forms of documentation from persons attempting to demonstrate a pupil's eligibility for enrollment in the district in accordance with N.J.A.C. 6A:22-3.4 et seq. The district shall consider the totality of information and documentation offered by an applicant, and shall not deny enrollment based on failure to provide a particular form of documentation, or a particular subset of documents, without regard to other evidence presented.

The district shall not require or request any information or document protected from disclosure by law, or pertaining to criteria that are not a

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legitimate basis for determining eligibility to attend school. However, these protected documents or information, or pertinent parts thereof, may be voluntarily disclosed by the person(s) seeking enrollment in the district. However, the district may not, directly or indirectly, require or request such disclosure as an actual or implied condition of enrollment.

### **Initial Assessment and Enrollment**

Registration, initial determinations of eligibility, and enrollment will be in accordance with N.J.A.C. 6A:22-4.1 et seq. The district shall use registration forms provided by the Commissioner of Education or locally developed forms that are consistent with the forms provided by the Commissioner. A district level school administrator designated by the Superintendent will be available and clearly identified to applicants, to assist persons who are experiencing difficulties with the registration/enrollment process.

Initial determinations of eligibility shall be made upon presentation of an application for enrollment and enrollment shall take place immediately in all cases except those of clear, uncontested denials. Where an applicant has provided incomplete, unclear or questionable information, enrollment shall take place immediately, but the applicant will be placed on notice that removal will result if defects in the application are not corrected, or an appeal is not filed, in accordance with subsequent notice to be provided pursuant to N.J.A.C. 6A:22-4.2 et seq.

Where an applicant appears ineligible based on the information provided in the initial application, a preliminary written notice of ineligibility shall be provided, including an explanation of the right to appeal to the Commissioner of Education. Enrollment shall take place immediately if the applicant clearly indicates disagreement with the district's determination and intent to appeal to the Commissioner. A pupil enrolled pursuant to this provision shall be notified that he or she will be removed, without a hearing before the Board, if no appeal is filed within the twenty-one day period established by N.J.S.A. 18A:38-1.

Where enrollment is denied and no intent to appeal is indicated, applicants shall be advised that they shall comply with compulsory education laws. In this case, the parent(s) or guardian(s) shall, where the pupil is between the ages of six and sixteen, be asked to complete a written statement that the pupil will be attending school in another district, attending a nonpublic school, or receiving instruction elsewhere than at a school pursuant to N.J.S.A. 18A:38-25. In the event this written statement is not provided, the district level administrator designated by the Superintendent shall notify the school district of actual domicile or residence, or the Department of Children and Families to report a potential instance of "neglect" pursuant to N.J.S.A. 9:6-1, with the pupil's name, the name(s) of the parent/guardian/resident, the pupil's address to the extent known, and shall indicate that admission to the district has been denied based on residency or domicile, and that there is no evidence of intent to arrange for the child to attend school or receive instruction elsewhere.

Enrollment or attendance in the district shall not be denied based upon absence of the certified copy of birth certificate or other proof of a pupil's identity required within thirty days of initial enrollment pursuant to

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

N.J.S.A. 18A:36-25.1.

Enrollment in the district shall not be denied based upon absence of pupil medical information, although actual attendance at school may be deferred as necessitated by compliance with rules regarding immunization of pupils, N.J.A.C. 8:57-4.1 et seq.

Enrollment in the district, attendance at school, or educational services where attendance in the regular education program appears inappropriate, shall not be denied based upon absence of a pupil's prior educational record. However, the applicant shall be advised that the initial educational placement of the pupil may be subject to revision upon receipt of records or further assessment of the pupil by the district.

### Notice of Ineligibility

If the district finds the applicant ineligible to attend the schools of the district pursuant to N.J.A.C. 6A:22-1.1 et seq., or the application initially submitted is found to be deficient upon subsequent review or investigation, notice shall immediately be provided to the applicant consistent with sample form(s) to be provided by the Commissioner. Notices shall be in writing, in English and in the native language of the applicant, issued by the Superintendent and directed to the address at which the applicant claims to reside. The Notice of Ineligibility shall be provided and shall include information as required in accordance with N.J.A.C. 6A:22-4.2 et seq.

### Removal of Currently Enrolled Pupils

Nothing in N.J.A.C. 6A:22-4.3 et seq. and this policy shall preclude the Board from seeking to identify, through further investigation or periodic requests for current validation of previously determined eligibility status, pupils enrolled in the district who may be ineligible for continued attendance due to error in initial assessment, changed circumstances or newly discovered information.

When a pupil, enrolled and attending school in the district based on an initial determination of eligibility, is later determined to be ineligible for continued attendance, the Superintendent may apply to the Board for removal of the pupil in accordance with N.J.A.C. 6A:22-4.3(b). No pupil shall be removed from school unless the parent, guardian, adult pupil or resident keeping an "affidavit pupil" (as defined in N.J.A.C. 6A:22-1.2) as the case may be, has been informed of his or her entitlement to a hearing before the Board of Education. Once the hearing is held, or if the parent, guardian, adult pupil or resident keeping an "affidavit pupil", as the case may be, does not respond to the Superintendent's notice within the designated time frame or appear for the hearing, the Board shall make a prompt determination of the pupil's eligibility or ineligibility and shall immediately provide notice thereof in accordance with the requirements of N.J.A.C. 6A:22-4.2 et seq. The hearings required pursuant to N.J.A.C. 6A:22-4.3 et seq. may be conducted by the full Board or a Board Committee, at the discretion of the full Board. If the hearing(s) is conducted by a Board Committee, the Committee shall make a recommendation to the full Board for action. No pupil may be removed except by vote of the Board taken at a meeting duly convened and conducted pursuant to N.J.S.A. 10:4-6 et seq., the Open Public Meetings Act.

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### Appeal to the Commissioner

The district's determination that a pupil is ineligible to attend the schools of the district may be appealed to the Commissioner by the parent, guardian, adult pupil or resident keeping an "affidavit pupil", as the case may be. Such appeals shall proceed in accordance with N.J.S.A. 18A:38-1 and N.J.A.C. 6A:3-8.1 et seq. and shall proceed as a contested case pursuant to N.J.A.C. 6A:3. Pursuant to N.J.S.A. 18A:38-1(b)1, appeals of "affidavit pupil" eligibility determinations must be filed by the resident keeping the pupil.

### Assessment and Calculation of Tuition

If no appeal to the Commissioner is filed following notice of a determination of ineligibility, the Board may assess tuition for any period of a pupil's ineligible attendance, including the twenty-one day period provided by N.J.S.A. 18A:38-1 for appeal to the Commissioner. Tuition will be assessed and calculated in accordance with N.J.A.C. 6A:22-6.3 et seq. The district may petition the Commissioner for an order assessing tuition, enforceable in accordance with N.J.S.A. 2A:58-10, through recording, upon request of the Board pursuant to N.J.A.C. 6A:3-12, on the judgment docket of the Superior Court, Law Division.

### Nonresident Pupils

The admission of a nonresident child to school free of charge must be approved by the Board. No child otherwise eligible shall be denied admission on the basis of the child's race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability. The continued enrollment of any nonresident pupil shall be contingent upon the pupil's maintenance of good standards of citizenship and discipline.

A nonresident child otherwise eligible for attendance whose parent(s) or guardian(s) anticipates district residency and has entered a contract to buy, build, or rent a residence in this district may be enrolled without payment of tuition for a period of time not greater than two weeks prior to the anticipated date of residency. If any such pupil does not become a resident of the district within two weeks after admission to school, tuition will be charged for attendance commencing the beginning of the third week and until such time as the pupil becomes a resident or withdraws from school.

Pupils whose parent(s) or guardian(s) have moved away from the school district on or after March 30th will be permitted to finish the school year in this district without payment of tuition.

N.J.S.A. 18A:38-1 et seq.

N.J.A.C. 6A:14-3.3; 6A:17-2.1 et seq.; 6A:22-1.1 et seq.

Adopted: July 28, 2010

5112 5112 ENTRANCE AGE

The Board of Education will admit to this district children otherwise eligible by law or Board policy who have attained the age requirements set by law and

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

this Board of Education. The Board requires documentary verification of the age and birth date of any child for whom admission to this district is sought.

### Preschool Disabled

A child is eligible for entrance into a program of special education who has attained his/her third birthday and has been found by the Child Study Team to be eligible for a program for the preschool disabled in accordance with rules of the State Board of Education.

### Kindergarten

A child is eligible for entrance into Kindergarten who will have attained the age of five years on or before October 1 of the year in which entrance is sought.

No child will be admitted to Kindergarten who has not met the age requirement set by this policy.

### First Grade

A child is eligible for entrance into first grade who will have attained the age of six years on or before October 1 of the year in which entrance is sought and upon the recommendation of the Superintendent.

N.J.S.A. 18A:36-19; 18A:38-5; 18A:38-6; 18A:44-1;  
18A:44-2; 18A:46-6; 18A:46-6.1  
N.J.A.C. 6:20-1.2; 6A:14-3.3

Adopted: 18 November 2004

### 5114 5114 CHILDREN DISPLACED BY DOMESTIC VIOLENCE

The Board of Education will cooperate with the County Office of Education, as appropriate and feasible, in the education of children temporarily displaced by domestic violence. Any pupil attending the schools of this district, whether regularly enrolled in this or another district, who has been admitted to a shelter for victims of domestic violence will be permitted and encouraged to continue an appropriate educational program with minimal disruption.

The Board will cooperate with other educational institutions in the sharing of pertinent pupil records and in the establishment of sending-receiving relationships on behalf of displaced children. The confidentiality of all matters concerning displaced children will be strictly observed, and no information regarding the present residence of the child will be released.

N.J.S.A. 18A:38-1 et seq.

Adopted: 18 November 2004

### 5116 5116 EDUCATION OF HOMELESS CHILDREN

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

The Board of Education will admit and enroll homeless children in accordance with State laws and New Jersey Administrative Code. The Board of Education adopts this policy to be in compliance with law and Code to ensure the enrollment of homeless children in school and to respond to appeals made by parent(s) or legal guardian(s) or other parties related to their enrollment.

The district will determine a child is homeless when he or she resides in a publicly or privately operated shelter designed to provide temporary living accommodations, including: hotels or motels; congregate shelters, including domestic violence and runaway shelters; transitional housing; and homes for adolescent mothers. A child is also determined homeless when he or she resides in a public or private place not designated for or ordinarily used as a regular sleeping accommodation, including: cars or other vehicles excluding mobile homes; tents or other temporary shelters; temporary shelters provided to migrant workers and their children on farm sites; and the residence of relatives or friends with whom the homeless child is temporarily residing out of necessity because the family lacks a regular or permanent residence of its own.

The district of residence for a homeless child is responsible for the education of the child and will assume all responsibilities as required in N.J.A.C. 6A:17-2.4 et seq. The district of residence is the district in which the parent(s) or legal guardian(s) last resided prior to becoming homeless. The district liaison for the education of homeless children is the Superintendent. The liaison will facilitate communication and cooperation between the district of residence and the district where the homeless child is temporarily residing and will develop procedures to ensure that a homeless child temporarily residing in the district is enrolled and attending school pursuant to N.J.A.C. 6A:17-2.6.

When a homeless child is living temporarily in the school district, the district liaison, upon receiving notification from the parent(s) or legal guardian(s), the Department of Human Services, a shelter director, an involved agency, or a case manager, will notify the liaison of the district of residence within twenty-four hours of the notification. Upon notification of the need for enrollment of a homeless child, the liaison in the district of residence will coordinate enrollment procedures immediately based upon the best interest of the child pursuant to N.J.A.C. 6A:17-2.6(b).

The Superintendent or designee of the district of residence shall decide the district of enrollment of the homeless child in accordance with N.J.A.C. 17-2.6 et seq.

Unless parental rights have been terminated by a court of competent jurisdiction, the parent(s) or legal guardian(s) retains all rights under N.J.A.C. 6A:17-2.1 et seq.

If a dispute occurs regarding the determination of homelessness, the Superintendent of the involved district(s) or the parent(s) or legal guardian(s) of the child must immediately notify the County Superintendent of Schools, who will decide the status of the child within two working days. If a dispute remains between the parent(s) or legal guardian(s) and/or the districts following the County Superintendent's determination, the parent(s) or legal guardian(s) or the involved Board(s) of Education may appeal to the Commissioner of Education for determination pursuant to N.J.A.C. 6A:3 et seq.

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

If the district is designated as the district of residence and disputes such designation, or where no designation can be agreed upon by districts, the Superintendents of the involved districts shall immediately notify the County Superintendent of Schools who will make a determination within two working days. The district may appeal the County Superintendent's determination to the Department of Education pursuant to N.J.A.C. 6A:23-5.2(d), (e), and (f).

If a dispute occurs regarding the determination of the district of enrollment made by the district of residence, the Superintendent of the district of residence shall immediately notify the County Superintendent of Schools. The County Superintendent will determine within two working days where the child shall be enrolled based on the child's best interest pursuant to N.J.A.C. 6A:17-2.6(b). If the County Superintendent's decision is disputed, the Department of Education shall provide for mediation in accordance with N.J.A.C. 6A:17-2.8(c)1.

A dispute or appeal will not delay the homeless child's immediate entrance into school. The homeless child will be enrolled in the district designated by the County Superintendent pending resolution of the dispute or appeal. Disputes and appeals involving the services provided to a homeless child with educational disabilities will be made pursuant to N.J.A.C. 6A:14.

Financial responsibility, including the payment of tuition for the homeless child, will be in accordance with N.J.A.C. 6A:17-2.9 et seq. The district of residence shall list the child on its annual Application for State School Aid (ASSA) pursuant to N.J.S.A. 18A:7F-33 for as long as the parent(s) or legal guardian(s) remains homeless and the child is enrolled in another school district. If a district of residence cannot be determined for a homeless child or if a district of residence is outside of the State, the State will assume fiscal responsibility for the tuition of the child pursuant to N.J.S.A. 18A:7B-12(d). The State will pay the tuition, in accordance with N.J.A.C. 6A:17-2.9(c)1., to the school district in which the child is currently enrolled for as long as the child and his or her parent(s) or legal guardian(s) remain homeless.

N.J.A.C. 6A:17-2.1 et seq.

Adopted: 18 November 2004

5130 M

5130 WITHDRAWAL FROM SCHOOL

The Board of Education believes that the educational goals of this district are best implemented by a pupil's exposure to the entire educational program and that every pupil enrolled in this district should be encouraged to complete the program of instruction appropriate to his/her needs. No pupil below the age of sixteen will be permitted to withdraw from school.

The Superintendent shall alert teaching staff members to identify those pupils who may consider eighth grade graduation the termination of their education. Any pupil who indicates that he/she may drop out of school before entry to the ninth grade should be reported to the Building Principal and be provided with

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

counseling.

N.J.A.C. 6:20-1.2; 6:30-2.1 et seq.

Adopted: 18 November 2004

5141.1 5141.1 Control of Head Lice

While head lice continue to cause concern, they do not pose a health hazard, are not a sign of uncleanliness, and are not responsible for the spread of any disease.

When live lice are discovered on a student, the parent will be notified and given treatment guidelines. The parent will be given the option to pick the child up from school right away or getting them at the next natural break (i.e., lunch or the end of the day). The parent should be advised to notify close contacts of the child.

If nits are found, but no live lice, the parent will be advised of the condition and counseled to check for the development of infestation.

Once the child with live lice is treated and returns to school he/she must be checked by the school nurse before returning to the classroom. He/she will be checked periodically by the school nurse as needed.

Upon initial outbreak, notification will be sent to the parents of the grade involved, detailing how to check for and treat lice. The identification of the children involved is to be kept confidential.

No mass screenings will be conducted.

Custodians will be alerted to the problem and will vacuum rugs and upholstery. Bagging of children's clothes in the classroom is not required.

Educational material will be made available on the Health Info section of the school website to provide information on the identification, treatment and prevention of lice infestation.

Through education, this approach will ease anxiety caused by head lice, reduce unnecessary school absences, limit embarrassment of students, eliminate ineffective and disruptive classroom/grade wide screenings, and decrease unnecessary exposure to potentially toxic chemicals to treat head lice.

Adopted: 1/26/12

5142 5142. Student Supervision After School Dismissal

The Board of Education has a number of students that are not eligible for district-provided transportation either to or from school. Such students, if not transported to and from school by way of vehicle, walk to and from school, either by themselves or with an escort. The Board recognizes that some

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

students, due to their age, may not be able to fully appreciate the dangers that may be present when they are walking unescorted from school after dismissal to either their home or another location. Although it is a parent's option as to whether or not his or her child should be permitted to leave school grounds after dismissal without an escort, the Board shall ensure that students are supervised after dismissal in accordance with this Policy.

### **I. Dismissal Procedures**

A. Each school Principal, in conjunction with the Superintendent of Schools or his/her designee, shall promulgate specific written dismissal procedures for his/her school building. The dismissal procedures shall, at a minimum, specify:

1. Starting and dismissal times for regular school days, early dismissal days, and/or any other starting or dismissal times whether due to emergencies, weather, or other events.
  2. The number of staff members assigned to student supervision duties at dismissal;
  3. The responsibilities of said staff members;
  4. Where the staff members shall be located and/or patrol during dismissal;
  5. How long the staff members will perform such supervision duties;
  6. Designated pick up areas at each school building;
  7. The locations and work hours of any crossing guards employed by the municipality;
  8. The procedures for early-dismissal days;
  9. Where a student that is ineligible to leave school grounds after dismissal without an escort shall be supervised if his/her parent(s) legal guardian(s) or designated escort(s) do not arrive to escort the student from school grounds within the time frame specified in such dismissal procedures, as well as the specific procedures to be followed by staff members when such events take place.
- Procedure to include but are not limited to the following;
- a) 30 minutes following dismissal, if a parent has not arrived to pick up their child, the administrator, or his designee, will contact the parent.
  - b) If the parent cannot be reached, emergency contacts, as provided by the parent/guardian shall be contacted.
  - c) If emergency contacts cannot be reached, the police will be notified.
  - d) Parents who continuously fail to pick up their child at dismissal may be referred to the Division of Youth/Family Services.
10. The procedures that parent(s) or legal guardian(s) shall follow when notifying school officials of any change in his/her student's dismissal

# **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

preferences.

B. Each school's dismissal procedures shall be incorporated into this Policy by reference, and copies of said procedures shall be part of any and all student handbooks.

## II. Student's Eligibility to Leave School Grounds After Dismissal

A. A student in grades One through Eight shall be permitted to leave school after dismissal unescorted.

B. A student in Kindergarten shall not be permitted to leave school grounds after dismissal unescorted unless his/her parent(s)/legal guardian(s) provide the Principal of his/her child's school with written notice that his/her child is permitted to leave school grounds after dismissal unescorted.

1. The written notice shall be on a form provided by the Board to all parent(s)/legal guardian(s) before the beginning of each school year, shall be made available on the Board's website, and shall be provided to any parent(s) or legal guardian(s) upon request. This notice shall be valid for the entire school year unless the child's parent(s) or legal guardian(s) advise the Principal of his/her child's school that his/her child is not permitted to leave school grounds after dismissal unescorted. The Principal shall, on the same day notice is received, notify all staff members providing supervision at dismissal time of any changes applicable to an individual student's dismissal protocol.

C. Students who are not permitted to leave school grounds after dismissal unescorted shall be supervised by the staff members until the student's parent(s), legal guardian(s) or other escort(s) designated by the parent(s)/legal guardian(s) arrive to escort the student from school grounds in accordance with the school's specific written dismissal procedures. The Building Principal shall keep a record of any and all individuals other than the parent(s) or legal guardian(s) designate as eligible to escort a student from school grounds for each student enrolled in his/her school. An individual must be at least 18 years old to be designated as an escort by a child's parent(s) or legal guardian(s).

1. [OPTIONAL: for schools with an after-care program]

In the event that a student's parent(s), legal guardian(s) or other designated escort(s) do not arrive to escort the student from school grounds within 30 minutes of school dismissal, the student shall be supervised in the school's after-care program. The student's parent(s) or legal guardian(s) shall be charged an established fee for such services.

D. Students who receive District-provided transportation to their homes shall be released at their bus stops in accordance with Board Policy No.8600

## III. Notification to Parents

A. The Board shall ensure that copy of this Policy is incorporated into any and all student handbooks, along with a copy of the school's written dismissal procedures.

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

B. The Board shall ensure that each student's parent(s) and/or legal guardian(s) are provided with information regarding the availability of any after-school service offering supervision after school dismissal, as well as well as enrollment procedures for the same.

C. The Board shall ensure that a copy of the school calendar is distributed to each student's parent(s) or legal guardian(s) at the beginning of each school year and that each student's parent(s) or legal guardian(s) are promptly notified of any and all changes to the school calendar.

### Legal References:

N.J.S.A.18A:17-42,-43 and -45 through -48 Public School Safety Law

N.J.S.A.18A:20-21 Supervisors and other employees

N.J.S.A.30:5B-26 through -29 Child care before and school hours

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

N.J.A.C.6A:26-12.1et seq.Operation and Maintenance of Facilities Manual for the Evaluation of Local School Districts

Jenkins v. Anderson, 191 N.J. 285 (2007)

Adopted: May 26, 2009

5200

5200. ATTENDANCE (M)

The Board of Education requires the pupils enrolled in the schools of this district attend school regularly in accordance with the laws of the State. The educational program offered by this district is predicated on the presence of the pupil and requires continuity of instruction and classroom participation. The regular contact of pupils with one another in the classroom and their participation in a well-planned instructional activity under the tutelage of a competent teacher are vital to this purpose.

Attendance at school may be excused for certain absences as defined by the Board. All absences for reasons other than excused, shall be unexcused.

Pupils absent from school for any reason are responsible for the completion of assignments missed because of their absence. No pupil excused for a religious holiday shall be deprived of an award or eligibility to compete for an award or the opportunity to make up a test given on the religious holiday.

Prolonged or repeated absences, excused or unexcused, from school or from class, deprive the pupil of the classroom experience deemed essential to learning and may result in retention at grade level.

Pupils shall be subjected to the school district response for unexcused absences during the school year as outlined in N.J.A.C. 6A:16-7.8(a)4 and Regulation 5200. In addition, unexcused absences from school or from classes within the school day shall subject a pupil to the disciplinary rules of the Board, which may include the denial of a pupil's participation in co-curricular activities and/or athletic competition. Repeated trancies that interfere with efforts of this Board and its staff in the maintenance of good order and the continuity of classroom instruction may result in the suspension or expulsion of any pupil from the course of study during which absences have occurred or the suspension or expulsion in accordance with Policy Nos. 5610

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

and 5620.

The Superintendent shall calculate and monitor the average daily attendance rate for the district and for each school in the district. Whenever the average daily attendance rate for the district or for a school in the district does not meet the New Jersey Department of Education requirements, the Superintendent or designee shall develop performance objectives to improve pupil attendance pursuant to N.J.A.C. 6A:32-12.2(a)3.

N.J.S.A. 18A:36-14 et seq.; 18A:38-25 et seq.  
N.J.S.A. 34:2-21.1 et seq.  
N.J.A.C. 6A:16-7.8

Cross reference: Policy Guide Nos. 5410, 5411, 5412, 5460, 8464

Adopted: January 20, 2010

### 5230 5230 LATE ARRIVAL AND EARLY DISMISSAL

The Board of Education requires that pupils be in attendance for the full school day in order to benefit from the instructional program. That requirement will be waived only when compelling circumstances require that a pupil be late to school or dismissed from school before the end of the school day.

The Principal may excuse for cause the late arrival and early dismissal of a pupil on the prior written request of the pupil's parent(s) or legal guardian(s). Good cause may include, but need not be limited to, medical and dental appointments that cannot be scheduled outside the school day, medical disability, a motor vehicle driver's test, interviews for college entrance or employment, and court-ordered appearances.

No pupil will be permitted to leave the school before the end of the school day except in the presence of the pupil's parent(s) or legal guardian(s), or an agent of the parent(s) or legal guardian(s) who has written authorization, or in the custody of agents of the state acting in their legal capacity.

The Principal shall maintain a record of the parent(s) or legal guardian(s) of each pupil. If one parent has been assigned custody of the pupil by court order or separation agreement and wishes to limit the noncustodial parent's access to the pupil, the parent in custody must inform the Principal of any such limitation and may request that his/her authorization be required before the noncustodial parent is granted access. In the absence of such notice, the Principal will presume that a pupil may be released into the care of either parent.

A pupil who suffers from an incapacitating medical disability will be released from school only in the presence of an authorized adult.

N.J.A.C. 6:20-1.3

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

Adopted: 18 November 2004

5240

5240. TARDINESS

The Board of Education believes that promptness is an important element of school attendance. Pupils who are late to school or to class miss essential portions of the instructional program and create disruptions in the academic process for themselves and other pupils.

Tardiness to school or class that is caused by a pupil's illness, an emergency in the pupil's family, the observance of a religious holiday, a death in the pupil's family, or by the pupil's compliance with a request or directive of an administrator will be considered justified and is excused. All other incidents of tardiness will be considered unexcused.

Five (5) instances of unexcused tardiness will equal one unexcused absence for the purpose of calculating unexcused absences for application of Board Policy No. 5410 on promotion

For districts with secondary school(s)

and Policy No. 5460 on high school graduation.

A pupil who develops a pattern of tardiness, excused or unexcused, will be offered counseling with an appropriate staff member to determine the cause of the tardiness.

N.J.S.A. 18A:36-14; 18A:36-15; 18A:36-25 et seq.

Adopted: January 20, 2010

5250 5250 EXCUSAL FROM CLASS OR PROGRAM

The Board of Education directs that a pupil be excused from any part of the instructions in health education, family life education, sex education, or instruction that includes dissection of animals that the parent(s) or legal guardian(s) of the pupil or the adult pupil finds morally, conscientiously, or religiously offensive. A request for excusal must be presented in a signed statement and submitted to the Principal.

An excused pupil shall be assigned to an alternate program of independent study on a substitute topic within the health education, family life education, or sex education program. The parent's or legal guardian's right of excusal applies to any alternate program as well.

No excused pupil will be penalized by loss of credit as a result of his/her excusal, but a pupil will be held accountable for successful completion of any alternate program assigned.

N.J.S.A. 18A:35-4.7

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

Adopted: 18 November 2004

5307 5307 NURSING SERVICES PLAN

The Board of Education shall annually adopt the school district's Nursing Services Plan at a regular meeting and submit it to the County Superintendent of Education for review and approval. The Superintendent, or designee, shall develop the Nursing Services Plan in consultation with the school physician and certified school nurse.

The Nursing Services Plan shall include a description of the basic nursing services to be provided to all pupils and a summary of the specific medical needs of individual pupils, if any, and the nursing services required to address those needs. The Nursing Services Plan shall also include a description of how nursing services will be provided in emergency situations, detailed nursing assignments sufficient to provide the services to pupils in all of its school buildings as outlined in N.J.A.C. 6A:16-2.3(b) through (d), and nursing services and additional medical services provided to nonpublic schools pursuant to N.J.A.C. 6A:16-2.5.

The Board, in its determination of the number of certified school nurses and non-certified nurses needed to perform all of the required services as outlined in N.J.A.C. 6A:16 et seq. shall consider: the geographic size including the number and location of school buildings; the general and special education enrollment; the number of children with medical involvement and extent of nursing services required; the requirement that non-certified nurses be assigned to the same school building or school complex as the supervising certified school nurse to ensure that the certified school nurse can provide required supervision pursuant to N.J.A.C. 6A:16-2.3(b) and (d) and N.J.S.A. 18A:40-3.3; and nursing services and additional medical services provided to nonpublic schools pursuant to N.J.A.C. 6A:16-2.5.

N.J.A.C. 6A:16-2.1(b)

Revised: January 23, 2013

5310

5310. HEALTH SERVICES (M)

The Board of Education shall develop and adopt written policies, procedures, mechanisms, or programs governing the following school functions in accordance with N.J.A.C. 6A:16-1.4(a):

1. Care of any pupil who becomes injured or ill while at school or during participation in school sponsored activities (Policy and Regulation 8441);
2. Transportation and supervision of any pupil determined to be in need of immediate medical care (Policy and Regulation 8441);
3. Isolation, exclusion, and readmission of any pupil or employee suspected of having a communicable disease as required by N.J.S.A. 18A:40-7 to 12 and 18A:40-16 to 18 (Policy and Regulation 8451);

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

4. Provision of health services including immunization, administration of medication, treatment of asthma, medical examinations, nursing services, and emergency medical situations as required in N.J.A.C. 6A:16-2 (Policies 5305 and 5307 and Policies and Regulations 5310, 5320, 5330, and 8441);
5. An annual Nursing Services Plan that details the provision of nursing services based upon pupil need in the school district pursuant to N.J.A.C. 6A:16-2.1(b) (Policy 5307);
6. Administration of medication to pupils under the written order of a school physician or medical home pursuant to N.J.A.C. 6A:16-2.3(a)3vii (Policy and Regulation 5330);
7. Emergency administration of epinephrine via epipen to a pupil for anaphylaxis pursuant to N.J.S.A. 18A:40-12.5 (Policy and Regulation 5330);
8. Provision of medical and nursing services to meet requirements for health history, medical examination, and health screening as an alternative for pupils who do not have a medical home or have a religious objection to the required examinations pursuant to N.J.S.A. 18A:35-4.8 (Policy and Regulation 5306);
9. Provision of nursing services to non-public schools located in the school district as required by N.J.S.A. 18A:40-23 through 31 and N.J.A.C. 6A:16-2.5 (Policy & Regulation 5310);
10. Comprehensive substance abuse prevention, intervention, and treatment referral programs pursuant to N.J.S.A. 18A:40A-8 through 18 and N.J.A.C. 6A:16-3 and 4 (Policy & Regulation 5530);
11. Confidentiality related to juvenile justice proceedings pursuant to N.J.S.A. 2A:4A-60 and N.J.A.C. 6A:16-5.4, HIV identifying information pursuant to N.J.S.A. 26:5C-5 et seq., and drug and alcohol use information pursuant to 42 CFR Part 2, N.J.S.A. 18A:40A-7.1 through 7.2, and N.J.A.C. 6A:16-3.2 (Policies 8453 and 9323 and Policy and Regulation 5530); and
12. School safety plans as required by N.J.A.C. 6A:16-5.1 (Policies and Regulations 7430, 8420, 8431 and 8468 and Regulations 8420.1 through 8420.6)

The Board of Education shall develop and adopt policies and procedures that fulfill the rules and regulations of the New Jersey Department of Health and Senior Services, New Jersey Department of Human Services, New Jersey Department of Agriculture, and local boards of health which include the following requirements in accordance with N.J.A.C. 6A:16-1.4(b):

1. Exclusion of any pupil from the school setting for failure to meet requirements for immunization against communicable disease as required in N.J.A.C. 8:57-4, Immunization of Pupils in School (Policy and Regulation 5320);
2. Exclusion of any person from the school setting if the person has uncovered weeping skin lesions as required in N.J.A.C. 8:61-2.1, Attendance at School by Pupils or Adults with HIV Infection (Policy and Regulation 8451 and Policy

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

8453);

3. Procedures for sanitation and hygiene when handling blood and bodily fluids pursuant to N.J.A.C. 8:61-2, Participation and Attendance at School by Individuals with HIV Infection, and conforming to Centers for Disease Control and Prevention guidelines that schools implement universal precautions (Policy and Regulation 8451 and Policy 8453);

4. Assurance that any pupil with HIV infection or AIDS or who lives with or is related to someone with HIV or AIDS is not excluded from general education, transportation services, extra-curricular activities, athletic activities, assigned to home instruction, or classified as eligible for special education for reason of HIV infection pursuant to N.J.A.C. 8:61-2.1 (Policy and Regulation 8451 and Policy 8453);

5. Creation of wellness policies pursuant to 7 CFR Parts 210, 215, 220 and 245 and N.J.A.C. 2:36-1.7, Local School Nutrition Policy (Policy 8505); and

6. Ensuring accessibility of the NJ FamilyCare Program for pupils who are knowingly without medical coverage pursuant to N.J.S.A. 18A:40-34.

When the school district engages in pupil testing, studies, or surveys the Board procedures and materials shall meet the Federal requirements of 20 U.S.C. § 1232h, and N.J.S.A. 18A:36-34, School Surveys, parent(s) or legal guardian(s) consent required before administration in accordance with N.J.A.C. 6A:16-1.4(c) (Policies 2415.05 and 9560).

The Board of Education shall develop and adopt the following written policies, procedures, and mechanisms in accordance with N.J.A.C. 6A:16-2.1(a) for the provision of health, safety, and medical emergency services and ensure staff members are informed as appropriate:

1. The review of immunization records for completeness pursuant to N.J.A.C. 8:57-4.1 through 4.20 (Policy and Regulation 5320);

2. The administration of medication to pupils in the school setting in accordance with N.J.A.C. 6A:16-2.1(a)2 (Policy and Regulation 5330).

3. The review of Do Not Resuscitate (DNR) Orders received from the pupil's parent(s) or legal guardian(s) or medical home (Policy 5332);

4. The provision of health services in emergency situations including:

a. The emergency administration of epinephrine via epipen pursuant to N.J.S.A. 18A:40-12.5 (Policy and Regulation 5330);

b. The care of any pupil who becomes injured or ill while at school or during participation in school-sponsored functions (Policy and Regulation 8441);

c. The transportation and supervision of any pupil determined to be in need of immediate care (Policy and Regulation 8441);

d. The notification to parent(s) or legal guardian(s) of any pupil determined to be in need of immediate medical care (Policy and Regulation 8441); and

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e. The administration of medication for pupils requiring epinephrine (Policy and Regulation 5330).

5. The treatment of asthma in the school setting in accordance with N.J.A.C. 6A:16-2.1(a)5 (Policy 5335).

6. The administration of pupil medical examinations, pursuant to N.J.S.A. 18A:40-4, N.J.S.A. 18A:35-4.8, and N.J.A.C. 6A:16-2.2 (Policy and Regulation 5310);

7. Procedures for sanitation and hygiene when handling blood and bodily fluids pursuant to N.J.A.C. 8:61-1.1(f) and in compliance with the Centers for Disease Control and Prevention's guidelines which advise that schools implement universal precautions titled Universal Precaution for Prevention of Transmission of HIV and Other Bloodborne Infections (1987, updated 1996), incorporated herein by reference, as amended and supplemented, which is available from the Centers for Disease Control and Prevention, Division of Healthcare Quality Promotion, 1600 Clifton Road, Atlanta, GA 30333 (Policy and Regulation 7420); and

8. Provision of nursing services to nonpublic schools located in the school district as required by N.J.S.A. 18A:40-23 et seq. and N.J.A.C. 6A:16-2.5 (Policy and Regulation 5306).

The Board of Education shall provide the health services as required in N.J.A.C. 6A:16-2.2 as indicated below:

1. Immunization records shall be reviewed and updated annually pursuant to N.J.A.C. 8:57-4.1 through 4.16.

2. A Building Principal or designee shall not knowingly admit or retain in the school building any pupil whose parent(s) or legal guardian(s) has not submitted acceptable evidence of the child's immunization, according to the schedule specified in N.J.A.C. 8:57-4, Immunization of Pupils in School.

3. The school district shall perform tuberculosis tests on pupils using methods required by and when specifically directed to do so by the New Jersey Department of Health and Senior Services, based upon the incidence of tuberculosis or reactor rates in specific communities or population groups pursuant to N.J.S.A. 18A:40-16.

4. The school district shall immediately report any communicable diseases that are identified as reportable pursuant to N.J.A.C. 8:57-1, whether confirmed or presumed, by telephone to the health officer of the jurisdiction in which the school is located.

5. Each school in the district shall have and maintain for the care of pupils at least one nebulizer in the office of the school nurse or a similar accessible location pursuant to N.J.S.A. 18A:40-12.7.

6. Each pupil medical examination shall be conducted at the medical home of the pupil. If a pupil does not have a medical home, the school district shall provide this examination at the school physician's office or other comparably equipped facility.

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a. For the purpose of the physical examination required prior to participation on a school-sponsored interscholastic athletic team or squad for pupils enrolled in any of the grades six to twelve in accordance with N.J.A.C. 6A:16-2.2(h)1, the pupil's parent(s) or legal guardian(s) may choose either the school physician or their own private physician.

b. A full report of the examination shall be maintained as part of the pupil's health record.

7. The findings of medical examinations as required under 8. below shall be documented on a form that is approved by the Commissioner of Education and shall include the following components:

a. Immunizations pursuant to N.J.A.C. 8:57-4.1 through 4.16;

b. Medical history including allergies, past serious illnesses, injuries and operations, medications, and current health problems;

c. Health screenings including height, weight, hearing, blood pressure, and vision; and

d. Physical examinations.

8. The school district shall ensure that pupils receive medical examinations:

a. Prior to participation on a school-sponsored interscholastic athletic team or squad for pupils enrolled in any of the grades six to twelve in accordance with N.J.A.C. 6A:16-2.2(h)1;

b. Upon enrollment into school in accordance with N.J.A.C. 6A:16-2.2(h)2;

c. When applying for working papers in accordance with N.J.A.C. 6A:16-2.2(h)3;

d. For the purposes of the comprehensive Child Study Team evaluation pursuant to N.J.A.C. 6A:14-3.4 in accordance with N.J.A.C. 6A:16-2.2(h)4; and

e. When the pupil is suspected of being under the influence of alcohol or controlled dangerous substances, pursuant to N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3 in accordance with N.J.A.C. 6A:16-2.2(h)5.

9. The Board of Education shall make accessible information regarding the NJ FamilyCare Program for pupils who are knowingly without medical coverage pursuant to N.J.S.A. 18A:40-34.

10. Information concerning a pupil's HIV/AIDS status shall not be required as part of the medical examination or health history pursuant to N.J.S.A. 26:5C-1 et seq.

11. The school nurse shall ensure that pupils receive health screenings as outlined below in accordance with New Jersey Department of Education Health Service Guidelines:

a. Screening for height, weight, and blood pressure shall be conducted annually for each pupil in Kindergarten through grade twelve.

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b. Screening for visual acuity shall be conducted biennially for pupils in Kindergarten through grade ten.

c. Screening for auditory acuity shall be conducted annually for pupils in Kindergarten through grade three and in grade seven and eleven pursuant to N.J.S.A. 18A:40-4.

d. Screening for scoliosis shall be conducted biennially for pupils between the ages of ten and eighteen pursuant to N.J.S.A. 18A:40-4.3.

e. Screenings shall be conducted by a school physician, school nurse, physical education instructor, or other school personnel properly trained.

f. The school district shall provide for the notification of the parent(s) or legal guardian(s) of any pupil suspected of deviation from the recommended standard.

12. The School Nurse shall screen to ensure hearing aids worn by pupils who are deaf and/or hard of hearing are functioning properly. The School Nurse will ensure any FM hearing aid systems in classrooms or any school equipment in the school building used to assist pupils hear are functioning properly.

N.J.S.A. 18A:40-4 et seq.

N.J.A.C. 6A:16-1.4 et seq.; 6A:16-2.2 et seq.

Adopted: January 20, 2010

### 5320 5320 IMMUNIZATION

In order to safeguard the school community from the spread of certain communicable diseases and in recognition that prevention is a means of combating the spread of disease, the Board of Education requires the immunization of pupils against certain diseases in accordance with State statute and rules of the New Jersey State Department of Health and Senior Services.

A pupil shall not knowingly be admitted or retained in school if the parent(s) or legal guardian(s) has not submitted acceptable evidence of the child's immunization, according to schedules specified in N.J.A.C. 8:57-4 - Immunization of Pupils in School.

Medical or religious exemptions to immunizations shall be in accordance with the requirements as outlined in N.J.A.C. 8:57-4.3 and 4.4. A child may be admitted to school on a provisional basis in accordance with the requirements as outlined in N.J.A.C. 8:57-4.5.

No immunization program, other than that expressly required by the rules of the New Jersey State Department of Health and Senior Services or by order of the New Jersey State Commissioner of Health and Senior Services, may be conducted in district schools without the express approval of the Board.

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N.J.S.A. 18A:40-20  
N.J.S.A. 26:4-6  
N.J.A.C. 8:57-4.1 et seq.

Adopted: June 24, 2009

5330 M

## 5330 ADMINISTRATION OF MEDICATION

The Board of Education disclaims any and all responsibility for the diagnosis and treatment of the illness of any pupil. At the same time, the Board recognizes that a pupil's attendance may be contingent upon the timely administration of medication duly prescribed by a physician. The Board will permit the dispensation of medication in school only when the pupil's health and continuing attendance in school so require and when the medication is administered in accordance with this policy.

### Definitions

For purposes of this policy, "medication" means any prescription drug or over-the-counter medicine or nutritional supplement.

For the purposes of this policy, "self-administration" means carrying and taking medication without the intervention of the school nurse, approved through the school district policy and restricted to students with asthma and other life-threatening illnesses.

For the purposes of this policy, "life-threatening illness" means an illness or condition that requires an immediate response to specific symptoms or sequelae (an after effect of disease or injury) that if left untreated may lead to potential loss of life, e.g. adrenaline injection for anaphylaxis.

For the purposes of this policy, "a pre-filled single dose auto-injector mechanism containing epinephrine" means a medical device used for the emergency administration of epinephrine to a pupil for anaphylaxis.

For the purposes of this policy "a noncertified school nurse" means a person who holds a current license as a registered professional nurse from the State Board of Nursing and is employed by the district, and who is not certified as a school nurse by the Department of Education.

For the purposes of this policy "a substitute school nurse" means a person who holds a current license as a registered professional nurse from the State Board of Nursing and who has been issued a county substitute certificate to serve as a substitute for a certified school nurse in accordance with N.J.A.C. 6:11-4.5.

For the purposes of this policy "a school physician" means a physician with a current license to practice medicine or osteopathy from the New Jersey Board of Medical Examiners who works under contract or as an employee of the district. This physician is referred to as the medical inspector in N.J.S.A. 18A:40-4.1.

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No medication will be administered to pupils in school except by the school physician, a certified or noncertified school nurse, a substitute school nurse employed by the district, or the pupil's parent(s) or legal guardian(s). A written request for the administration of medication at school must be approved by the school nurse. Medication must be delivered to the school nurse by the pupil's parent(s) or legal guardian(s) or by a pupil authorized to auto-administer his/her medication pursuant to N.J.S.A. 18A:40-12.3 and 18A:40:12-4. The medication must be brought to the school nurse in the original container labeled by the pharmacy or physician. Written orders signed by the pupil's private physician or an advanced practice nurse for the use of a pre-filled single dose auto-injector mechanism containing epinephrine, must be provided stating the name of the medication, the purpose of its administration to the specific pupil for whom it is intended, its proper timing and dosage, its possible side effects, and the time when its use will be discontinued. If written orders for use of a pre-filled single dose auto-injector mechanism containing epinephrine are provided, the orders must say that the pupil requires the administration of epinephrine for anaphylaxis and does not have the capability for self-administration of the medication. These written orders must be reviewed by the school physician prior to school approval for self-administration of any medication. The school physician may also issue standing orders to the school nurse regarding the administration of medication. Medication no longer required must be promptly removed by the parent(s) or legal guardian(s).

The school nurse shall have the primary responsibility for the administration of a pre-filled single dose auto-injector mechanism containing epinephrine. However, the certified school nurse will designate, in consultation with the Board or the Superintendent, another employee of the district trained by the certified school nurse in accord with the "Training Protocols for the Implementation of Emergency Administration of Epinephrine" issued by the New Jersey Department of Education, to administer the pre-filled single dose auto-injector mechanism containing epinephrine when the school nurse is not physically present at the scene. The pupil's parent(s) or legal guardian(s) must consent in writing to the designated person if applicable. In addition, the parent(s) or legal guardian(s) must be informed that the school district has no liability as a result of any injury arising from the administration of a pre-filled single dose auto-injector mechanism containing epinephrine, and the parent(s) or legal guardian(s) must sign a statement that shall indemnify and hold the district and employees harmless against any claims arising from the administration of a pre-filled single dose auto-injector mechanism containing epinephrine. The permission for the emergency administration of epinephrine via a pre-filled single dose auto-injector mechanism containing epinephrine to pupils for anaphylaxis is effective for the school year it is granted and must be renewed for each subsequent school year.

Self-administration of medication by pupils is permitted in accordance with N.J.S.A. 18A:40-12.3. A pupil is only permitted to self-administer medication for asthma or other potentially life-threatening illnesses as defined by the Department of Education, New Jersey Statutes Annotated and New Jersey Administrative Code. Permission for self-administration of medication must comply with the conditions set forth in Regulation No. 5330.

Each school in the district shall have and maintain for the use of pupils at least one nebulizer in the office of the school nurse or a similar accessible location. Each certified school nurse or other persons authorized to

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administer asthma medication will receive training in airway management and in the use of nebulizers and inhalers consistent with State Department of Education regulations. Every pupil that is authorized to use self-administered asthma medication pursuant to N.J.S.A. 18A:40-12.3 or a nebulizer must have an asthma treatment plan prepared by the pupil's physician which shall identify, at a minimum, asthma triggers, the treatment plan and other such elements as required by the Department of Education.

All pupil medications shall be appropriately maintained and secured by the school nurse, except those medications to be self-administered by pupils. In those instances the medication may be retained by the pupil with the prior knowledge of the school nurse. The school nurse may provide the Principal and other teaching staff members concerned with the pupil's educational progress with such information about the medication and its administration as may be in the pupil's best educational interests. The school nurse may report to the school physician any pupil who appears to be affected adversely by the administration of medication and may recommend to the Principal the pupil's exclusion pursuant to law.

The school nurse shall document each instance of the administration of medication to a pupil. Pupils self-administering medication shall report each incident to a teacher, coach or other individual designated by the school district to be in charge of the pupil during school activities. Such individuals shall report such incidents to the school nurse within twenty-four hours of the self-administration of medication. The school nurse shall preserve records and documentation regarding the self-administration of medication in the pupil's health file.

N.J.S.A. 18A:6-1.1; 18A:40-3.1; 18A:40-6; 18A:40-7;  
18A:40-12.3; 18A:40-12.4; 18A:40-12.5;  
18A:40-12.6; 18A:40-12.7; 18A:40-12.8

N.J.S.A. 45:11-23

N.J.A.C. 6A:16-2.3(b)

New Jersey Department of Education, Training Protocols for the Implementation of Emergency Administration of Epinephrine, 16 November 1998

Adopted: 18 November 2004

5331 5331 ANAPHYLAXIS TO FOOD

The Board of Education recognizes that students may have food allergies and suffer food-induced anaphylaxis, a sudden, severe, potentially fatal, systemic allergic reaction that can involve various areas of the body. Symptoms can occur within minutes to hours after contact with the allergy-causing substance and these reactions can be mild to life threatening. The safety of students in school programs is a primary responsibility of the Board of Education. Therefore, it is imperative that the parents/guardians of students with food allergies and/or anaphylaxis to food ensure that such information is part of the mandated physical examination record and, in addition, must inform the Building Principal and the school nurse of such conditions. The parent/guardian must provide the Building Principal and school nurse with an emergency action plan completed by the student's physician as soon as the student is diagnosed with a food allergy or anaphylaxis to food. The Building

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Principal and the school nurse will notify the pertinent school staff and will work with the parent/guardian to develop an Individual Health Plan (IHP), and to implement appropriate accommodations for each food allergic or anaphylactic student in accordance with the IHP.

The Board of Education recognizes a student's health and safety may be contingent upon the timely administration of medication duly prescribed by a physician, and that the Board of Education must follow the physician mandated, written Emergency Medical Protocol (EMP) provided to the school by the student's physician through the parents. Any administration of medications to students in school will be in accordance with Policy 5330 Administering Medication and applicable laws. The Board of Education disclaims any and all responsibility if the food allergic or anaphylactic student is injured as a result of this policy, provided that the IHP and the EMP were appropriately followed.

The Building Principal and the school nurse will take precautions to ensure the safety of students with food allergies and anaphylaxis to food. Examples of precautions may include but are not limited to:

- A. Designating peanut and tree nut free tables, as required;
- B. Establishing allergy aware classrooms, as required;
- C. Prior to the start of any school year, providing parent(s) /guardian(s) of classmates of the allergic student with a letter advising them of the student(s) allergy, and instructing them to refrain from sending food containing the allergen to their child(s) classroom. The student(s) name shall be kept confidential in the letter, but shall explain the nature and severity of the allergy, including any potential reaction due to the inhalation of the dust and/or residue of the allergen. A list of various peanut and/or nut ingredients and food products to avoid shall be included in the letter;
- D. Providing parents, staff and students with information as to where they can obtain detailed information regarding the ingredients of the school lunch, to the extent such information requested is available;
- E. Requiring the washing of classroom desktops as necessary to remove identified allergens;
- F. Requiring staff and students who have been in contact with an allergen to wash hands thoroughly before resuming contact with an allergic student;
- G. Implementing a zero tolerance program for bullying with regard to food allergies or anaphylaxis;
- H. Educating the school community including the students, faculty, staff, and parents about food allergies and the school's food allergy policy(i.e., letters from Building Principal or school nurse to parents; written policy in school handbook; classroom education, and presentations at faculty meetings and parent/teacher conferences);
- I. Communicating and enforcing a no food sharing policy.

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Because food is provided to students by outside vendors, parent organizations and parent donations, the District will not know the ingredients used in the preparation of all food and beverage items served within the school. Therefore, the parents/guardians and/or the student with food allergies or anaphylaxis to food must be responsible for not purchasing or consuming any food products sold or provided in the school since such food may cause an allergic or anaphylactic reaction.

Although the Board of Education is attempting to reduce the use of food in the classroom during school hours there will be occasions where food and/or beverages will be served as part of a classroom experience, field trip and/or classroom celebration. Because the ingredients of these food products will not be fully known, a student with anaphylaxis to food should not consume any such food products. The teacher will provide the student and parents/guardians with advance notice of the classroom experience, field trip and/or classroom celebration in order to discuss effective and efficient alternatives or substitutions for the student.

The IHP and EMP will dictate necessary accommodations for field trips and other school activities. If necessary accommodations cannot be provided according to the EMP plan, the activity may be modified for all students.

All emergency medications and a copy of the IHP and EMP for each student must be brought on every trip. In addition, a cell phone must be available on each trip in case of emergency. The District's field trip request forms will be revised to include the provision of the above.

The school nurse or trained designee will provide training to all school staff in order for them to better understand food allergies, recognize symptoms, and know what to do in an emergency situation. The school nurse or trained designee will also work with other appropriate staff to eliminate or substitute the use of food allergens in the allergic student's meals, educational/instructional tools and material, arts and crafts projects, or incentives

### Legal References:

N.J.S.A. 18A:11-1 General and mandatory duties of the Board  
N.J.S.A. 18A:16-6,-6.1 Indemnity of officers and employees against civil actions...  
N.J.S.A. 18A:40-12.3 Self-administration of medication  
N.J.S.A. 18A:40-12.6 Policy requirements

Approved: 7/23/08

### 5338 5338 DIABETES MANAGEMENT

Diabetes is a serious chronic disease and must be managed twenty-four hours a day in order to avoid the potentially life-threatening short-term consequences of blood sugar levels that are either too high or too low and the serious long-term complications of high blood sugar levels. In order to manage their

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diabetes, pupils must have access to the means to balance food, medications, and physical activity level while at school and at school-related activities.

The parent or legal guardian of a pupil with diabetes who seeks diabetes care for the pupil while at school shall inform the school nurse who shall develop an individualized health care plan and an individualized emergency health care plan for the pupil. The individualized health care plan and individualized emergency health care plan shall be updated by the school nurse prior to the beginning of each school year and as necessary in the event there is a change in the health status of the pupil.

The school nurse assigned to a particular school shall coordinate the provision of diabetes care at that school and ensure that appropriate staff members are trained in the care of pupils with diabetes, including staff members working with school-sponsored programs outside of the regular school day, as provided in the individualized health care plan and the individualized emergency health care plan. The school nurse shall have the primary responsibility for the emergency administration of glucagon to a pupil with diabetes who is experiencing severe hypoglycemia.

The school nurse shall designate, in consultation with the Superintendent of Schools or designee, additional employees of the school district who volunteer to administer glucagon to a pupil with diabetes who is experiencing severe hypoglycemia. The designated employees shall only be authorized to administer glucagon, following training by the school nurse or other qualified health care professional, when a school nurse is not physically present at the scene.

Upon the written request of the parent or legal guardian, and with a doctor's order, as provided in a pupil's individualized health care plan, the pupil will be permitted to manage and care for his/her diabetes as needed in the classroom, in any area of the school or school grounds, or at any school-related activity provided the pupil has been evaluated and determined to be capable of doing so as reflected in the pupil's individualized health care plan.

The Principal or school nurse shall, for each pupil with diabetes whom a school bus driver transports, provide the driver with a notice of the pupil's condition, how to treat hypoglycemia, who to contact in an emergency, and parent(s) or legal guardian(s) contact information. Designated areas of the school building shall have posted, in plain view, a reference sheet identifying signs and symptoms of hypoglycemia in pupils with diabetes.

A pupil's school choice, if there is a choice option, shall not be restricted due to the fact the pupil has diabetes.

N.J.S.A. 18A:40-12.11 through 18A:40-12.21

Adopted: November 16, 2011

5350 5350 PUPIL SUICIDE PREVENTION

The Board of Education recognizes that depression and self-destruction are problems of increasing severity among children and adolescents. A pupil under severe stress cannot benefit fully from the educational program and may pose a threat to himself or herself or others.

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The Board directs all school personnel to be alert to the pupil who exhibits signs of potential self-destruction or who threatens or attempts suicide. Any such signs or the report of such signs from another pupil or staff member should be taken with the utmost seriousness and reported immediately to the Building Principal, who shall notify the pupil's parent(s) or legal guardian(s) and other professional staff members in accordance with administrative regulations.

A potentially suicidal pupil shall be referred to the Child Study Team for appropriate evaluation and/or recommendation for independent medical or psychiatric/psychological services. In the event that the parent(s) or legal guardian(s) objects to the recommended evaluation or indicates an unwillingness to cooperate in the best interests of the pupil, the Child Study Team may contact the New Jersey Division of Youth and Family Services to request that agency's intervention on the pupil's behalf.

The Superintendent shall prepare and disseminate regulations for the guidance of staff members in recognizing the pupil who contemplates suicide, in responding to threatened or attempted suicide, and in preventing contagion when a pupil commits suicide.

Adopted: 18 November 2004

5410 M

### 5410 PROMOTION AND RETENTION

The Board of Education recognizes that each child develops and grows in a unique pattern and that pupils should be placed in the educational setting most appropriate to their social, physical, and educational needs. Each pupil enrolled in this district shall be moved forward in a continuous program of learning in harmony with his/her own development.

Standards for pupil promotion shall be related to the New Jersey Core Curriculum Content Standards and district goals and objectives and to the accomplishments of pupils. A pupil in the elementary grades will be promoted to the next succeeding grade level when he/she has completed the course requirements at the presently assigned grade; has achieved the instructional objectives set for the present grade; has demonstrated the proficiencies required for movement into the educational program of the next grade; and has demonstrated the degree of social, emotional, and physical maturation necessary for a successful learning experience in the next grade.

Promotion policies and procedures will be provided to parent(s) or legal guardian(s) as appropriate. Parent(s) or legal guardian(s) and pupils shall be regularly informed during the school year of the pupil's progress toward meeting promotion standards. A teacher who determines that a pupil's progress may not be sufficient to meet promotion standards shall notify the parent(s) or legal guardian(s) and the pupil and offer immediate consultation to the pupil's parent(s) or legal guardian(s). Every effort shall be made to remediate a pupil's deficiencies before retention is recommended. The parent(s) or legal guardian(s) and, where appropriate, the pupil shall be notified of the possibility of the pupil's retention at grade level in advance

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and, whenever feasible, no later than the first two weeks of the last marking period of the school year.

School attendance shall be a factor in the determination of a pupil's promotion or retention. Only extenuating circumstances should permit the promotion of a pupil who has been in attendance fewer than one hundred and sixty days during the school year.

Classroom teachers shall recommend to the Building Principal the promotion or retention of each pupil. Parent(s) or legal guardian(s) and adult pupils may appeal a promotion or retention decision to the Superintendent whose decision shall be final.

N.J.S.A. 18A:35-4.9

Adopted: 18 November 2004

5411 5411 PROMOTION FROM EIGHTH GRADE

The Board of Education will recognize with fitting ceremonies a pupil's completion of the program of studies offered by this district in elementary school and the pupil's entrance to secondary school.

Successful completion of the program of studies in elementary school requires achievement of the instructional objectives set for each course of study, demonstration of mastery of the proficiencies established for each course, and a satisfactory attendance record. A pupil who fails two or more major subjects will not be allowed to graduate. The parent(s) or legal guardian(s) of a pupil who may be ineligible to graduate shall be so notified in advance and no later than six weeks prior to the close of the school year. Every effort shall be made to remediate a pupil's deficiencies before graduation is denied.

The requirements for promotion from elementary school of a disabled pupil shall be set forth in the pupil's individualized education program. Completion of those specialized requirements shall qualify the pupil for graduation and entry to secondary school.

N.J.S.A. 18A:35-4.9; 18A:36-14; 18A:36-15;  
18A:36-18; 18A:38-25 et seq.

N.J.A.C. 6:3-4A.1; 6:8-2.6

Adopted: 18 November 2004

5412

5412. JUNIOR HIGH SCHOOL GRADUATION

The Board of Education will recognize with fitting ceremonies a pupil's completion of the program of studies offered by this district in junior high school and the pupil's entrance to the senior high school.

Successful completion of the program of studies in junior high school requires

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achievement of the instructional objectives set for each course of study, demonstration of mastery of the proficiencies established for each course, acquisition of one-quarter of the credits required for high school graduation, and a satisfactory attendance record. The parent(s) or legal guardian(s) of a pupil who may be prevented from graduating shall be so notified in advance and no later than six weeks prior to the close of the school year. Every effort shall be made to remediate a pupil's deficiencies before graduation is denied.

The requirements for graduation from junior high school of a disabled pupil shall be set forth in the pupil's individualized education program. Completion of those specialized requirements shall qualify the pupil for graduation and entry to senior high school.

N.J.S.A. 18A:35-4.9; 18A:36-14; 18A:36-15;  
18A:36-18; 18A:38-25 et seq.  
N.J.A.C. 6:3-4A.1; 6A:8-4.4 et seq.

Cross reference: Policy Guide No. 5200

Adopted: January 20, 2010

5420 M

5420 REPORTING PUPIL PROGRESS

The Board of Education believes that the cooperation of school and home is vital to the growth and education of the whole child. It recognizes its responsibility to keep parents/guardians informed of pupil welfare and progress in school.

The Board directs the establishment of a system of reporting pupil progress which shall include written reports, pupil-teacher conferences, and parent/guardian-teacher conferences. If the parent/guardian's primary language is other than English, translation shall be provided whenever possible.

The Superintendent shall develop procedures for reporting pupil progress which:

1. Use various methods of reporting appropriate to grade level and curriculum content;
2. Ensure that both pupil and parent/guardian receive ample warning of a pending grade of "failure" or one that would adversely affect the pupil's status;
3. Enable the scheduling of parent/guardian-teacher conferences in such places and at such times as will ensure the greatest degree of participation by parents/guardians;
4. Specify the issuance of report cards at intervals of not less than four times during the school year and issuance of deficiency notices as required

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during the school year;

5. Ensure the continual review and improvement of methods of reporting pupil progress to parents/guardians and involve pupils, staff and parents/guardians in that review.

A record shall be kept indicating the legal custodian of each pupil so that reports can be made to and conferences arranged with the proper person.

### Parental Notification

The Superintendent shall develop regulations to ensure that parents/guardians are notified in all instances when the law and/or the best interests of the pupil and the district require it.

N.J.A.C. 6:3-4A.1

Adopted: 18 November 2004

### 5440 5440 HONORING PUPIL ACHIEVEMENT

The Maywood Board of Education has long held that student achievement should be publicly recognized at all levels in a manner appropriate to the student's accomplishment. Public recognition of honor rolls and at assemblies shall all be part of this effort.

The Board encourages the certified staff to develop criteria and procedures for presenting letters or other suitable awards to students for scholarship and distinguished service in any school activity. In all cases, the relationship between the award and the relevant goal or goals of the schools should be pointed out.

The Board of Education is appreciative of the generosity of organizations which offer scholarships or prizes to deserving students in this district. But, in accepting the offer of such scholarships or prizes, the Board directs that the type of scholarship or prize, and any requirements, qualifications or restrictions upon it, shall be approved by the Board of Education.

The Superintendent shall review and advise approval or rejection or proposed trophies, prizes, scholarships or other awards from non-school donors using criteria including, but not limited to, the following questions:

1. Are the criteria for making the award under the control of the certified staff, or acceptable to the staff?
2. Are the purposes, either implied or explicit, of the proposed award consistent with our district goals?
3. Is the proposed award free from bias as outlined in the district's affirmative action program?

### Awards for Student Achievement Honor Rolls

The Maywood Board of Education has long held that student achievement

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

should be publicly recognized at all levels based on the maturity of the students. In all cases the establishment of an award should be relevant to the goals of the schools.

Establishment of an honor roll system will not occur until sixth grade and the standards for such are set forth as follows:

### Marking Period Honor Roll

#### Distinguished Honor Roll:

1. 92% or above in all academic subjects
2. 92% or above in all special subjects
3. Satisfactory rating in effort and attitude in all areas

#### Honor Roll:

1. 83% or above in all academic subjects
2. 83% or above in all special subjects
3. Satisfactory rating in effort and attitude in all areas

### Annual Honor Roll

#### Distinguished Honor Roll:

1. Distinguished Honor Roll achieved in all four marking periods

#### Honor Roll:

1. Honor Roll or Distinguished Honor Roll achieved in all four marking periods.

Homeroom teachers will submit the names of their Honor Roll students to the Front Office Secretary when their report cards are completed.

### Student of the Month

#### Qualifications for Student of the Month

The Board recognizes the importance of, and seeks to promote the development of good moral character, humanitarianism and other virtuous characteristics and traits that are imperative to the development of a well-rounded member of society. The Board farther recognizes that these characteristics and traits are separate and distinct from academic and athletic excellence Therefore the Board has established an award for a student each month in recognition of that student's demonstration of outstanding humanitarian qualities towards his/her fellow students and community.

Interested staff members may submit their nominations to the chairperson of the selection committee. Your nomination will be reviewed and possibly be presented to the principal for an award at an upcoming student assembly.

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N.J.S.A. 18A:11-3

N.J.A.C. 6:39-1.6

Adopted: 18 November 2004

## 5450 5450 ATHLETIC AWARDS

The Board of Education believes that interscholastic sports are an important part of the school program and will recognize the achievements of pupils in the district athletic program.

Individual athletic achievement may be recognized by the award of certificates, medals, ribbons and/or and emblems.

The Superintendent shall develop procedures for the recognition of pupil athletes that ensure the equitable selection of award recipients, the designation of appropriate awards, and the arrangement of suitable presentation ceremonies.

Adopted: 18 November 2004

## 5466 M

### 5466 GRADUATION AND YEARBOOK FEES

The Board of Education recognizes that the cost of graduation ceremonies, if any, directly paid by graduating pupils and the cost of a yearbook directly paid by the graduating pupil may create a financial hardship for the parent(s), legal guardian(s) or other person having legal custody of the graduating pupil.

The Board of Education will not exclude from the graduation ceremony any pupil who is unable to pay the fees required of the graduating pupil to participate in the graduation ceremony because of financial hardship for the parent(s), legal guardian(s) or other person having legal custody of the graduating pupil.

Furthermore, the Board will pay the cost for a graduating pupil to purchase a yearbook if the graduating pupil is unable to pay the fees required of the graduating pupil to participate in the graduation ceremony because of financial hardship for the parent(s), legal guardian(s) or other person having legal custody of the graduating pupil.

In determining financial hardship, the criteria will be the same as the Statewide eligibility standards established by the State Board of Education for free and reduced price meals under the State School Lunch Program.

N.J.S.A. 18A:7C-5.1

Adopted: 18 November 2004

# **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

## 5500 5500 EXPECTATIONS FOR PUPIL CONDUCT

The Board of Education believes that an effective instructional program requires an orderly school environment and that the effectiveness of the educational program is, in part, reflected in the behavior of pupils.

The Board of Education expects pupils to conduct themselves in keeping with their level of maturity, with a proper regard for the rights and welfare of other pupils, for the educational purpose underlying all school activities, and for the care of school facilities and equipment.

The Board of Education believes that standards of pupil behavior must be set cooperatively by interaction among the pupils, parents/guardians, staff and community, producing an atmosphere which encourages pupils to grow in self-discipline. Such an atmosphere must include respect for self and others, as well as for district and community property.

The best discipline is self-imposed and pupils must learn to assume and accept responsibility for their own behavior and for the consequences of their misbehavior. Staff members who interact with pupils shall use preventive disciplinary action and place emphasis on the pupils' ability to grow in self-discipline.

The Superintendent shall develop guidelines for pupil conduct on school property and shall direct development of detailed regulations suited to the age level of the pupils and the physical facilities of the individual schools. Board policy requires each pupil of this district to adhere to the rules and regulations established by the administration and to submit to such disciplinary measures as are appropriately assigned for infraction of those rules. The Superintendent shall provide to pupils and their parents/guardians the rules of this district regarding pupil conduct and the sanctions which may be imposed for breach of those rules. Provisions shall be made for informing parents/guardians whose primary language is other than English.

In developing regulations to implement this policy, the Superintendent shall provide appropriate recognition for pupils who consistently maintain high standards of self-discipline and good citizenship. The regulations shall:

1. Require that pupils conform to reasonable standards of socially acceptable behavior; respect the person, property and rights of others; obey constituted authority and respond to those who hold that authority;
2. Establish the degree of order necessary to the educational program in which pupils are engaged.

Pupils who display chronic behavioral or academic problems may be referred to the Child Study Team by the Superintendent for possible identification as disruptive or disaffected. Such referrals shall be in strict accordance with the due process regulations prescribed by the administrative code. Pupils so identified shall be provided with appropriate programs and services as prescribed by the Child Study Team.

A pupil whose presence poses a continuing danger to persons or property, or an ongoing threat of disrupting the academic process, may be suspended or expelled following due process.

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Any pupil who commits an assault (as defined by N.J.S.A. 2C:12-1) upon a Board member, teacher, administrator, or other employee of the Board of Education shall be suspended from school immediately according to procedural due process. Suspension or expulsion proceedings shall begin no later than thirty calendar days from the date of the pupil's suspension.

## DISABLED

Classified pupils are subject to the same disciplinary procedures as non-disabled pupils and may be disciplined in accordance with their IEP. However, before disciplining a classified pupil, it must be determined that:

1. The pupil's behavior is not primarily caused by his/her educational handicap;
2. The program that is being provided meets the pupil's needs.

Staff shall comply with law and the regulations of the New Jersey Administrative Code (N.J.A.C. 6A:14-2.8) in dealing with discipline and/or suspension of classified pupils.

## IMPLEMENTATION

The Superintendent shall ensure that the rules for this policy are applied consistently and uniformly and that all disciplinary sanctions are carried out with necessary due process.

The Board shall review all related policies on a regular basis.

All students have a fundamental right to a free public education. All students in the Maywood School District have a right to pursue their academic goals and to be successful. Along with this right, they have a responsibility to join with other students in respecting the rights of others. Students enrolled in the Maywood School District are expected to follow the code as outlined below in order to provide an environment that encourages success. The code of conduct reflects the educational purposes established for students of the Maywood School District. Students who choose not to follow this code will be expected to accept the appropriate consequences as determined by the building administration. These rules apply not only to classroom activities, but to school functions, field trips, athletic events, etc.

## STUDENTS HAVE THE RIGHT:

- To be treated with respect.
- To be part of a positive educational environment.
- To be educated in a safe environment.
- To focus on their educational goals.
- To help maintain and to take pride in the school's facilities.

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### STUDENTS ARE EXPECTED:

- a.) To maintain respectful and responsible behavior towards each other and towards staff members.
- b.) To report to school and each class promptly and not leave school grounds without permission.
- c.) To control speech and gestures so that no individual is offended or embarrassed by language or activities including not using foul, obscene, or profane language or gestures towards anyone for any reason.
- d.) To maintain academic integrity by not engaging in cheating, plagiarism, forgery, or other acts of dishonesty.
- e.) Not to engage in touching or hitting of others, regardless of intent.
- f.) To avoid running, shouting, pushing or any other disruptive or inappropriate behavior which may cause injury or interfere with the safety or rights of others.
- g.) To avoid fighting, no matter the reason.
- h.) To avoid dangerous situations such as snowball throwing, rock throwing or games requiring bodily contact.
- i.) Not to possess, use or be under the influence of any tobacco product, alcohol or controlled dangerous substances at any time during school hours, including all school sponsored activities, either on or off school grounds.
- j.) Not to possess any item that could be considered dangerous, including, but not limited to, real or toy weapons.
- k.) To remain within the building unless permission to leave has been granted by a building administrator.
- l.) To place all electronic communication and entertainment devices including but not limited to cell phones, tape players, CD players, I Pods and headphones off and in their lockers from the start of school until the end of the school day.
- m.) To dress and maintain proper hygiene in an appropriate manner that neither disrupts nor distracts from the educational process.
- n.) To refrain from wearing any headwear within the building, including hats, scarves, and bandanas. Headwear worn for religious purposes is permitted with parental permission.
- o.) To keep school equipment and facilities clean and free from vandalism.
- p.) To refrain from participating in any form of sexual harassment of fellow students and others.
- q.) To take home all school documents and notices for parent/ guardian signature and to return them to school promptly.

# **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

## GENERAL RULE INFRACTIONS

The following rule infractions shall result in one, or any combination of the disciplinary actions listed below being taken, depending upon the frequency and/or degree of the infraction.

### \*\*\*Rule infractions\*\*\*

Tardiness

Use of profane language

Class disruption

Defiant and insubordinate behavior

Lunchroom misbehavior

Playground misbehavior

Gum chewing or eating candy

Throwing snowballs or other objects

Disturbing school neighbors

Other inappropriate behavior deemed serious enough by the principal

### \*\*\*Disciplinary Actions\*\*\*

Counseling/discipline session with teacher/guidance counselor

Teacher notifying the parent/guardian

Counseling/discipline session with the building principal

Building principal notifying the parent/guardian

Loss of recess

Other actions deemed warranted by the building principal such as detention, loss of extracurricular activities privileges and suspension

## SCHOOL SUSPENSION

The following rule infractions shall result in out-of-school suspension for a period not to exceed ten (10) school days:

- Repeated "General Rule Infractions"
- Possession, use or distribution of any controlled dangerous substance prohibited by law; alcoholic beverages; any prescription or patent drug except those for which permission to use has been authorized by a licensed physician and approved by the parent or guardian.
- Striking or threatening a teacher, school employee or fellow student
- Stealing
- Fighting
- Acts of Harassment, Intimidation and Bullying
- Causing or attempting to cause damage to school property
- Turning in a false fire alarm or calling in a bomb threat
- Using or having possession of a dangerous weapon or fireworks
- Smoking

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- Truancy
- Cutting of Class
- Any infraction that is deemed serious enough to warrant a suspension by the school principal

The Maywood Board of Education believes that an effective instructional program requires an orderly school environment and that the effectiveness of the educational program is, in part, reflected in the behavior of the students. The emphasis on positive behaviors creates an atmosphere of mutual respect and the appreciation of individual differences among staff, students and parents for individuals as well as district and community property.

The Maywood Board of Education expects students to conduct themselves, in keeping with their level of maturity, and in such a way as to demonstrate proper regard for the rights and welfare of others. The Maywood Board of Education believes that the standards of student behavior must be set cooperatively by interaction among students, parents/guardians, staff and community producing an atmosphere that encourages students to grow in self-discipline and character development.

1. The Superintendent of Schools shall develop general guidelines for student conduct on school property and shall direct development of detailed regulations suited to the age level of the students and the physical facilities of the individual schools.
2. The Superintendent of Schools or designee shall provide to students and their parents/guardians the rules of this district regarding student conduct and the sanctions that may be imposed for breach of those rules.
3. All students shall adhere to the rules and regulations established by the Superintendent of Schools. Non-compliance will result in disciplinary action.
4. Disciplinary action shall be applied consistently and uniformly with necessary due process in accordance with the regulations of the New Jersey Administrative code. Staff shall comply with the regulations of the New Jersey Administrative code when dealing with discipline and/or suspension of classified pupils.
5. Certain infractions shall be reported to the local law enforcement agency in accordance with the District's Memorandum of Agreement which is on file with the Director of Security. Student/Staff confidentiality shall be protected in accordance with federal and state law.

In developing regulations to implement this policy, the superintendent shall provide appropriate recognition for students who consistently maintain high standards of self-discipline and good citizenship.

Revised: February 20, 2013  
5511 5511 DRESS AND GROOMING

Students must be well groomed and appropriately dressed at all times. Appropriately dressed means clothing and hair style must be neat and clean, should not be hazardous to the health and safety of self and others, and should not distract the attention or other pupils from the educational

# **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

process.

Questions concerning appropriate dress will be determined by the Building Principal.

Consistent or frequent disregard for this policy may necessitate parents/guardians appearing before the Board of Education.

A pupil whose dress and grooming poses a continuing health risk to him/herself or others, or poses a continuing distraction of the attention of other pupils from the educational process may be suspended or expelled following due process.

Adopted: 18 November 2004

5512 5512 HARASSMENT, INTIMIDATION, AND BULLYING

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## **A. Policy Statement**

The Board of Education prohibits acts of harassment, intimidation, or bullying of a pupil. A safe and civil environment in school is necessary for pupils to learn and achieve high academic standards. Harassment, intimidation, or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a pupil's ability to learn and a school's ability to educate its pupils in a safe and disciplined environment. Since pupils learn by example, school administrators, faculty, staff and volunteers should be commended for demonstrating appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment, intimidation, or bullying.

For the purposes of this Policy, the term "parent," pursuant to N.J.A.C. 6A:16-1.3, means the natural parent(s) or adoptive parent(s), legal guardian(s), foster parent(s), or parent surrogate(s) of a pupil. Where parents are separated or divorced, "parent" means the person or agency which has legal custody of the pupil, as well as the natural or adoptive parent(s) of the pupil, provided such parental rights have not been terminated by a court of appropriate jurisdiction.

## **B. Harassment, Intimidation, and Bullying Definition**

"Harassment, intimidation, or bullying" means any gesture, any written, verbal or physical act, or any electronic communication, as defined in N.J.S.A. 18A:37-14, whether it be a single incident or a series of incidents that:

1. Is reasonably perceived as being motivated by either any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability; or
2. By any other distinguishing characteristic; and that
3. Takes place on school property, at any school-sponsored function, on a school bus, or off school grounds, as provided for in N.J.S.A. 18A:37-15.3, that substantially disrupts or interferes with the orderly operation of the school or the rights of other pupils; and that
4. A reasonable person should know, under the circumstances, that the act(s) will have the effect of physically or emotionally harming a pupil or damaging the pupil's property, or placing a pupil in reasonable fear of physical or emotional harm to his/her person or damage to his/her property; or
5. Has the effect of insulting or demeaning any pupil or group of pupils; or
6. Creates a hostile educational environment for the pupil by interfering with a pupil's education or by severely or pervasively causing physical or emotional harm to the pupil.

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“Electronic communication” means a communication transmitted by means of an electronic device, including, but not limited to, a telephone, cellular phone, computer, or pager.

## **C. Pupil Expectations**

The Board expects pupils to conduct themselves in keeping with their levels of development, maturity and demonstrated capabilities with proper regard for the rights and welfare of other pupils and school staff, the educational purpose underlying all school activities and the care of school facilities and equipment consistent with the Code of Pupil Conduct.

The Board believes that standards for pupil behavior must be set cooperatively through interaction among the pupils, parents, school employees, school administrators, school volunteers, and community representatives, producing an atmosphere that encourages pupils to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for school district and community property on the part of pupils, staff, and community members.

Pupils are expected to behave in a way that creates a supportive learning environment. The Board believes the best discipline is self-imposed, and it is the responsibility of staff to use instances of violations of the Code of Pupil Conduct as opportunities to help pupils learn to assume and accept responsibility for their behavior and the consequences of their behavior. Staff members who interact with pupils shall apply best practices designed to prevent pupil conduct problems and foster pupils’ abilities to grow in self-discipline.

The Board expects that pupils will act in accordance with the pupil behavioral expectations and standards regarding harassment, intimidation, and bullying, including:

1. Pupil responsibilities (e.g., requirements for pupils to conform to reasonable standards of socially accepted behavior; respect the person, property and rights of others; obey constituted authority; and respond to those who hold that authority);
2. Appropriate recognition for positive reinforcement for good conduct, self-discipline, and good citizenship;
3. Pupil rights; and
4. Sanctions and due process for violations of the Code of Pupil Conduct.

Pursuant to N.J.S.A. 18A:37-15(a) and N.J.A.C. 6A:16-7.1(a)1, the district has involved a broad-base of school and community members, including parents, pupils, instructional staff, pupil support services staff, school administrators, and school volunteers, as well as community organizations, such as faith-based, health and human service, business and law enforcement, in the development of this Policy. Based on locally determined and accepted core ethical values adopted by the Board, pursuant to N.J.A.C. 6A:16-7.1(a)2, the Board must develop guidelines for pupil conduct pursuant to N.J.A.C. 6A:16-7.1. These guidelines for pupil conduct will take into consideration the developmental ages of pupils, the severity of the offenses and pupils’ histories of inappropriate behaviors, and the mission and physical facilities of the individual school(s) in the district. This Policy requires all pupils in the district to adhere to the rules established by the school district and

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to submit to the remedial and consequential measures that are appropriately assigned for infractions of these rules.

Pursuant to N.J.A.C. 6A:16-7.1, the Superintendent must annually provide to pupils and their parents or guardians the rules of the district regarding pupil conduct. Provisions shall be made for informing parents or guardians whose primary language is other than English.

The district prohibits active or passive support for acts of harassment, intimidation, or bullying. Pupils are encouraged to support other pupils who:

1. Walk away from acts of harassment, intimidation, and bullying when they see them;

2. Constructively attempt to stop acts of harassment, intimidation, or bullying;

3. Provide support to pupils who have been subjected to harassment, intimidation, or bullying; and

4. Report acts of harassment, intimidation, and bullying to the designated school staff member.

### **D. Consequences and Appropriate Remedial Actions**

The Board of Education requires its school administrators to implement procedures that ensure both the appropriate consequences and remedial responses for pupils who commit one or more acts of harassment, intimidation, or bullying, consistent with the Code of Pupil Conduct, and the consequences and remedial responses for staff members who commit one or more acts of harassment, intimidation, or bullying. The following factors, at a minimum, shall be given full consideration by school administrators in the implementation of appropriate consequences and remedial measures for each act of harassment, intimidation, or bullying by pupils. Appropriate consequences and remedial actions are those that are graded according to the severity of the offense(s), consider the developmental ages of the pupil offenders and pupils' histories of inappropriate behaviors, per the Code of Pupil Conduct and N.J.A.C. 6A:16-7.

### **Factors for Determining Consequences**

1. Age, developmental and maturity levels of the parties involved and their relationship to the school district;

2. Degrees of harm;

3. Surrounding circumstances;

4. Nature and severity of the behavior(s);

5. Incidences of past or continuing patterns of behavior;

6. Relationships between the parties involved; and

7. Context in which the alleged incidents occurred.

### **Factors for Determining Remedial Measures – Personal**

1. Life skill deficiencies;

2. Social relationships;

3. Strengths;

4. Talents;

5. Traits;

6. Interests;

7. Hobbies;

8. Extra-curricular activities;

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9. Classroom participation;
10. Academic performance; and
11. Relationship to pupils and the school district.

### Factors for Determining Remedial Measures - Environmental

1. School culture;
2. School climate;
3. Pupil-staff relationships and staff behavior toward the pupil;
4. General staff management of classrooms or other educational environments;
5. Staff ability to prevent and manage difficult or inflammatory situations;
6. Social-emotional and behavioral supports;
7. Social relationships;
8. Community activities;
9. Neighborhood situation; and
10. Family situation.

Consequences and appropriate remedial action for a pupils or staff member who commits one or more acts of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion of pupils, as set forth in the Board's approved Code of Pupil Conduct pursuant to N.J.A.C. 6A:16-7.1. Consequences for a pupil who commits an act of harassment, intimidation, or bullying shall be varied and graded according to the nature of the behavior, the developmental age of the pupil and the pupil's history of problem behaviors and performance, and must be consistent with the Board's approved Code of Pupil Conduct and N.J.A.C. 6A:16-7, Student Conduct. Remedial measures shall be designed to correct the problem behavior, prevent another occurrence of the problem, protect and provide support for the victim of the act, and take corrective action for documented systemic problems related to harassment, intimidation, or bullying. The consequences and remedial measures may include, but are not limited to, the examples listed below:

### Examples of Consequences

1. Admonishment;
2. Temporary removal from the classroom;
3. Deprivation of privileges;
4. Classroom or administrative detention;
5. Referral to disciplinarian;
6. In-school suspension during the school week or the weekend;
7. After-school programs;
8. Out-of-school suspension (short-term or long-term);
9. Reports to law enforcement or other legal action;
10. Expulsion; and
11. Bans from providing services, participating in school-district-sponsored programs, or being in school buildings or on school grounds.

### Examples of Remedial Measures - Personal

1. Restitution and restoration;
2. Peer support group;
3. Recommendations of a pupil behavior or ethics council;
4. Corrective instruction or other relevant learning or service experience;
5. Supportive pupil interventions, including participation of the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
6. Behavioral assessment or evaluation, including, but not limited to, a

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referral to the Child Study Team, as appropriate;

7. Behavioral management plan, with benchmarks that are closely monitored;
8. Assignment of leadership responsibilities (e.g., hallway or bus monitor);
9. Involvement of school disciplinarian;
10. Pupil counseling;
11. Parent conferences;
12. Alternative placements (e.g., alternative education programs);
13. Pupil treatment; or
14. Pupil therapy.

Examples of Remedial Measures – Environmental (Classroom, School Building or School District)

1. School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation, or bullying;
2. School culture change;
3. School climate improvement;
4. Adoption of research-based, systemic bullying prevention programs;
5. School policy and procedures revisions;
6. Modifications of schedules;
7. Adjustments in hallway traffic;
8. Modifications in pupil routes or patterns traveling to and from school;
9. Supervision of pupil before and after school, including school transportation;
10. Targeted use of monitors (e.g., hallway, cafeteria, locker room, playground, school perimeter, bus);
11. Teacher aides;
12. Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
13. General professional development programs for certificated and non-certificated staff;
14. Professional development plans for involved staff;
15. Disciplinary action for school staff who contributed to the problem;
16. Supportive institutional interventions, including participation of the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
17. Parent conferences;
18. Family counseling;
19. Involvement of parent-teacher organizations;
20. Involvement of community-based organizations;
21. Development of a general bullying response plan;
22. Recommendations of a pupil behavior or ethics council;
23. Peer support groups;
24. Alternative placements (e.g., alternative education programs);
25. School transfers; and
26. Law enforcement (e.g., safe schools resource officer, juvenile officer) involvement or other legal action.

N.J.A.C. 6A:16-7.9(a)2.vi requires appropriate consequences and remedial actions for any staff member who commits an act of harassment, intimidation, or bullying of a pupil. The consequences may include, but not be limited to, verbal or written reprimand, increment withholding, legal action, disciplinary action, and/or termination. Remedial measures may include, but not be limited to, in or out-of-school counseling, professional development programs, and work environment modifications.

E. Harassment, Intimidation, and Bullying Off School Grounds

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This Policy and the Code of Pupil Conduct shall apply to instances when a school employee is made aware of alleged harassment, intimidation, or bullying occurring off school grounds when:

1. The alleged harassment, intimidation, or bullying has substantially disrupted or interfered with the orderly operation of the school or the rights of other pupils; and either
2. A reasonable person should know, under the circumstances, that the alleged behavior will have the effect of physically or emotionally harming a pupil or damaging the pupil's property, or placing a pupil in reasonable fear of physical or emotional harm to his/her person or damage to his/her property; or
3. The alleged behavior has the effect of insulting or demeaning any pupil or group of pupils; or
4. The alleged behavior creates a hostile educational environment for the pupil by interfering with a pupil's education or by severely or pervasively causing physical or emotional harm to the pupil.

### **F. Harassment, Intimidation, and Bullying Reporting Procedure**

The Board of Education requires the Principal at each school to be responsible for receiving complaints alleging violations of this Policy. All Board members, school employees, and volunteers and contracted service providers who have contact with pupils are required to verbally report alleged violations of this Policy to the Principal or the Principal's designee on the same day when the individual witnessed or received reliable information regarding any such incident. All Board members, school employees, and volunteers and contracted service providers who have contact with pupils, also shall submit a report in writing to the Principal within two school days of the verbal report. The Principal will inform the parents of all pupils involved in alleged incidents, and, as appropriate, may discuss the availability of counseling and other intervention services. The Principal, upon receiving a verbal or written report, may take interim measures to ensure the safety, health, and welfare of all parties pending the findings of the investigation.

Pupils, parent(s), and visitors are encouraged to report alleged violations of this Policy to the Principal on the same day when the individual witnessed or received reliable information regarding any such incident. Pupils, parents, and visitors may report an act of harassment, intimidation, or bullying anonymously. Formal action for violations of the Code of Pupil Conduct may not be taken solely on the basis of an anonymous report.

A Board member or school employee who promptly reports an incident of harassment, intimidation, or bullying and who makes this report in compliance with the procedures set forth in this Policy, is immune from a cause of action for damages arising from any failure to remedy the reported incident.

In accordance with the provisions of N.J.S.A. 18A:37-18, the harassment, intimidation, and bullying law does not prevent a victim from seeking redress under any other available law, either civil or criminal, nor does it create or alter any tort liability.

The district may consider every mechanism available to simplify reporting, including standard reporting forms and/or web-based reporting mechanisms. For anonymous reporting, the district may consider locked boxes located in areas of a school where reports can be submitted without fear of being observed.

A school administrator who receives a report of harassment, intimidation, and

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bullying from a district employee, and fails to initiate or conduct an investigation, or who should have known of an incident of harassment, intimidation, or bullying and fails to take sufficient action to minimize or eliminate the harassment, intimidation, or bullying, may be subject to disciplinary action.

G. Anti-Bullying Coordinator, Anti-Bullying Specialist and School Safety Team(s)

1. The Superintendent shall appoint a district Anti-Bullying Coordinator. The Superintendent shall make every effort to appoint an employee of the school district to this position.

The district Anti-Bullying Coordinator shall:

- a. Be responsible for coordinating and strengthening the school district's policies to prevent, identify, and address harassment, intimidation, or bullying of pupils;
- b. Collaborate with school Anti-Bullying Specialists in the district, the Board of Education, and the Superintendent to prevent, identify, and respond to harassment, intimidation, or bullying of pupils in the district;
- c. Provide data, in collaboration with the Superintendent, to the Department of Education regarding harassment, intimidation, or bullying of pupils;
- d. Execute such other duties related to school harassment, intimidation, or bullying as requested by the Superintendent; and
- e. Meet at least twice a school year with the school Anti-Bullying Specialist(s) to discuss and strengthen procedures and policies to prevent, identify, and address harassment, intimidation, and bullying in the district.

2. The Principal in each school shall appoint a school Anti-Bullying Specialist. When a school guidance counselor, school psychologist, or another individual similarly trained is currently employed in the school, the Principal shall appoint that individual to be the school Anti-Bullying Specialist. If no individual meeting this criteria is currently employed in the school, the Principal shall appoint a school Anti-Bullying Specialist from currently employed school personnel.

The school Anti-Bullying Specialist shall:

- a. Chair the School Safety Team as provided in N.J.S.A. 18A:37-21;
- b. Lead the investigation of incidents of harassment, intimidation, or bullying in the school; and
- c. Act as the primary school official responsible for preventing, identifying, and addressing incidents of harassment, intimidation, or bullying in the school.

3. A School Safety Team shall be formed in each school in the district to develop, foster, and maintain a positive school climate by focusing on the on-going, systemic process and practices in the school, and to address school climate issues such as harassment, intimidation, or bullying. Each School Safety Team shall meet at least two times per school year. The School Safety Team shall consist of the Principal or the Principal's designee who, if possible, shall be a senior administrator in the school and the following appointees of the Principal: a teacher in the school; a school Anti-Bullying Specialist; a parent of a pupil in the school; and other members to be determined by the Principal. The school Anti-Bullying Specialist shall serve as the chair of the School Safety Team.

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The School Safety Team shall:

- a. Receive any complaints of harassment, intimidation, or bullying of pupils that have been reported to the Principal;
- b. Receive copies of any report prepared after an investigation of an incident of harassment, intimidation, or bullying;
- c. Identify and address patterns of harassment, intimidation, or bullying of pupils in the school;
- d. Review and strengthen school climate and the policies of the school in order to prevent and address harassment, intimidation, or bullying of pupils;
- e. Educate the community, including pupils, teachers, administrative staff, and parents, to prevent and address harassment, intimidation, or bullying of pupils;
- f. Participate in the training required pursuant to the provisions of N.J.S.A. 18A:37-13 et seq. and other training which the Principal or the district Anti-Bullying Coordinator may request;
- g. Collaborate with the district Anti-Bullying Coordinator in the collection of district-wide data and in the development of district policies to prevent and address harassment, intimidation, or bullying of pupils; and
- h. Execute such other duties related to harassment, intimidation, or bullying as requested by the Principal or district Anti-Bullying Coordinator.

The members of a School Safety Team shall be provided professional development opportunities that address effective practices of successful school climate programs or approaches. Notwithstanding any provision of N.J.S.A. 18A:37-21 to the contrary, a parent who is a member of the School Safety Team shall not participate in the activities of the team set forth in 3. a., b., or c. above or any other activities of the team which may compromise the confidentiality of a pupil.

### **H. Harassment, Intimidation, and Bullying Investigation**

The Board requires a thorough and complete investigation to be conducted for each report of an alleged incident of harassment, intimidation, or bullying. The investigation shall be initiated by the Principal or the Principal's designee within one school day of the verbal report of the incident. The investigation shall be conducted by the school Anti-Bullying Specialist. The Principal may appoint additional personnel who are not school Anti-Bullying Specialists to assist the school Anti-Bullying Specialist in the investigation.

The investigation shall be completed and the written findings submitted to the Principal as soon as possible, but not later than ten school days from the date of the written report of the alleged incident of harassment, intimidation, or bullying. Should information regarding the reported incident and the investigation be received after the end of the ten-day period, the school Anti-Bullying Specialist or the Principal shall amend the original report of the results of the investigation to ensure there is an accurate and current record of the facts and activities concerning the reported incident.

The Principal shall proceed in accordance with the Code of Pupil Conduct, as appropriate, based on the investigation findings. The Principal shall submit the report to the Superintendent within two school days of the completion of the investigation and in accordance with the Administrative Procedures Act (N.J.S.A. 52:14B-1 et seq.). As appropriate to the findings from the investigation, the Superintendent shall ensure the Code of Pupil Conduct has been implemented and provide intervention services, order counseling,

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

establish training programs to reduce harassment, intimidation, or bullying and enhance school climate, or take or recommend other appropriate action, as necessary.

The Superintendent shall report the results of each investigation to the Board of Education no later than the date of the regularly scheduled Board of Education meeting following the completion of the investigation. The Superintendent's report also shall include information on any consequences imposed under the Code of Pupil Conduct, intervention services provided, counseling ordered, training established or other action taken or recommended by the Superintendent.

Parents of the pupils who are parties to the investigation shall be provided with information about the investigation, in accordance with Federal and State law and regulation. The information to be provided to parents or guardians shall include the nature of the investigation, whether the district found evidence of harassment, intimidation, or bullying, or whether consequences were imposed or services provided to address the incident of harassment, intimidation, or bullying. This information shall be provided in writing within five school days after the results of the investigation are reported to the Board of Education.

A parent or guardian may request a hearing before the Board of Education after receiving the information. When a request for a hearing is granted, the hearing shall be held within ten school days of the request. The Board of Education shall conduct the hearing in executive session, pursuant to the Open Public Meetings Act (N.J.S.A. 10:4-1 et seq.), to protect the confidentiality of the pupils. At the hearing, the Board may hear testimony from and consider information provided by the school Anti-Bullying Specialist and others, as appropriate, regarding the alleged incident, the findings from the investigation of the alleged incident, recommendations for consequences or services, and any programs instituted to reduce such incidents, prior to rendering a determination.

At the regularly scheduled Board of Education meeting following its receipt of the report or following a hearing in executive session, the Board shall issue a decision, in writing, to affirm, reject, or modify the Superintendent's decision. The Board's decision may be appealed to the Commissioner of Education, in accordance with N.J.A.C. 6A:3, Controversies and Disputes, no later than ninety days after issuance of the Board of Education's decision.

A parent, pupil, legal guardian, or organization may file a complaint with the Division on Civil Rights within one hundred eighty days of the occurrence of any incident of harassment, intimidation, or bullying based on membership in a protected group as enumerated in the "Law Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.).

I. Range of Responses to an Incident of Harassment, Intimidation, or Bullying  
The Board authorizes the Principal of each school, in conjunction with the Anti-Bullying Specialist, to define the range of ways in which school staff will respond once an incident of harassment, intimidation, or bullying is confirmed, and the Superintendent shall respond to confirmed harassment, intimidation, and bullying, according to the parameters described in this Policy. The Board recognizes that some acts of harassment, intimidation, or bullying may be isolated incidents requiring the school officials respond appropriately to the individual(s) committing the acts. Other acts may be so

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serious or parts of a larger pattern of harassment, intimidation, or bullying that they require a response either at the classroom, school building or school district level or by law enforcement officials.

Consequences and appropriate remedial actions for a pupils who commits an act of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1, Discipline of Pupils and as set forth in N.J.A.C. 6A:16-7.2, Short-term Suspensions, N.J.A.C. 6A:16-7.3, Long-term Suspensions and N.J.A.C. 6A:16-7.5, Expulsions.

In considering whether a response beyond the individual level is appropriate, school officials shall consider the nature and circumstances of the act, the degree of harm, the nature and severity of the behavior, past incidences or past or continuing patterns of behavior, and the context in which the alleged incident(s) occurred. Institutional (i.e., classroom, school building, school district) responses can range from school and community surveys, to mailings, to focus groups, to adoption of research-based harassment, intimidation or bullying prevention program models, to training for certificated and non-certificated staff, to participation of parent(s) and other community members and organizations, to small or large group presentations for fully addressing the actions and the school's response to the actions, in the context of the acceptable pupil and staff member behavior and the consequences of such actions, and to the involvement of law enforcement officers, including safe schools resource officers.

For every incident of harassment, intimidation, or bullying, the school officials must respond appropriately to the individual who committed the act. The Board is encouraged to set the parameters for the range of responses to be established by the Principal and for the Superintendent to follow. The range of responses to confirmed harassment, intimidation, or bullying acts should include individual, classroom, school, or district responses, as appropriate to the findings from each incident. Examples of responses that apply to each of these categories are provided below:

1. Individual responses can include positive behavioral interventions (e.g., peer mentoring, short-term counseling, life skills groups) and punitive actions (e.g., detention, in-school or out-of-school suspension, expulsion, law enforcement report, or other legal action).
2. Classroom responses can include class discussions about an incident of harassment, intimidation or bullying, role plays, research projects, observing and discussing audio-visual materials on these subjects, and skill-building lessons in courtesy, tolerance, assertiveness, and conflict management.
3. School responses can include theme days, learning station programs, parent programs, and information disseminated to pupils and parents or guardians, such as fact sheets or newsletters explaining acceptable uses of electronic and wireless communication devices or strategies for fostering expected pupil behavior.
4. District-wide responses can include community involvement in policy review and development, professional development programs, adoption of curricula and school-wide programs, coordination with community-based organizations (e.g., mental health, health services, health facilities, law enforcement officials,

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faith-based organizations), and disseminating information on the core ethical values adopted by the district Board of Education's Code of Pupil Conduct, per N.J.A.C. 6A:16-7.1(a)2.

The district will identify a range of strategies and resources, which could include, but not be limited to, the following actions for individual victims: counseling; teacher aides; hallway and playground monitors; schedule changes; before and after school supervision; school transportation supervision; school transfers; and therapy.

### **J. Reprisal or Retaliation Prohibited**

The Board prohibits a Board member, school employee, contracted service provider who has contact with pupils, school volunteer, or pupil from engaging in reprisal, retaliation, or false accusation against a victim, witness, one with reliable information, or any other person who has reliable information about an act of harassment, intimidation, or bullying or who reports an act of harassment, intimidation, or bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the administrator after consideration of the nature, severity and circumstances of the act, in accordance with case law, Federal and State statutes and regulations and district policies and procedures.

All suspected acts of reprisal or retaliation will be taken seriously and appropriate responses will be made in accordance with the totality of the circumstances. Examples of consequences and remedial measures are listed in the Consequences and Appropriate Remedial Actions section of this policy.

### **K. Consequences and Appropriate Remedial Action for False Accusation**

The Board prohibits any person from falsely accusing another as a means of harassment, intimidation, or bullying.

1. Pupils - Consequences and appropriate remedial action for a pupil found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation may range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A.18A:37-1 et seq., Discipline of Pupils and as set forth in N.J.A.C. 6A:16-7.2, Short-term Suspensions, N.J.A.C. 6A:16-7, Long-term Suspensions and N.J.A.C. 6A:16-7.5, Expulsions.

2. School Employees - Consequences and appropriate remedial action for a school employee or contracted service provider who has contact with pupils found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation could entail discipline in accordance with district policies, procedures, and agreements which may include, but not be limited to, reprimand, suspension, increment withholding, or termination.

3. Visitors or Volunteers - Consequences and appropriate remedial action for a visitor or volunteer found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation could be determined by the school administrator after consideration of the nature, severity, and circumstances of the act, including law enforcement reports or other legal actions, removal of buildings or grounds privileges, or prohibiting contact with pupils or the provision of pupil services.

### **L. Harassment, Intimidation, and Bullying Policy Publication and Dissemination**

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This Policy will be disseminated annually by the Superintendent to all school employees, contracted service providers who have contact with pupils, school volunteers, pupils, and parent(s) who have children enrolled in a school in the district, along with a statement explaining the Policy applies to all acts of harassment, intimidation, or bullying, pursuant to N.J.S.A. 18A:37-14 that occur on school property, at school-sponsored functions, or on a school bus and, as appropriate, acts that occur off school grounds.

The Superintendent shall ensure that notice of this Policy appears in the pupil handbook and all other publications of the school district that sets forth the comprehensive rules, procedures, and standards for schools within the school district.

The Superintendent shall post a link to the district's Harassment, Intimidation, and Bullying Policy that is prominently displayed on the homepage of the school district's website. The district will notify pupils and parents this Harassment, Intimidation, and Bullying Policy is available on the school district's website.

The Superintendent shall post the name, school phone number, school address, and school email address of the district Anti-Bullying Coordinator on the homepage of the school district's website. Each Principal shall post the name, school phone number, address, and school email address of both the Anti-Bullying Specialist and the district Anti-Bullying Coordinator on the homepage of each school's website.

M. Harassment, Intimidation, and Bullying Training and Prevention Programs  
The Superintendent and Principal(s) shall provide training on the school district's Harassment, Intimidation, and Bullying Policy to school employees, contracted service providers, and volunteers who have significant contact with pupils. The training shall include instruction on preventing bullying on the basis of the protected categories enumerated in N.J.S.A. 18A:37-14 and other distinguishing characteristics that may incite incidents of discrimination, harassment, intimidation, or bullying. The school district's employee training program shall include information regarding the school district's Policy against harassment, intimidation, or bullying, which shall be provided to full-time and part-time staff members, contracted service providers, and school volunteers who have significant contact with pupils.

Each public school teacher shall be required to complete at least two hours of instruction in harassment, intimidation, and bullying prevention in each professional development period as part of the professional development requirement pursuant to N.J.S.A.18:37-22.d.

The required two hours of suicide prevention instruction for teaching staff members shall include information on the relationship between the risk of suicide and incidents of harassment, intimidation, or bullying in accordance with the provisions of N.J.S.A. 18A:6-112.

Board members shall be required to complete a training program on harassment, intimidation, and bullying in accordance with the provisions of N.J.S.A. 18A:12-33.

The school district shall annually observe a "Week of Respect" beginning with the first Monday in October. In order to recognize the importance of

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character education, the school district will observe the week by providing age-appropriate instruction focusing on the prevention of harassment, intimidation, and bullying as defined in N.J.S.A. 18A:37-14. Throughout the school year the district will provide ongoing age-appropriate instruction on preventing harassment, intimidation, or bullying, in accordance with the Core Curriculum Content Standards, pursuant to N.J.S.A. 18A:37-29.

The school district will annually establish, implement, document, and assess harassment, intimidation, and bullying prevention programs or approaches, and other initiatives in consultation with school staff, pupils, administrators, volunteers, parents or guardians, law enforcement, and community members in accordance with the provisions of N.J.S.A. 18A:37-17 et seq.

N. Harassment, Intimidation, and Bullying Policy Reevaluation, Reassessment and Review

The Superintendent shall develop and implement a process for annually discussing the school district's Harassment, Intimidation, and Bullying Policy with pupils.

The Superintendent and the Principal(s) shall annually conduct a reevaluation, reassessment, and review of the Harassment, Intimidation, and Bullying Policy, with input from the schools' Anti-Bullying Specialists, and recommend revisions and additions to the Policy as well as to harassment, intimidation, and bullying prevention programs and approaches based on the findings from the evaluation, reassessment and review.

O. Reports to Board of Education and New Jersey Department of Education  
The Superintendent shall report two times each school year at a public hearing all acts of harassment, intimidation, and bullying in accordance with the provisions of N.J.S.A. 18A:17-46. The information shall also be reported to the New Jersey Department of Education in accordance with N.J.S.A. 18A:17-46. The information reported shall be used to grade each school and each district in accordance with the provisions of N.J.S.A. 18A:17-46. The grade received by a school and the district shall be posted on the homepage of the school's website and the district's website in accordance with the provisions of N.J.S.A. 18A:17-46. A link to the report that was submitted by the Superintendent to the Department of Education shall also be available on the school district's website. This information shall be posted on the websites within ten days of receipt of the grade for each school and the district.

P. Reports to Law Enforcement

Some acts of harassment, intimidation, and bullying may be bias-related acts and potentially bias crimes and school officials must report to law enforcement officials either serious acts or those which may be part of a larger pattern in accordance with the provisions of the Memorandum of Agreement Between Education and Law Enforcement Officials.

Q. Collective Bargaining Agreements and Individual Contracts

Nothing in N.J.S.A. 18A:37-13.1 et seq. may be construed as affecting the provisions of any collective bargaining agreement or individual contract of employment in effect on the Anti-Bullying Bill of Rights Act's effective date (January 5, 2011). N.J.S.A. 18A:37-30.

R. Pupils with Disabilities

Nothing contained in N.J.S.A. 18A:37-13.1 et seq. may alter or reduce the

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rights of a pupil with a disability with regard to disciplinary actions or to general or special education services and supports. N.J.S.A. 18A:37-32.

The school district shall submit all subsequent amended Harassment, Intimidation, and Bullying Policies to the appropriate Executive County Superintendent of Schools within thirty days of Board adoption.

N.J.S.A. 18A:37-13 through 18A:3732

N.J.A.C. 6A:16-7.1 et seq.; 6A:16-7.9 et seq.

Model Policy and Guidance for Prohibiting Harassment, Intimidation, and Bullying on School Property, at School-Sponsored Functions and on School Buses  
– April 2011

Approved: 1/23/2013

5512.01 5512.01 HARASSMENT, INTIMIDATION, AND BULLYING

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## A. Policy Statement

The Board of Education prohibits acts of harassment, intimidation, or bullying of a pupil. A safe and civil environment in school is necessary for pupils to learn and achieve high academic standards. Harassment, intimidation, or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a pupil's ability to learn and a school's ability to educate its pupils in a safe and disciplined environment. Since pupils learn by example, school administrators, faculty, staff and volunteers should be commended for demonstrating appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment, intimidation, or bullying.

For the purposes of this Policy, the term "parent," pursuant to N.J.A.C. 6A:16-1.3, means the natural parent(s) or adoptive parent(s), legal guardian(s), foster parent(s), or parent surrogate(s) of a pupil. Where parents are separated or divorced, "parent" means the person or agency which has legal custody of the pupil, as well as the natural or adoptive parent(s) of the pupil, provided such parental rights have not been terminated by a court of appropriate jurisdiction.

## B. Harassment, Intimidation, and Bullying Definition

"Harassment, intimidation, or bullying" means any gesture, any written, verbal or physical act, or any electronic communication, as defined in N.J.S.A. 18A:37-14, whether it be a single incident or a series of incidents that:

1. Is reasonably perceived as being motivated by either any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability; or
2. By any other distinguishing characteristic; and that
3. Takes place on school property, at any school-sponsored function, on a school bus, or off school grounds, as provided for in N.J.S.A. 18A:37-15.3, that substantially disrupts or interferes with the orderly operation of the school or the rights of other pupils; and that
4. A reasonable person should know, under the circumstances, that the act(s) will have the effect of physically or emotionally harming a pupil or damaging the pupil's property, or placing a pupil in reasonable fear of physical or emotional harm to his/her person or damage to his/her property; or
5. Has the effect of insulting or demeaning any pupil or group of pupils; or
6. Creates a hostile educational environment for the pupil by interfering with a pupil's education or by severely or pervasively causing physical or emotional harm to the pupil.

"Electronic communication" means a communication transmitted by means of an

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electronic device, including, but not limited to, a telephone, cellular phone, computer, or pager.

### **C. Pupil Expectations**

The Board expects pupils to conduct themselves in keeping with their levels of development, maturity and demonstrated capabilities with proper regard for the rights and welfare of other pupils and school staff, the educational purpose underlying all school activities and the care of school facilities and equipment consistent with the Code of Pupil Conduct.

The Board believes that standards for pupil behavior must be set cooperatively through interaction among the pupils, parents, school employees, school administrators, school volunteers, and community representatives, producing an atmosphere that encourages pupils to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for school district and community property on the part of pupils, staff, and community members.

Pupils are expected to behave in a way that creates a supportive learning environment. The Board believes the best discipline is self-imposed, and it is the responsibility of staff to use instances of violations of the Code of Pupil Conduct as opportunities to help pupils learn to assume and accept responsibility for their behavior and the consequences of their behavior. Staff members who interact with pupils shall apply best practices designed to prevent pupil conduct problems and foster pupils' abilities to grow in self-discipline.

The Board expects that pupils will act in accordance with the pupil behavioral expectations and standards regarding harassment, intimidation, and bullying, including:

1. Pupil responsibilities (e.g., requirements for pupils to conform to reasonable standards of socially accepted behavior; respect the person, property and rights of others; obey constituted authority; and respond to those who hold that authority);
2. Appropriate recognition for positive reinforcement for good conduct, self-discipline, and good citizenship;
3. Pupil rights; and
4. Sanctions and due process for violations of the Code of Pupil Conduct.

Pursuant to N.J.S.A. 18A:37-15(a) and N.J.A.C. 6A:16-7.1(a)1, the district has involved a broad-base of school and community members, including parents, pupils, instructional staff, pupil support services staff, school administrators, and school volunteers, as well as community organizations, such as faith-based, health and human service, business and law enforcement, in the development of this Policy. Based on locally determined and accepted core ethical values adopted by the Board, pursuant to N.J.A.C. 6A:16-7.1(a)2, the Board must develop guidelines for pupil conduct pursuant to N.J.A.C. 6A:16-7.1. These guidelines for pupil conduct will take into consideration the developmental ages of pupils, the severity of the offenses and pupils' histories of inappropriate behaviors, and the mission and physical facilities of the individual school(s) in the district. This Policy requires all pupils in the district to adhere to the rules established by the school district and to submit to the remedial and consequential measures that are appropriately

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assigned for infractions of these rules.

Pursuant to N.J.A.C. 6A:16-7.1, the Superintendent must annually provide to pupils and their parents or guardians the rules of the district regarding pupil conduct. Provisions shall be made for informing parents or guardians whose primary language is other than English.

The district prohibits active or passive support for acts of harassment, intimidation, or bullying. Pupils are encouraged to support other pupils who:

1. Walk away from acts of harassment, intimidation, and bullying when they see them;

2. Constructively attempt to stop acts of harassment, intimidation, or bullying;

3. Provide support to pupils who have been subjected to harassment, intimidation, or bullying; and

4. Report acts of harassment, intimidation, and bullying to the designated school staff member.

### **D. Consequences and Appropriate Remedial Actions**

The Board of Education requires its school administrators to implement procedures that ensure both the appropriate consequences and remedial responses for pupils who commit one or more acts of harassment, intimidation, or bullying, consistent with the Code of Pupil Conduct, and the consequences and remedial responses for staff members who commit one or more acts of harassment, intimidation, or bullying. The following factors, at a minimum, shall be given full consideration by school administrators in the implementation of appropriate consequences and remedial measures for each act of harassment, intimidation, or bullying by pupils. Appropriate consequences and remedial actions are those that are graded according to the severity of the offense(s), consider the developmental ages of the pupil offenders and pupils' histories of inappropriate behaviors, per the Code of Pupil Conduct and N.J.A.C. 6A:16-7.

### **Factors for Determining Consequences**

1. Age, developmental and maturity levels of the parties involved and their relationship to the school district;

2. Degrees of harm;

3. Surrounding circumstances;

4. Nature and severity of the behavior(s);

5. Incidences of past or continuing patterns of behavior;

6. Relationships between the parties involved; and

7. Context in which the alleged incidents occurred.

### **Factors for Determining Remedial Measures – Personal**

1. Life skill deficiencies;

2. Social relationships;

3. Strengths;

4. Talents;

5. Traits;

6. Interests;

7. Hobbies;

8. Extra-curricular activities;

9. Classroom participation;

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10. Academic performance; and
11. Relationship to pupils and the school district.

### Factors for Determining Remedial Measures – Environmental

1. School culture;
2. School climate;
3. Pupil-staff relationships and staff behavior toward the pupil;
4. General staff management of classrooms or other educational environments;
5. Staff ability to prevent and manage difficult or inflammatory situations;
6. Social-emotional and behavioral supports;
7. Social relationships;
8. Community activities;
9. Neighborhood situation; and
10. Family situation.

Consequences and appropriate remedial action for a pupils or staff member who commits one or more acts of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion of pupils, as set forth in the Board's approved Code of Pupil Conduct pursuant to N.J.A.C. 6A:16-7.1. Consequences for a pupil who commits an act of harassment, intimidation, or bullying shall be varied and graded according to the nature of the behavior, the developmental age of the pupil and the pupil's history of problem behaviors and performance, and must be consistent with the Board's approved Code of Pupil Conduct and N.J.A.C. 6A:16-7, Student Conduct. Remedial measures shall be designed to correct the problem behavior, prevent another occurrence of the problem, protect and provide support for the victim of the act, and take corrective action for documented systemic problems related to harassment, intimidation, or bullying. The consequences and remedial measures may include, but are not limited to, the examples listed below:

### Examples of Consequences

1. Admonishment;
2. Temporary removal from the classroom;
3. Deprivation of privileges;
4. Classroom or administrative detention;
5. Referral to disciplinarian;
6. In-school suspension during the school week or the weekend;
7. After-school programs;
8. Out-of-school suspension (short-term or long-term);
9. Reports to law enforcement or other legal action;
10. Expulsion; and
11. Bans from providing services, participating in school-district-sponsored programs, or being in school buildings or on school grounds.

### Examples of Remedial Measures – Personal

1. Restitution and restoration;
2. Peer support group;
3. Recommendations of a pupil behavior or ethics council;
4. Corrective instruction or other relevant learning or service experience;
5. Supportive pupil interventions, including participation of the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
6. Behavioral assessment or evaluation, including, but not limited to, a referral to the Child Study Team, as appropriate;

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7. Behavioral management plan, with benchmarks that are closely monitored;
8. Assignment of leadership responsibilities (e.g., hallway or bus monitor);
9. Involvement of school disciplinarian;
10. Pupil counseling;
11. Parent conferences;
12. Alternative placements (e.g., alternative education programs);
13. Pupil treatment; or
14. Pupil therapy.

Examples of Remedial Measures – Environmental (Classroom, School Building or School District)

1. School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation, or bullying;
2. School culture change;
3. School climate improvement;
4. Adoption of research-based, systemic bullying prevention programs;
5. School policy and procedures revisions;
6. Modifications of schedules;
7. Adjustments in hallway traffic;
8. Modifications in pupil routes or patterns traveling to and from school;
9. Supervision of pupil before and after school, including school transportation;
10. Targeted use of monitors (e.g., hallway, cafeteria, locker room, playground, school perimeter, bus);
11. Teacher aides;
12. Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
13. General professional development programs for certificated and non-certificated staff;
14. Professional development plans for involved staff;
15. Disciplinary action for school staff who contributed to the problem;
16. Supportive institutional interventions, including participation of the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
17. Parent conferences;
18. Family counseling;
19. Involvement of parent-teacher organizations;
20. Involvement of community-based organizations;
21. Development of a general bullying response plan;
22. Recommendations of a pupil behavior or ethics council;
23. Peer support groups;
24. Alternative placements (e.g., alternative education programs);
25. School transfers; and
26. Law enforcement (e.g., safe schools resource officer, juvenile officer) involvement or other legal action.

N.J.A.C. 6A:16-7.9(a)2.vi requires appropriate consequences and remedial actions for any staff member who commits an act of harassment, intimidation, or bullying of a pupil. The consequences may include, but not be limited to, verbal or written reprimand, increment withholding, legal action, disciplinary action, and/or termination. Remedial measures may include, but not be limited to, in or out-of-school counseling, professional development programs, and work environment modifications.

E. Harassment, Intimidation, and Bullying Off School Grounds

This Policy and the Code of Pupil Conduct shall apply to instances when a

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

school employee is made aware of alleged harassment, intimidation, or bullying occurring off school grounds when:

1. The alleged harassment, intimidation, or bullying has substantially disrupted or interfered with the orderly operation of the school or the rights of other pupils; and either
2. A reasonable person should know, under the circumstances, that the alleged behavior will have the effect of physically or emotionally harming a pupil or damaging the pupil's property, or placing a pupil in reasonable fear of physical or emotional harm to his/her person or damage to his/her property; or
3. The alleged behavior has the effect of insulting or demeaning any pupil or group of pupils; or
4. The alleged behavior creates a hostile educational environment for the pupil by interfering with a pupil's education or by severely or pervasively causing physical or emotional harm to the pupil.

### **F. Harassment, Intimidation, and Bullying Reporting Procedure**

The Board of Education requires the Principal at each school to be responsible for receiving complaints alleging violations of this Policy. All Board members, school employees, and volunteers and contracted service providers who have contact with pupils are required to verbally report alleged violations of this Policy to the Principal or the Principal's designee on the same day when the individual witnessed or received reliable information regarding any such incident. All Board members, school employees, and volunteers and contracted service providers who have contact with pupils, also shall submit a report in writing to the Principal within two school days of the verbal report. The Principal will inform the parents of all pupils involved in alleged incidents, and, as appropriate, may discuss the availability of counseling and other intervention services. The Principal, upon receiving a verbal or written report, may take interim measures to ensure the safety, health, and welfare of all parties pending the findings of the investigation.

Pupils, parent(s), and visitors are encouraged to report alleged violations of this Policy to the Principal on the same day when the individual witnessed or received reliable information regarding any such incident. Pupils, parents, and visitors may report an act of harassment, intimidation, or bullying anonymously. Formal action for violations of the Code of Pupil Conduct may not be taken solely on the basis of an anonymous report.

A Board member or school employee who promptly reports an incident of harassment, intimidation, or bullying and who makes this report in compliance with the procedures set forth in this Policy, is immune from a cause of action for damages arising from any failure to remedy the reported incident.

In accordance with the provisions of N.J.S.A. 18A:37-18, the harassment, intimidation, and bullying law does not prevent a victim from seeking redress under any other available law, either civil or criminal, nor does it create or alter any tort liability.

The district may consider every mechanism available to simplify reporting, including standard reporting forms and/or web-based reporting mechanisms. For anonymous reporting, the district may consider locked boxes located in areas of a school where reports can be submitted without fear of being observed.

A school administrator who receives a report of harassment, intimidation, and bullying from a district employee, and fails to initiate or conduct an

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

investigation, or who should have known of an incident of harassment, intimidation, or bullying and fails to take sufficient action to minimize or eliminate the harassment, intimidation, or bullying, may be subject to disciplinary action.

G. Anti-Bullying Coordinator, Anti-Bullying Specialist and School Safety Team(s)

1. The Superintendent shall appoint a district Anti-Bullying Coordinator. The Superintendent shall make every effort to appoint an employee of the school district to this position.

The district Anti-Bullying Coordinator shall:

- a. Be responsible for coordinating and strengthening the school district's policies to prevent, identify, and address harassment, intimidation, or bullying of pupils;
- b. Collaborate with school Anti-Bullying Specialists in the district, the Board of Education, and the Superintendent to prevent, identify, and respond to harassment, intimidation, or bullying of pupils in the district;
- c. Provide data, in collaboration with the Superintendent, to the Department of Education regarding harassment, intimidation, or bullying of pupils;
- d. Execute such other duties related to school harassment, intimidation, or bullying as requested by the Superintendent; and
- e. Meet at least twice a school year with the school Anti-Bullying Specialist(s) to discuss and strengthen procedures and policies to prevent, identify, and address harassment, intimidation, and bullying in the district.

2. The Principal in each school shall appoint a school Anti-Bullying Specialist. When a school guidance counselor, school psychologist, or another individual similarly trained is currently employed in the school, the Principal shall appoint that individual to be the school Anti-Bullying Specialist. If no individual meeting this criteria is currently employed in the school, the Principal shall appoint a school Anti-Bullying Specialist from currently employed school personnel.

The school Anti-Bullying Specialist shall:

- a. Chair the School Safety Team as provided in N.J.S.A. 18A:37-21;
- b. Lead the investigation of incidents of harassment, intimidation, or bullying in the school; and
- c. Act as the primary school official responsible for preventing, identifying, and addressing incidents of harassment, intimidation, or bullying in the school.

3. A School Safety Team shall be formed in each school in the district to develop, foster, and maintain a positive school climate by focusing on the on-going, systemic process and practices in the school, and to address school climate issues such as harassment, intimidation, or bullying. Each School Safety Team shall meet at least two times per school year. The School Safety Team shall consist of the Principal or the Principal's designee who, if possible, shall be a senior administrator in the school and the following appointees of the Principal: a teacher in the school; a school Anti-Bullying Specialist; a parent of a pupil in the school; and other members to be determined by the Principal. The school Anti-Bullying Specialist shall serve as the chair of the School Safety Team.

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The School Safety Team shall:

- a. Receive any complaints of harassment, intimidation, or bullying of pupils that have been reported to the Principal;
- b. Receive copies of any report prepared after an investigation of an incident of harassment, intimidation, or bullying;
- c. Identify and address patterns of harassment, intimidation, or bullying of pupils in the school;
- d. Review and strengthen school climate and the policies of the school in order to prevent and address harassment, intimidation, or bullying of pupils;
- e. Educate the community, including pupils, teachers, administrative staff, and parents, to prevent and address harassment, intimidation, or bullying of pupils;
- f. Participate in the training required pursuant to the provisions of N.J.S.A. 18A:37-13 et seq. and other training which the Principal or the district Anti-Bullying Coordinator may request;
- g. Collaborate with the district Anti-Bullying Coordinator in the collection of district-wide data and in the development of district policies to prevent and address harassment, intimidation, or bullying of pupils; and
- h. Execute such other duties related to harassment, intimidation, or bullying as requested by the Principal or district Anti-Bullying Coordinator.

The members of a School Safety Team shall be provided professional development opportunities that address effective practices of successful school climate programs or approaches. Notwithstanding any provision of N.J.S.A. 18A:37-21 to the contrary, a parent who is a member of the School Safety Team shall not participate in the activities of the team set forth in 3. a., b., or c. above or any other activities of the team which may compromise the confidentiality of a pupil.

### **H. Harassment, Intimidation, and Bullying Investigation**

The Board requires a thorough and complete investigation to be conducted for each report of an alleged incident of harassment, intimidation, or bullying. The investigation shall be initiated by the Principal or the Principal's designee within one school day of the verbal report of the incident. The investigation shall be conducted by the school Anti-Bullying Specialist. The Principal may appoint additional personnel who are not school Anti-Bullying Specialists to assist the school Anti-Bullying Specialist in the investigation.

The investigation shall be completed and the written findings submitted to the Principal as soon as possible, but not later than ten school days from the date of the written report of the alleged incident of harassment, intimidation, or bullying. Should information regarding the reported incident and the investigation be received after the end of the ten-day period, the school Anti-Bullying Specialist or the Principal shall amend the original report of the results of the investigation to ensure there is an accurate and current record of the facts and activities concerning the reported incident.

The Principal shall proceed in accordance with the Code of Pupil Conduct, as appropriate, based on the investigation findings. The Principal shall submit the report to the Superintendent within two school days of the completion of the investigation and in accordance with the Administrative Procedures Act (N.J.S.A. 52:14B-1 et seq.). As appropriate to the findings from the investigation, the Superintendent shall ensure the Code of Pupil Conduct has been implemented and provide intervention services, order counseling, establish training programs to reduce harassment, intimidation, or bullying

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and enhance school climate, or take or recommend other appropriate action, as necessary.

The Superintendent shall report the results of each investigation to the Board of Education no later than the date of the regularly scheduled Board of Education meeting following the completion of the investigation. The Superintendent's report also shall include information on any consequences imposed under the Code of Pupil Conduct, intervention services provided, counseling ordered, training established or other action taken or recommended by the Superintendent.

Parents of the pupils who are parties to the investigation shall be provided with information about the investigation, in accordance with Federal and State law and regulation. The information to be provided to parents or guardians shall include the nature of the investigation, whether the district found evidence of harassment, intimidation, or bullying, or whether consequences were imposed or services provided to address the incident of harassment, intimidation, or bullying. This information shall be provided in writing within five school days after the results of the investigation are reported to the Board of Education.

A parent or guardian may request a hearing before the Board of Education after receiving the information. When a request for a hearing is granted, the hearing shall be held within ten school days of the request. The Board of Education shall conduct the hearing in executive session, pursuant to the Open Public Meetings Act (N.J.S.A. 10:4-1 et seq.), to protect the confidentiality of the pupils. At the hearing, the Board may hear testimony from and consider information provided by the school Anti-Bullying Specialist and others, as appropriate, regarding the alleged incident, the findings from the investigation of the alleged incident, recommendations for consequences or services, and any programs instituted to reduce such incidents, prior to rendering a determination.

At the regularly scheduled Board of Education meeting following its receipt of the report or following a hearing in executive session, the Board shall issue a decision, in writing, to affirm, reject, or modify the Superintendent's decision. The Board's decision may be appealed to the Commissioner of Education, in accordance with N.J.A.C. 6A:3, Controversies and Disputes, no later than ninety days after issuance of the Board of Education's decision.

A parent, pupil, legal guardian, or organization may file a complaint with the Division on Civil Rights within one hundred eighty days of the occurrence of any incident of harassment, intimidation, or bullying based on membership in a protected group as enumerated in the "Law Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.).

I. Range of Responses to an Incident of Harassment, Intimidation, or Bullying  
The Board authorizes the Principal of each school, in conjunction with the Anti-Bullying Specialist, to define the range of ways in which school staff will respond once an incident of harassment, intimidation, or bullying is confirmed, and the Superintendent shall respond to confirmed harassment, intimidation, and bullying, according to the parameters described in this Policy. The Board recognizes that some acts of harassment, intimidation, or bullying may be isolated incidents requiring the school officials respond appropriately to the individual(s) committing the acts. Other acts may be so serious or parts of a larger pattern of harassment, intimidation, or bullying

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that they require a response either at the classroom, school building or school district level or by law enforcement officials.

Consequences and appropriate remedial actions for a pupils who commits an act of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1, Discipline of Pupils and as set forth in N.J.A.C. 6A:16-7.2, Short-term Suspensions, N.J.A.C. 6A:16-7.3, Long-term Suspensions and N.J.A.C. 6A:16-7.5, Expulsions.

In considering whether a response beyond the individual level is appropriate, school officials shall consider the nature and circumstances of the act, the degree of harm, the nature and severity of the behavior, past incidences or past or continuing patterns of behavior, and the context in which the alleged incident(s) occurred. Institutional (i.e., classroom, school building, school district) responses can range from school and community surveys, to mailings, to focus groups, to adoption of research-based harassment, intimidation or bullying prevention program models, to training for certificated and non-certificated staff, to participation of parent(s) and other community members and organizations, to small or large group presentations for fully addressing the actions and the school's response to the actions, in the context of the acceptable pupil and staff member behavior and the consequences of such actions, and to the involvement of law enforcement officers, including safe schools resource officers.

For every incident of harassment, intimidation, or bullying, the school officials must respond appropriately to the individual who committed the act. The Board is encouraged to set the parameters for the range of responses to be established by the Principal and for the Superintendent to follow. The range of responses to confirmed harassment, intimidation, or bullying acts should include individual, classroom, school, or district responses, as appropriate to the findings from each incident. Examples of responses that apply to each of these categories are provided below:

1. Individual responses can include positive behavioral interventions (e.g., peer mentoring, short-term counseling, life skills groups) and punitive actions (e.g., detention, in-school or out-of-school suspension, expulsion, law enforcement report, or other legal action).
2. Classroom responses can include class discussions about an incident of harassment, intimidation or bullying, role plays, research projects, observing and discussing audio-visual materials on these subjects, and skill-building lessons in courtesy, tolerance, assertiveness, and conflict management.
3. School responses can include theme days, learning station programs, parent programs, and information disseminated to pupils and parents or guardians, such as fact sheets or newsletters explaining acceptable uses of electronic and wireless communication devices or strategies for fostering expected pupil behavior.
4. District-wide responses can include community involvement in policy review and development, professional development programs, adoption of curricula and school-wide programs, coordination with community-based organizations (e.g., mental health, health services, health facilities, law enforcement officials, faith-based organizations), and disseminating information on the core ethical

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values adopted by the district Board of Education's Code of Pupil Conduct, per N.J.A.C. 6A:16-7.1(a)2.

The district will identify a range of strategies and resources, which could include, but not be limited to, the following actions for individual victims: counseling; teacher aides; hallway and playground monitors; schedule changes; before and after school supervision; school transportation supervision; school transfers; and therapy.

### **J. Reprisal or Retaliation Prohibited**

The Board prohibits a Board member, school employee, contracted service provider who has contact with pupils, school volunteer, or pupil from engaging in reprisal, retaliation, or false accusation against a victim, witness, one with reliable information, or any other person who has reliable information about an act of harassment, intimidation, or bullying or who reports an act of harassment, intimidation, or bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the administrator after consideration of the nature, severity and circumstances of the act, in accordance with case law, Federal and State statutes and regulations and district policies and procedures.

All suspected acts of reprisal or retaliation will be taken seriously and appropriate responses will be made in accordance with the totality of the circumstances. Examples of consequences and remedial measures are listed in the Consequences and Appropriate Remedial Actions section of this policy.

### **K. Consequences and Appropriate Remedial Action for False Accusation**

The Board prohibits any person from falsely accusing another as a means of harassment, intimidation, or bullying.

1. Pupils - Consequences and appropriate remedial action for a pupil found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation may range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A.18A:37-1 et seq., Discipline of Pupils and as set forth in N.J.A.C. 6A:16-7.2, Short-term Suspensions, N.J.A.C. 6A:16-7, Long-term Suspensions and N.J.A.C. 6A:16-7.5, Expulsions.

2. School Employees - Consequences and appropriate remedial action for a school employee or contracted service provider who has contact with pupils found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation could entail discipline in accordance with district policies, procedures, and agreements which may include, but not be limited to, reprimand, suspension, increment withholding, or termination.

3. Visitors or Volunteers - Consequences and appropriate remedial action for a visitor or volunteer found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation could be determined by the school administrator after consideration of the nature, severity, and circumstances of the act, including law enforcement reports or other legal actions, removal of buildings or grounds privileges, or prohibiting contact with pupils or the provision of pupil services.

L. Harassment, Intimidation, and Bullying Policy Publication and Dissemination  
This Policy will be disseminated annually by the Superintendent to all school

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employees, contracted service providers who have contact with pupils, school volunteers, pupils, and parent(s) who have children enrolled in a school in the district, along with a statement explaining the Policy applies to all acts of harassment, intimidation, or bullying, pursuant to N.J.S.A. 18A:37-14 that occur on school property, at school-sponsored functions, or on a school bus and, as appropriate, acts that occur off school grounds.

The Superintendent shall ensure that notice of this Policy appears in the pupil handbook and all other publications of the school district that sets forth the comprehensive rules, procedures, and standards for schools within the school district.

The Superintendent shall post a link to the district's Harassment, Intimidation, and Bullying Policy that is prominently displayed on the homepage of the school district's website. The district will notify pupils and parents this Harassment, Intimidation, and Bullying Policy is available on the school district's website.

The Superintendent shall post the name, school phone number, school address, and school email address of the district Anti-Bullying Coordinator on the homepage of the school district's website. Each Principal shall post the name, school phone number, address, and school email address of both the Anti-Bullying Specialist and the district Anti-Bullying Coordinator on the homepage of each school's website.

M. Harassment, Intimidation, and Bullying Training and Prevention Programs  
The Superintendent and Principal(s) shall provide training on the school district's Harassment, Intimidation, and Bullying Policy to school employees, contracted service providers, and volunteers who have significant contact with pupils. The training shall include instruction on preventing bullying on the basis of the protected categories enumerated in N.J.S.A. 18A:37-14 and other distinguishing characteristics that may incite incidents of discrimination, harassment, intimidation, or bullying. The school district's employee training program shall include information regarding the school district's Policy against harassment, intimidation, or bullying, which shall be provided to full-time and part-time staff members, contracted service providers, and school volunteers who have significant contact with pupils.

Each public school teacher shall be required to complete at least two hours of instruction in harassment, intimidation, and bullying prevention in each professional development period as part of the professional development requirement pursuant to N.J.S.A.18:37-22.d.

The required two hours of suicide prevention instruction for teaching staff members shall include information on the relationship between the risk of suicide and incidents of harassment, intimidation, or bullying in accordance with the provisions of N.J.S.A. 18A:6-112.

Board members shall be required to complete a training program on harassment, intimidation, and bullying in accordance with the provisions of N.J.S.A. 18A:12-33.

The school district shall annually observe a "Week of Respect" beginning with the first Monday in October. In order to recognize the importance of character education, the school district will observe the week by providing

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age-appropriate instruction focusing on the prevention of harassment, intimidation, and bullying as defined in N.J.S.A. 18A:37-14. Throughout the school year the district will provide ongoing age-appropriate instruction on preventing harassment, intimidation, or bullying, in accordance with the Core Curriculum Content Standards, pursuant to N.J.S.A. 18A:37-29.

The school district will annually establish, implement, document, and assess harassment, intimidation, and bullying prevention programs or approaches, and other initiatives in consultation with school staff, pupils, administrators, volunteers, parents or guardians, law enforcement, and community members in accordance with the provisions of N.J.S.A. 18A:37-17 et seq.

N. Harassment, Intimidation, and Bullying Policy Reevaluation, Reassessment and Review

The Superintendent shall develop and implement a process for annually discussing the school district's Harassment, Intimidation, and Bullying Policy with pupils.

The Superintendent and the Principal(s) shall annually conduct a reevaluation, reassessment, and review of the Harassment, Intimidation, and Bullying Policy, with input from the schools' Anti-Bullying Specialists, and recommend revisions and additions to the Policy as well as to harassment, intimidation, and bullying prevention programs and approaches based on the findings from the evaluation, reassessment and review.

O. Reports to Board of Education and New Jersey Department of Education  
The Superintendent shall report two times each school year at a public hearing all acts of harassment, intimidation, and bullying in accordance with the provisions of N.J.S.A. 18A:17-46. The information shall also be reported to the New Jersey Department of Education in accordance with N.J.S.A. 18A:17-46. The information reported shall be used to grade each school and each district in accordance with the provisions of N.J.S.A. 18A:17-46. The grade received by a school and the district shall be posted on the homepage of the school's website and the district's website in accordance with the provisions of N.J.S.A. 18A:17-46. A link to the report that was submitted by the Superintendent to the Department of Education shall also be available on the school district's website. This information shall be posted on the websites within ten days of receipt of the grade for each school and the district.

P. Reports to Law Enforcement

Some acts of harassment, intimidation, and bullying may be bias-related acts and potentially bias crimes and school officials must report to law enforcement officials either serious acts or those which may be part of a larger pattern in accordance with the provisions of the Memorandum of Agreement Between Education and Law Enforcement Officials.

Q. Collective Bargaining Agreements and Individual Contracts

Nothing in N.J.S.A. 18A:37-13.1 et seq. may be construed as affecting the provisions of any collective bargaining agreement or individual contract of employment in effect on the Anti-Bullying Bill of Rights Act's effective date (January 5, 2011). N.J.S.A. 18A:37-30.

R. Pupils with Disabilities

Nothing contained in N.J.S.A. 18A:37-13.1 et seq. may alter or reduce the rights of a pupil with a disability with regard to disciplinary actions or to

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general or special education services and supports. N.J.S.A. 18A:37-32.

The school district shall submit all subsequent amended Harassment, Intimidation, and Bullying Policies to the appropriate Executive County Superintendent of Schools within thirty days of Board adoption.

N.J.S.A. 18A:37-13 through 18A:37-32

N.J.A.C. 6A:16-7.1 et seq.; 6A:16-7.9 et seq.

Model Policy and Guidance for Prohibiting Harassment, Intimidation, and Bullying on School Property, at School-Sponsored Functions and on School Buses  
– April 2011

Adopted: 8/24/2011

5513 M

### 5513 CARE OF SCHOOL PROPERTY

The Board of Education believes that the schools should help pupils learn to respect property and to develop feelings of pride in community institutions. The Board charges each pupil enrolled in this district with responsibility for the proper care of school property and the school supplies and equipment entrusted to his/her use.

Pupils who cause damage to school property will be subject to disciplinary measures. The Board authorizes the imposition of a fine for the loss, damage, or defacement of school property and reserves the right to withhold a report card or diploma from any pupil whose payment of a fine is in arrears. The parents or guardian of any minor who shall injure any public or nonpublic school property shall be liable for damages for the amount of the injury to be collected by the Board in any court of competent jurisdiction, together with costs of suit.

A pupil who demonstrates chronic and/or serious disregard for property may be referred to the Building Principal or Child Study Team.

The Superintendent shall develop rules for the safekeeping and accounting of textbooks and prepare a schedule of fines for lost and damaged textbooks.

N.J.S.A. 18A:34-2; 18A:37-3

N.J.A.C. 6:20-6.6

Adopted: 18 November 2004

### 5514 PUPIL USE OF VEHICLES

Students in grades three through eight may ride bicycles to school with parental permission.

Mopeds shall not be permitted on school property.

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- A. Students who bring bicycles to school shall observe all safety and traffic rules of the school system and state statutes.
- B. All bicycles must be locked while the bicycle is in the school rack or not in use at school.
- C. Bicycle riding on the playground or riding double is not permitted.
- D. The serial number of a bicycle parked at a school shall be registered in the Maywood Police Department and shall be noted by parents/guardians to assist in tracing a lost bicycle.

Pupils who violate safety and traffic rules will not be allowed to ride their bicycles to school.

Adopted: 18 November 2004

5516 M

### 5516 REMOTELY ACTIVATING COMMUNICATION DEVICES - PAGERS & CELLULAR TELEPHONES

With the exceptions described further in this policy, pupils are not permitted to bring or possess a remotely activating paging device and/or cellular telephone on any school district property at any time regardless of whether school is in session or other persons are present.

Remotely activating paging devices and cellular telephones that are brought onto school property in violation of this policy will be confiscated by the Building Principal and the pupil will be subject to appropriate disciplinary action.

The Building Principal may grant permission for a pupil to bring or possess a remotely activating communication device on any school property only if the pupil provides a written request to the Building Principal.

The pupil must establish to the satisfaction of the Principal a reasonable basis for the possession of the device. The written request must include the purpose for the pupil possessing and/or bringing the device on school property and the date or dates in which the pupil requests to possess and/or bring the device on school property. The written request must also include the date in which the pupil will no longer need to bring and/or possess the device on school property.

The Building Principal, upon reviewing the request from the pupil, will make a determination. The determination will be in writing and if approved, written permission for the pupil to bring and/or possess a remotely activating paging device will be provided to the pupil which will include the dates during which approval is effected as well as conditions and restrictions of use. Permission will only be provided for one month.

The pupil must submit a new request if the time in which permission is given to bring and/or possess a device expires. The pupil that is granted permission to possess and/or bring the device must be in the possession of the device at all times.

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A pupil who is an active member in good standing of a volunteer fire company, first aid, ambulance or rescue squad may bring or possess a remotely activated paging device on school property only if the pupil is required to respond to an emergency and the pupil provides a statement to the Building Principal from the chief executive officer of the volunteer fire company, first aid, ambulance or rescue squad authorizing the possession of the device by the pupil at all times and that the pupil is required to respond to an emergency.

In the event a pupil violates this policy as to paging devices, the Building Principal, or designee, will confiscate the device, take appropriate disciplinary actions and immediately notify the Superintendent and the local law enforcement agency.

Electronic devices including but not limited to I-Pods, MP3 players, cameras, cell phones with or without cameras, walkmen, gameboys, etc., are not permitted to be on, visible or carried by students during school hours.

Unauthorized use of such devices disrupts the instructional program and distracts from the learning environment. Therefore, unauthorized use is grounds for confiscation of the device by school officials including teachers, and subject to possible disciplinary action. Students may use these devices on school grounds before school begins and after school ends. However, these devices must be kept out of sight and turned off during the school day and in the classroom. Since we strongly recommend that the students leave expensive items at home, the District shall not be held liable for the loss, damage or misuse of any electronic device brought to school by a student.

If a student must maintain a cell phone during the course of the school day, it must be concealed and kept in the student's locker or assigned storage area.

Use of the camera function of cell phones is strictly prohibited on school grounds.

Students and parents are reminded that during an emergency, cellular sites may be overwhelmed due to a high volume of calls. Should this occur, emergency communication could also be interfered with. It is therefore important that cell phones and other devices be used sparingly so that emergency services have priority to assist the students and staff on site.

As always, in case of emergency, parents/guardians may contact the main office at 201-845-9110.

N.J.S.A. 2C:33-19  
N.J.A.C. 6A:16-5.8

Adopted: 18 November 2004  
Revised: 28 April 2008

5519  
5519 DATING VIOLENCE AT SCHOOL (M)

The Board of Education believes a safe and civil environment in school is necessary for children to learn. A pupil who is a victim of dating violence

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

suffers academically and the pupil's safety at school is jeopardized. Acts or incidents of dating violence at school whether they are verbal, sexual, physical, or emotional will not be tolerated and will be dealt with in accordance with the school's pupil code of conduct.

All school staff members (administrative staff, instructional staff, support staff, and volunteers) shall take all reasonable measures to prevent acts or incidents of dating violence at school involving a pupil. All acts or incidents of dating violence at school shall be reported to the Principal or designee in accordance with the provisions outlined in Regulation 5519. A verbal report shall be made to the Principal or designee as soon as possible, but no later than the end of the pupil's school day when the staff member witnesses or learns of an act or incident of dating violence at school. A written report regarding the act or incident shall be submitted to the Principal or designee by the reporting staff member no later than one day after the act or incident occurred.

School staff members are required to report all acts or incidents of dating violence at school they witness or upon receiving reliable information concerning acts or incidents of dating violence at school. Acts or incidents may include, but are not limited to: those characterized by physical, emotional, verbal, or sexual abuse; digital or electronic acts or incidents of dating violence; and/or patterns of behavior which are threatening or controlling.

The Board of Education, upon the recommendation of the Superintendent of Schools, shall adopt the guidelines and procedures outlined in Regulation 5519 for responding to acts or incidents of dating violence at school. The protocols outlined in Regulation 5519 have been established for any school staff member who witnesses or learns of an act or incident of dating violence at school and for school administrators to work with the victim and the aggressor of an act or incident of dating violence.

Dating violence statements and investigations shall be kept in files separate from pupil academic and discipline records to prevent the inadvertent disclosure of confidential information. Every act or incident of dating violence at school that is reported shall be documented in an appropriate manner. This should include statements, planning actions, and disciplinary measures as well as counseling and other support resources that are offered and prescribed to the victim or aggressor.

School administrators shall implement discipline and remedial procedures to address acts or incidents of dating violence at school consistent with the school's pupil code of conduct. The policies and procedures specific to acts or incidents of dating violence at school shall be used to address the act or incident as well as serve as remediation, intervention, education, and prevention for all individuals involved. The responses shall be tiered with consideration given to the seriousness and the number of previous occurrences of acts or incidents in which both the victim and alleged aggressor have been involved.

Consequences may include, but are not limited to: admonishment, temporary removal from the classroom, classroom or administrative detention, in-school suspension, out-of-school suspension, reports to law enforcement, and/or expulsion. Retaliation towards the victim of any act or incident of dating

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violence shall be considered when administering consequences to the alleged aggressor based on the severity of the act or incident.

Remediation/intervention may include, but is not limited to: parent conferences, pupil counseling (all pupils involved in the act or incident), peer support groups, corrective instruction or other relevant learning or service experiences, supportive pupil interventions (Intervention and Referral Services – I&RS), behavioral management plans, and/or alternative placements.

A pattern of behaviors may be an important sign a pupil is involved in an unhealthy or abusive dating relationship. The warning signs listed in Regulation 5519 shall educate the school community on the characteristics that a pupil in an unhealthy or abusive relationship may exhibit. Many of these warning signs make a connection to one pupil in the relationship asserting control and power over the other. Recognizing one or more signs of teen dating violence plays an important role in preventing, educating, and intervening in acts or incidents of dating violence.

The Board of Education shall make available to pupils and their families information on safe, appropriate school, family, peer, and community resources available to address dating violence.

The Board of Education shall incorporate age-appropriate dating violence education in grades seven through twelve through the health education curriculum in alignment with the New Jersey Core Curriculum Content Standards for Comprehensive Health and Physical Education. The educational program shall include, but is not limited to, a definition of dating violence, recognizing the warning signs of dating violence, and the characteristics of healthy relationships.

Upon written request to the school Principal, a parent/legal guardian of a pupil less than eighteen years of age shall be permitted, within a reasonable period of time after the request is made, to examine the dating violence education instruction materials developed by the school district.

Notice of Policy and Regulation 5519 shall appear in all district publications that set forth the comprehensive rules, procedures, and standards of conduct for pupils within the district and in any handbook.

N.J.S.A. 18A:35-4.23a.; 18A:37-33; 18A:37-34; 18A:37-35; 18A:37-37

New Jersey Department of Education Model Policy and Guidance for Incidents Involving Dating Violence – September 2011

Adopted: 1/26/12

5520 5520 DISORDER AND DEMONSTRATION

The Board of Education is responsible for providing a thorough and efficient system of education for pupils in this district and is authorized to preserve order so that the system may function properly. Pupils will not be disturbed

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in the exercise of their constitutionally guaranteed rights to assemble peaceably and to express ideas and opinions, privately or publicly, provided that their activities do not infringe on the rights of others and do not interfere with the operation of the educational program.

The Board will not permit the conduct on school premises of any willful activity engaged in by an individual acting alone or by a group of individuals that interferes with the orderly operation of the educational program or offends the rights of others. The Board specifically prohibits any assembly or expression that materially disrupts instruction; is obscene, slanderous, or grossly prejudicial; advocates the use of dangerous or harmful materials; advocates the use of force or the violation of law or school rules; or advertises goods or services for unauthorized commercial gain.

Disorderly pupils will be disciplined in accordance with law and Board Policy No. 5600; staff members who assist pupils in disorderly conduct may be subject to disciplinary measures.

The Board directs all staff members to attempt to resolve pupil conflict and dissent by reason and arbitration. Pupils who express dissent should be made aware of the lawful procedures available to them for the resolution of their grievances.

The Superintendent shall establish procedures for the prompt resolution of any disorder that occurs on school premises. The Building Principal shall be responsible for the identification and resolution of disorders in any school building and may summon law enforcement officers as necessary.

N.J.S.A. 2C:12-3; 2C:33-1; 2C:33-2; 2C:33-8  
N.J.S.A. 18A:6-1; 18A:37-1; 18A:37-2

Adopted: 18 November 2004

5530 5530. SUBSTANCE ABUSE (M)

The Board of Education recognizes that a pupil's abuse of harmful substances seriously impedes that pupil's education and threatens the welfare of the entire school community. The Board is committed to the prevention of substance abuse and the rehabilitation of substance abusers by educational means, but will take the necessary and appropriate steps to protect the school community from harm and from exposure to harmful substances. Accordingly, the Board will establish and maintain a comprehensive substance abuse intervention, prevention, and treatment referral program in the schools of this district.

Definitions N.J.S.A. 18A:40A-9  
N.J.A.C. 6A:16-1.3; 6A:16-4.1

For the purposes of this policy:

"Substance" means alcoholic beverages, controlled dangerous substances, including anabolic steroids, as defined at N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2, any chemical or chemical compound which releases vapors or fumes

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causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes as defined at N.J.S.A. 2C:35-10.4 and over-the-counter and prescription medications which are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system.

“Substance abuse” means the consumption or use of any substance for purposes other than for the treatment of sickness or injury as prescribed or administered by a person duly authorized by law to treat sick and injured human beings.

“Evaluation” means those procedures used by a certified or licensed professional to make a positive determination of a pupil’s need for programs and services which extend beyond the general school program by virtue of learning, behavior, or health difficulties of the pupil or the pupil’s family.

“Intervention” means those programs, services, and actions taken to identify and offer help to a pupil at risk for learning, behavior, or health difficulties.

“Referral for treatment” means those programs and services offered to a pupil or his or her family to help implement the recommendations of an evaluation or in response to the family’s request for assistance with a learning, behavior, or health difficulty.

“School grounds” means and includes land, portions of land, structures, buildings, and vehicles, when used for the provision of academic or extracurricular programs sponsored by the school district or community provider and structures that support these buildings, such as school district wastewater treatment facilities, generating facilities, and other central services facilities including, but not limited to, kitchens and maintenance shops. School grounds also includes other facilities as defined in N.J.A.C. 6A:26-1.2, playgrounds, and recreational places owned by local municipalities, private entities or other individuals during those times when the school district has exclusive use of a portion of such land.

Discipline N.J.S.A. 18A:40A-10; 18A:40A-11  
N.J.A.C. 6A:16-4.1(c)2.; 6A:16-6.3(a)

The Board prohibits the use, possession, and/or distribution of alcohol or other drugs on school grounds, including on school buses or at school-sponsored functions according to N.J.S.A. 18A:40A-9, 10, and 11.

A pupil who uses, possesses, or distributes a substance, on or off school premises, will be subject to discipline. Discipline will be graded to the severity of the offenses, the nature of the problems and the pupil’s needs. Discipline may include suspension or expulsion. The Board may establish consequences for a pupil not following through on the recommendations of an evaluation for alcohol or other drug abuse and related behaviors. The Superintendent and/or designee will notify the appropriate law enforcement agency pursuant to N.J.A.C. 6A:16-6.3(a).

Instruction N.J.S.A. 18A:40A-1 et seq.  
N.J.A.C. 6A:16-3.1

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

The Board shall provide a comprehensive program of prevention, intervention, referral for evaluation, referral for treatment, and continuity of care for pupil alcohol, tobacco, and other drug abuse.

Identification, Evaluation, and Intervention

N.J.S.A. 18A:40A-11 through 18A:40A-17

N.J.A.C. 6A:16-3.1; 6A:16-4.1; 6A:16-4.2; 6A:16-4.3

Any educational staff member or other professional to whom it appears that a pupil may be under the influence of alcohol or other drugs on school grounds, including on a school bus or at a school-sponsored function shall report the matter in accordance with N.J.A.C. 6A:16-4.3(a)1.

An immediate medical examination shall be conducted and a written report of the medical evaluation shall be furnished to the parent(s) or legal guardian(s) of the pupil, the Building Principal, and the Superintendent in accordance with N.J.A.C. 6A:16-4.3(a)2 - 4.3(a)8.

If the written report of the medical examination is not provided within twenty-four hours of the referral of the pupil, the pupil shall be allowed to return to school until such time as a positive determination of alcohol or other drug use is received from the physician.

If the written report of the medical evaluation verifies that alcohol or other drugs do not interfere with the pupil's physical or mental ability to perform in school, the pupil shall be immediately returned to school. If there is a positive determination from the medical examination indicating the pupil's alcohol or other drug use interferes with his or her physical or mental ability to perform in school, the pupil shall be returned to the care of the parent(s) or legal guardian(s) as soon as possible and attendance at school shall not resume until a written report verifies the pupil's alcohol or other drug use no longer interferes with his or her physical and mental ability to perform in school.

Removal of a pupil with a disability shall be in accordance with N.J.A.C. 6A:14.

While a pupil is at home because of the medical evaluation or after the pupil returns to school, an appropriately certified school staff member(s) will conduct an alcohol and other drug assessment of the pupil and a reasonable investigation of the situation and may initiate referral alcohol or other drug abuse treatment in accordance with N.J.A.C. 6A:16-4.3(a)12, 4.3(a)13, and 4.3(a)14.

The Board may provide additional intervention and referral services for the pupil according to the requirements of N.J.S.A. 18A:40A-10 and N.J.A.C. 6A:16-8.]

Whenever any teaching staff member, certified or non-certified school nurse, or other educational personnel shall have reason to believe a pupil has used or may be using anabolic steroids, that person shall report the matter in accordance with N.J.A.C. 6A:16-4.3(b)1.

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

The Building Principal or designee upon receiving such report shall immediately notify the parent(s) or legal guardian(s) and Superintendent and shall arrange for an examination of the pupil as soon as possible to determine whether the pupil has been using anabolic steroids in accordance with N.J.A.C. 6A:16-4.3(b)2.

The Superintendent will disclose to law enforcement authorities the identity of the pupil pursuant to the requirements of N.J.A.C. 6A:16-4.3(b)3.

A written report of the examination shall be provided by the examining physician to the parent(s) or legal guardian(s), Building Principal, and Superintendent.

If it is determined the pupil has used anabolic steroids, an appropriately certified school staff member(s) shall interview the pupil and others to determine the extent of the pupil's involvement with and use of anabolic steroids and the possible need for referral for treatment in accordance with N.J.A.C. 6A:16-4.3(b)5.

If the results of a referral for evaluation have positively determined the pupil's involvement with and use of anabolic steroids represents a danger to the pupil's health and well-being, an appropriately certified school staff member(s) shall initiate a referral for treatment to agencies and/or private practitioners as outlined in N.J.A.C. 6A:16-4.3(b)6.

In-Service Training N.J.S.A. 18A:40A-15(b)

The Board directs the Superintendent to develop a program of in-service training for all teaching staff members involved in the instruction of pupils. The Board will provide time for the conduct of the program during the usual school schedule. In-service training shall prepare teachers to instruct pupils on substance abuse and inform teachers about the nature of substances, the symptomatic behavior associated with substance abuse, the availability of rehabilitation and treatment programs, the legal aspects of substance abuse, and Board policy and regulations on substance abuse.

Outreach to Parents N.J.S.A. 18A:40A-16; 18A:40A-17  
N.J.A.C. 6A:16-4.1(c)7.

The Board will provide an outreach program to parent(s) or legal guardian(s) of pupils that includes information on the district's substance abuse curriculum, the identification of substance abusers, and rehabilitation organizations and agencies. The Superintendent is directed to develop the program in consultation with local agencies recommended by the Commissioner and to offer the program at times and in places convenient to parent(s) or legal guardian(s) on school premises or in other suitable facilities.

Records §408 of the Drug Abuse Prevention, Treatment, and Rehabilitation Act, 42 U.S.C., and Implementing Regulations, 42 CFR Part 2

Notations concerning a pupil's involvement with substances may be entered on his/her records, subject to Policy No. 8330 regarding confidentiality and limited access. All such notations shall be expunged when they are no longer required for the counseling or discipline of the pupil or when the pupil

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

leaves school. Information regarding a pupil's involvement in a school intervention or treatment program shall be kept strictly confidential in accordance with §408 of the Drug Abuse Prevention, Treatment, and Rehabilitation Act, 42 U.S.C. 290 ee-3, and implementing regulations, 42 CFR Part 2.

If an elementary or secondary pupil involved in a school-based drug or alcohol counseling program provides information during the course of a counseling session in that program which indicates that the pupil's parent(s) or legal guardian(s) or other person residing in the pupil's household is dependent upon or illegally using a substance as that term is defined in N.J.S.A. 18A:40A-9, that information shall be kept confidential and may be disclosed only with the pupil's written consent, to another person or entity whom the pupil specifies in writing in the case of a secondary pupil, or to a member of the pupil's immediate family or the appropriate school personnel in the case of an elementary pupil; pursuant to a court order; to a person engaged in a bona fide research purpose, except that no names or other information identifying the pupil or the person with respect to whose substance abuse the information was provided, shall be made available to the researcher; or to the Division of Youth and Family Services or to a law enforcement agency, if the information would cause a person to reasonably suspect that the elementary or secondary pupil or another child may be an abused or neglected child.

Nonpublic School Pupils N.J.S.A. 18A:40A-5; 18A:40A-17c

The Board will lend to pupils attending nonpublic schools located in this district and to the parent(s) or legal guardian(s) of such pupils educational materials on substance abuse prepared and supplied by the Commissioner. The loan of such materials shall be at no cost to the district.

Civil Immunity N.J.S.A. 18A:40A-13, 18A:40A-14;  
N.J.A.C. 6A:16-4.3(c)

No civil action of any kind shall lie against any employee, officer or agent of the Board because of actions taken under the education statutes on substance abuse, N.J.S.A. 18A:40A-1 et seq., provided the skill and care given is that ordinarily required and exercised by other such employees, officers and agents of the Board.

Any educational or non-educational school staff member who in good faith reports a pupil to the Building Principal or designee in compliance with N.J.A.C. 6A:16-4.3 shall not be liable in civil damages as a result of making such a report, as specified in N.J.S.A. 18A:40A-13 and 14.

Reporting Pupils to Law Enforcement Authorities  
N.J.A.C. 6A:16-6.3(a)

The Superintendent, or designee, shall report pupils to law enforcement authorities if the staff member has reason to believe a pupil is unlawfully possessing or in any way involved in the distribution of controlled dangerous substances, anabolic steroids, or drug paraphernalia, pursuant to N.J.A.C. 6A:16-6.3(a). The Superintendent will not report pupils who have voluntarily sought treatment or counseling for a substance abuse problem provided the pupil is not involved or implicated in a current drug distribution activity.

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

The Superintendent or designee may, but need not disclose to law enforcement authorities the identity of a pupil suspected to be under the influence of alcohol and/or controlled dangerous substances, pursuant to N.J.A.C. 6A:16-4.3(a), or a pupil suspected to have used or who may be using anabolic steroids, pursuant to N.J.A.C. 6A:16-4.3(b), and who is referred for a medical evaluation, pursuant to N.J.A.C. 6A:16-4.3(a) or (b), as appropriate, for the purposes of providing appropriate health care for the pupil and for determining whether the pupil is under the influence of alcohol or other drugs or has been using anabolic steroids, provided the pupil is not reasonably believed to be in possession of a controlled dangerous substance or drug paraphernalia, and is not reasonably believed to be involved or implicated in drug distribution activities.

### Policy Review and Accessibility

N.J.S.A. 18A:40A-10; 18A:40A-11

N.J.A.C. 6A:16-4.2(a) & (b)

The Board will annually review the effectiveness of Policy and Regulation 5530 on pupil alcohol and drug abuse. The Board shall solicit parent(s) or legal guardian(s), pupil and community input, as well as consult in the review process with local alcohol or other drug abuse prevention, intervention and treatment agencies licensed by the New Jersey Department of Human Services.

This policy and regulation shall be made available annually, at the beginning of the school year, to all school employees, pupils, and parent(s) or legal guardian(s). Each newly hired employee and transferred pupil will be offered this policy and implementing regulations on his/her arrival in the district.

N.J.S.A. 18A:40A-1 et seq.; 18A:40A-7.1 et seq.

N.J.A.C. 6A:16-4.1 et seq.

Cross reference: Policy Guides Nos. 2422, 7436, 9322

Consequences for using alcohol, drugs or other mood altering chemicals:

When a positive determination has been made that the pupil was under the influence of alcohol, drugs or chemicals cited under NJSA 16-4.1a which includes inhalants and over the counter and prescription medications which are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, the following graduated consequences shall be invoked:

### First Offense:

- Pupil shall be immediately suspended from school for three-five days at the discretion of the Principal
- Upon the pupil's return to school, the Principal or designee will confer with the pupil, his/her parents(s) or legal guardian(s), and the guidance counselor (HHS SAC if need be)
- Together the parties will review with the parent(s) or legal guardian(s) and pupil, current academic progress, discipline records to date and behavioral evaluations from teachers.
- In light of the information presented at this meeting, any or all of the following may occur:
- Mandatory participation in counseling sessions in the school building with the guidance counselor and/or SAC. This entails conducting meetings once a

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

week for five weeks.

- Parent(s) or legal guardians(s) shall attend a meeting with their child and the counselor at the end of the program.
- Suspension of athletic and co-curricular activities until further notice.

In order to substantiate the absence of further chemical involvement on the part of the pupil who tests positive, subsequent diagnostic urine screening may occur at any time for the duration of their attendance in the Maywood School District. These screens shall be at the parent's or legal guardian's expense. In the event there is another positive screen, this shall be treated as a second offense and bear those consequences.

### **Second Offense:**

- Pupil will be suspended from school for five to seven days at the discretion of the Principal
- During the suspension period, parent(s) or legal guardian(s) shall take the pupil for a drug/alcohol assessment at an appropriate community agency as defined in New Jersey Administrative Code, or to a private practitioner certified by the appropriate drug and alcohol licensing board. The pupil shall follow the recommendations of this assessment. This assessment and treatment shall be at the expense of the parents(s) or legal guardian(s)
- A pupil enrolled in an approved treatment program may continue to attend school only as long as participation in a treatment program can be documented. Parent(s) or legal guardian(s) and the pupil shall sign a Release of Confidential Information so that the Principal or his/her designee may communicate with the treatment program about a pupil's progress without breaching confidentiality.
- Pupils testing positive twice will continue to meet with the counselor and/or SAC until further notice. These meetings are mandatory.
- If the pupil is an athlete he/she will be suspended for one-third of the regularly scheduled official contests for the season.
- If this pupil is involved in extracurricular activities, then he/she shall have additional disciplinary measures invoked as related to that activity as determined by an administrator and the activity advisor.

### **Third Offense:**

- All consequences related to the second offense shall apply, with the following additions:
- Pupils must follow the recommendations of the assessment and treatment at the expense of the parent(s) or legal guardian(s). Failure to do so will result in DYFS being notified, pursuant to New Jersey State Statute.
- Should a pupil continue to refuse to comply with any of the stipulations set forth in this policy, he/she, along with his/her parent(s) or legal guardian(s) shall be asked to appear before the Maywood Board of Education at their next scheduled meeting for possible expulsion hearings.
- If the pupil is an athlete, the third offense will result in immediate suspension from any current sport and any future athletic participation in the Maywood School District.
- If the pupil is involved in extracurricular activities, then he/she shall have additional consequences related to their activity and determined by an administrator and advisor.

Substance abuse offenses are cumulative from year to year while in attendance

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

in the Maywood School District.

Revised: January 23, 2013

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Student Substance Abuse Test Form

Name of Student:

Date:

Time of initial observation:

To: The Attending Physician

New Jersey Law (18A:40A-12) requires an immediate medical examination of any student thought to be under the influence of illegal substances. Please examine the urine of this student for alcohol and/or drugs.

The collection and sealing procedures for this sample should be performed in a manner that insures the confidentiality of the student and minimizes tampering with or contamination of the sample following careful chain of custody procedures.

Physician Statement of Assurance:

I have examined the above named student. The test results are pending. The student may return to school pending the results of the test.

Attending physician's name, address, and telephone number (stamp required)

Signature of Physician \_\_\_\_\_

Date

Comments:

I hereby authorize these results to be released to the Principal of Maywood Avenue School/Memorial School.

Student Signature \_\_\_\_\_

Parent Signature \_\_\_\_\_

Witness Signature \_\_\_\_\_

5533 M

5533 SMOKING

The Board of Education recognizes that the use of tobacco presents a health hazard that can have serious implications both for the smoker and the

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

nonsmoker and that smoking habits developed by the young may have lifelong deleterious consequences.

For purposes of this policy, "smoking" means the burning of a lighted cigar, cigarette, pipe or any other matter or substance that contains tobacco or tobacco substitutes and the use of smokeless tobacco and snuff.

The Board prohibits smoking by pupils at any time in any school building or on any school grounds, at events sponsored by the Board away from school, and on any transportation vehicle supplied by the Board.

Notice that smoking is prohibited in school district buildings and on school grounds will be posted at each public entrance in accordance with law. The Principal of each school building is authorized to report violations, in accordance with law, to the Board of Health. Failure to report violations may subject the Principal to fines in accordance with N.J.S.A. 26:3D-20. The Building Principal will not be liable for a fine if he/she has taken reasonable steps to enforce the prohibition on smoking in school buildings or on school grounds. Pupils who violate the provisions of this policy shall be subject to appropriate disciplinary measures.

The Board directs that the health curriculum include instruction in the potential hazards of the use of tobacco. Staff members shall, by example and persuasion, make every reasonable effort to discourage pupils from developing the habit of smoking.

N.J.S.A. 18A:40A -1  
N.J.S.A. 26:3D-15 through 26:3D-20  
N.J.A.C. 6:29-1.3(a)8

Adopted: 18 November 2004

5550 M

5550 DISAFFECTED PUPILS

The Board of Education believes that the educational needs of all pupils should be served. The Board will make every reasonable effort to identify and serve disaffected pupils whose learning is impeded by environmental circumstances, the pupil's attitude, or an inappropriate instructional program.

For the purposes of this policy, "disaffected pupil" means the pupil who has instructional needs that are not being met by the regular instructional program and who is performing well below his/her social or academic capacity.

Disaffected pupils may include pupils unable to function properly within a traditional school program; pupils of average or above average intelligence and ability who achieve below their potential; pupils unable to establish occupational or future goals; pupils with a pattern of behavior problems, including problems with attendance and tardiness; pupils who lack motivation, direction, and decision making ability; pupils who possess a poor self-image; pupils suffering stressful family settings; pupils hostile toward adults and

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

authority figures; pupils in difficulty with community and law enforcement agencies; and pupils lacking interest in school and avoiding involvement in school activities.

Teaching staff members shall be alert to pupils experiencing difficulty in their classes. Any such pupil who does not appear to be disabled may be referred to the Pupil Resource Committee (PRC).

A disaffected pupil who may have disabilities shall be referred to the Child Study Team for evaluation in accordance with Policy No. 2460 and Regulation Nos. 2460.3 and 2460.7.

N.J.A.C. 6:26-1.1 et seq.  
N.J.A.C. 6A:14-1.1 et seq.

Adopted: 18 November 2004

5560 M

5560 DISRUPTIVE PUPILS

The Board of Education believes that the pupils of this district are entitled to an education free from undue disruption. Pupils who willfully disrupt the educational program shall be subject to the discipline procedures of this district. Every reasonable effort shall be made to determine and remediate the cause or causes of a chronically disruptive pupil's unacceptable conduct.

For the purposes of this policy, "disruptive pupil" means the pupil who has difficulty establishing good relationships with peers and adult authority figures and who exhibits a pattern of conduct which is in defiance of school rules or regulations and which hinders academic success for other pupils as well as for himself or herself.

Disruptive pupils may be disciplined in accordance with Policy No. 5600.

A disruptive pupil who does not appear to be disabled may be referred to the Pupil Resource Committee (PRC) in accordance with Policy No. 2417.

A disruptive pupil who may have disabilities shall be referred to the Child Study Team for evaluation in accordance with Policy and Regulation Nos. 2460 et seq.

The Superintendent shall report regularly to the Board the incidence of acts of violence and vandalism in the school district and shall prepare a remedial plan whenever the report shows a significant increase in the number of such acts.

N.J.S.A. 18A:17-46 et seq.; 18A:37-1 et seq.  
N.J.A.C. 6A:14-1.1 et seq.

# **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

Adopted: 18 November 2004

5570 5570 SPORTSMANSHIP

The Board of Education requires that all individuals involved in or attending the athletic and intramural programs sponsored by the Board exhibit sportsmanship when representing the school at any athletic event. Sportsmanship is defined as abiding by the rules of the contest as defined or accepted by the participating teams and the gracious acceptance of victory or defeat. In exhibiting sportsmanship all participants shall:

1. Understand and follow the rules of the contest;
2. Recognize skilled performance of others regardless of affiliation;
3. Display respect for all individuals participating in the athletic event;
4. Treat opponents in an empathetic manner; and
5. Congratulate opponents in victory or defeat.

Failure to exhibit good sportsmanship shall include, but not be limited to the following conduct:

1. Any person who strikes or physically abuses an official, coach, player or spectator;
2. Any person who intentionally incites participants or spectators to abusive action;
3. Any person who uses obscene gestures or unduly provocative language or action towards officials, coaches, opponents or spectators;
4. Any school or athletic staff member who is publicly critical of a game official or opposing coaches and/or players;
5. Any person who engages in conduct which exhibits bias based on race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability; and
6. Schools or school organizations engaging in pre-event activities of an intimidating nature, e.g. use of fog machines, blaring sirens, unusual sound effects or lighting, or similar activities.
7. Other conduct judged by the Principal to be unsportsmanlike in character.

Failure to exhibit good sportsmanship may result in the Board denying the opportunity for any individual to participate in the athletic program or attend athletic events.

NJSIAA Guidelines

# **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

Adopted: 18 November 2004

5600

5600. PUPIL DISCIPLINE/CODE OF CONDUCT (M)

The Board of Education adopts this Pupil Discipline/Code of Conduct Policy to establish standards and procedures for positive pupil development and behavioral expectations on school grounds, including on a school bus or at school-sponsored functions, and as appropriate, for conduct away from school grounds.

Every pupil enrolled in this district shall observe promulgated rules and regulations and submit to the discipline imposed for infraction of those rules. Regulation 5600 shall include a description of school responses and consequences to violations of the behavioral expectations established by the Board that, at a minimum, are graded according to the severity of the offenses, considering the developmental ages of the pupil offenders and pupils' histories of inappropriate behaviors pursuant to N.J.A.C. 6A:16-7.1(c)5.

The development, annual review, and update of this Policy shall involve parent, pupil, and community involvement which represents, where possible, the composition of the schools and community and shall be based on locally determined and accepted core ethical values.

The Board will review this Policy and Regulation after considering the findings of the annual reports of pupil conduct, including suspensions and expulsions, pursuant to N.J.A.C. 6A:16-7.1(a)5 and 6, and the incidences reported under the Electronic Violence and Vandalism Reporting System, in accordance with N.J.A.C. 6A:16-5.3.

The Superintendent shall report annually on the implementation of the Pupil Discipline/Code of Conduct Policy to the Board at a public meeting pursuant to N.J.A.C. 6A:16-7.1(a)5. The Superintendent shall submit a report annually to the New Jersey Department of Education on pupil conduct, including all pupil suspensions and expulsions, and the implementation of the Pupil Discipline/Code of Conduct Policy in accordance with the format prescribed by the Commissioner of Education and the Electronic Violence and Vandalism Reporting System, pursuant to N.J.A.C. 6A:16-5.3(e).

For pupils with disabilities, subject to Individualized Education Programs in accordance with 20 U.S.C. § 1400 et seq., the Individuals with Disabilities Education Improvement Act, and accommodation plans under 29 U.S.C. §§ 794 and 705(20), pupil discipline and the code of conduct shall be implemented in accordance with the components of the applicable plans.

The Building Principal or designee shall have the authority to assign discipline to pupils. School authorities also have the right to impose a consequence on a pupil for conduct away from school grounds, including on a school bus or at a school-sponsored function pursuant to N.J.A.C. 6A:16-7.6. This authority shall be exercised only when it is reasonably necessary for the pupil's physical or emotional safety, security, and well-being or for reasons relating to the safety, security, and well-being of other pupils, staff, or

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

school grounds, pursuant to N.J.S.A. 18A:25-2 and 18A:37-2. This authority shall be exercised only when the conduct which is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school. Consequences shall be handled in accordance with Policy and Regulation 5600, pursuant to N.J.A.C. 6A:16-7.1, and as appropriate, in accordance with N.J.A.C. 6A:16-7-2, 6A:16-7.3, or 6A:16-7.5.

Any pupil to be disciplined shall be provided the due process procedures for pupils and their families as set forth in N.J.A.C. 6A:16-7.2 through 7.6.

When a pupil transfers to a public school district from another public school district, all information in the pupil's record related to disciplinary actions taken against the pupil by the school district and any information the school district has obtained pursuant to N.J.S.A. 2A:4A-60, Disclosure of Juvenile Information, Penalties for Disclosure, shall be provided to the receiving public school district, in accordance with the provisions of N.J.S.A. 18A:36-19(a), N.J.A.C. 6A:32(e)10.iv., and N.J.A.C. 6A:16-7.10.

Regulation 5600 shall include a description of pupil responsibilities that include expectations for academic achievement and behavior, a description of behaviors that will result in suspension or expulsion pursuant to N.J.S.A. 37-2, and a description of pupil rights pursuant to N.J.A.C. 6A:16-7.1(c)3.i through vii.

Comprehensive behavioral supports that promote positive pupil development and the pupil's abilities to fulfill the behavioral expectations established by the Board will include: positive reinforcement for good conduct and academic success including the programs as outlined in Policy 5440; supportive interventions and referral services including those services outlined in Policy 2417; remediation of problem behaviors that take into account the nature of the behaviors, the developmental ages of the pupils and the pupil's histories of problem behaviors and performance; and for pupils with disabilities, the behavior interventions and supports shall be determined and provided pursuant to the requirements of N.J.A.C. 6A:14.

The Building Principal shall maintain a current list of community-based health and social service provider agencies available to support a pupil and the pupil's family, as appropriate, and a list of legal resources available to serve the community.

Pupil discipline and code of conduct in the district will be applied without regard to race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability or by any other distinguishing characteristic, pursuant to N.J.S.A. 10:5.

The Pupil Discipline/Code of Conduct Policy and Regulation shall be disseminated annually to all school staff, pupils, and parent(s) or legal guardian(s). School staff shall be trained annually on the Pupil Discipline/Code of Conduct Policy and Regulation, which shall include training on the prevention, intervention, and remediation of pupil conduct in violation of the district's Policy and Regulation. Information on this Policy and Regulation shall be incorporated into the orientation program for new employees.

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N.J.S.A. 18A:6-1; 18A:36-25.1; 18A:25-2; 18A:36-19a;  
18A:37-1 et seq.  
N.J.A.C. 6A:16-7.1 et seq.; 6A:14-1.1 et seq.

Cross reference: Policy Guide Nos. 2460, 5500, 8330

Revised: January 23, 2013

5610  
5610. SUSPENSION

The Board of Education recognizes that even the temporary exclusion of a pupil from the educational program of this district is a severe sanction and one that cannot be imposed without due process.

Any pupil who is guilty of continued and willful disobedience, or of open defiance of the authority of any teacher or person having authority over him, or of the habitual use of profanity or of obscene language, or who shall cut, deface or otherwise injure any school property, shall be liable to punishment and to suspension or expulsion from school. Conduct which shall constitute good cause for suspension or expulsion of a pupil guilty of such conduct shall include, but not be limited to, the conduct as defined in N.J.S.A. 18A:37-2 and the school district's Pupil Discipline/Code of Conduct Policy and Regulation in accordance with the N.J.A.C. 6A:16-7.1. et seq.

For the purposes of this policy, "suspension" means the temporary removal of a pupil from the regular instructional program.

For the purposes of this Policy, "short term suspension" means a suspension for a term of ten consecutive school days or less and "long term suspension" means a suspension for more than ten consecutive school days.

Any pupil who is convicted or adjudicated delinquent for possession of a firearm or a crime while armed with a firearm or found knowingly in possession of a firearm on any school property, on a school bus, or at a school-sponsored function shall be immediately removed from the school's regular educational program pending a hearing before the Board of Education to remove the pupil in accordance with N.J.S.A. 18A:37-8 and Policy No. 5611.

Any pupil who commits an assault, as defined pursuant to N.J.S.A. 2C:12-1, upon a pupil, teacher, administrator, Board member, or other school district employee, with a weapon other than a firearm, on any school property, on a school bus, or at a school-sponsored function must be immediately removed from the school's regular education program and placed in an alternative education school or program, pending a hearing before the Board of Education in accordance with N.J.S.A. 18A:37-2.2. and Policy 5612.

Any pupil who commits an assault, as defined pursuant to N.J.S.A. 2C:12-1, upon a teacher, administrator, Board member, or other school district employee, acting in the performance of his duties in a situation where his authority to so act is apparent, or as a result of the victim's relationship

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to an institution of public education in New Jersey, not involving the use of a weapon or firearm, shall be immediately suspended from school consistent with procedural due process pending suspension or expulsion proceedings before the Board in accordance with N.J.S.A. 18A:37-2.1.a.

Pursuant to N.J.S.A. 18A:37-2.1.b., whenever a teacher, administrator, Board member, school district employee or a labor representative on behalf of an employee makes an allegation in writing that the Board member or employee has been assaulted by a pupil, the Principal shall file a written report with the Superintendent. The Superintendent, upon receiving such report shall report the alleged assault to the Board at the next regular Board meeting; provided the name of the pupil who allegedly committed the assault; although it may be disclosed to the Board members, shall be kept confidential to the public at the Board meeting. A person failing to file a report of an alleged assault may be liable to disciplinary action.

A pupil may be suspended only by the Building Principal, who shall report any suspension to the Superintendent as soon as possible. The Superintendent shall report the suspension to the Board at its next regular meeting.

The suspended pupil may be reinstated by the Principal within 30 days of the suspension, or by the Superintendent at any time before the second meeting of the Board following the suspension, or by the Board of Education at the first meeting following the suspension, except that no pupil suspended for reasons of assault upon a person in authority may be reinstated before the Board has held a hearing, within thirty calendar days of the suspension, to consider that pupil's expulsion from school. At its second regular meeting after the suspension and thereafter, the Board alone may reinstate the pupil or continue the suspension.

In each instance of a short-term suspension, the pupil and their parent(s) or legal guardian(s) will be provided oral or written notice of the charges and an informal hearing conducted by the Building Principal or designee in accordance with the procedures outlined in N.J.A.C. 6A:16-7.2. To the extent the pupil's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the educational process, the pupil may be immediately removed from the pupil's educational program and the informal hearing shall be held as soon as practical after the suspension.

In each instance of a long-term suspension, the district shall assure the rights of the pupil pursuant to N.J.A.C. 6A:16-7.3.

The district will comply with the requirements of N.J.A.C. 6A:16-7.2 and 7.3, in addition to all the procedural protections set forth in N.J.A.C. 6A:14, for each pupil with a disability who is subject to a short-term or long-term suspension.

In each instance of a short- or long-term suspension, the district shall provide academic instruction, either in school or out of school, that addresses the Core Curriculum Content Standards pursuant to N.J.A.C. 6A:8-3.1, which may include a public education program provided in accordance with the provisions of N.J.A.C. 6A:16-9 or 10. These services shall be provided within five school days of the suspension. Educational services provided to a pupil with a disability shall be provided consistent with the pupil's Individualized Education Program, in accordance with N.J.A.C. 6A:14. At the completion of a

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short-term suspension, the general education pupil shall be returned to the general education program.

The records of a pupil disciplined by suspension will be expunged in accordance with Policy and Regulation No. 8330. All record of a suspension will be immediately expunged if the pupil is found innocent of the charges levied. The name of a disciplined pupil will not appear in the agenda or minutes of a public meeting or in any public record of this district; any such pupil will be designated by code.

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

N.J.S.A. 18A:54-20g [vocational districts]

N.J.A.C. 6A:16-7.2; 6A:16-7.3; 6A:14-2.8 et seq.

20 U.S.C. 1415

Cross reference: Policy Guide No. 2412, 2460

Revised: January 23, 2013

5611 M

5611 REMOVAL OF PUPILS FROM THE GENERAL EDUCATION PROGRAM FOR  
WEAPONS/FIREARMS OFFENSES

The Board of Education is committed to providing a safe school environment for all pupils attending the public schools. To provide this safe learning environment, the Board of Education will implement policies and procedures regarding pupil offenses involving firearms, as defined in N.J.S.A. 2C:39-1(f) and 18 U.S.C. §921, according to the requirements of "The Zero Tolerance For Guns Act", pursuant to N.J.S.A. 18A:37-7 through N.J.S.A. 37-12.

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

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

The Superintendent determines whether the pupil is prepared to return to the regular education program or whether the pupil remains in the alternative education program or other educational placement. The Superintendent's decision must be made in accordance with school district policy and New Jersey Administrative Code. If the pupil is disabled, the pupil's placement is determined by the Child Study Team and the pupil's parent(s) or legal

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guardian(s) in accordance with N.J.A.C. 6A:14 et seq., Special Education.

If a pupil is removed from the regular education program and a placement in an approved alternative education program is not available, or if the Superintendent determines that it is not in the best interest of the pupil and the school to modify the conditions for the removal and placement of the pupil, the school district will provide home or out-of-school instruction in accordance with Policy 2481.

Pupils with disabilities who exhibit dangerous or violent behavior, may be removed immediately from the school setting and be disciplined in accordance with Policy No. 2460.

The Board of Education will adopt policies and procedures to ensure cooperation between school staff and law enforcement authorities pursuant to N.J.A.C. 6A:16-6.1.

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

N.J.A.C. 6A:14-2.8 et seq.; 6A:16-5 et seq. through  
6A:16-9 et seq.

Revised: January 23, 2013

5612 M

### 5612 ASSAULT BY PUPILS ON BOARD MEMBERS OR EMPLOYEES

Any pupil who commits an assault, as defined under N.J.S.A. 2C:12-1(a)1, not involving the use of a weapon or firearm, upon a Board member or any district employee in the performance of his or her duties and in a situation where his or her authority to act is apparent, or as a result of the victim's relationship to the school district, according to the requirements of N.J.S.A. 18A:37-2.1, will be immediately suspended from school consistent with due process procedures, pending suspension or expulsion hearings before the Board.

This section shall be construed in a manner consistent with 20 U.S.C. §1400 et seq. and N.J.A.C. 6A:14-2.8. Nothing in this Policy will be construed as prohibiting the removal of a pupil with a disability or the expulsion of a general education pupil.

The Principal or designee will remove, isolate and place the pupil under the supervision of school staff until such time as the parent(s) or legal guardian(s) or appropriate agency takes custody of the pupil. The Principal will immediately report the removal of the pupil to the Superintendent and notify the pupil's parent(s) or legal guardian(s) of the removal action and the pupil's due process rights.

The Board will provide a hearing no later than thirty days following the day on which the pupil is suspended. The decision of the Board will be made within five days after the close of the hearing. Any appeal of the Board's decision shall be made to the Commissioner of Education within ninety days of the Board's decision.

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

N.J.A.C. 6A:16-5.7

Revised: January 23, 2013

## 5620 5620 EXPULSION

The Board of Education recognizes that expulsion from this district is the most severe sanction that can be imposed upon a pupil. No pupil will be expelled from this district before other reasonable and appropriate means of discipline have been exhausted.

For the purposes of this policy, "expulsion" means the permanent exclusion of a pupil from the regular education program of this district. A pupil may be expelled from this district only on formal action of the Board duly taken.

Pupils with disabilities when necessary shall be expelled in accordance with Policy and Regulation No. 2460.

The Board shall not act to expel any pupil, previously determined to be disabled or who has exhibited behavior that may be considered to be classifiable, before the report of the Child Study Team has been issued to the Board.

A pupil for whom expulsion is recommended shall be offered the opportunity for a formal hearing before the Board, which shall include written notice of the date, place, and time of the hearing and of the specific charges against the pupil; an opportunity for the pupil to be heard in his/her own behalf and to cross-examine adverse witnesses; representation by the pupil's counsel; and a written record of the hearing and a copy of the transcript of the proceedings. Hearings will be held in private, except that a pupil may request and the Board may, in its discretion, grant a public hearing.

A pupil that has been appropriately expelled from the district's regular education program must be afforded by the Board an alternative education program until the pupil graduates from high school or reaches their nineteenth birthday, whichever comes first.

The pupil shall be informed of the right to appeal the Board's decision to the Commissioner of Education.

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

N.J.A.C. 6A:14 et seq.

Adopted: 18 November 2004

## 5700 5700 PUPIL RIGHTS

The Board of Education recognizes that pupils possess both the right to a free public education and the rights of citizenship. In granting pupils the educational opportunities to which they are entitled, the Board shall provide them with the nurture, counsel, and custodial care appropriate to pupils' ages and maturity. At the same time, the Board will respect the right of each pupil to equal treatment and equal access to the educational program, the due

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

process of law, freedom of expression and association, and the privacy of his/her own thoughts.

Attendant on the rights guaranteed to each pupil are certain responsibilities, which include respect for the rights of others, obedience to properly constituted school authority, and compliance with the policies and regulations of this district.

As pupils differ in age and maturity, so they differ in the ability to assume both the rights and the concomitant responsibilities of citizenship. Accordingly, the exercise of each right will be granted with due regard for the degree of responsibility possessed by the pupil and the pupil's need for continuing guidance and control.

A pupil who has reached the age of majority and is emancipated possesses the full rights of an adult and may issue authorizations previously delegated to his/her parent(s) or legal guardian(s). The adult pupil is fully responsible for his/her educational performance, attendance, compliance with district regulations, and care of school property. The parent(s) or legal guardian(s) of each adult pupil will be informed of the rights of the pupil and, with the pupil's consent, will continue to be informed of the pupil's progress in school.

N.J.S.A. 9:17B-1  
N.J.S.A. 18A:36-20

Adopted: 18 November 2004

### 5701 5701 ACADEMIC DISHONESTY

Pupils are expected to be honest in all of their academic work. This means that they will not engage in any of the following acts:

1. Cheating on examinations, including but not limited to, the non-authorized use of books, notes, or other printed material, the use of crib sheets, the non-authorized use of electronic or mechanical computational or reference devices, copying from other students' papers, exchanging information with other students orally, in writing, or by signals, obtaining copies of the examination illegally and other similar activities.

2. Plagiarism is not permitted in term papers, themes, essays, reports, images, take-home examinations, and other academic work. Plagiarism is defined as stealing or use without acknowledgment of the ideas, words, formulas, textual materials, on line services, computer programs, etc. of another person, or in any way presenting the work of another person as one's own.

3. Falsifications, including forging signatures, altering answers after they have been graded, the insertion of answers after the fact, the erasure of grader's markings, and other acts that allow for falsely taking credit.

A pupil found guilty of academic dishonesty may be subjected to a full range of penalties including, but not limited to, reprimand and loss of credit for all of the work that is plagiarized.

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A teacher who believes that a pupil has been academically dishonest in his/her class should resolve the matter in the following manner:

1. Reprimand the student orally and/or in writing. The teacher is also authorized to withhold credit in the work tainted by the academic dishonesty.
2. If warranted, the teacher shall file a written complaint against the student with the Principal, requesting a more stringent form of discipline. The complaint must describe in detail the academic dishonesty that is alleged to have taken place, and must request that the matter be reviewed by the Principal.
3. The Principal will determine if further discipline of the pupil is appropriate, and will determine the nature of the discipline on a case-by-case basis.
4. If the pupil is not in agreement with the disciplinary action of the Principal he/she may appeal the action to the Superintendent, whose determination is final.

Adopted: 18 November 2004

5710 5710 PUPIL GRIEVANCE

The Maywood Board of Education recognizes that both pupils and their parents/guardians should have an official means by which their concerns or grievances in connection with the public schools may be expressed and considered, thus strengthening lines of communication between the school and home and minimizing misunderstandings.

### Definitions

1. A "grievance" is an unresolved disagreement based upon an event or condition which may effect the welfare of a student.
2. An "aggrieved student" is the student or students making the claim.
3. A "party in interest" is the person or persons making the claim and any person who might be required to take action or against whom action might be taken in order to resolve the claim.

The procedure herein described is designed to secure, at the lowest possible level, equitable solutions to the problems which may from time to time arise affecting the welfare of students. All parties agree that these proceedings will be kept as informal and confidential as may be appropriate at any level of the procedure.

This procedure shall not limit the right of any student having a grievance to discuss the matter informally with an appropriate member of the teaching staff and to have the grievance adjusted without the intervention of the student council.

Any aggrieved student following the procedure shall be assured freedom from restraint, interference, coercion, discrimination, or reprisal in

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

presenting his/her appeal.

Any student who has a grievance shall discuss it first with his/her teacher or any other interested teacher, if applicable, in an attempt to resolve the matter informally at that level.

### By-Pass

In the event that the nature of a grievance makes it inappropriate to follow the steps of this procedure, the grievance may be presented in writing to the next higher authoritative level. If that authority considers the reason for bypassing the procedural steps to be insufficient, he/she shall notify the aggrieved student of the decision and, if appropriate, advise the student to proceed with the grievance according to the procedural steps herein described.

### Step One

If the grievance is not settled after discussion with the teacher, and the student(s) believes that he/she has a legitimate grievance which would require administrative action, he/she will present that grievance to the student council. If by majority vote, the student council concurs that there is a grievance, then that body or its representative will present (along with the student(s) involved) the grievance to the principal.

If at any time the student council does not concur with the aggrieved student(s), the council will so notify the student(s) and the principal in the event that the student chooses to act on his/her own.

### Step Two

If the Principal's decision in the matter is unsatisfactory and where not constrained by local, State or federal law or any other Board of Education policy, then by a 2/3 vote of the council; the grievance may be appealed to the Superintendent.

### Step Three

If the Superintendent's decision in the matter is unsatisfactory and where not constrained by local, State or federal law or any other Board of Education policy, then by a 3/4 vote of the Council, the grievance may be appealed to the Board of Education at a private hearing.

It is understood that this or any plan cannot work without complete communication between all parties and, therefore, the duty to thus communicate is placed upon all such parties.

### Step Four

If the Board of Education's decision is unsatisfactory, the aggrieved pupil may seek recourse to the County Superintendent and higher authorities for council and advice and, where permitted by law, intervention in the matter. Nothing contained in this policy shall be construed to constrain a pupil's right to seek any legal remedy.

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Adopted: 18 November 2004

5721 5721 INDEPENDENT PUBLICATIONS

The Board of Education respects the right of pupils to express themselves in written word or picture, or video image or computer-generated illustrations, and to distribute printed materials as part of that expression. At the same time, the Board recognizes that the exercise of that right is limited by the rights of other members of the school community.

For the purposes of this policy, "printed materials" include any written or printed cards, letters, circulars, books, pamphlets, notices, newspapers, and similar materials but do not include any publication that is sponsored by this Board.

Certain printed materials are not protected by a pupil's right of free expression because they violate the rights of others. The Board may identify and prohibit the distribution on school premises of printed materials that are grossly prejudicial to an ethnic, national, religious, or racial group or to either gender; libel any person or persons; seek to promote or establish the supremacy of a particular religious denomination, sect, or point of view over any other; advocate the use or advertise the availability of any substance or material that constitutes a direct and substantial danger to the health of pupils; contain obscenity or material otherwise deemed to be harmful to impressionable pupils; incite violence, advocate the use of force, or urge the violation of law or school regulations; advertise goods or services for the benefit of profit-making organizations; fail to identify the pupil responsible for distribution and the agent responsible for reproduction; solicit funds for nonschool organizations when such solicitations have not been approved by the Board; or promote, favor, or oppose any candidate for election to the Board or the adoption of any bond issue, proposal, or questions submitted at any election.

The Board requires that the distribution of printed material take place only at the places and during the times established by rule in order not to disrupt the orderly operation of the educational program.

N.J.S.A. 2C:34-3  
N.J.S.A. 18A:42-4

Adopted: 18 November 2004

5750 M

5750 EQUAL EDUCATIONAL OPPORTUNITY

The Board of Education directs that all pupils enrolled in the schools of this district shall be afforded equal educational opportunities in strict accordance with law. No pupil shall be denied access to or benefit from any educational program or activity or from a co-curricular or athletic activity on the basis of the pupil's race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability. The Board shall assure that all

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pupils are free from harassment, sexual or otherwise.

The Board directs the Superintendent to allocate faculty, administrators, support staff members, curriculum materials, and instructional equipment supplies among and between the schools and classes of this district in a manner that ensures equivalency of educational opportunity throughout this district. The school district's curricula in the following areas will eliminate discrimination, promote mutual acceptance and respect among students, and enable students to interact effectively with others, regardless of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability:

1. School climate/learning environment;
2. Courses of study, including Physical Education;
3. Instructional materials and strategies;
4. Library materials;
5. Software and audio-visual materials;
6. Guidance and counseling;
7. Extra-curricular programs and activities;
8. Testing and other assessments.

The school district's curricula will include multi-cultural Education content and practices, in the teaching of U.S. History and instruction on genocide utilizing the Holocaust as the prototype example.

Affirmative action shall be taken to ensure that pupils are protected from the effects of discrimination, in accordance with Policy No. 2260. Pupils who experience less than equal educational opportunities or experience discrimination shall use the procedure established by Regulation No. 5750 to report and appeal any harassment or discriminatory practice.

The conduct of teaching staffmembers shall exemplify the highest principles of equality and democracy. Conduct and attitudes that display discrimination are contrary to the policies of this Board and, further, are destructive to the self esteem that this Board wishes to encourage in all pupils. A teaching staff member's act of derision or enmity, in any form, against a person or persons on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability shall be considered to be conduct unbecoming to a professional staff member of this district and shall be subject to appropriate discipline.

The Superintendent shall develop and promulgate a procedure by which a pupil or parent may appeal Board policy, district practice, or the act or omission of any district employee that allegedly violates this policy.

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

42 U.S.C.A. 12101  
N.J.S.A. 10:5-1  
N.J.S.A. 18A:4A-1, et seq.  
N.J.S.A. 18A:6-5 et seq.; 18A:36-20  
N.J.A.C. 6:4-1.1 et seq.; 6A:14-1.2

Adopted: 18 November 2004

5751 M

## 5751 SEXUAL HARASSMENT

The Board of Education will not tolerate sexual harassment of pupils by school employees, other pupils, or third parties. Sexual harassment of pupils is a form of prohibited sex discrimination. School district staff will investigate and resolve allegations of sexual harassment of pupils engaged in by school employees, other pupils (peers), or third parties.

The Board shall establish a grievance procedure through which school district staff and/or pupils can report alleged sexual discrimination, including sexual harassment which may include quid pro quo harassment and hostile environment.

### Definitions:

1. Quid pro quo harassment occurs when a school employee explicitly or implicitly conditions a pupil's participation in an educational program or activity or bases an educational decision on the pupil's submission to unwelcomed sexual advances, requests for sexual favors, or other favors, or other verbal, nonverbal, or physical conduct of a sexual nature. Quid pro quo harassment is equally unlawful whether the pupil resists and suffers the threatened harm or submits and thus avoids the threatened harm.

2. Hostile environment sexual harassment is sexually harassing conduct (which can include unwelcomed sexual advances, requests for sexual favors, or other favors, or other verbal, nonverbal, or physical conduct of a sexual nature) by an employee, by another pupil, or by a third party that is sufficiently severe, persistent, or pervasive to limit a pupil's ability to participate in or benefit from an educational program or activity, or to create a hostile or abusive educational environment.

This Policy protects any "person" from sex discrimination; accordingly both male and female pupils are protected from sexual harassment engaged in by school district employees, other pupils, or third parties. Sexual harassment, regardless of the gender of the harasser, even if the harasser and the pupil being harassed are members of the same gender is prohibited. Harassing conduct of a sexual nature directed toward any pupil, regardless of the pupil's sexual orientation, may create a sexually hostile environment and therefore constitute sexual harassment. Nonsexual touching or other nonsexual conduct does not constitute sexual harassment.

The regulation and grievance procedure herein described shall provide a mechanism for discovering sexual harassment as early as possible and for effectively correcting problems.

The Superintendent, or designee, will take steps to avoid any further sexual

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

harassment and to prevent any retaliation against the pupil who made the complaint, was the subject of the harassment, or against those who provided the information or were witnesses. The school district staff can learn of sexual harassment through notice and any other means such as from a witness to an incident, an anonymous letter or telephone call.

This policy and regulation on sexual harassment of pupils shall be published and distributed to pupils and employees to ensure all pupils and employees understand the nature of sexual harassment and that the Board will not tolerate it. The Board shall provide training for all staff and age-appropriate classroom information for pupils to ensure the staff and the pupils understand what type of conduct may be construed as or constitute sexual harassment and that the staff know the school district policy and regulation on how to respond.

In cases of alleged harassment, the protections of the First Amendment must be considered if issues of speech or expression are involved. Free speech rights apply in the classroom and in all other programs in the public schools. The Superintendent, or designee, will formulate, interpret, and apply the policy so as to protect free speech rights of staff, pupils and third parties.

In addition, if the Board accepts federal funds, the Board shall be bound by Title IX of the Education Amendments of 1972 prohibiting sexual harassment of pupils. Title IX applies to all public school districts that receive federal funds and protects pupils in connection with all the academic, educational, extra-curricular, athletic, and other programs of the school district, whether they take place in the school facilities, on the school bus, at a class or training program sponsored by the school in a school building or at another location.

United States Department of Education - Office of Civil Rights Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties (1997)

Adopted: 18 November 2004

5752 M

### 5752 MARITAL STATUS AND PREGNANCY

No pupil, whether married or unmarried, who is otherwise eligible to attend the district's school shall be denied an educational program solely because of pregnancy, childbirth, pregnancy-related disabilities, or actual or potential parenthood.

A pregnant pupil who, on the basis of a competent medical and/or psychological evaluation and recommendation, is unable to attend regular classes may be assigned to either a formal alternative educational program or home instruction.

A pupil who has received an alternate educational program or home instruction for reasons associated with her pregnancy shall be readmitted to the regular school program upon her request and the written statement of a physician that she is physically fit to do so.

# **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

Adopted: 18 November 2004

5755 M

## 5755 EQUITY IN EDUCATIONAL PROGRAMS AND SERVICES

### Equity In Student Access

It is the policy of the Board of Education to ensure equal and bias-free access to all school facilities, courses, programs, activities, and services, regardless of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability.

The school district administration will ensure that; regardless of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status or disability, all students will have equal and barrier-free access to all school and classroom facilities; that no group or class of students are under-represented in gifted and talented or accelerated-advanced courses; and that no group or class of students are over-represented in detentions, suspensions, expulsions, dropouts, or special needs classifications. Support services will be available to all students and that all limited English-proficient students and students with disabilities will have equal and bias-free access to all school programs and activities. The school district will ensure equal and bias-free access for all students to computers, computer classes, vocational education classes, and technologically-advanced instructional assistance, regardless of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability.

The Board of Education will refrain from locating new facilities in areas that will intentionally or unreasonably contribute to imbalanced, isolated, or racially identifiable school enrollments. The school district administration will assign students so that classroom enrollments are not identifiable on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability.

Students will not be separated or isolated by race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability within schools, courses, classes, programs, or extracurricular activities. Bias-free multiple measures for determining the special needs of language-minority students and students with disabilities will be utilized. Pregnant students will be permitted to remain in the regular school program and activities and if not permitted to attend school by her doctor, the student will be provided equivalent instruction.

### Equity in Guidance Programs and Services

The school district will ensure the guidance program provides access to adequate and appropriate counseling services for limited English-proficient students, non-college bound students, and students with disabilities. A full

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

range of possible career, professional, and/or vocational choices will be presented to all students.

### Equity in Athletic Programs

The school district's athletic program will provide equitable opportunities for female and male students to participate in athletics and equitable support for cheerleading programs and comparable facilities for male and female teams. The athletic program will have relatively equal numbers of varsity and sub-varsity teams for male and female teams and equitable scheduling of night games, practice times, and numbers of games for male and female teams.

### Appeal Procedure

Any pupil or their parent(s) or legal guardian(s) may appeal school practices involving equity through the procedure established in Regulation No. 5750.

N.J.A.C. 6:4-1 et seq.

Title IX of the Education Amendments of 1972

Athletic Guidelines 1986

Revised: January 23, 2013

### 5770 PUPIL RIGHT OF PRIVACY

The Board of Education recognizes that a pupil's right of privacy may not be violated by unreasonable search and seizure and directs that no pupil be searched without reason or in an unreasonable manner.

Teaching staff members are charged with the responsibility of maintaining order and discipline in the schools and of safeguarding the safety and well-being of the pupils in their care. In the discharge of that responsibility, a teaching staff member may search or request the search of the person or property of a pupil as authorized by this policy, with or without the pupil's consent, whenever he/she has reasonable grounds to suspect that the search is required to discover evidence of a violation of law or of school rules. The extent of the search will be governed by the seriousness of the alleged infraction, the pupil's age, and the pupil's disciplinary history. Except in exigent circumstances, an intrusive search of a pupil's person or intimate personal belongings shall be conducted by a person of the pupil's gender.

The Board acknowledges the need for the in-school storage of pupils' possessions and shall provide storage places, including desks, lockers and computer data space, for that purpose. Where locks and/or passwords are provided for such storage places, pupils may lock and/or secure them against incursion by other pupils. In no storage place provided by the Board shall pupils have such an expectation of privacy as to prevent examination by a school official. Pupils shall be notified in writing at the beginning of each school year that inspections of their lockers, desks, computer databases/information and other storage facilities on school district property may be conducted. The school principal or designee is directed to conduct, without further notice, the regular inspection of such facilities provided to pupils for the storage of property. The inspections may be conducted on the basis of reasonable cause or as part of an unbiased program of routine and/or

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random inspections.

Except as required by exigent circumstances, a request for the search of a pupil or a pupil's private possessions will be directed to the Building Principal or designee who shall, whenever feasible, first request the freely offered consent of the pupil to the inspection.

Whenever possible, a search will be conducted by the Principal in the presence of the pupil, the pupil's parent(s) or legal guardian(s) or a representative of the parent(s) or legal guardian(s), and a teaching staff member other than the Principal. Under no circumstances shall any pupil be subjected to a strip search or a body cavity search.

A search prompted by the reasonable belief that the circumstances are exigent and pose an immediate threat, will be conducted by any teaching staff member with as much speed and dispatch as may be required to protect persons and property.

The Principal shall conduct a search on the request of a law enforcement officer only on presentation of a duly authorized search warrant or on the voluntary and knowing consent of the pupil or when the Principal has independent grounds to suspect the presence of an incriminating object.

The Principal shall be responsible for the prompt recording in writing of each search, including the reasons for the search; information received that established the need for the search and the name of the informant, if any; the persons present when the search was conducted; any substances or objects found; and the disposition made of them. The Principal shall be responsible for the custody, control, preservation safety and disposition of any illegal or dangerous substance or object taken from a pupil. Where appropriate, the Principal shall follow procedures to maintain an evidentiary chain of custody in cooperation with law enforcement officials.

N.J.S.A. 18A:36-19.2, 18A:37-6

Adopted: 18 November 2004

5810 5810 PUPIL PARTICIPATION IN SCHOOL GOVERNANCE

The Board of Education believes that pupils should be encouraged to participate appropriately in the governance of various school activities. As institutions fundamental to the operation of a democratic society, the schools should strive to exemplify the democratic ideal of citizen participation in decision making.

The Board directs that pupils be invited to participate, as appropriate to the pupils' ages and interests, in deliberations and decisions regarding pupil conduct and the disciplinary code, curriculum planning, co-curriculum planning, grading systems, safety programs, the selection of resource materials, and the scheduling of the school day. Pupil participation should fairly represent the interests of the entire student body, and participants should be duly elected representatives of student organizations.

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Adopted: 18 November 2004

## 5820 5820 STUDENT GOVERNMENT

The Board of Education recognizes that the principles, ideals and practice of democracy in our society should be nurtured by the educational system and that student government organizations are an effective means of realizing this goal.

1. Students shall have the right to organize and conduct student council or government association activities which contribute toward the understanding and functioning of the objectives of the school system.
2. Students shall have the right to select officers and representatives from among the student body in accordance with the provisions established in the constitution of the student government association.
3. Students shall have the right to recommend to the administration the name of a faculty advisor or sponsor selected by members of the student government organization.
4. Students shall have the right to recommend rules and regulations for their own conduct.

Adopted: 18 November 2004

## 5830 5830 PUPIL FUND RAISING

The Board of Education will limit the solicitation of funds by and from the pupils of this district in order to protect pupils from unnecessary pressures and the instructional program from disruption.

"Pupil fund raising" means the solicitation and collection of money by pupils, on or off school premises, for any purpose associated directly or indirectly with the school district or under circumstances in which the solicitors are identified as pupils of this district.

Pupils may solicit and collect money on behalf of approved school organizations, provided the fund raising has been approved by the Superintendent.

No pupil will be permitted to solicit and collect money on school premises or at a school-sponsored event for the pupil's own benefit.

Adopted: 18 November 2004

## 5840 5840 PUPIL ORGANIZATIONS

It is the policy of the Board of Education that pupil organizations be recognized as authorized school organizations only if they are approved by the school administration, sponsored by school personnel, composed of members of the current student body, hold the majority of their meetings at school, and have established aims which are educational in nature.

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Adopted: 18 November 2004

## 5841 5841 EXCLUSIONARY PUPIL ORGANIZATIONS

The Board of Education affirms the legislative prohibition of pupil organizations with closed membership practices as hostile to the democratic ideals of public education.

No social organization of pupils will be granted the use of school facilities or permitted the use of the name of the school or this school district unless that organization has first been approved by the Principal. The application for such approval will set forth the purposes, constitution, and bylaws of the organization; its membership qualifications; and the process by which a person becomes a member. No organization will be approved if its purposes conflict with the authority and goals of this Board or the best interests of the pupils of this district; if membership is drawn from outside the currently enrolled student body; if membership qualifications are based on considerations of race, creed, political beliefs, or any other consideration not appropriate to the purpose of the organization; or if any qualifying pupil who applies may be denied membership.

Any pupil organization composed in whole or in part of public school pupils, which seeks to organize and perpetuate itself by taking in members from among the pupils enrolled in such school in which they are students, upon the basis of decision of the membership of such organization, rather than from the free choice of any pupils in such school who are otherwise qualified to fill the special aims of such organization, is hereby declared to be an organization inimical to the good of the school system and to the democratic principles and ideals of public education, and is prohibited.

A pupil who seeks to form or is a member of a fraternity, sorority, or other secret organization formed in whole or in part of pupils enrolled in this district may be disciplined by this Board. The Board reserves the right to require that any pupil attest as to their membership in a secret organization.

N.J.S.A. 18A:42-5; 18A:42-6

Adopted: 18 November 2004

## 5842 5842 EQUAL ACCESS OF PUPIL ORGANIZATIONS

The Board of Education will permit the use of school facilities by pupil-initiated organizations for non-curricular pupil activities. A pupil-initiated organization regardless of the size of the group, will be denied an opportunity to meet and use on the basis of the religious, political, philosophical, or other content of the speech at their meeting.

An application for permission to meet on school premises shall be made to the Principal, who shall grant permission provided that they determine that:

1. The activity has been initiated by pupils;
2. Attendance at the meeting is voluntary;

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3. No agent or employee of the district will promote, lead, or participate in the meeting;
4. The meeting is for a lawful purpose;
5. The meeting does not materially and substantially interfere with the orderly conduct of instructional activities in the school; and
6. Non-school persons do not direct, conduct, control, or regularly attend the activity.
7. The activity is adequately supervised by appropriately certified school district staff.

A pupil-initiated group granted permission to meet on school premises shall be subject to the same rules and regulations that govern the meetings of pupil organizations sponsored by this Board, except as provided by this policy. Participation in a pupil-initiated meeting must be available to all pupils who wish to attend and cannot be denied on the basis of a pupil's race, color, creed, religion, gender, national origin, disability or social or economic status. The Board will not permit the formation of secret and/or exclusionary organizations. An appropriately certified teaching staff member shall be assigned to attend a pupil-initiated meeting in a custodial capacity and shall not participate in the activity while serving in this custodial capacity. No teaching staff member shall be compelled to attend a pupil-initiated meeting if the content of the speech at the meeting is contrary to his or her beliefs.

The Building Principal may take such actions as may be necessary to maintain order and discipline on school premises and to protect the safety and well-being of pupils and staff members.

39U.S.C.A. 1701 et seq.

Adopted: 18 November 2004

5843 5843 LATCHKEY PROGRAM

An after-school program for the care of students of working parents will be made available for all students. The program will accept students immediately after the end of the school day, regardless of the time of dismissal. It will be the responsibility of the parent(s) or legal guardian(s) of Maywood Avenue School students to arrange for the transportation and chain of custody of the student to and from the after-school program.

The Superintendent will be responsible for:

1. Retaining the services of an acceptable and duly certified agency to administer this service.
2. Providing an appropriate facility and grounds for the administration of the service at Memorial School.
3. Monitoring and ensuring an acceptable chain of custody of the student

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from the classroom to the after-school program, and then to the parent(s) or legal guardian(s).

4.       Reevaluating the after-school program on a periodic basis for utilization, content, safety, etc.

Adopted: 18 November 2004

### 5850    5850    SOCIAL EVENTS AND CLASS TRIPS

The Board of Education recognizes the value of social events and class trips that will enhance and enrich the school experience for the pupils of this district.

For purposes of this policy, a "social event" is a party, celebration, or dance organized for the participation of pupils, and "class trips" are trips taken by pupils in a single graduating class, pupils who share a particular interest in an activity, or pupils who are enrolled in a particular subject area. Social events and class trips are not related or are only indirectly related to the curriculum.

For social events and class trips approved by the Principal, the Board will make school facilities available, where appropriate, and will assign staff members for the supervision of the activity. The Board will not approve nor assume responsibility for a class-trip or social event that is not properly supervised or is in accordance with this policy.

The Board will not approve a class trip or social event that will reduce the school year to less than one hundred eighty days. The Board may withhold approval if there is a moderate or higher probability that the activity will result in a reduction of the school year to less than one and eighty days when combined with other actualized or anticipated, causes of lost school days. (e.g., snow days, emergencies, etc.).

The Board reserves the right to cancel a previously scheduled social activity or class trip.

Social events and class trips are not integral components of the formal educational program provided by the Board of Education and required by law. Consequently, participation in these activities is a privilege and not a right. The Building Principal may withhold approval of the participation of a pupil or group of pupils at his/her discretion, for reasonable cause, without prior notice, the application of due process or appeal, common to other matters of educational law or Board policy. A pupil who demonstrates frequent disregard of school rules and/or disrespect for persons or property may be summarily denied the privilege of participating in social events and/or class trips.

Pupils who participate in approved social events and class trips are subject to district rules for pupil conduct and must submit to the authority of assigned chaperones. Infractions of the rules will be subject to discipline in the same manner as are infractions of rules during the regular school program.

A pupil who possesses or consumes alcohol or drugs in the course of an

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approved social event or class trip will be deemed to have placed all other participating pupils at risk and shall be immediately dismissed from the event or trip. Any such pupil will be returned home by appropriate and safe means of transportation in the company of a chaperone, the pupil's parent(s) or legal guardian(s), or a representative of the pupil's parent(s) or legal guardian(s). Any expenses incurred by the dismissal will be the responsibility of the pupil and/or the pupil's parent(s) or legal guardian(s).

The Superintendent will develop regulations governing the conduct and safety of all participants in social events and class trips and will distribute them to pupil and adult participants.

Adopted: 18 November 2004

5860 5860 SAFETY PATROL

The Board of Education recognizes the value of a school safety patrol as a means of preventing accidents, instructing pupils in good habits, and providing opportunities for leadership training.

The Board authorizes the establishment of a school safety patrol of pupils in grade(s) three through eight and directs the Superintendent to establish regulations regarding its formation and duties. These regulations shall include but not be limited to provision for:

1. Appointment of a faculty advisor to select, instruct and discipline members of the safety patrol;
2. Informing candidates and their parents/guardians of the purpose and activities of the patrol and the possible hazards;
3. An outline of duties suitable to each school building; and
4. Cooperation with the local police.

All eligible pupils may apply for appointment to the safety patrol. No pupil may serve without the written consent of his/her parent(s) or legal guardian(s). All applicants must acknowledge the possible hazards of safety patrol duty and agree that in the case of injury no liability will be attached to the Board or to any employee of this Board. Selection among applicants will be made on the basis of the applicant's demonstrated sense of responsibility, good citizenship, leadership capacity, maturity, and academic proficiency. Members of the safety patrol must attend a training program before they may assume duties. A member may be removed from the safety patrol for violation of school rules or failure to maintain the high standard of conduct expected of school safety patrol members.

Members of the school safety patrol may be assigned to control and direct pupil traffic on school premises, on school buses, on sidewalks and paths adjacent to a street or roadway, and across streets and roadways. No school safety patrol member shall be permitted to direct or place him or herself in the path of vehicular traffic.

All pupils shall be instructed to respect the authority of school safety

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

patrol members in the performance of their duties.

N.J.S.A. 18A:42-1  
N.J.A.C. 6:29-1.3(a) 7

Adopted: 18 November 2004

## 5880 5880 PUBLIC PERFORMANCES BY PUPILS

The Board recognizes the value to students of sharing their talents and skills with the community through participation and performance in public events.

The Board endorses such performances when:

1. They constitute a learning experience which contributes to the educational program;
2. They do not interfere with other scheduled educational activities of the school;
3. The circumstances of the event do not pose a threat to the health, safety and well-being of the students who will be involved.

All requests for public performances by students require the approval of the Superintendent who shall report such approval to the Board.

The Superintendent shall develop procedures to implement this policy which require that:

1. All requests for public performances by student groups shall be presented to the Building Principal;
  2. Parental permission must be sought and received before students may participate;
  3. No student may be compelled to participate in a public performance or penalized in any way for failure to do so;
  4. No student or group of students may receive compensation for their performance in public in an organized school activity;
4. Sponsoring organizations pay the expenses of transportation when appropriate.
6. No organization may solicit monetary compensation (e.g. admission fees, etc.), seek publicity for monetary gain or self-promote themselves as a result of the public performance of the students.

While the Board encourages the presentation of performances and exhibitions displaying the talents and accomplishments of Maywood students, it directs both building and district administration to consider carefully the effects on instructional time of any such proposed activity.

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The Building Principal and directors of activities shall:

1. Maintain high standards of performance and conduct in all programs selected;
2. Review all program materials and offerings in advance of scheduling to determine sound educational value;
2. Consult with the Superintendent (and through the Superintendent the Board) on possibly controversial presentations;
3. Make an effort to increase pupil involvement in planning and make greater use of community resources as opposed to paid professional performances;
4. Get prior approval from the Board for all public performances of students not on school property.

When a performance is requested by an organization not connected with the schools, the organization shall pay all expenses.

Adopted: 18 November 2004

6000 6000 FINANCES

Number	Title
6141	Tax Revenues
6150	Tuition Income
6160	Grants from Private Sources
6210	Fiscal Planning
6220	Budget Preparation
6230	Budget Hearing
6320	Purchases Subject to Bid
6340	Multiple Year Contracts
6350	Competitive Contracting
6421	Purchases Budgeted
6422	Budget Transfers, Emergency Purchases and Overexpenditure of Funds
6440	Cooperative Purchasing
6450	Choice of Vendor
6470	Payment of Claims
6510	Payroll Authorization
6520	Payroll Deductions
6620	Petty Cash
6640	Cafeteria Fund
6660	Student Activity Fund
6700	Investments
6740	Capital Reserve Account
6810	Financial Objectives
6820	Financial Reports
6830	Audit and Comprehensive Annual Financial Report

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

### 6111 6111. SPECIAL EDUCATION MEDICAID INITIATIVE (SEMI) PROGRAM

Every New Jersey school district, with the exception of any district that obtains a waiver of the requirements of N.J.A.C. 6A:23A-5.3 pursuant to the procedures set forth at N.J.A.C. 6A:23A-5.3(b), shall take appropriate steps to maximize its revenue from the Special Education Medicaid Initiative (SEMI) Program by following policies and procedures to maximize participation in the program as set forth in N.J.A.C. 6A:23A-5.3(d) and to comply with all program requirements as set forth in N.J.A.C. 6A:23A-5.3(e).

The school district may seek, in the pre-budget year, a waiver of the requirements of N.J.A.C. 6A:23A-5.3 in accordance with the procedures as outlined in N.J.A.C. 6A:23A-5.3(b). As part of the annual budget information, the Department of Education shall provide each school district with a projection of available SEMI reimbursement for the budget year, as determined by the State Department of Treasury's third party administrator for SEMI.

Beginning with the 2009-2010 school year, the school district shall recognize as revenue in its annual school district budget no less than ninety percent of the projection provided by the Department of Education. The district may seek approval from the Executive County Superintendent to use its own projection of SEMI reimbursement upon demonstration that the numbers it used in calculating the projection are more accurate than the projection provided.

The school district shall strive to achieve maximum participation in the SEMI program. "Maximum participation" means obtaining a ninety percent return rate of parental consent forms for all SEMI eligible pupils. Districts shall enter all pupils following their evaluations into the third-party system to identify the district's universe of eligible pupils. This can be done without parental consent.

Districts participating in the SEMI reimbursement program shall comply with program requirements as outlined in N.J.A.C. 6A:23A-5.3(e).

Each school district that has less than ninety percent participation of SEMI eligible pupils in the 2007-2008 school year or has failed to comply with all program requirements set forth in N.J.A.C. 6A:23A-5.3(e) shall demonstrate a good faith effort to achieve maximum participation and to maximize available SEMI revenue during the 2008-2009 school year by submitting a SEMI action plan to the Executive County Superintendent for review and approval by September 1, 2008. In subsequent years, each school district that has less than ninety percent participation of SEMI eligible pupils in the pre-budget year or that has failed to comply with all program requirements set forth in N.J.A.C. 6A:23A-5.3(e) shall submit a SEMI action plan to the Executive County Superintendent for review and approval as part of the school district's proposed budget submission. The district's SEMI action plan shall include the components as outlined in N.J.A.C. 6A:23A:5.3(g).

Districts that did not achieve ninety percent participation or achieve their approved benchmarks in the SEMI program for a given budget year and cannot demonstrate that they fully implemented their Department of Education approved SEMI action plan, shall be subject to review for the withholding of State aid

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by the Commissioner pursuant to N.J.S.A. 18A:55-3 in an amount equal to the SEMI revenue projection based on their approved benchmark for the budget year, if applicable, less actual SEMI reimbursements for the budget year. The State aid deduction shall be made in the second subsequent year after the budget year.

N.J.A.C. 6A:23A-5.3

Adopted: 10/21/08

6141 6141 TAX REVENUES

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

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

N.J.S.A. 18A:17-34

N.J.S.A. 54:4-75

Adopted: 18 November 2004

6150 6150 TUITION INCOME

The Board of Education will charge and assess tuition for attendance in the schools of this district by pupils not entitled to receive a free public education in this district and whose enrollment has been approved by the Board.

Tuition rates will be determined, charged and paid in accordance with N.J.A.C. 6A:23-3.1 et seq.

A receiving public school district Board and a sending public school district Board will establish a written contractual agreement for the ensuing school year with a tentative tuition charge multiplied by the estimated average daily enrollment in accordance with N.J.A.C. 6A:23-3.1(f). The sending district is required in the contractual agreement to pay ten percent of the tentative tuition charge no later than the first of each month from September through June of the contract year. Adjustments will be made in accordance with N.J.A.C. 6A:23-3.1(f).

The Board will not admit any nonresident pupils.

The Board Secretary shall be responsible for the assessment and collection of tuition. Tuition assessment and billing will be in accordance with N.J.A.C. 6A:23-3.1 et seq.

The County Superintendent in the county in which the receiving district is

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located should be consulted to mediate disputes that arise from tuition matters as defined in N.J.A.C. 6A:23-3.1(f)5.

N.J.S.A. 18A:38-3; 18A:38-19; 18A:46-21  
N.J.A.C. 6A:23-3.1 et seq. through 3.4 et seq.  
N.J.A.C. 6A:14-7.8

Adopted: 18 November 2004

### 6160 6160 GRANTS FROM PRIVATE SOURCES

The Board of Education encourages the development of proposals to private foundations and other sources of financial aid to subsidize such activities as innovative projects, feasibility studies, long-range planning, and research and development. Any such activity must:

1. Be based on a specific set of project objectives that relate to the established goals of the district;
2. Provide measures for evaluating whether or not project objectives are being achieved; and
3. Conform to applicable state and federal laws and to Board policies.

All grant proposals must be approved by the Board before being submitted to the funding agency. The Superintendent shall establish regulations for the processing of proposal ideas throughout the district.

Adopted: 18 November 2004

### 6210 6210 FISCAL PLANNING

The Board of Education shall collect and assemble the information necessary to discharge its responsibility for the fiscal management of the school district and to plan for the financial needs of the educational program. The Board will strive toward maintaining both short and long range perspectives of district financial requirements.

Accordingly, the Board directs the School Business Administrator/Board Secretary to include cost estimates in all ongoing district studies of the educational program, to prepare a long range year-by-year plan for the maintenance and replacement of facilities and equipment, to forecast an estimated expenditure budget for five years in the future, to maintain a plan of anticipated state and federal revenues, to meet periodically with the municipal governing board to review planned expenditures and the joint effect of school and community costs on tax rates, and to report to the Board any serious financial forecast that emerges from the district's fiscal planning.

Adopted: 18 November 2004

### 6220 M

#### 6220 BUDGET PREPARATION

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

The annual budget is the financial plan for the effectuation of the educational plan for the district; its preparation is, therefore, one of the most important functions performed by the Board of Education. The budget shall be designed to carry out that plan in a thorough and efficient manner, to maintain school district facilities, and to honor continuing obligations of the district.

A proposed budget requires a critical analysis by every member of the Board during its preparation. The administration shall work with the Board to ensure Board members have a thorough understanding of the budget appropriations, budget revenue, the proposed educational program and the budget's impact to the local tax levy. The Board shall also provide for community input during the budget development process. Once the budget is adopted by the Board and approved by the County Superintendent, the Board members shall inform the community of the details of the budget.

The Board shall prepare and maintain a budget in which budgeted anticipated revenues and fund balances equal budgeted appropriations. Only those expenses reasonably required to provide a thorough and efficient educational program shall be approved for the budget. Surplus/fund balance remaining from the prior year's budget may be applied against taxes to be raised locally. The amount of surplus/fund balance appropriated into the budget will be in accordance with New Jersey Department of Education regulations.

The Board will submit its proposed budget to the County Superintendent, in the authorized budget format, as required by law. As a minimum, the budget shall be prepared on a fund basis and shall conform to the outline as contained in Appendix A of the Uniform Minimum Chart of Accounts (Handbook 2R2) for New Jersey Public Schools. The Board may approve an expanded coding structure to provide additional information and allow more efficient management of district resources. Unreserved fund balance/surplus remaining from the previous school year may be appropriated when developing the next year's budget to reduce the amount of local taxes required to support the budget. Unreserved fund balance/surplus may also be appropriated during the school year for unforeseen and/or emergency expenditures.

In order to allow adequate time for the preparation and review of the proposed budget, the Board directs the Superintendent to present to the Board all available information associated with the budget as per state guidelines. The budget should evolve primarily from the needs of the individual schools as expressed by the Building Principals and the district educational program as expressed by the central administrative staff and be compatible with approved district plans.

The budget shall be prepared in accordance with the annual budget statement and supporting documentation as prescribed by the Commissioner of Education. The budget revenue and appropriations shall be itemized as required in the budget statement and shall be readily understandable, in which shall be shown:

1. The total expenditure for each item for the preceding school year, the amount appropriated for the current school year adjusted for transfers as of the date specified by the New Jersey Department of Education of the current school year, and the amount estimated to be necessary to be appropriated for the ensuing school year, indicated separately for each item as determined by the Commissioner.

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

2. The amount of the surplus account available at the beginning of the preceding school year, at the beginning of the current school year and the amount anticipated to be available for the ensuing school year.

5. The amount of revenue available for budget purposes for the preceding school year, the amount available for the current school year as of the date specified by the New Jersey Department of Education of the current school year and the amount anticipated to be available for the ensuing school year in the categories designated by the New Jersey Department of Education and such other categories as determined by the Board.

4. Transfers between current expense and capital outlay for the preceding school year, the current school year as of the date specified by the New Jersey Department of Education of that year and transfers anticipated for the ensuing school year.

All budgetary and accounting systems used in the school district must be in accordance with double entry bookkeeping and Generally Accepted Accounting Principles as required in N.J.A.C. 6:20-2A.1.

N.J.S.A. 18A:7F et seq.; 18A:22-7 et seq.  
N.J.A.C. 6:20-2A.1 et seq.

Adopted: 18 November 2004

6230 M

6230 BUDGET HEARING

The annual budget adopted by the Board of Education and approved by the County Superintendent represents the Board's position on the allocation of resources required to operate a thorough and efficient system of education. All reasonable means shall be employed by the Board to present and explain that position to residents and taxpayers of the community. A public budget hearing will be conducted in accordance with law. Each member of the Board and each district administrator shall be sufficiently acquainted with the budget and its underlying purposes to answer questions from members of the public.

The approved budget will be made available to the public in the form and at the places required by law. A simplified form of the budget may also be prepared annually and may be sent to each district resident, each parent(s) or legal guardian(s) of a pupil in public school, and representative of community organizations and distributed to each person attending the annual budget hearing.

The simplified budget may include the expenditure in each major category of current expense, capital items, and debt service; any anticipated change in tax rates; a summary of anticipated receipts; information that voters may use in comparing budget provisions in this school district with those in comparable districts; brief explanations of significant increases and decreases from the preceding budget and important transfers of expenditures

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

from one classification to another; and a letter of transmittal from the Board.

N.J.S.A. 18A:7A-51;18A:22-10 et seq.;  
18A:22-37 et seq.

Adopted: 18 November 2004

6320

6320. PURCHASES SUBJECT TO BID

The Board of Education directs the establishment and conduct of bidding procedures that serve the public interest and provide each qualified vendor an equal opportunity to furnish goods and services to the district.

Every contract for the performance of work or the purchase or lease of materials or supplies not exempted by law will be subject to public bidding whenever the aggregate value of such a contract within one contract year exceeds the bid threshold established by law and in accordance with N.J.S.A. 18A:18A-3.(a). Whenever possible, purchases will be aggregated; purchases may not intentionally be divided to avoid the requirements for competitive bidding as required in N.J.S.A. 18A:18A-8. The purchase of textbooks and materials that exceed the bid threshold and are approved by the Board pursuant to N.J.S.A. 18A:34-1 shall not require the further adoption of a resolution for purchase.

Bid specifications will be prepared and/or are coordinated by the Business Administrator. Each bid specification will offer a common standard of competition and will assert the Board's right to accept reasonable equivalents and to reject all bids and readvertise. The Business Administrator is authorized to advertise for bids in accordance with N.J.S.A. 18A:18A-21 without the prior approval of the Board, but shall inform the Board of any such advertisement at the Board meeting next following. Records of advertisements will be kept in detail sufficient to show that a reasonable number of qualified vendors were invited to bid.

Bids shall be opened publicly by the Business Administrator before one or more witnesses at a previously designated time and place. Contracts will be awarded, on a resolution duly adopted by the Board, to the lowest responsible bidder who submits the lowest responsible bid, except that the Board may choose to reject all bids, to readvertise, or to purchase under a State contract. The Board may disqualify a bidder who would otherwise be determined to be the lowest responsible bidder in accordance with N.J.S.A. 18A:18A-4. Whenever two or more bids are the lowest bids submitted by responsible bidders, the Board shall determine to which bidder the contract will be awarded.

The bid of a vendor who claims, before bids are opened, a mistake or omission in its preparation will be returned unopened, and the vendor shall lose the right to bid. A bidder who discovers a mistake or omission after bids have been opened may withdraw the erroneous bid provided he or she gives immediate written notice of the mistake or omission and certification, supported by clear evidence, that he or she exercised reasonable care in the examination of

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

the specifications and preparation of the bid. Any bidder who withdraws an opened bid shall forfeit any bid security deposited with the bid in accordance with law.

In accordance with the provisions of N.J.A.C. 6A:23A-5.4, pursuant to the authority granted the Commissioner of Education under N.J.S.A. 18A:55-2 and N.J.S.A. 18A:7F-60, the Commissioner shall subject to review for the withholding of State funds any school district that fails to obey the provisions of the Public Contract law, N.J.S.A. 18A:18A-1 et seq. The amount of funds to be withheld shall equal the amount of the contract awarded in violation of the provisions of N.J.S.A. 18A:18A-1 et seq. except for violations related to the award of contracts under the extraordinary unspecifiable services (EUS) provision which shall be governed by the provisions of N.J.S.A. 18A:18A-46.1.

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

N.J.S.A. 18A:54-30 [vocational districts]

N.J.A.C. 6A:23A-5.4; 6A:27-9.1 et seq.

Cross reference: Policy Guide No. 6450

Adopted: January 20, 2010

### 6340 6340 MULTIPLE YEAR CONTRACTS

The Board of Education may enter a multiple year contract for goods and services permitted by law whenever the extended contract will serve the needs of the district and yield greater return for the expenditure.

The School Board Administrator/Board Secretary is directed to investigate the advantage to the district of multiple year contracts. Investigation should include, but need not be limited to, a comparison of the costs of multiple year and single year contracts, an analysis of trends in the costs and availability of the goods or services to be provided, the projected needs of the district, and an inquiry into the reliability and stability of the vendor.

Except for those contracts exempted from the requirement by law, all multiple year contracts will contain a cancellation clause or a clause conditioning annual extension of the contract on the appropriation of sufficient funds to meet the Board's obligation.

All multiple year contracts must be approved by the Board. When the estimated annual cost of a multiple year contract exceeds the bid threshold established by law and the subject of the contract is not exempt from bidding, the contract shall be advertised in accordance with law and the bidding procedures of this district.

N.J.S.A. 18A:18A-5; 18A:18A

N.J.A.C. 6:20-8.2

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

Adopted: 18 November 2004

## 6350 6350 COMPETITIVE CONTRACTING

Competitive contracting may be used in lieu of public bidding for specialized goods or services that exceed the bid threshold provided the process is administered by a purchasing agent, by legal counsel of the Board of Education, or by the School Business Administrator and pursuant to N.J.S.A. 18A:18A-4.1. et seq. Competitive contracting may only be used for the purposes provided in N.J.S.A. 18A:18A-4.1. Unless an exception is provided for under N.J.S.A. 18A:18A-42 permitting a longer contract duration, contracts awarded under competitive contracting may be for a term not to exceed five years.

The purchasing agent will prepare a request for proposal documentation, which will include all requirements deemed appropriate and necessary to allow for full and free competition between vendors, information necessary for potential vendors to submit a proposal, and a methodology by which the Board will evaluate and rank proposals received from vendors. The methodology for the awarding of competitive contracts will be based on an evaluation and ranking and will be developed in a way that is intended to meet the specific needs of the district and where such criteria will not unfairly or illegally discriminate against or exclude otherwise capable vendors. The methodology for awarding competitive contracts will comply with such rules and regulations as the Director of the Division of Local Government Services in the Department of Community Affairs may adopt in accordance with N.J.S.A. 18A-4.4.

Request for Proposal documentation will be published in an official newspaper of the Board at least twenty days prior to the date established for the submission of proposals. The Board may charge a fee for the proposal documentation that will not exceed \$50.00 or the cost of reproducing the documentation, whichever is greater.

Each interested vendor will be required to submit a proposal which will include all the information required by the request for proposals. Failure to meet the requirements of the request for proposals may result in the Board disqualifying the vendor from further consideration. Under no circumstances will the provisions of a proposal be subject to negotiation by the Board.

If the Board, at the time of solicitation, utilizes its own employees to provide the goods or perform the services, or both considered for competitive contracting, the Board will, at any time prior to, but no later than the time of solicitation for competitive contracting proposals, notify affected employees of the Board's intention to solicit competitive contracting proposals pursuant to N.J.S.A. 18A:18A-4.5.c. Employees or their representatives will be permitted to submit recommendations and proposals affecting wages, hours, and terms and conditions of employment in such a manner as to meet the goals of the competitive contract. If employees are represented by an organization that has negotiated a contract with the Board, only the bargaining unit will be authorized to submit such recommendations or proposals. When requested by such employees, the Board will provide such information regarding budgets and the costs of performing the services by such employees as may be available. Nothing will prevent such employees from making recommendations that may include modifications to existing labor agreements in order to reduce such costs in lieu of award of a competitive

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

contract, and agreements implementing such recommendations may be considered as cause for rejecting all other proposals.

The purchasing agent will evaluate all proposals only in accordance with the methodology described in the request for proposals. After proposals have been evaluated, the purchasing agent will prepare a report evaluating and recommending the award of a contract or contracts. The report will be prepared pursuant to N.J.S.A. 18A:18A-4.5.d. The report will be made available to the public at least 48 hours prior to the awarding of the contract, or when made available to the Board, whichever is sooner. The Board will have the right to reject all proposals for any of the reasons set forth in N.J.S.A. 18A:18A-22.

Award of a contract will be made by resolution of the Board within sixty days of the receipt of the proposals, except that the proposals of any vendors who consent thereto, may, at the request of the Board, be held for consideration for such longer period as may be agreed.

The report prepared pursuant to this Policy and Regulation No. 6350 will become part of the public record and will reflect the final action of the Board. Contracts will be executed pursuant to N.J.S.A. 18A:18A-40.

The Secretary of the Board will publish a notice in the official newspaper of the Board summarizing the award of a contract pursuant to N.J.S.A. 18A:18A-4.5g.

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

Adopted: 18 November 2004

6360

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### Political Contribution Disclosure Requirements

In accordance with the requirements of Section 2 of P.L. 2005, Chapter 271 (N.J.S.A. 19:44A-20.26), the Board of Education shall have on file, to be maintained with other documents related to a contract, the following documents to award a "non-fair and open" contract to any business entity receiving a contract with an anticipated value in excess of \$17,500:

1. A Political Contribution Disclosure (PCD) form submitted by the business entity (at least ten days prior to award); and
2. A Business Registration Certificate (anytime prior to award).

"Business entity" means a natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of New Jersey or any other State or foreign jurisdiction.

A "non-fair and open" procurement process is one that does not meet the

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standards defined in N.J.S.A. 19:44A-20.7 as a “fair and open process.” “Fair and open” is defined as being:

1. Publicly advertised (either conventionally in newspapers or posted on the district website) in sufficient time (at least ten calendar days) to give notice in advance of the contract, and
2. Awarded under “a process that provides for public solicitation or proposals or qualifications,” and
3. Awarded under criteria established in writing by the Board prior to the solicitation of proposals or qualifications, and
4. Publicly opened and announced when awarded by the Board.

A PCD form is not required to be submitted by a business entity if the contract is awarded under a “fair and open” process as outlined above. Public bidding and competitive contracting models meet the requirements of a “fair and open” process. In addition, contracts awarded by a lead agency in a cooperative purchasing program or as a State contract are considered awarded under a “fair and open” process and a PCD form is not required.

The \$17,500 contract amount is not related to the Board’s bid threshold and does not exempt the district from the requirements of the Public School Contracts Law or other applicable purchasing statutes.

Contracts less than the bid threshold but higher than \$17,500 (a.k.a. “window contracts”) fall under PCD requirements, but have special circumstances.

1. If these contracts are awarded as a “fair and open” contract, a PCD form is not required, and the contract must be approved by the Board.
2. If these contracts are awarded as a non-fair and open contract and the contract is in excess of \$17,500, a PCD form is required. If generally authorized by the Board to award these contracts, the School Business Administrator/Board Secretary can award these contracts.

The \$17,500 contract amount threshold is subject to the principle of aggregation rules in accordance with the Division of Local Government Services guidance. Unlike the Public School Contracts Law, aggregation thresholds for this Policy and Chapter 271 purposes shall be calculated at the vendor level – meaning, when a vendor receives more than \$17,500 in a school district’s fiscal year, a PCD form shall be required.

There is a range of goods and services that are exempt from bidding (N.J.S.A. 18A:18A-5 et seq.) which are subject to Chapter 271 (i.e. professional services, perishable food, textbooks, educational and library-media material, proprietary software or software maintenance, child study consultants, etc.). School districts can meet the fair and open requirement by using the “request for qualification” (RFQ) approach to a fair and open process. Using this model, a Board can specify the desired qualifications, establish criteria for, and award open-ended contracts (for terms as allowed by law) based on those proposals, which may or may not include pricing proposals. Orders for specific services would then be placed, as needed, with individual contractors based on price quotations, ability, or availability of specific goods or

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services. A RFQ does not require an evaluation based on price – it can be based on skills, ability to deliver a certain product, or range and breadth of product line – with price being agreed upon at the end of the evaluation process.

The disclosure provisions of N.J.S.A. 19:44A-20.26 do not apply in cases where there is a “public emergency” that requires the immediate delivery of goods or services.

Insurance companies and banks are prohibited under State law from making political contributions. However, because the PCD form reflects contributions made by partners, Boards of Directors, spouses, etc., PCD forms are required ten days prior to the approval of a depository designation resolution or insurance company contract awarded by the Board. A PCD form is also required when a contract in excess of \$17,500 is made to an insurance broker. A PCD form is required from the company receiving the contract, regardless of the entity issuing an insurance policy.

PCD forms are required for Board of Education contracts in excess of \$17,500 with a New Jersey Department of Education “Approved In-State Private School for the Disabled.” Chapter 271 also applies to in-State private special education schools, supplemental educational services under NCLB, early childhood school providers – DHS approved, and other similar programs.

If the school district spends more than \$17,500 in a school year with a newspaper, the selection of the newspaper is subject to the provisions of Chapter 271. In this case, using the RFQ approach may be useful.

PCD forms are not required for regulated public utility services, as the Board is required by the Board of Public Utilities to use a specific utility. This exception does not apply to non-regulated public utility services, such as generated energy (not tariffed), or long-distance telephone services where other procurement practices are used.

PCD forms are not required for membership to the New Jersey School Boards Association.

A non-profit organization having proper documentation from the Internal Revenue Service (IRS) showing it is registered with the IRS as a 501(c) type corporation is not required to file a PCD form.

If the original contract provided for the possibility of an extension(s), Chapter 271 compliance is not required if the extension/continuation is based on that original contract.

N.J.S.A. 19:44A-1 et seq.

New Jersey Department of Community Affairs Local Finance Notices – 6/4/07 & 1/15/10

Adopted: July 28, 2010

# **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

## 6362 6362. CONTRIBUTIONS TO BOARD MEMBERS AND CONTRACT AWARDS

As a condition of receiving State aid, the school district shall comply with the provisions of N.J.A.C. 6A:23A-6.3 to ensure the school district maintains honest and ethical relations with vendors and shall guard against favoritism, improvidence, extravagance, and corruption in its contracting processes and practices.

For the purposes of this Policy, "business" means any corporation, partnership, firm, enterprise, franchise, trust, association, sole proprietorship, union, political organization, or other legal entity but shall not include a local public school district or any other public entity.

"Business entity" means any natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of this State or of any other state or foreign jurisdiction. "Interest" means the ownership or control of more than ten percent of the profits or assets of a business entity or ten percent of the stock in the case of a business entity that is a corporation for profit, as appropriate.

In accordance with the provisions of N.J.A.C. 6A:23A-6.3:

1. No Board of Education will vote upon or award any contract in the amount of \$17,500 or greater to any business entity which has made a contribution reportable by the recipient under P.L. 1973, c. 83 (N.J.S.A. 19:44A-1 et seq.) to a member of the Board of Education during the preceding one-year period.
2. Contributions reportable by the recipient under P.L. 1973, c. 83 (N.J.S.A. 19:44A-1 et seq.) to any member of the Board of Education from any business entity doing business with the school district are prohibited during the term of a contract.
3. When a business entity referred to in 2. above is a natural person, a contribution by that person's spouse or child that resides therewith shall be deemed to be a contribution by the business entity. Where a business entity is other than a natural person, a contribution by any person or other business entity having an interest therein shall be deemed to be a contribution by the business entity.
4. The disclosure requirement set forth in section 2 of P.L. 2005, c. 271 (N.J.S.A. 19:44A-20.26) also shall apply when the contract is required by law to be publicly advertised for bids.

The requirements of N.J.A.C. 6A:23A-6.3 shall not apply to a contract when a district emergency requires the immediate delivery of goods or services. With the exception of districts previously subject to the requirements of N.J.A.C. 6A:10-2.1(e), N.J.A.C. 6A:23A-6.3 shall not apply to contributions made prior to its effective date.

N.J.A.C. 6A:23A-6.3

Adopted: November 19, 2008

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

6421     6421     PURCHASES BUDGETED

The Board of Education directs the establishment of procedures for the purchase of budgeted goods and services that will make prudent use of district resources and yield the maximum value for the school district. The School Board Administrator/Board Secretary shall authorize all purchases that are within a budget line item and are consistent with the purpose for which the funds were appropriated.

The Board of Education encourages the administration to seek advantages in savings through joint agreements for the purchase of work, materials, or supplies with the governing body(ies) of other contracting units within this county or adjoining counties or by open public bidding arrangements. The administration shall also evaluate any savings which may result from the purchase of any materials, supplies, or equipment under contracts entered into by the State Treasury Department, Division of Purchase and Property.

All purchases shall be approved by resolution of the Board.

Nothing is to be ordered independently by school personnel. Any school personnel violating this policy will be responsible for the payment of any good or services ordered.

No purchase order may be placed until the School Business Administrator/Board Secretary has determined whether the proposed purchase is subject to bid, whether sufficient funds exist in the line item, and whether the goods are available elsewhere in the district.

Whenever the estimated value of a purchase or contract for goods or services other than professional services N.J.S.A. 18A:18A-5(1) and work by employees of the Board N.J.S.A. 18A:18A-5(3) is fifteen percent or more of the bid threshold established in accordance with N.J.S.A. 18A:18A-3 and N.J.S.A. 18A:18A-37 and is not made under a state contract, the purchasing agent shall, whenever practicable, solicit at least two quotations from independent vendors. All quotations received will be attached to and retained with a copy of the voucher used to pay the vendor.

All contracts that are in the aggregate less than fifteen percent of the bid threshold may be awarded by the School Business Administrator/Board Secretary without soliciting competitive quotations.

The purchase or contract may be awarded on the basis of the lowest responsible quotation received or to the vendor who submits the quotation most advantageous to the Board on the basis of price and other factors. If it is determined that it is impractical to seek quotations for an extraordinary, unspecifiable service or that the purchase or contract for which quotations were sought should not be awarded on the basis of the lowest quotation received, the reasons for that determination will be set forth in writing and attached to the resulting purchase order or contract.

Supplies commonly used in the various schools will be standardized to the extent that it is educationally feasible to do so. Alternate suggestions will be made to a requisitioner if better service, delivery, economy, or utility can be achieved by a change in the proposed order.

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When a purchase order is placed or a contract entered, the Business Office Staff shall commit the expenditure against a specific budget line item or project category in order to guard against the creation of liabilities in excess of appropriations.

As an alternative means of payment for meals, an administrator could use his or her personal credit card, request a detailed itemized bill from the merchant and submit the credit card statement with the administrator's certification, or the district could establish a relationship with the establishment, pay by check and provide a purchase order to the restaurant while submitting the itemized bill and merchant's certification. When submitting a detailed itemized bill from the merchant, alcoholic beverages, tobacco products or non-food items (excluding gratuities) are not allowed for reimbursement by the Board of Education. These methods of payment would satisfy the statutory requirements for the purchase of goods and services.

N.J.S.A. 18A:18A-1 et seq.; 18A:18A-37; 18A:22-8  
N.J.A.C. 6:20-8.1

Revised: January 23, 2013

6422

Except as otherwise provided pursuant to N.J.S.A. 18A:22-8.1 and N.J.A.C. 6A:23A-13.1 et seq., whenever the school district desires to transfer amounts among line items and program categories, the transfers shall be by resolution of the Board approved by a two-thirds affirmative vote of the authorized membership of the Board. Each resolution shall indicate the exact amount of the transfers and from the applicable accounts or fund balance.

However, this Board of Education in accordance with the provisions of N.J.S.A. 18A:22-8.1 and this Policy as adopted by the Board, designates the Superintendent of Schools to approve such transfers as are necessary between meetings of the Board. Transfers approved by the Superintendent shall be reported to the Board, ratified and duly recorded in the minutes at a subsequent meeting of the Board, but not less than monthly.

Transfers from line accounts that include waiver amounts approved by the Commissioner and expenditures and/or reallocations directed by the Commissioner are prohibited unless approved in writing by the Executive County Superintendent and in accordance with the provisions of N.J.S.A. 18A:22-8.1. The Board shall submit written requests for transfers including the amount to be transferred, the account(s) to be reduced, the account(s) to be increased, the purpose, and justification. These transfers shall not be requested or made prior to December 1 of the applicable budget year and shall only be approved for an emergent circumstance(s).

Where actual audited undesignated general fund balance at the fiscal year-end exceeds the estimated amount reflected in the school district's originally approved budget that contained an adjustment to the tax levy limitation approved by the Commissioner, any excess amount shall be reserved for the offset of the Commissioner's waiver requests, if any, in the second subsequent year's budget and reflected as such in the CAFR for the budget year.

Whenever the Executive County Superintendent shall, pursuant to N.J.S.A.

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

18A:7-8, disapprove a portion of the school district's proposed budget because the district has not implemented all potential efficiencies in its administrative operations or because the budget includes excessive non-instructional expenses, the school district shall not transfer funds back into those accounts during the budget year.

Transfers of surplus amounts or any other unbudgeted or underbudgeted revenue to line items and program categories shall require the approval of the Commissioner of Education and shall only be approved between April 1 and June 30 for line items and program categories necessary to achieve the thoroughness standards established pursuant to section 4 of P.L.2007, c.260 (N.J.S.A. 18A:7F-46); except that upon a two-thirds affirmative vote of the authorized membership of the Board, the Board may petition the Commissioner of Education for authority to transfer such revenue prior to April 1 due to an emergent circumstance and the Commissioner may authorize the transfer if he determines that the transfer is necessary to meet such emergency.

Transfers from any general fund appropriation account that, on a cumulative basis, exceed 10% of the amount of the account included in the school district's budget as certified for taxes shall require the approval of the Commissioner of Education. In a school district wherein the Commissioner of Education has directed an in-depth evaluation pursuant to N.J.S.A. 18A:7A-14, the Board shall obtain the written approval of the Executive County Superintendent of Schools prior to implementing any Board authorized transfer of funds.

No transfer may be made under N.J.S.A 18A:22-8.1 from appropriations or surplus accounts for interest and debt redemption charges, capital reserve account or items classified as general fund expenses except to other items so classified, or to the capital projects fund to supplement the proceeds from a bond authorization or lease purchase agreement upon application to and a formal finding by the Commissioner that the transfer is in the best interest of both the pupils and taxpayers of the district after consideration of alternative corrective actions.

N.J.S.A. 18A:22-8.1; 18A:22-8.2

N.J.A.C. 6A:23A-13.1; 6A:23A-13.2; 6A:23A-13.3

Revised: January 23, 2013

6423 6423 EXPENDITURES FOR NON-EMPLOYEE ACTIVITIES, MEALS  
AND REFRESHMENTS

There may be school district activities where expenditures for non-employee activities, meals, and refreshments may occur. Expenditures for non-employee activities, meals, and refreshments for school district activities are allowed provided the expenses are in accordance with the provisions of N.J.A.C. 6A:23A-5.8. For the purposes of this Policy, unless the context clearly indicates otherwise, "activities" means events or functions provided or held for the benefit of pupils, dignitaries, and other "non-district" employees (e.g. parents) which are paid from public funds. "Dignitary" means a notable or prominent public figure; a high level official; or one who holds a position of honor. A dignitary, for purposes of this Policy, is not a school district

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

employee or Board of Education member.

Allowable expenditures for non-employee school district activities shall include:

1. All reasonable costs, including light meals and refreshments, directly related to activities that benefit pupils and are part of the instructional program including expenditures for field trips and extracurricular programs that are not solely for entertainment. Nothing in this Policy or N.J.A.C. 6A:23A-5.8 shall preclude the district from using student activity funds or accepting donations to support pupil activities that are solely for pupil entertainment;
2. All reasonable costs directly related to activities of dignitaries and other "non-district" employees (e.g. parents), including light meals and refreshments and any other directly related expense. Expenditures for this purpose shall be minimal and infrequent;
3. All reasonable costs of commencement and convocation activities for pupils; and
4. Expenditures related to district employees to the extent such employees are essential to the conduct of the activity.

The Board shall, at a minimum, take actions regarding pupil activities as follows:

1. Pre-approve field trip destinations;
2. Establish dollar thresholds for awards to recognize special accomplishments; and
3. Establish a budget supported by general fund revenues for each category of activity in a non-discriminatory manner (e.g. football, boys soccer, girls soccer, photography club). Student activity funds are excluded.

Pursuant to N.J.S.A. 18A:11-12 and State of New Jersey Department of Treasury, Office of Management and Budget Circular 08-19-OMB and 06-14-OMB, the following costs shall not be permitted using public funding:

1. Receptions, dinners, or other social functions held for or honoring any employee or group of employees of the district (e.g. breakfast, luncheon, dinner, or reception for retirees or award recipients). This does not prohibit the district from honoring employees without a social function or using public funds to support reasonable costs of employee recognition awards (e.g. teacher of the year awards, years of service awards). Use of public funds for reasonable costs of employee awards is a local discretionary expenditure;
2. Meals or refreshments served to guests at any athletic event or other games or contests; and/or
3. Expenses for alcoholic beverages.

The School Business Administrator/Board Secretary and/or designee shall

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

maintain documentation to support activities, meals, and refreshments at district events. The documentation shall include a description of the activity, the purpose/justification of the activity, expressed in terms of the goal(s) or objective(s) of the district, the make-up of the group participating in the activity, and the names and titles of Board members or employees included in the group.

N.J.A.C. 6A:23A-5.8

Adopted: June 24, 2009

### 6424 6424 EMERGENCY CONTRACTS

Any contract may be negotiated or awarded for a Board of Education without public advertising for bids and bidding notwithstanding that the contract price will exceed the bid threshold when an emergency affecting the health or safety of occupants of school property requires the immediate delivery of goods or the performance of services.

If the School Business Administrator/Board Secretary is satisfied that an emergency exists, he/she shall be authorized to award a contract or contracts for such purposes as may be necessary to respond to the emergent needs pursuant to the provisions of N.J.S.A. 18A:18A-7 et seq.

If conditions permit, the School Business Administrator/Board Secretary shall seek quotations from more than one source. If the expenditures are expected to be in excess of the bid threshold, the School Business Administrator/Board Secretary shall attempt to obtain no fewer than three quotations.

When emergency conditions have eased, the School Business Administrator/Board Secretary shall utilize the regular purchasing system to obtain estimates from suppliers, vendors, and contractors for materials and/or services that will eliminate the circumstances that created the emergency.

The School Business Administrator/Board Secretary shall prepare and submit a final report to the Board on every occasion an emergency contract is negotiated or awarded in accordance with the provisions of N.J.S.A. 18A:18A-7.

N.J.S.A. 18A:18A-7

Adopted: 11/18/09

### 6440 6440 COOPERATIVE PURCHASING

The Board of Education recognizes that centralized, cooperative purchasing tends to maximize the value received for each dollar spent. The Administration is encouraged to seek savings that may accrue to this district by means of joint agreements for the purchase of goods or services with the governing body of the municipality or the county within whose boundaries the school district is wholly or partly located, or by means of contracts entered into by the New Jersey State Treasury Department, Division of Purchase and Property.

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A cooperative pricing system is a purchasing system in which the lead agency advertises for bids, awards a master contract to the vendor providing for its own needs and for the prices to be extended to registered members, and notifies them of the bid prices awarded. The registered members then contract directly with the vendor for their own needs, subject to the specifications in the master contract.

A joint purchasing system is a cooperative purchasing system in which the lead agency has complete purchasing responsibility for the registered members, and the only contractual relationship is between the lead agency and the vendor.

A cooperative purchasing system is either a joint purchasing or cooperative pricing system.

When the lead agency is a Board of Education or Educational Service Commission and the entire membership of the cooperative purchasing system established and properly registered with the New Jersey Division of Local Government Services are Boards of Education, the purchase of work, materials or supplies shall be conducted pursuant to the Public Schools Contract Law (N.J.S.A. 18A:18A-11 et seq.)

The School Business Administrator/Board Secretary is hereby authorized to negotiate such joint agreements for goods and services which the Board may determine to be required and which the Board may otherwise lawfully purchase for itself with such approved contracting units as may be appropriate in accordance with State law, the policies of this Board, and the dictates of sound purchasing procedures.

No cooperative or joint purchase may be entered without Board approval of an agreement that specifies the categories of work, materials and supplies to be purchased; the manner of advertising for bids and the awarding of contracts; the method by which payment will be made by each participating Board of Education, municipality or county, and such other terms deemed necessary to carry out the purposes of the agreement. Agreements for cooperative and joint purchasing will be subject to all bidding requirements imposed by law. Purchases made through the State Treasury Department may be made without bid.

Each participant's share of expenditures for purchases under any such agreement shall be appropriated and paid in the manner set forth in the agreement and in the manner as for other expenses of the participant.

The Board may by contract or lease provide electronic data processing services for the Board of Education of another school district; and may undertake with such other Board, the joint operation of electronic data processing of their official records and other information relative to their official activities, services and responsibilities. The records and other information originating with any Board participating in such contract or lease may be combined, compiled, and conjoined with the records and other information of any and all participating local units for the purposes of such electronic data processing; and any provisions of law requiring such records to be kept confidential or to be retained by any Board or any officer or agency thereof shall be deemed to be isolated thereby.

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A contract or lease to provide electronic data processing services shall set forth the charge for all services provided, or in the case of a joint undertaking the proportion of the cost each party thereto shall assume and specify all the details of the management of the joint undertaking, and any other matters that may be deemed necessary for insertion therein, and may be amended from time to time by the contracting parties.

Any party to a contract for joint operation of electronic data processing services may act as agent for any or all parties in acquiring, by lease, purchase or otherwise, any property, facilities or services, in appointing such officers and employees as may be necessary and directing its activities, to the same extent as a Board of Education is authorized to do separately.

In the event that any controversy or dispute shall arise among the parties (except a municipality or a county) to any such agreement, the same shall be referred to the County Superintendent of the county in which the districts are situated for determination and the determination shall be binding, subject to appeal to the Commissioner of Education and the State Board pursuant to law. In the event the districts are in more than one county, the controversy or dispute shall be referred to the County Superintendents of the counties for joint determination, and if they shall be unable to agree upon a joint determination within thirty days, the controversy or dispute shall be referred to the Commissioner of Education for determination.

In a cooperative purchasing system established and properly registered with the New Jersey Division of Local Government Services where the lead agency is a Board of Education or Educational Service Commission and the membership of the system is Boards of Education and local contracting units as defined in N.J.S.A. 40A:11-2(1), the purchase of any work, materials or supplies shall be conducted pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and N.J.A.C. 5:34-7.

N.J.S.A. 18A:18A-10 through 14  
N.J.S.A. 40A:11-1 et seq.  
N.J.A.C. 5:34-7  
N.J.A.C. 6:20-8.7

Adopted: 18 November 2004

6450 6450 CHOICE OF VENDOR

The Board of Education recognizes its position as a major purchaser of goods and services in the community served by the school district. It is the intention of the Board to purchase goods and services of the requisite quality at the lowest possible cost and to invite widespread competition in order to achieve this end. Where all other considerations are equal, however, the Board will exercise a preference for dealing with established local merchants and service providers from within the boundaries of the school district.

The School Business Administrator/Board Secretary is authorized to place purchase orders with local merchants and providers when their prices and terms are competitive with other vendors. Nothing in this policy shall be deemed to circumvent the requirements of law regarding public purchasing.

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All vendors shall supply assurances that they do not practice discrimination as described in the administrative code. All vendors shall be informed that harassment of any kind, of district pupils or employees by their representatives is prohibited.

N.J.S.A. 18A:6-8; 18A:12-2; 18A:18A-15(b)

Adopted: 18 November 2004

### 6470 6470 PAYMENT OF CLAIMS

The Board of Education directs the prompt payment of legitimate claims by suppliers of goods and services to the school district, provided that each bill or obligation of this Board is fully itemized and verified before a warrant is drawn for its payment.

When an invoice is received, the School Business Administrator/Board Secretary or designee shall verify the voucher is properly submitted, acceptable goods were received or satisfactory services rendered, the expenditure is included in the Board's budget and funds are available for its payment, and the amount of the invoice is correct.

The School Business Administrator/Board Secretary shall identify and investigate, if necessary, the reason for any increase to a purchase order. If it is found by the School Business Administrator/Board Secretary that an increase to a purchase order is warranted, the School Business Administrator/Board Secretary shall either approve a revision to the original purchase order with the reason noted, approve the issuance of a supplemental purchase order for the difference, or cancel the original purchase order and issue a new purchase order. If it is found an increase is not warranted, the purchase order shall be cancelled and the goods returned. In no instance shall an adjustment be made to a purchase order that changes the purpose or vendor of the original purchase order or a bid award price.

The school district's financial systems shall be programmed to:

1. Limit system access so that only appropriate Business office staff may make purchase order adjustments;
2. Reject adjustments in excess of any established approval thresholds;
3. Prevent unauthorized changes to be processed;
4. Reject payments where the sum of the invoice amount plus any previous invoices charged to the purchase order exceeds the sum of the original purchase order amount plus any authorized adjustments;
5. Reject duplicate purchase order numbers;
6. Reject duplicate invoice numbers; and
7. Prepare an edit/change report listing all payments made in excess of the originally approved purchase order amount.

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The School Business Administrator/Board Secretary shall review on a monthly basis edit/change reports listing all payments made in excess of the originally approved purchase order amount to ensure that all payments made are properly authorized.

If funds are not available in the budget line account to which the expenditure will be charged, funds may be transferred in accordance with Policy No. 6422.

The Board must approve all claims for payment, except, in accordance with N.J.S.A. 18A:19-4.1, the School Business Administrator/Board Secretary and his (her) designee are authorized to approve payment of claims not greater than \$500.00, interest on bonds as it becomes due, payments to redeem bonds as they become due, progress payments to contractors in accordance with a contract approved by the Board, and warrants to cover approved payrolls and agency account deposits prior to presentation to the Board. Any such approval of payment must be presented to the Board for ratification at the next regular Board meeting.

All claims will be submitted for Board review and approval or ratification. Claims must be submitted to the Board in the form of a list that includes the number, amount, and date of the warrant; the payee; the reason for the expenditure; and the account charged. The list of claims must be accompanied by the original records that include copies of the purchase order, the receiving report, the vendor's invoice, and the purchase requisition. The list of approved warrants will be included in the minutes of the Board meeting.

When a claim for payment is duly approved in accordance with this policy, the School Business Administrator/Board Secretary and/or a designated staff member shall promptly prepare a warrant for payment, cancel the commitment placed against the appropriate account, and post the actual expenditure. All warrants must be signed by the President, Board Secretary, and Treasurer of School Moneys. The Board authorizes the Treasurer of School Monies and Board President to utilize a signature plate.

N.J.S.A. 18A:17-36; 18A:19-1 et seq.; 18A:22-8.1  
N.J.S.A. 18A:54-26 [vocational districts]  
N.J.A.C. 6A:23A-6.10

Revised: January 23, 2013

6471 The Board of Education shall ensure 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 State of New Jersey Department of the Treasury, Office of Management and Budget (NJOMB) Circulars 08-19-OMB and 06-14-OMB (OMB 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 Office of Management and Budget conflict with the provisions of N.J.A.C. 6A:23A-7, the provisions of the superseding circulars shall govern.

### A. Definitions

1. For the purposes of this Policy, "travel expenditures" means those costs

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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 district 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 - 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 of Education 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 \$250 per employee or Board member.
- e. Retreats - means meetings with school district employees and school Board members, at which organizational goals and objectives are discussed.

### **B. School District Travel Expenses**

- 1. Any sections in either the State or Federal Circulars that conflict with New Jersey school law (N.J.S.A. 18A:1-1 et seq.) shall not be included in this Policy nor authorized under N.J.A.C. 6A:23A-7.1 et seq. This includes, but is not limited to, the authority to issue travel charge cards as allowed under the State Circular, but not authorized for school districts under New Jersey school law.
- 2. School district travel expenditures shall include, but are not limited to, all costs for transportation, meals, lodging, and registration or conference fees directly related to participation in the event.
- 3. School district travel expenditures in accordance with this Policy and N.J.A.C. 6A:23-7.1 et seq. shall include costs for all required training and all travel authorized in school district employee contracts and school Board policies. This includes, but is not limited to, required professional development, other staff training and required training for Board members, and attendance at specific conferences authorized in existing employee contracts, provided that such travel meets the requirements of N.J.A.C. 6A:23-7.1 et seq.
- 4. All such expenditures are subject to the requirements of N.J.A.C. 6A:23-7.1 et seq., including but not limited to, inclusion in the annual travel limit, prior Board approval, separate tracking, and per diem reimbursements.

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### C. School District Travel Requirements

1. All travel by Board of Education employees and Board members must be educationally necessary and fiscally prudent and all school district travel expenditures shall be:

- a. Directly related to and within the scope of the employee's or Board member's current responsibilities and, for school district employees, the school district's professional development plan, the school building professional development plan, and an employee's individual professional development plan;
- b. For travel that is critical to the instructional needs of the school district or furthers the efficient operation of the school district; and
- c. In compliance with State travel payment guidelines as established by the Department of the Treasury and with guidelines established by the Federal Office of Management and Budget; except those 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 specifies in this 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.

2. Reimbursement for all in-State and out-of-State travel shall be made pursuant to N.J.S.A. 18A:11-12. In accordance with the provisions of N.J.A.C. 6A:23A-5.9:

- a. 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. Where the event is sponsored by a New Jersey-based organization and targeted to employees and/or Board members of New Jersey school districts, reimbursement for lodging may be permitted only where the sponsoring organization obtains a waiver pursuant to the provisions of N.J.A.C. 6A:23A-7.11. Where the event is national or regional in scope and targeted to school district employees and/or Board members from multiple States, reimbursement for lodging may only be provided if the event occurs on two or more consecutive days and where home to event commute exceeds fifty miles.
- b. Where a travel event has a total cost that exceeds \$5,000, regardless of the number of attendees, or where more than five individuals from the district are to attend a travel event out-of-State, the school district shall obtain the prior written approval of the Executive County Superintendent. The Executive County Superintendent shall promptly review the request and render a decision within ten working days.
- c. For all employee and Board member travel events out of the country, regardless of cost or number of attendees, the school district shall obtain the prior written approval of the Executive County Superintendent. Such requests must be supported by detailed justification. The Executive County Superintendent shall promptly review the request and render a decision within ten working days. It is expected that approvals will be rare.

### D. Travel Reimbursements

1. Travel reimbursements will be paid only upon compliance with all provisions of N.J.A.C. 6A:23A-7 and the Board's procedures and approval requirements.

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The Board 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).

### **E. Board Member Voting On School District Travel**

1. A Board member shall recuse him/herself from voting on travel if the Board member, a member of his/her immediate family, or a business organization in which he/she has an interest, has a direct or indirect financial involvement that may reasonably be expected to impair his/her objectivity or independence of judgment.

2. A Board member shall not act in his/her official capacity in any matter in which he/she or a member of his/her immediate family has a personal involvement that is or creates some benefit to the school official or member of his/her immediate family; or undertake any employment or service, whether compensated or not, which may reasonably be expected to prejudice his/her independence of judgment in the execution of his/her official duties.

### **F. Maximum Travel Budget**

1. Annually in the prebudget year, the Board shall establish by Board resolution, a maximum travel expenditure amount for the budget year which the school district shall not exceed. The Board 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 elect to exclude travel expenditures supported by Federal funds from the maximum travel expenditure amount. 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 does not exempt such travel from the requirements applicable to State and local funds.

2. The Board of Education, pursuant to the provisions of N.J.A.C. 6A:23A-7.3(b), authorizes an annual maximum amount per employee to be approved annually at the reorganization meeting (a maximum of \$1,500) for regular business travel only for which prior Board approval is not required.

a. The annual maximum shall not exceed \$1,500 and shall be subject 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 includes attendance at regularly scheduled in-State county meetings and Department of Education sponsored or association sponsored events free of charge. It also includes regularly scheduled in-State professional development activities for which the registration fee does not exceed \$250 per employee or Board member.

c. Regular school district business travel as authorized in this Policy requires approval of the Superintendent prior to obligating the 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/her absence when necessary to obtain timely

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Board approval.

(2) Regulation 6471 provides the procedures for the internal levels of approval required prior to Superintendent or designee approval of the travel event, as applicable.]

### **G. Travel Approval Procedures**

1. All travel requests for employees of the district shall be approved in writing by the Superintendent of Schools and approved by a majority of the full voting membership of the Board, except where the Board has excluded regular business travel from prior approval pursuant to the provisions of 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/her absence when necessary to obtain timely Board approval.

b. Regulation 6471 provides the procedures for the internal levels of approval required prior to the Superintendent's or designee's approval of the travel event, as applicable.

2. All travel requests for Board members shall require prior approval by a majority of the full voting membership of the Board, except where the Board has excluded regular business travel from prior approval pursuant to the provisions of 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 N.J.S.A. 18A:12-24.1.

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

4. Where occasional unforeseen emergent situations arise wherein a travel request cannot obtain prior approval of the Board, justification shall be included in the text of the travel request. Such requests shall require prior written approval of the Superintendent or designee and the Executive County Superintendent or designee. The Board shall ratify the request at its next regularly scheduled meeting. Travel to conferences, conventions, and symposiums are not considered to be emergencies and shall not be approved after the fact.

### **H. Required Documentation for Travel**

1. Neither the Superintendent or designee, nor the Board shall approve a travel request unless the written request for travel includes the following information:

- a. Name and dates of event;
- b. A list of Board members and/or employees to attend either by name or title;
- c. Justification of the importance of these individuals attending the event;
- d. Estimated cost associated with travel (if lodging is shared with others, the fact must be stated);
- e. Copy of agenda or itinerary for travel and subsequent schedule of events;
- f. A brief statement that includes the primary purpose for the travel and the key issues that will be addressed at the event and their relevance to improving instruction or the operation of the school district;
- g. For training events, whether the training is needed for a certification

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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;

h. Account number and funding source – Federal, State, private, or local; and

1. In the case of annual events, total attendance and cost for the previous year.

2. Detailed documentation shall be maintained on file in the school district which demonstrates compliance with the Board's travel policy, including travel approvals, reports, and receipts for all school district funded expenditures, as appropriate.

### **I. Accounting for School District Travel**

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 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. This may include, but need not be limited to, a separate or offline accounting of such expenditures or expanding the school district's accounting system. The tracking system shall be sufficient to demonstrate compliance with the Board's policy and N.J.A.C. 6A:23-7, and shall be in a detailed format suitable for audit.

3. The School Business Administrator/Board Secretary or designee, shall review and approve all requests for travel expenditure reimbursement submitted for expenses incurred in the course of school district business as to cost and support documentation required by N.J.A.C. 6A:23A-7:

a. The School Business Administrator/Board Secretary shall not approve or issue payment of travel expenditures or reimbursement requests until all required documentation and information has been submitted to support the payment and shall not approve any travel expenditure that when added to already approved travel expenditures would exceed the Board 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 their staff and the retention of that documentation to permit audits of their records.

5. An employee of the Board, a Board member, or organization, shall not receive payment, either partial or full, 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 shall be made personally by a school district employee or Board member and reimbursed at the conclusion of the travel event. This applies to travel-related purchases for which a

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purchase order is not applicable. This provision does not preclude the district from paying the vendor directly with the proper use of a purchase order (e.g., for registration, airline tickets, hotel).

### **J. Sanctions for Violations of Travel Requirements**

1. Any 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 the travel limitations set forth in N.J.A.C.6A:23A-7 may be subject to sanctions by the Commissioner as authorized pursuant to N.J.S.A. 18A:4-23 and N.J.S.A.18A:4-24, including reduction of State aid in an amount equal to any excess expenditure pursuant to N.J.S.A.18A:11-12 and N.J.S.A.18A:7F-60.

2. A person who approves any travel request or reimbursement in violation of N.J.A.C.6A:23A-7 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:

a. As required in N.J.A.C.6A:23A-7.7(b)(1) the Board designates the School Business Administrator/ Board Secretary as the person(s) with the final approval authority for travel and therefore shall be subject to this penalty.

3. An employee or Board member who violates the school district's travel policy or these rules 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 the event it is determined a violation of the provisions of N.J.A.C.6A:23A-7 has occurred after Board payment has been made, the Superintendent of Schools shall be responsible to ensure the sanctions as outlined in N.J.A.C.6A:23A-7.7 are imposed. If a violation is determined prior to payment or reimbursement of the travel event, no consequences as outlined in N.J.A.C.6A:23A-7.7 shall be imposed; however, the Superintendent may impose disciplinary action as necessary.

5. The annual audit conducted pursuant to N.J.S.A.18A:23-1 shall include test procedures to ensure compliance with this Policy and travel limitations set forth in N.J.A.C. 6A:23A-7 and N.J.S.A. 18A:11-12.

### **K. Prohibited Travel Reimbursements**

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 the provisions of 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 the procedures set forth in 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 education 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

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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 (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, or 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 must accompany any request for car rentals. If approved, the most economical scheduling of car rental is to be used, including the use of subcompacts, discounted, and special rates. An example of the justified use of 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, and 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 online services; and

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

### **L. Travel Methods**

1. For the purposes of this Policy, "transportation" means necessary official travel on railroads, airlines, shuttles, buses, taxicabs, 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 OMB Circulars, the following travel methods requirements 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 only be authorized 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, i.e. Chicago, Illinois - Midway Airport versus O'Hare Airport;

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

- (d) Utilizing alternative cities, i.e. 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 are prohibited from receiving "Frequent Flyer" benefits accruing from school district funded travel;

(4) Airfare other than economy (i.e., 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 only be reimbursed 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) Justification shall be required when actions by a traveler result in additional expenses over and above the authorized travel request. Sufficient justification shall be considered only for factors outside the control of the purchaser. Additional expenses without sufficient justification shall not be reimbursed; and

(9) Justification shall accompany requests for airline ticket reimbursement when purchased by employees or Board members contrary to the above regulations. Sufficient justification shall be considered only for factors outside the control of the purchaser. Noncompliant purchases without sufficient justification shall not be reimbursed. Reimbursement of purchases with sufficient justification shall be otherwise permitted and reimbursed in accordance with the above procedures.

c. Rail travel shall only be authorized 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) When one employee or Board member is traveling within the Northeast Corridor, NJ Transit shall be used as the rail option. Use of Amtrak will not be authorized unless it is the only means of travel available;

(3) The use of high speed rail services, such as Acela, shall not be authorized;

(4) When two or more employees and/or Board members are traveling to the same event in the Northeast Corridor (between Boston, MA and Washington, DC), rail travel shall not be authorized. In those cases, the travelers must use a school district vehicle or, if not available, a personally-owned vehicle must be used; and

(5) All rail travel, including rail travel in the Northeast Corridor must be processed in the same manner as prescribed for air travel 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

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

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 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/her personally-owned vehicle on official business:

(a) In accordance with the OMB circular, if any condition in an existing negotiated contract is in conflict with the circular, such as the mileage reimbursement rate, the provision of the contract will prevail;

(b) Parking and toll charges shall be allowed in addition to mileage allowance;

(c) 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;

(d) In determining the relative costs of private and public transportation, all associated costs (i.e., tolls, taxicabs, airport, or station transfers, etc.) shall be considered;

(e) All employees and Board members using privately-owned vehicles 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 vehicles;

(f) Employees and Board members who are out-of-State residents must provide appropriate insurance identification in lieu of the New Jersey Insurance Identification Card;

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

(h) Necessary taxicab charges are 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 may be used; and

(i) Cruises are not permitted for travel events or transportation.

### **M. Routing of Travel**

#### **1. Pursuant to OMB Circulars:**

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

b. In any case where 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.

### **N. Subsistence Allowance – Overnight Travel**

1. Pursuant to the OMB 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.

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

2. Pursuant to the OMB Circulars, generally, overnight travel shall not be eligible for subsistence reimbursement if travel is within the State. Overnight travel is permitted if such travel is authorized pursuant to N.J.A.C.6A:23A-7.11(c), or is a required component of a grant, donation, or other funding agreement with the district. The specific required overnight in-State travel event must be detailed in the approved grant, donation, or other fund acceptance agreement along with the number of employee(s), Board member(s), and total cost. All reimbursements are subject to these rules unless the funding acceptance agreement specifies otherwise.

3. The Commissioner is authorized to grant waivers for overnight travel for school Board members and school district employees to attend in-State conferences in accordance with N.J.A.C.6A:23A-7.11(c). If a waiver is granted by the Commissioner, it shall permit reimbursement for travel expenses for only those individuals whose home to the convention commute exceeds fifty miles.

4. 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.

5. 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](http://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 \$31 for meal/incidental expenses and \$60 for lodging, or amounts listed in any superseding NJOMB circular.

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.

(1.) Receipts shall be submitted in order 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 or meals, 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.

f. In any case in which 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 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.

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

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

### **O. Meal Allowance – Special Conditions – And Allowable Incidental Travel Expenditures**

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. Meals during one-day, out-of-State trips required for school business purposes may be authorized for breakfast, lunch, and/or dinner in an amount permitted by NJOMB. The Commissioner shall post the most current rates on the Department of Education website for reference.

3. Lunch for training sessions and retreats 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. If lunch is included in a one-sum registration fee for the training session, the full amount is eligible for reimbursement if reasonable.

b. Refreshments for breaks may also be provided at training sessions and retreats held at a site other than the school district. Providing lunch for staff meetings and in-service days or for staff that come from other parts of the school district shall not be permitted (See N.J.A.C. 6A:23A-7.12(d)).

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

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

5. Reimbursement may be approved for the cost of an official luncheon or dinner, up to \$7 and \$10, respectively, that an employee or Board member is authorized to attend, where such a meal is scheduled as an integral part of an official proceeding or program related to school district business and the employee's responsibilities.

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

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

where 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 at least three quotes. Quotes may be on a monthly, bi-monthly, quarterly, or annual basis.

c. Where 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 foods that are sufficient to provide each Board member, dignitary, non-employee speaker, or allowable staff member one meal. Meals should be carefully ordered to avoid left-over food. Unintended left-over food should be donated to a charitable shelter or similar facility, if at all possible.

7. Allowable incidental travel expenses are defined as those that are essential to transacting official business.

a. Charges for telephone calls on official business may be allowed. The voucher must 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, 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.

### **P. Records and Supporting Documentation**

1. All persons authorized to travel on business must keep a memorandum of expenditures chargeable to the school district, noting each item at the time the expense is incurred, together with the date 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 must be signed by the employee or Board member to certify to the validity of the charges for which reimbursement is sought. The form must also 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. 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 dates and individual points of travel, number of miles traveled between such points, and kind of conveyance used;

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

- b. If the distance traveled between any given points is greater than the usual route between these points, the reason for the greater distance must be stated;
- c. The hours of the normal work day and actual hours worked must 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 must 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 in 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 must 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, must be documented;
- j. Reimbursement requests must 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 must 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 N.J.A.C.6A:23A-7.13(e) (12).

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

N.J.S.A. 18A:11-12 et seq.

N.J.A.C. 6A:23A-5.9; 6A:23A-7 et seq.

Revised: January 23, 2013

6472

6472 TUITION ASSISTANCE

The Board of Education recognizes the importance of advanced educational experience, coursework, and degrees for employees. The Board of Education may provide tuition assistance to an employee in accordance with contract provisions in a collective bargaining agreement, an individual employment contract, or as per any other employment agreement or contract approved by the Board.

In accordance with the provisions of N.J.S.A. 18A:6-8.5, in order for the Board of Education to provide tuition assistance to an employee for coursework taken at an institution of higher education or additional compensation upon

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

the acquisition of additional academic credits or completion of a degree program at an institution of higher education, the institution shall be a duly authorized institution of higher education as defined in Section 3 of P.L.1986, c.87 (C.18A:3-15.3).

The employee shall be required to obtain approval from the Superintendent of Schools prior to enrollment in any course for which tuition assistance is sought. In the event the Superintendent denies the approval, the employee may appeal the denial to the Board of Education. In the case of tuition assistance for the Superintendent of Schools, the approval shall be obtained from the Board of Education.

In accordance with the provisions of N.J.S.A. 18A:6-8.5.c., tuition assistance or additional compensation shall be provided only for a course or degree related to the employee's current or future job responsibilities.

Nothing in N.J.S.A. 18A:6-8.5 shall be construed to limit the authority of the Board to establish more stringent requirements for the provision of tuition assistance or additional compensation. The provisions of this Policy and N.J.S.A. 18A:6-8.5 shall not be deemed to impair an obligation set forth in a collective negotiations agreement or an individual contract of employment in effect on May 6, 2010.

N.J.S.A. 18A:6-8.5

Adopted: 1/26/12

6510 6510 PAYROLL AUTHORIZATION

The most substantial allocation of public funds for the operation of the school district is that made to the employees of the Board of Education for their services. Compensation will be tendered only to persons duly employed by this Board and only for services rendered.

Each Board resolution to employ or reemploy a person will include the person's name, position, and tenure status; the salary or rate of pay the person is to receive, the method of payment, the wage guide from which wages are derived, and the budget category to which the wages are to be charged; the period of time for which employment is authorized; and the school, grade, class or special assignment, as appropriate.

No person may be assigned duties as a substitute employee whose employment has not been approved by the Board. The list to be approved by the Board will include the names of recommended substitutes, the duties to which each may be assigned, and the rate of pay. Substitute authorization will ordinarily be valid for one school year.

The minutes of Board meetings will record personnel actions of the Board, to include, but not be limited to, the appointment, promotion, resignation, retirement, death, discharge, compensation, or leave of absence for each employee. The minutes will also include effective dates for personnel action.

Certain categories of staff members designated by the Superintendent of

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

Schools, shall be required to use a time clock or sign in and out of work daily in order to verify days and hours worked. The service of extra-duty personnel must be certified by the appropriate supervisor before payment can be made.

The School Business Administrator/Board Secretary is authorized to withhold salary or wages for services not rendered, in accordance with Board policy.

Staff members shall be paid in accordance with the provisions in their collective bargaining agreement and/or in accordance with a schedule provided to all employees prior to the beginning of the contract or school year.

In accordance with N.J.A.C. 6A:23A-5.7, beginning with the 2008-2009 school year, at least once every three years, between the months of September through May, the Superintendent of Schools shall require each district employee to report to a central location(s) and produce picture identification and sign for release of his or her paycheck or direct deposit voucher. The accepted picture identification shall be in the form of a district-issued identification card, valid drivers' license, official passport, or other picture identification issued by a State, county, or other local government agency.

The Superintendent of Schools shall designate an appropriately qualified staff member to match the picture identification to the position control roster maintained by the office of personnel or human resources prior to release of the pay check or direct deposit voucher. If the district elects to conduct this payroll verification prior to the district's required implementation of the position control roster pursuant to N.J.A.C. 6A:23A-6.8, the district may use similar and suitable office of personnel or human resources generated listing of employees. Where no appropriate identification can be produced, the School Business Administrator/Board Secretary shall withhold paychecks or stop direct deposits until such time the payee/district employee can produce appropriate identification or until an investigation and corrective action is concluded, as appropriate to the circumstances.

Upon completion of the payroll check distribution verification procedures set forth in this Policy and N.J.A.C. 6A:23A-5.7, the Superintendent of Schools shall submit a certification of compliance, in a form prescribed by the Department of Education, to the Executive County Superintendent. Verification of the district's compliance with the provisions of N.J.A.C. 6A:23A-5.7 will be required as part of the annual audit.

The payroll journal will be certified by the Board Secretary, the President of the Board, and approved by the Superintendent.

N.J.S.A. 18A:17-35; 18A:19-9 et seq.  
N.J.S.A. 18A:54-20 [vocational districts]  
N.J.A.C. 6A:23A-5.7

Revised: June 24, 2009

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

6520     6520     PAYROLL DEDUCTIONS

The Board of Education shall, in accordance with law or employee authorization, make deductions from an employee's paycheck and remit the amounts deducted to the agent designated by the employee.

Deductions will routinely be made as required for federal income tax, social security and medicare; New Jersey income tax, unemployment assistance, and other miscellaneous taxes; and by the New Jersey Division of Pensions.

Deductions may also be made, provided they have been duly authorized by the employee in writing, for contributions on the employee's behalf for:

1.        The employee's participation in a summer payment plan for repayment to the employee in one payment on the last day of school or by payment upon the death or termination of the employee, if earlier, N.J.S.A. 18A:29-3;
2.        Tax sheltered annuities or custodial accounts, N.J.S.A. 18A:66-127;
3.        Payments to a credit union,  
          N.J.S.A. 40A:19-17;
4.        Bona fide organizational dues,  
          N.J.S.A. 52:14-15.9e.

Contributions shall be made as soon as is reasonably possible after the funds have been deducted from an employee's salary. No contribution shall be made on behalf of an employee until the amount contributed has been deducted from the employee's salary.

An employee who wishes to pay into a tax sheltered annuity or mutual fund offered by a firm not approved by this Board for payroll deductions must make his/her payment individually.

No Board employee shall withhold or pay to another or purchase or have assigned, other than by court order, any compensation for the services rendered by an employee of this district.

N.J.S.A.        18A:16-9; 18A:66-19; 18A:66-30; 18A:66-78;  
                  18A:66-128  
N.J.S.A.        43:3C-9  
N.J.S.A.        52:14-15.9; 52:18A-107 et seq.  
N.J.S.A.        54:8A-9  
N.J.A.C.        6:20-2A.7; 6:20-2A.9

Adopted:    18 November 2004

6620     M

6620     PETTY CASH

The Board of Education authorizes the establishment of various petty cash accounts in amounts and locations to be approved by Board resolution.

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

Receipts or records are to be kept for each expenditure and made available for Board review upon request when Board funds are required to replenish the petty cash fund. Funds are to be used for emergencies and small purchases only and not to subvert the intent of the regular purchasing procedure nor to be used for routine expenditures.

All funds are subject to audit and must be closed out at the end of each year. All cash is to be secured daily by the principals and the School Business Administrator/Board Secretary.

- A. Petty cash funds shall not exceed \$500.00
- B. Petty cash funds are to be used for the following purposes:
  - 1. Shipping charges under \$50.00.
  - 2. Collect deliveries.
- 6. Small disbursements under \$50.00.
- C. Petty cash funds are not to be used for the following purposes:
  - 1. Salaries of casual labor.
  - 2. School supplies in excess of \$50.00.
  - 3. Items costing more than \$50.00.
- 7. Any other expenditure exceeding \$50.00.
- 8. Loans to staff.
- D. Petty cash funds will be replenished only upon presentation of receipts by the responsible person to the School Business Administrator/Board Secretary.
- E. Petty cash funds must be reconciled and accounted for:
  - 1. Whenever the fund is depleted.
  - 2. At the end of each month.
- F. The person responsible for the funds is responsible for shortages of funds should this occur.

Adopted: 18 November 2004

6640 6640 CAFETERIA FUND

The Board of Education directs that all moneys derived from the operation, maintenance, or sponsorship of the food service facilities of this district be deposited in the Maywood Board of Education Cafeteria Account, a special checking account, and shall be administered by the School Business Administrator/Board Secretary in the same manner as are other moneys belonging

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

to the district.

Cafeteria funds shall be expended in such manner as may be approved by the Board, but no amount shall be transferred from the Maywood Board of Education Cafeteria Account to any other account or fund of this district, except as authorized by the Board.

The School Business Administrator/Board Secretary is authorized to disburse funds from the Maywood Board of Education Cafeteria Account in accordance with law.

Adopted: 18 November 2004

### 6660 6660 STUDENT ACTIVITY FUND

A student activity fund has been set up by authority of the Board of Education. The School Business Administrator/Board Secretary is the treasurer of the account. The purpose of the account is to provide a safe place to deposit moneys derived from student activities.

A. Funds derived from on-premise student activities are to be secured by the Principal and deposited at the earliest opportunity into the student activity fund bank account. The principal will forward the deposit slips to the School Business Administrator/Board Secretary. The Principal will supervise the safeguarding of cash and other receipts at the school level.

B. In the event of evening functions, such as dances, concerts, etc., and where significant amounts of money are involved, it will be the responsibility of the sponsor of the evening activity to arrange for a night deposit into the student activities bank account and to notify the District Business Office at the start of the following school day. It will be the responsibility of the sponsor of the evening event to forward the deposit slip(s) reflecting the amount deposited to the School Business Administrator/Board Secretary.

All expenditures from the student fund are to be accomplished according to the following procedures:

1. The School Business Administrator/Board Secretary, in consultation with the Superintendent, will review the Building Principal's proposed expenditure and if approved, the School Business Administrator/Board Secretary will issue a check for the expenditure written against the funds within the Student Activity Fund account.

2. All disbursements issued from the fund will be signed/authorized by the School Business Administrator/Board Secretary, who is

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

the treasurer of Student Activity Fund account and the Building Principal.

3. No collections or fund-raising projects intended to generate funds for deposit into the Student Activity Fund account shall be undertaken without the approval of the Principal and Superintendent.

4. The student activity fund will be used only for activities approved by the Superintendent and/or School Business Administrator/Board Secretary.

Adopted: 18 November 2004

### 6700 6700 INVESTMENTS

The Board of Education directs the prompt investment at interest of any unencumbered funds available for the discretionary use of the Board. Such funds may be invested in bonds or other obligations of the United States; bonds of those federal agencies in which such investment is permitted by law; the New Jersey Cash Management Fund; bonds or obligations of a county, municipality, or school district; and public depositories located within the boundaries of the State of New Jersey that secure public funds in accordance with statute.

The School Business Administrator/Board Secretary is authorized to invest district funds in accordance with this policy.

Any interest earned on the investment of district funds will be combined with general district revenues.

The Treasurer shall report to the Board each month the cash in all accounts on deposit and all investment assets. The Board Secretary shall report to the Board each month the amount of funds in investments, investment interest earned, and all investment transactions.

N.J.S.A. 17:9-41 et seq.; 17:12B-241  
N.J.S.A. 18A:17-34; 18A:17-36; 18A:20-37; 18A:24-47  
N.J.S.A. 40:3-7  
N.J.S.A. 40A:5-14; 40A:5-15.1

Adopted: 18 November 2004

### 6740

The Board of Education or Board of School Estimate, as appropriate, may at any time establish by Board resolution a capital reserve account, pursuant to N.J.S.A. 18A:21-2 and 3, and 18A:7G-31.

Funds in the capital reserve account shall not be used for current expenses, pursuant to N.J.S.A. 18A:22-8.2, and shall only be used for purposes as outlined in N.J.A.C. 6A:23A-14.1(b). The Board of Education may increase the balance in the capital reserve account by appropriating funds in the annual general fund budget certified for taxes to meet the needs of the Long-Range Facilities Plan (LRFP) that are not met by State support. The balance in the account may also be increased by requesting approval from the Executive County Superintendent, as the Commissioner's designee, to appropriate any excess unreserved general fund balance as calculated in the supporting documentation

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

of the proposed budget into capital reserve in the proposed budget pursuant to N.J.S.A. 18A:7F-7b only when the Board of Education has formally established a capital reserve account and obtained an approved LRFP in accordance with N.J.A.C. 6A:26-2. The Board of Education, at its option, may satisfy the withdrawal approval requirements set forth in N.J.A.C. 6A:23A-14.1(h) in accordance with the procedures as outlined in N.J.A.C. 6A:23A-14.1(d).

The Board of Education may request express approval of the voters for appropriation of additional amounts into the capital reserve in accordance with the procedures as outlined in N.J.A.C. 6A:23A-14.1(e). The Board of Education shall not deposit into a capital reserve account audited excess undesignated, unreserved general fund balance. The Board of Education shall reserve and designate such funds in the subsequent year's budget pursuant to N.J.A.C. 6A:23A-8.5(b). The Board of Education shall maintain an amount of funds in the capital reserve account that does not exceed the amount needed to implement capital projects in a school district's LRFP that are not met by State support.

The Board of Education may withdraw funds from the capital reserve account at any time in accordance with the provisions of N.J.A.C. 6A:23A-14.1(h). However, the Board of Education or Board of School Estimate, as appropriate, may at any time, apply to the Commissioner for approval to withdraw funds from its capital reserve account for uses authorized in N.J.A.C. 6A:23A-14.1(b). The Board of Education or Board of School Estimate, as appropriate, may make a withdrawal pursuant to N.J.A.C. 6A:23A-14.1(i) only upon receipt of written approval of the Commissioner and the Board of Education shall establish to the satisfaction of the Commissioner that an emergent condition exists necessitating an immediate withdrawal of capital reserve account funds.

The Board of Education shall administer and account for the capital reserve account in accordance with the requirements of N.J.A.C. 6A:23A-14.1(j). Funds in capital reserve accounts in existence prior to July 18, 2000 are subject to the Educational Facilities Construction and Financing Act (EFCFA), P.L. 2000, c. 72, and N.J.A.C. 6A:23A-14, and the Board of Education shall only use such funds for the original purpose for which the funds were deposited and as outlined in N.J.A.C. 6A:23A-14.1(k)1. and (k)2.

The Board of Education shall establish, by resolution, a maintenance reserve account in accordance with the provisions of N.J.A.C. 6A:23A-14.2 to be used to implement required maintenance of the school district's facilities. The Board of Education is prohibited from using such funds for routine or capital maintenance and the account shall be established and maintained in accordance with Generally Accepted Accounting Principles (GAAP) and shall be subject to annual audit pursuant to N.J.S.A. 18A:23-1 et seq. The balance in the maintenance reserve account may be increased by appropriating funds in the annual general fund budget certified for taxes. Funds may be withdrawn from the maintenance reserve account and appropriated into the required maintenance account lines at budget time or any time during the year for use on required maintenance activities for a school facility as reported in the comprehensive maintenance plan pursuant to N.J.A.C. 6A:26A-4 in accordance with the provisions of N.J.A.C. 6A:23A-14.2(d). In any year that maintenance reserve account funds are withdrawn, the Board of Education shall restore any unexpended required maintenance appropriations, up to the amount of maintenance reserve account funds withdrawn, to the maintenance reserve account at year-end.

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The Board of Education shall, by resolution, transfer to the general fund on an annual basis any interest earned on the investments in the maintenance reserve account. Such interest may be transferred on a more frequent basis at the discretion of the Board of Education. The Board of Education shall ensure the maintenance reserve account balance does not, at any time, exceed four percent of the replacement cost of the school district's school facilities for the current year. If the account exceeds this maximum amount at June 30, the Board of Education shall reserve and designate such excess in the subsequent year's budget.

The Board of Education or Board of School Estimate, as appropriate, may supplement a capital reserve account in accordance with requirements as outlined in N.J.A.C. 6A:23A-14.3. The Board of Education or a Board of School Estimate, as appropriate, may through the adoption of a Board resolution, establish a current expense emergency reserve account, a debt service reserve account, and a tuition adjustment reserve account in accordance with requirements as outlined in N.J.A.C. 6A:23A-14.4.

All reserve accounts shall be recorded in accordance with GAAP and subject to annual audit. Any capital gains or interest earned shall become part of the reserve account. A separate bank account is not required; however, a separate identity for each reserve account shall be maintained.

N.J.S.A. 18A:7G-31; 18A:21-2

N.J.A.C. 6A:23A-14.1; 6A:23A:14.2; 6A:23A-14.3; 6A:23A-14.4; 6A:23A-14.5

Adopted: July 28, 2010

6810 M

### 6810 FINANCIAL OBJECTIVES

The Board of Education recognizes its responsibility to the taxpayers of the district and the State to expend public moneys wisely and prudently for the maintenance of a thorough and efficient system of public education and to institute appropriate controls and accounting procedures.

The Board shall use accounting and reporting directives as prepared, published and distributed by the Commissioner of Education in addition to any books, materials or bulletins, for the guidance of school officials in establishing and maintaining the double entry bookkeeping and accounting system mandated in N.J.A.C. 6A:23-2.1.

The Board shall develop a system of accounting and reporting objectives that make it possible to present fairly and with full disclosure the funds and activities of the district and to determine and demonstrate compliance with finance-related legal and contractual matters. The Board shall develop an accounting system that is organized and operated on a fund basis and shall report governmental, proprietary and fiduciary funds in the fund financial statements to the extent they have activities that meet the criteria for using those funds. The Board shall establish and maintain those funds required by law and sound financial administration (only the minimum number of funds consistent with legal and operating requirements should be established) and

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

use the modified accrual or accrual basis of accounting as appropriate in measuring financial position and operating results in accordance with GAAP and regulatory provisions. Transfers shall be recognized in the accounting period in which the interfund receivable and payable arise.

The Board shall adopt an annual budget and include the adopted annual budget in the minutes of the Board. A detailed budget statement, which includes the classification of expenditures by program and function shall be prepared on a fund basis in accordance with N.J.S.A. 18A:22-8 and on a form prescribed by the Commissioner. A detailed budget shall be prepared for each special project, capital project, and Federal or State grant. This budget shall be maintained, along with all authorized revisions, on file in the district Board of Education or Charter School Board of Trustees business office. The Board shall take appropriate action, as necessary, to maintain a balanced budget.

The Board shall ensure the accounting system provides the basis for appropriate budgetary control, and that budgetary comparison schedules are included in the appropriate financial statements and schedules for governmental funds in accordance with GAAP.

The Board shall use a common terminology and classification consistently throughout the budget, the accounts, and the financial reports of each fund, and shall adopt a chart of accounts prepared in conformity with N.J.A.C. 6A:23-2.2 (g) 1.

N.J.S.A. 18A:4-14; 18A:4-14.1;  
18A:18A-1 et seq.; 18A:19-1 et seq.;  
18A:22-7 et seq.  
N.J.A.C. 6A:23-2.2 et seq.

Revised: January 23, 2013

6820 M

### 6820 FINANCIAL REPORTS

The Board of Education directs the Board Secretary and the Treasurer of School Moneys to make such accurate and timely reports to county, State, and federal offices as are required by law and rules of the State Board of Education. In addition, the Secretary and Treasurer shall report to the Board on the financial condition of the school district in accordance with law and in the manner and form required by the State Department of Education. There shall be a common terminology and classification system used consistently throughout the budget, the accounts, and the financial reports of each fund.

The Board Secretary shall prepare monthly financial statements, reports of financial condition, operating results and other pertinent information in accordance with directions issued by the Commissioner of Education, to facilitate management control of financial operations, legislative oversight and, where necessary or desired, for external reporting purposes.

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

In the event the Board has approved a budget with an expanded coding structure, the Board Secretary shall present the financial report in two forms. One form shall use the minimum level chart of accounts established by the State Department of Education and the other shall use the expanded chart of accounts approved by this Board in accordance with Policy No. 6220.

If no line item account has encumbrances and expenditures that in total exceed the line item appropriation in violation of law, the Board Secretary shall so certify to the Board each month. If one or more line item account has encumbrances and expenditures that in total exceed the line item appropriation, the Board Secretary shall promptly notify the Board so that corrective action may be taken in accordance with Policy No. 6422.

If the reports of the Board Secretary and the Treasurer differ in cash receipts or expenditures, the Board Secretary shall resolve the difference prior to the next meeting of the Board. Any difference that cannot be rectified shall be referred immediately to the Auditor.

N.J.S.A. 18A:17-9; 18A:17-36  
N.J.S.A. 54:4-75  
N.J.A.C. 6A:23-2.2; 6A:23-2.3; 6A:23-2.10; 6A:23-2.11

Adopted: 18 November 2004

6830 M

6830 AUDIT AND COMPREHENSIVE ANNUAL FINANCIAL REPORT

The Board of Education will prepare and publish a Comprehensive Annual Financial Report (CAFR) in accordance with the requirements of N.J.A.C. 6A:23-2.2(i).

The Board shall annually cause an audit to be made of the district's accounts and financial transactions. The audit will be conducted in accordance with law by the public school accountant appointed by the Board and will be completed within four months after the end of the school fiscal year. The Board will engage only a licensed public school accountant to conduct the audit in accordance with N.J.S.A. 18A:23-1 et seq. which has an external peer/quality report as required in N.J.A.C. 6A:23-2.2(i)1.

The audit shall include test measures to assure that documentation prepared for income tax purposes complies fully with the requirements of Federal and State laws and regulations, including, but not limited to the requirements of N.J.A.C. 6A:23A-4.2, regarding compensation which is required to be reported.

The Board Secretary will receive the audit report and recommendations of the public school accountant and prepare or have prepared a synopsis or a summary of the annual audit and recommendations prior to the meeting at which the report will be discussed by the Board. Copies of the summary will be available to members of the public.

Within thirty days of the receipt of the audit report, the Board will, at a regularly scheduled public meeting, cause the recommendations of the public school accountant to be read and discussed and the discussion duly noted in the minutes of the Board meeting.

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

The Board will implement the audit recommendations and report such implementation to the Commissioner.

In the event the district has repeat audit findings in the Auditor's Management Report submitted with the CAFR in any year shall, within thirty days of the CAFR submission, submit to the Executive County Superintendent or State fiscal monitor, as applicable, a specific corrective action plan for addressing the repeat audit findings in accordance with the provisions of N.J.A.C. 6A:23A-4.4.

The Board directs the Superintendent and other appropriate district officers and employees to cooperate fully with the public school accountant and to keep faithfully such records and reports as will assist in the audit process.

N.J.S.A. 18A:23-1 et seq.

N.J.A.C. 6A:23-2.2 et seq.; 6A:23-4.1 et seq.

Cross reference: Policy Guide No. 0173

Revised: June 18, 2009

### 6832 6832 CONDITIONS OF RECEIVING STATE AID

The school district, as a condition of receiving State Aid, will comply with the standards set forth at N.J.S.A. 18A:55-3 and the requirements set forth in N.J.A.C. 6A:23A-6 concerning nepotism, contributions to Board members and contract awards, and the internal control requirements in N.J.A.C. 6A:23A-6.

In addition, in accordance with the provisions of N.J.A.C. 6A:23A-6.1, the school district shall be required to examine, no less than once every three years, all available group options for every insurance policy held by the district, including the self-insurance plan administered by the New Jersey School Boards Association (NJSBA) Insurance Group on behalf of districts, and the district shall participate in the most cost-effective plan. This examination shall include the review of annual claims data and other experience rating information, as applicable.

The district shall also: take steps to maximize participation in the Federal Universal Service Program (E-rate) and the ACT telecommunications program offered through the New Jersey School Business Officials; participate in the Alliance for Competitive Energy Services (ACES) Program offered through NJSBA, unless the school district is able to demonstrate to the Commissioner of Education that it receives goods or services at a cost less than or equal to the cost achieved by participants of the program based on an analysis of the prior two years; and take appropriate steps to maximize the local public school district's participation in the Special Education Medicaid Initiative (SEMI) Program pursuant to N.J.A.C. 6A:23A-5.3.

The district shall refinance all outstanding debt in accordance with the provisions of N.J.S.A. 18A:24-61.1 et seq. for which a three percent net present value savings threshold is achievable. This refinance provision of N.J.A.C. 6A:23A-6.1(b)5 shall also be monitored by the Executive County

# **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

Superintendent or State Monitor, if applicable, pursuant to N.J.A.C. 6A:23A-9.11.

N.J.S.A. 18A:55-3  
N.J.A.C. 6A:23A-6.1

Adopted: June 24, 2009

7000 7000 PROPERTY

Number	Title
7100	Long-Range Facilities Planning
7101	Educational Adequacy of Capital Projects
7102	Site Selection and Acquisition
7130	School Closing
7230	Gifts, Grants, and Donations
7243	Supervision of Construction
7250	School and Facility Names
7300	Disposition of Property
7410	Maintenance and Repair
7420	Hygienic Management
7421	Indoor Air Quality Standards
7422	School Integrated Pest Management Plan
7430	School Safety
7432	Eye Protection
7433	Hazardous Substances
7434	Smoking on School Grounds
7435	Alcoholic Beverages on School Premises
7436	Drug Free Workplace
7440	Security of School Premises
7450	Property Inventory
7460	Energy Conservation
7465	Resource Conservation
7480	Motor Vehicles on School Property
7490	Animals on School Property
7510	Use of School Facilities
7513	Recreational Use of Playgrounds
7520	Loan of School Equipment
7610	Vandalism

7100 M

7100 LONG-RANGE FACILITIES PLANNING

The Board of Education recognizes that sound planning based on accurate information is essential to the provision of suitable educational facilities. In order to ensure that future district construction is planned on the basis of need, the Board, in accordance with N.J.A.C. 6A:26-2.1 et seq., will maintain and submit a Long-Range Facilities Plan (LRFP) to the New Jersey Department of Education. Except as provided in N.J.A.C. 6A:26-3.16, no school facilities project will be considered or approved unless the district's LRFP has been submitted to and approved by the Commissioner of Education.

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

The district may submit an amendment to an approved LRFP for review and approval by the Commissioner of Education at any time whenever it seeks to undertake a capital project that is inconsistent with the approved LRFP then in effect.

### Early Childhood Program Aid (ECPA) Districts Only

The district will amend their LRFP annually, immediately following approval of the district's ECPA plan, to ensure that it is consistent with the approved ECPA plan required pursuant to N.J.S.A. 18A:7F-16 and N.J.A.C. 6A:24-3 et seq. or N.J.A.C. 6:19-3.1.

The Board shall review all facilities annually to determine if any of them are substandard pursuant to 6A:26-8.1 et seq. All substandard facilities must be initially approved by the County Superintendent of Schools. Such approvals are given for a maximum of two consecutive years, unless inspected by the New Jersey Department of Education, Division of Finance. The Board shall not continue their use without the express written consent of the County Superintendent of Schools. No substandard educational facility will be approved unless inspected by the Division of Facilities and Transportation in the Department of Education to ensure;

1. The facilities meet health, safety and educational adequacy standards for temporary, substandard facilities, as specified in N.J.A.C. 6A:26;

2. A plan has been developed by the district and approved by the County Superintendent of Schools to upgrade the facilities to standard, fully approved conditions.

The County Superintendent will annually monitor the district's plans to upgrade facilities to fully approved status. The district will provide funds in the next immediate annual budget to correct the deficiencies the district is notified by the County Superintendent on or before October 1 annually. Failure to budget for the correction of deficiencies and to implement the corrections by the next September 1 following the October 1 notice will result in the Division of Facilities and Transportation ordering that the substandard facility be abandoned immediately.

The factors as outlined in N.J.A.C. 6A:26-8.1(e) will be taken into account in making a determination upon any application for the use of emergency substandard facilities.

N.J.S.A. 18A:7G-1 et seq.; 18A:11-1;  
18A:33-1 et seq.; 18A:46-13  
N.J.A.C. 6:23-1.1 et seq.; 6A:26-2.1 et seq.;  
6A:26-8.1 et seq.

Adopted: 18 November 2004

7101 7101 EDUCATIONAL ADEQUACY OF CAPITAL PROJECTS

Capital projects that affect any of the criteria for educational adequacy must be reviewed and approved by the Division of Facilities and

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

Transportation. The criteria are the number, configuration, size, location or use of educational spaces within a school facility. The review for educational adequacy will take into consideration the suitability of the number, configuration, size, location, and use of educational spaces; built-in furniture and equipment; and provisions for the disabled.

Projects requiring approval for educational adequacy, as defined in N.J.A.C. 6A:26-5.1 are: new school facilities including pre-fabricated facilities; additions to existing school facilities; alterations to the total number, dimension in volume and/or area, configuration or location of educational spaces or the number of any one kind of educational space; change-of-use that requires certain alterations, or that requires mechanical or electrical changes pursuant to N.J.A.C. 5:23 or these regulations; installation of temporary facilities; and any site or school facility change or alteration for the purpose of making the site and school barrier free and accessible to disabled persons pursuant to N.J.A.C. 5:23 and Section 504 of the Federal Rehabilitation Act of 1973, 29 U.S.C. §794 and the Americans with Disabilities Act, 42 U.S.C. §12101 et seq.

New Jersey Economic Development Authority and non-authority school facilities projects, along with other capital projects, are subject to educational adequacy reviews pursuant to N.J.A.C. 6A:26-5.1(b). The district will submit any plan to change of use of instructional space that is not a capital project to the County Superintendent of Schools for approval.

Educational specifications for educational adequacy reviews will be prepared and submitted in accordance with N.J.A.C. 6A:26-5.2. Educational specifications will be prepared in writing describing in detail the educational program activities and requirements for each space proposed in the capital project, and will refer to the Core Curriculum Content Standards wherever appropriate. The educational specifications will include an itemized list of furniture, equipment, and support spaces required to conduct the educational program specified for each space will be included, together with their estimated areas in square feet, as well as an estimate of the total room area required for each space. The educational specifications will also include specific technical and environmental criteria, adjacencies and other requirements for the educational program will be noted and a building space program that indicates the number and area in square feet of each instructional, specialized instructional, administrative and support space in each existing or proposed building included in the capital project.

Schematic plans and other related project documents will be prepared and submitted in accordance with N.J.A.C. 6A:26-5.3.

A project cost estimate on a form provided by the Commissioner of Education, a project schedule, a copy of the dated transmittal letter indicating project document submission to the County Superintendent and a copy of the transmittal letter indicating the date of plan submission to the local planning board (whenever the building footprint, volume, pedestrian or vehicular access are altered by the project) must be submitted to the Division of Facilities and Transportation.

The Director of the Office of Bilingual Education and Equity Issues must receive a completed OEEQ questionnaire, in accordance with Title 6 of the Civil Rights Act of 1964 (42 U.S.C. § 2000a et seq.), Section 504 of the

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Rehabilitation Act of 1973 (29 U.S.C. § 794) and Title 2 of the Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.), from the district and must make a positive recommendation in writing to the Division before schematic plans can be approved for any project that affects the capacity of individual buildings or their sending areas in the district.

In the case of an authority school facilities project, upon completion of detailed plans and specifications, the authority on behalf of the district will apply for final approval of the educational adequacy of the project in accordance with N.J.A.C.6A:26-5.4(a). In the case of a non-authority school facilities project or another capital project, upon the completion of final plans and specifications, the district will apply for final approval of the educational adequacy of the project in accordance with N.J.A.C. 6A:26-5.4(b).

The Division of Facilities and Transportation will collect fees for its reviews according to N.J.A.C. 6A:26-5.5.

N.J.A.C. 6A:26-5.1 et seq.

Adopted: 18 November 2004

### 7102 7102 SITE SELECTION AND ACQUISITION

The District may need to select and acquire new sites for school district facilities. Site acquisition for school purposes and every acquisition of land will be made pursuant to N.J.A.C. 6A:26-3.13 and N.J.A.C. 6A:26-7.1 through 7.3.

#### A. Voter Approval

The district may obtain voter approval for funding of the acquisition of land prior to the Division of Facilities and Transportation approval of the purchase of land, but shall not take any action to acquire land prior to obtaining Division approval.

#### B. Submission to the Division of Facilities and Transportation

1. The district, or the authority on behalf of the district, shall submit the following information to the Division to obtain approval for the acquisition:

a. A written request for approval from the district, which shall include a statement, signed by the Board President and the chief school administrator, indicating the immediate and ultimate proposed uses of the site, in terms of building use, grade organization and potential maximum enrollment, and whether the land is, or will be, part of a school facilities project indicated in the district's LRFP:

b. Statement from a local or county water/sewerage agency certifying that:

(1) The land can be adequately provided with the necessary water for the proposed maximum enrollment;

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

(2) The land can be adequately provided with the necessary and acceptable sewerage disposal system for the proposed maximum enrollment; and

(3) Water and sewer infrastructure is, or is not, in place to service the site.

c. Statement from New Jersey Department of Environmental Protection or a licensed architect, engineer or professional planner, indicating whether:

(1) The land is subject to regulation under wetlands, pinelands, or the waterfront development acts, the Greenacres Act, or other statutes, regulations or Executive Orders administered by agencies of state or federal government;

(2) If so subject, the steps necessary to obtain approval from such agencies, and adequate documentation to demonstrate to the Division that such approvals will be obtainable and not affect the adequacy of the site; and

(3) The land is in an area designated for growth under the New Jersey State Development and Redevelopment Plan.

d. A statement from a New Jersey registered architect or licensed engineer indicating that the land to be acquired is suitable for the proposed use;

e. A completed plot plan of the land to be acquired showing topographical and contour lines, all adjacent properties and access roads. The acreage and dimensions of the tract proposed for acquisition shall be included as per the application of the standards for minimum acceptable school site sizes in C. below;

f. A map of the district showing the location of the land and the location of existing schools in the district:

g. A map showing the attendance area to be served by the school and the number of students who reside therein;

h. Data regarding the impact of the acquisition on racial balance within the district's public schools;

i. If existing buildings are located on the land to be acquired, the intended use and/or disposition of these buildings. Any building to be acquired and used must comply with the requirements of the Uniform Construction Code for educational occupancy, and the requirements of N.J.A.C. 6A:26-5.1 et seq. which apply to the construction of a new building;

j. Recommendations of the local planning board of the municipality in which the site is situated and which has an approved master plan, as required by N.J.S.A. 40:55D-31, 18A:18A-49 and 18A:18A-16;

k. Prior approvals of other agencies, such as the New Jersey Departments of Agriculture and Environmental Protection and the Pinelands Commission, where such approval is reasonably obtainable prior to acquisition;

l. Documentation that available data on soil conditions have been

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

examined by the architect or engineer;

m. Reports by the architect or engineer of actual soil test borings and percolation tests on any site located less than one mile from a landfill;

n. A full, detailed appraisal of the market value of the property prepared by a licensed professional; and

o. The recommendation of the County Superintendent of Schools based on the requirements specified in this subchapter.

### **C. Size of School Sites**

1. School site sizes shall be directly related to the acreage required for the structures and activities to be situated thereon. Except where specifically noted for multiple or shared use, the acreage shall be considered for single use.

2. All school sites require sufficient acreage for the following:

a. The placement of the school facility;

b. Expansion of the building to its maximum potential enrollment;

c. The placement of all other structures such as greenhouses, storage buildings, school bus maintenance buildings or garages and any other structure, above or below ground, which is to be placed thereon;

d. Multi-purpose physical education and recreation field(s) required to support the achievement of the Core Curriculum Content Standards as defined by the educational specifications under N.J.A.C. 6A:26-5.1 et seq.;

e. Disabled-accessible pedestrian walkways, roadways and parking areas on which people and vehicles access the building;

f. Public and service access roads onto the site including, where warranted, a one-way school bus road of thirty foot width and a two-way road of thirty-six foot width; a school bus drop-off area; and eighteen foot wide posted fire lanes for fire apparatus; and

g. A thirty-foot wide access around the entire building.

D. Land owned by the school district which does not meet the standards of N.J.A.C. 6A:26-7.1 may be supplemented by adjacent municipally owned land if such land is formally leased on a long-term basis to the district board of education for exclusive use during school hours.

E. The approval of the Division shall remain effective for three years, after which time Division approval shall again be obtained prior to acquiring land.

### **F. Approval for Acquisition of Existing Facilities**

1. If the district has an opportunity to acquire an existing facility through purchase, gift, lease or otherwise the district will comply with all

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

procedures and rules pertaining to the appropriation and use of capital funds as required by N.J.S.A. 18A:20-4 and 18A:20-4.2 as per N.J.A.C. 6A:26-7.3.

2. The district shall also have the facility approved in accordance with N.J.A.C. 6A:26-3 which applies to the acquisition of a school site and for the construction of a new facility.

3. Off-site facilities which are to be procured for temporary, emergency use must comply with N.J.A.C. 6A:26-8, Substandard School Facilities.

### **G. Districts Eligible for 100% State Support Only**

The authority may acquire land on behalf of a district eligible for 100% State support of final eligible costs, for school facilities projects that are consistent with such district's approved LRFP. For such districts, the Department requires submission of all information set forth in N.J.A.C. 6A:26-7.1(b) to demonstrate compliance with these regulations. The authority may submit the required information on behalf of such districts.

N.J.A.C. 6A:26-3.13; 6A:26-7.1; 6A:26-7.2; 6A:26-7.3

Adopted: 18 November 2004

### **7130 7130 SCHOOL CLOSING**

The Board of Education recognizes its responsibility to provide a thorough and efficient program of free public education and appropriate facilities to house that program. The Board further recognizes that declining enrollments, diminished resources, district reorganization, or other good cause may require that the use of one or more district facilities for educational purposes be abandoned.

The Board will not commit itself to the closing of any school facility without first having collected and considered appropriate information regarding pupil enrollments, the educational adequacy of school facilities, relevant safety and traffic factors, district revenues, and alternative district organizational plans. The Board will invite citizen participation in the analysis of that information and the formulation of recommendations. Information on any proposed district reorganization will be disseminated to the public, and public response will be invited by all appropriate means.

The Board must receive a letter of approval from the Department of Education before making a final determination to close a school. To receive the letter of approval from the Department of Education, the Board must provide the Division of Facilities and Transportation and the County Superintendent of Schools assurances as required in N.J.A.C. 6A:26-7.5.

The proposed closing must be consistent with the district's approved LRFP, demonstrating that sufficient school building capacity exists to house district pupils following such closing for the succeeding five years. The use of substandard spaces in the remaining schools within the district must not

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

result or increase from an overall facilities shortage caused by the school closing. The re-assignment of pupils to other schools in the district does not produce, sustain nor contribute to unlawful segregation, separation or isolation of pupil populations on the basis of race or national origin.

N.J.S.A. 18A:11-1; 18A:20-36; 18A:33-1  
N.J.A.C. 6A:26-7.5 et seq.

Adopted: 18 November 2004

### 7230 7230 GIFTS, GRANTS AND DONATIONS

The Board of Education accepts its responsibility to provide from public funds sufficient supplies and equipment for an effective instructional program. The Board recognizes, however, that from time to time individuals or organizations in the community may wish to contribute additional supplies or equipment to enhance or extend the instructional program.

The Board may accept by resolution duly passed at a public meeting any gift or grant of land, with or without improvement, and of money or other personal property, except that the Superintendent may accept on behalf of the Board any such gift less than \$500 in value. Grants of land are subject to the appropriate legal limitations and approvals.

The Board reserves the right to refuse to accept any gift that does not contribute toward the achievement of the goals of this district or any gift the ownership of which would tend to deplete the resources of the district.

Any gift accepted by the Board shall become the property of the Board, may not be returned without the approval of the Board, and shall be subject to the same controls and regulations as are other properties of the Board. The Board shall be responsible for the maintenance of any gift it accepts, subject to any joint agreement with another governmental body.

The Board will respect the intent of the donor in its use of a gift, but reserves the right to utilize any gift it accepts in the best interests of the pupils and the educational program of the district. In no case shall acceptance of a gift be considered to be an endorsement by the Board of: a commercial product; a business enterprise; an institution of learning; a religion; or an individual religious, spiritual or political point of view.

The Superintendent shall:

1. Counsel potential donors on the appropriateness of contemplated gifts and encourage such donors to choose as gifts supplies or equipment not likely to be purchased with public funds;
2. Encourage individuals and organizations considering a contribution to the schools to consult with the Principal or Superintendent before appropriating funds to that end;
3. Report to the Board all gifts that have been accepted on behalf of the Board;
4. Acknowledge the receipt of any gift accepted by the Board; and

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

5. Prepare fitting means for recognizing or memorializing gifts to the school district.

N.J.S.A. 18A:20-4; 18A:20-11 et seq.

Adopted: 18 November 2004

### 7243 7243 SUPERVISION OF CONSTRUCTION

The Board of Education directs that the School Business Administrator/Board Secretary be responsible for the supervision of all building construction in this district. Supervision shall include field inspection of the contractor's operations, administrative review of the activities of the architect relating to the construction, and any other construction matters relating to the interests of the school district.

The School Business Administrator/Board Secretary shall report periodically to the Board that by his/her personal knowledge the work of the construction contractor and the architect is being performed in accordance with the plans, specifications, and contracts approved by the Board.

A change order will be submitted by the Architect for Board review along with an explanation of the indications for the change order and the effect upon the planned facility specifically and the long-range facility plan, in general.

Upon completion of a building project and a final inspection of all its aspects by the architect, contractors, and school officials, a recommendation for acceptance shall be made to the Board by the Architect.

N.J.S.A. 18A:18A-16; 18A:18A-43; 18A:18A-44

Adopted: 18 November 2004

### 7250 7250 SCHOOL AND FACILITY NAMES

School buildings and separate school facilities, both on school grounds and within school buildings, shall be named only by formal action of the Board of Education. In naming schools and facilities, the Board shall strive to honor the traditions and high ideals of this district and the community it serves.

A school building or school facility may be named to memorialize the outstanding service of a school district employee or officer.

The Board welcomes the suggestions of members of the community in the naming of school buildings and facilities and may appoint a committee of interested persons to conduct appropriate studies and make recommendations for Board consideration.

Adopted: 18 November 2004

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

7300    7300    DISPOSITION OF PROPERTY

The Board of Education believes that the efficient administration of the district requires the disposition of property and goods no longer necessary for school purposes. The Board directs the periodic review of all district property and authorizes the disposition by sale, donation, or discard of any property no longer useful to the educational program or the efficient management of the school district. The disposition of any school property will be in accordance with this policy and applicable laws.

Real estate property will be disposed of by sale or otherwise, in accordance with N.J.S.A. 18A:20-5 and N.J.A.C. 6A:26-7.4. If an approved site is to be altered or disposed of through sale, transfer or exchange of all or part of the total acreage, including facilities, if applicable, a written request for approval of the disposal will be made to the Department of Education in accordance with the requirements of N.J.A.C. 6A:26-7.4 et seq. The Department of Education will notify the district of its approval or disapproval.

The Board may, by resolution and by sealed bid or public auction, authorize the sale of its personal property not needed for school purposes. If the estimated fair value of the property to be sold exceeds fifteen percent of the bid threshold in any one sale and it is neither livestock nor perishable goods, it shall be sold at public sale, together with a description of the items to be sold and the conditions of sale, shall be published once in an official newspaper. By resolution of the Board, the purchasing agent may include the sale of personal property no longer needed for school purposes as part of specifications to offset the price of a new purchase.

Personal property may be sold to the United States, the State of New Jersey, counties and municipalities in the State of New Jersey, or to another Board of Education by private sale without advertising for bids.

Notwithstanding anything to the contrary in this policy, property acquired with federal funds for use in a federally funded program will be disposed of in accordance with applicable law and guidelines.

The Superintendent shall develop regulations for the disposition of district property that provide for the review of the continued usefulness of all property in conjunction with the periodic inventory of property; the recommendation for Board designation of property for sale, donation, or discard; and the disposition of property in a fair and open manner consistent with the public interest and applicable laws.

N.J.S.A.        18A:18A-5; 18A:18A-45; 18A:20-6 et seq.  
N.J.A.C.        6A:26-7.4

Adopted:    18 November 2004

7410

7410.    MAINTENANCE AND REPAIR (M)

The Board of Education recognizes that the fixed assets of this district represent a significant investment of this community; their maintenance is,

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

therefore, of prime concern to the Board.

The Board will develop, approve, and implement a comprehensive maintenance plan in accordance with the requirements of N.J.A.C. 6A:26A-3.1 and 6A:26A-3.2. A "comprehensive maintenance plan" means a multi-year maintenance plan developed by a school district covering required maintenance activities for each school facility in the school district pursuant to N.J.A.C. 6A:26A-1.1 et seq.

Required maintenance activities, in accordance with N.J.A.C. 6A:26A-2.1, are those specific activities necessary for the purpose of keeping a school facility open and safe for the use or in its original condition, and for keeping its constituent building systems fully and efficiently functional and for keeping their warranties valid. The activities address interior and exterior conditions; include preventative and corrective measures; and prevent premature breakdown or failure of the school facility and its building systems.

Expenditures for required maintenance activities set forth in N.J.A.C. 6A:26A-2.1 shall be accounted for in accordance with the requirements of N.J.A.C. 6A:26A-2.2.

The required annual maintenance budget amount in the comprehensive maintenance plan shall be included in the district's annual budget certified for taxes in accordance with the provisions of N.J.A.C. 6A:26A-4.1(a). The required annual maintenance budget amount shall be calculated and adjusted in accordance with the provisions of N.J.A.C. 6A:26A:4.1(b). The Executive County Superintendent, in accordance with the provisions of N.J.A.C. 6A:26A:4.1(c), may not approve the school district's budget if the required annual maintenance budget is not included in the budget certified for taxes.

Maintenance and repair requests and repairs shall be processed in accordance with the procedures as outlined in Regulation 7410.

N.J.S.A. 18A:18A-43; 18A:21-1

N.J.A.C. 6A:26A-1.1 et seq.; 6A:23A-6.9

Adopted: January 20, 2010

7420 M

### 7420 HYGIENIC MANAGEMENT

The Board of Education recognizes that the health and physical well-being of the pupils and staff of this district depend in large measure upon the cleanliness and sanitary management of the schools.

The Board directs that a program of hygienic management be instituted in the schools and explained annually to all staff members. Each school shall be inspected for cleanliness and sanitation by the Supervisor of Buildings and Grounds not less than once each year.

The Board will cooperate with the local board of health in the sanitary

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

inspection of the schools' toilets, washrooms, food preparation and dining areas, food vending machines, water supply, and sewage disposal systems.

The Superintendent shall prepare, in consultation with the school physician, regulations, first aid and emergency medical procedures that utilize universal precautions in the handling and disposal of blood and body fluids, whether or not pupils or staff members with HIV infection are present. School staff members and volunteers shall be provided the supplies for implementing the procedures. In particular, school nurses, custodians, and teachers shall be trained in proper handling procedures. These regulations and procedures will comply with the regulations of the State Department of Health and State Department of Labor (OSHA Standards for Occupational Exposure to Bloodborne Pathogens) and recommendations of the Centers for Disease Control and Prevention.

### Bloodborne Pathogens

The Board recognizes that school employees may in the performance of their duties reasonably anticipate contact with human blood or other potentially infectious body fluids that may expose them to bloodborne pathogens such as Hepatitis B Virus (HBV) and Human Immunodeficiency Virus (HIV), etc. In accordance with federal OSHA regulations, the Board will establish a written Exposure Control Plan designed to eliminate or minimize employee exposure to such infection. The plan shall list all job classifications and tasks in which exposure occurs; describe and require the implementation of workplace controls to eliminate or minimize exposure; require the provision of hepatitis B vaccination to employees who have occupational exposure; and require the provision of a training program for employees who have occupational exposure. The plan shall be updated annually and as required to include new or revised employees positions with occupational exposure. A copy of the plan shall be made accessible to employees.

### Disposal of Medical Waste

The Superintendent shall prepare, in consultation with the school physician, a medical waste disposal program to ensure all medical waste, including needles and sharps, are disposed of in accordance with the rules and regulations of the New Jersey Department of Health.

### Chemical Hygiene

The Board also recognizes that certain school employees who work in laboratories may be exposed to hazardous chemicals in the course of their duties. In accordance with federal OSHA regulations, the Board will establish practices that are capable of protecting employees from health hazards presented by hazardous chemicals used in the workplace. The plan shall contain the locations of hazardous chemicals and shall enunciate a plan capable of protecting employees from associated health hazards and keeping exposure of employees below specified limits. The Chemical Hygiene Plan shall be readily available to employees and shall contain at least the following elements:

1. Standard operating procedures for using hazardous chemicals in laboratory work;

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

2. Criteria that the Board will use to determine and implement control measures to reduce employee exposure;

3. The requirement that fume hoods and other protective equipment are functioning properly and that measures are taken to ensure adequate performance of such equipment;

4. Provision for employee information and training;

5. The circumstances under which a particular laboratory operation, procedure or activity shall require prior approval from the Supervisor of Buildings and Grounds before implementation;

6. Provisions for medical consultation;

7. Designation of personnel responsible for implementation of the chemical hygiene plan; and

8. Provisions for additional employee protection for work with particularly hazardous substances.

The Board directs that the program of chemical hygiene be implemented by the Chemical Hygiene Officer. The Supervisor of Buildings and Grounds will serve as Chemical Hygiene Officer for all schools in the district and shall be responsible for the examination of all school facilities to determine where hazardous chemicals are used and to ensure compliance of all school facilities with the Chemical Hygiene Plan.

The School Business Administrator/Board Secretary shall develop and supervise a program for the cleanliness and sanitary management of the school buildings, school grounds, and school equipment pursuant to statute, rules of the State Board of Education, and regulations of the State Board of Health.

The day to day monitoring of the safety and cleanliness of each school building shall be the responsibility of the Building Principal.

29 C.F.R. 1910  
N.J.A.C. 6:3-8.1; 6A:16-1.4; 6A:16-2.3(e); 6A:26-12.4

Adopted: 18 November 2004

7421 7421 INDOOR AIR QUALITY STANDARDS

The Board of Education will provide air quality for school employees in school buildings that meet the standards established by the New Jersey Department of Labor pursuant to N.J.A.C. 12:100-13.

The Board will designate the Director/Supervisor of Buildings and Grounds as the individual, who is responsible to assure compliance with New Jersey Department of Labor standards. The designated person will assure that preventative maintenance programs for heating, ventilating and air conditioning (HVAC) systems are implemented and documented and that general and local exhaust ventilation is used for employees working with equipment or

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

products that could reasonably be expected to result in hazardous chemicals or particulate exposure. The designated person shall check to make sure HVAC systems are working properly when the building temperatures are outside of the range of 68 to 79 degrees Fahrenheit and make sure buildings without mechanical ventilation have operable windows, doors, vents, stacks and other portals designated or used for natural ventilation are operational. The designated person will also promptly investigate all employee complaints of signs or symptoms that may be associated with building-related illnesses.

The Board will make sure air quality will be maintained at acceptable standards during renovation and remodeling that results in the diffusion of dust, stone and other small particles, toxic gases or other harmful substances in quantities hazardous to health. The designated person will notify employees at least twenty-four hours in advance, or promptly in emergency situations of work to be performed on the building that may induce air contaminants into their work area.

The designated person will respond to a complaint received by the Department of Labor within fifteen working days of receipt of the complaint.

N.J.A.C. 12:100-13.2 et seq.  
N.J.A.C. 5:23

Adopted: 18 November 2004

7422 M

### 7422 SCHOOL INTEGRATED PEST MANAGEMENT PLAN

The New Jersey School Integrated Pest Management Act of 2002 requires school districts to implement a school integrated pest management policy that includes an Integrated Pest Management Plan. In accordance with the requirements of the Act, the Board shall ensure implementation of Integrated Pest Management (IPM) procedures to control pests and minimize exposure of children, faculty, and staff to pesticides. These procedures shall be applicable to all school property in the Maywood School District.

#### IPM Coordinator (IPMC)

The Supervisor of Buildings and Grounds shall be designated as the district's Integrated Pest Management Coordinator (IPMC) and is responsible for the implementation of the school integrated pest management policy.

#### Integrated Pest Management Procedures in Schools

Implementation of Integrated Pest Management (IPM) procedures will determine when to control pests and whether to use mechanical, physical, cultural, biological, or chemical methods. Applying IPM principles prevents unacceptable levels of pest damage by the most economical means and with the least possible hazard to people, property, and the environment.

The Integrated Pest Management Coordinator (IPMC) shall consider the full

# **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

range of management options, including no action at all. Non-pesticide pest management methods are to be used whenever possible. The choice of using a pesticide shall be based on a review of all other available options and a determination that these options are not effective or not reasonable. When it is determined that a pesticide must be used, low impact pesticides and methods are preferred and shall be considered for use first.

## Development of IPM plans

The Superintendent, in collaboration with the school Building Principal(s) and the IPMC, shall be responsible for the development of the IPM Plan for the school district. The school district's Integrated Pest Management (IPM) Plan is a blueprint of how the school district will manage pests through IPM methods. The school district's IPM Plan will state the school district's goals regarding the management of pests and the use of pesticides for all school district property. The Plan will reflect the school district's site-specific needs and a description of how each component of the school district's Integrated Pest Management Policy and Regulation will be implemented for all school property.

## Education/Training

The school community will be educated about potential pest problems and IPM methods used to achieve the pest management objectives.

The IPMC, other school staff, and pesticide applicators involved with implementation of the district's IPM policy will be trained in appropriate components of IPM as it pertains to the school environment.

Students and parents/legal guardians will be provided information on this policy and instructed on how they can contribute to the success of the IPM program.

## Recordkeeping

Records of pesticide use shall be maintained on site to meet the requirements of the State regulatory agency and the Board.

Records shall also include, but are not limited to, pest surveillance data sheets and other non-pesticide pest management methods and practices utilized.

## Notification/Posting

The Building Principal of each school, working with the IPMC, is responsible for timely notification to students, parents or legal guardians and the school staff of pesticide treatments pursuant to the School Integrated Pest Management Act.

## Re-entry

Re-entry to a pesticide treated area shall conform to the requirements of the School Integrated Pest Management Act.

## Pesticide Applicators

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

The IPMC shall ensure that applicators follow State regulations, including licensing requirements and label precautions, and must comply with all components of the School Integrated Pest Management Policy.

### Evaluation

The Superintendent will report annually to the Board on the effectiveness of the IPM Plan and make recommendations for improvement as needed.

The school district's Integrated Pest Management Plan, Policy and Regulation shall be implemented not later than June 12, 2004. The Board directs the Superintendent to develop Regulations/Procedures for the implementation of School Integrated Pest Management Plan.

N.J.S.A. 13:1F-19 through 13:1F-33

Adopted: 18 November 2004

7430 M

7430 SCHOOL SAFETY

The Board of Education recognizes that it is required by law to take measures for the safety of pupils and district employees.

The Board shall provide, publish, and post rules for safety and the prevention of accidents; instruct pupils in safety and accident prevention; provide protective devices where they are required by law for the safety of pupils and employees; and provide suitable and safe equipment where such equipment is necessary for the conduct of the educational program and the operation of the schools.

The Superintendent, Building Principal and Supervisor of Buildings and Grounds shall prepare regulations governing school safety and the prevention of accidents and fire that include as a minimum the requirements of law and the applicable rules of various departments of state government. Such regulations shall provide procedures and precautions for the safety of pupils in school, employees in the performance of their duties, users of school vehicles, pupils in transit to and from school in district authorized conveyances, injured pupils and employees, and visitors to the school. Safety regulations shall be promulgated to all school employees and shall be reviewed and evaluated annually. The Superintendent is directed to instruct teaching staff members in proper safety precautions.

N.J.S.A. 18A:6-2; 18A:40-12.1; 18A:40-12.2

N.J.S.A. 40:67-16.7

N.J.A.C. 6:29-1.3; 6:29-1.7

Revised: January 23, 2013

7432 M

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

### 7432 EYE PROTECTION

The Board of Education directs the rigorous implementation and enforcement of eye safety practices for pupils, staff members, and visitors exposed to conditions potentially hazardous to the eyes in the instructional program of this district.

The Board recognizes that the purpose of eye protection is to protect and preserve the vision, mucous membranes, and periocular skin structures from mechanical and/or chemical trauma or introduction. In keeping with this purpose, pre-existing blindness, of any degree, does not constitute an exemption from the use of appropriate eye protection.

The Superintendent shall be responsible for the continual monitoring of the school program, including, but not limited to, all vocational education, industrial arts education, science education, technology education and arts education, for conditions under which pupils, staff members, or visitors are exposed to a process or activity that might have a tendency to cause damage to the eyes.

Each pupil, staff member, and visitor exposed to a condition identified as hazardous to the eyes must wear an eye protective device appropriate to the activity and certified to meet the standards established by the State Board of Education, the American National Standard Practice for Occupational and Educational Eye and Face Protection, ANSI Z87.1-1979, and American National Standard Practice for the Safe Use of Lasers, ANSI Z136.1-1986 and the New Jersey Administrative Code. The eye protective device shall be supplied by the Board, except that the pupil, staff member, or visitor may wear personal eye wear that is appropriate to the activity and certified, in writing, by a licensed optician or other qualified licensed eye professional to meet or exceed those standards. District owned eye protective devices shall be inspected regularly by the appropriate staff member, and defective or poorly fitting devices shall be returned to the Principal for repair or discard. Any shared eye protective devices shall be disinfected between uses by the method prescribed by the school medical inspector.

Each classroom, shop, laboratory, and other area of the school in which pupils or staff members are exposed to caustic materials that can cause damage to the eyes shall be equipped with an emergency eye wash fountain in accordance with standards established by the Department of Education.

The Building Principal shall ensure that each area in the school identified as housing an activity hazardous to the eyes shall be posted with conspicuous signs that warn participants that an appropriate eye protective device must be worn during the activity. Staff members of such activities are responsible for instructing pupils in appropriate eye safety practices and for serving as exemplary models in the implementation of such practices.

The Board authorizes each staff member responsible for an activity or process hazardous to the eyes to compile and maintain, for the duration of the course of study, a list of pupils in the course who wear contact lenses.

A pupil who refuses or persistently neglects to wear an eye protective device when required to do so or fails to observe established eye safety practices shall be dismissed from the day's class by his/her teacher. Any such

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

dismissal from class will be considered to be an absence, in accordance with Board policy on pupil attendance, and an accumulation of such absences may result in loss of course credit.

A staff member who refuses or persistently neglects to wear an eye protective device when required to do so or fails to observe established eye safety practices may be disciplined for insubordination for failing to obey the rules established by this Board. The proper implementation of eye protection practices shall be a criterion in the evaluation of every staff member required to observe such practices.

A visitor to the schools who refuses or persistently neglects to wear an eye protective device when required to do so or fails to observe established eye safety practices may be requested to leave the school premises.

The Superintendent shall promulgate regulations to implement this policy that conform to rules of the State Board of Education and shall provide in-service training to staff members whose instructional duties include activities hazardous to the eyes. The Superintendent shall report annually to the Board on the implementation of the eye protection program and the eye injuries, if any, occurring in the course of the instructional program.

N.J.S.A. 18A:40-12.1; 18A:40-12.2  
N.J.A.C. 6:29-1.7

Adopted: 18 November 2004

7433 7433 HAZARDOUS SUBSTANCES

The Board of Education will enforce the law governing hazardous substances in the school district. Employees of this district shall be informed of the hazards related to the handling of certain substances and trained to work with hazardous substances.

Hazardous substance means any substance or substance in a mixture included on the hazardous substance list developed by the New Jersey Department of Health and Senior Services. Hazardous substances shall not include:

1. Any article containing a hazardous substance if the hazardous substance is present in a solid form which does not pose any acute or chronic health hazard to any person exposed to it;
2. Any hazardous substance constituting less than one percent of a mixture unless the hazardous substance is present in an aggregate amount of five hundred pounds or more in a container in a public or private school or child care center building;
3. Any hazardous substance which is a special health hazardous substance constituting less than the threshold percentage established by the Department of Health and Senior Services pursuant to P.L.1983, c.315 (C.34:5A-1 et seq.), for that special health hazardous substance when present in a mixture;
4. Any hazardous substance present in the same form and concentration as a product packaged for distribution and use by consumers and which is not a

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

product intended primarily for commercial use;

5. Any fuel in a motor vehicle;
6. Tobacco or tobacco products;
7. Wood or wood products;
8. Foods, drugs, or cosmetics;
9. Hazardous substances which are an integral part of a building's structure or furnishings;
10. Products which are personal property and are intended for personal use; and
11. Any substance used in the routine maintenance of a public or private school or child care center building or its grounds, any substance used in a classroom science laboratory, any substance used in a school occupational training facility, including laboratories and shops, and any substance used in the normal operation of the classrooms or administrative offices of a public or private school or child care center, including any substance used in the heating or cooling of the school or child care center.

No person shall use or allow the use of any hazardous substance in or on any building or grounds used as a public school or child care center when children are expected to be present.

The School Business Administrator/Board Secretary may delegate authority for the maintenance of hazardous substances and for the development of safety and training standards for the handling of such substances to a safety officer.

The Supervisor of Buildings and Grounds shall conduct periodic audits of hazardous substances in use in the district, ascertain that such substances are being handled in accordance with appropriate safety requirements, and determine that the employees who are required to handle hazardous substances are properly equipped to do so.

The Supervisor of Buildings and Grounds shall inform the School Business Administrator/Board Secretary of all hazardous substances in use in the district, the purpose of each, and the precautions required for each. The School Business Administrator/Board Secretary shall take such action as may be necessary and feasible to minimize the use of hazardous substances in the district.

The School Business Administrator/Board Secretary shall report periodically to the Board on hazardous substances in district use and the purpose of each.

N.J.S.A. 34:5A-1 et seq.; 34:5A-10.1 et seq.  
N.J.A.C. 6:29-1.3; 6:53-4.1 et seq.; 8:59-1 et seq.

Adopted: 18 November 2004

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

7434 M

### 7434 SMOKING ON SCHOOL GROUNDS

The Board of Education believes that the right of persons to smoke must be balanced against the right of nonsmokers to breath air untainted by tobacco smoke.

For purposes of this policy, "smoking" means the burning of a lighted cigar, cigarette, pipe, or any other matter or substance that contains tobacco.

For the purposes of this policy, "school grounds" means and includes land, portions of land, structures, buildings, and vehicles when used for the provision of academic or extracurricular programs by the district or community provider and structures that support these buildings, including, but not limited to administrative buildings, kitchens, maintenance shops, and garages. "School grounds" also includes other facilities as defined in N.J.A.C. 6A:26-1.2, playgrounds, and other recreational places owned by the local municipalities, private entities or other individuals during those times when the school district has exclusive use of a portion of such land.

In accordance with law, the Board prohibits smoking at all times anywhere on school grounds, except as part of classroom instruction or a theatrical production.

Notwithstanding any provision of this policy, smoking by pupils is governed by Policy No. 5533.

Notice that smoking is prohibited on school grounds as defined above will be posted at each public entrance in accordance with law. The Principal of each school building is authorized to report violations, in accordance with law, to the Board of Health. Failure to report violations may subject the Principal to fines in accordance with N.J.S.A. 26:3D-20. The Building Principal will not be liable for a fine if he/she has taken reasonable steps to enforce the prohibition on smoking in school buildings or on school grounds. Pupils and district employees who violate the provisions of this policy shall be subject to appropriate disciplinary measures.

N.J.S.A. 26:3D-15 through 26:3D-20

N.J.A.C. 6A:16-1.3

Adopted: 18 November 2004

### 7435 7435 ALCOHOLIC BEVERAGES ON SCHOOL PREMISES

The knowing possession, without legal authority, or knowing consumption of any alcoholic beverage by any person on school premises is a disorderly persons offense.

The Board of Education prohibits the possession and consumption of an alcoholic beverage, without the express written permission of the Superintendent, by any person in any school building and on school property or at any school sponsored activity.

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The Board will report to law enforcement officials and prosecute as appropriate any person who violates law, this policy and Policy No. 3218 and 4218, except that any pupil who possesses or uses or is under the influence of alcohol on school premises or at any school sponsored activity will be treated in accordance with law and Policy No. 5530.

School district employees who violate this policy and are present on school premises or at any school sponsored activity while under the influence of alcohol will be subject to discipline, which may include dismissal or certification of tenure charges, as appropriate.

N.J.S.A. 2C:33-15 et seq.  
N.J.S.A. 18A:40A-12  
N.J.S.A. 24:21-2 et seq.

Adopted: 18 November 2004

7436 M

7436 DRUG FREE WORKPLACE

The Board of Education prohibits the unlawful manufacture, distribution, dispensing, possession or use of any controlled dangerous substance by any person in any school building, on school grounds, or during any activity or event sponsored by the Board.

Every employee of this district must, as a condition of employment, agree to be bound by this policy. An employee who violates the prohibitions or reporting requirements of this policy will be subject to discipline, which may include dismissal, or certification of tenure charges, as appropriate. An employee whose involvement with drugs results in a conviction for a crime of the third degree or above or for an offense touching his/her position will be deemed to have forfeited his/her public employment, pursuant to N.J.S.A. 2C:51-2.

An employee who is convicted of a drug related offense must report the conviction to the Superintendent within five days of its occurrence. The Superintendent will, within ten days of the date on which notice of the conviction is received, report any such conviction resulting from drug use in the workplace to any federal agency from which the district has received funds through a grant.

The Board directs the Superintendent to establish and maintain a program to:

1. Alert employees as to the dangers of drug abuse in the workplace;
2. Inform employees of the prohibitions against drugs set forth in this policy;
3. Inform employees of available drug counseling, rehabilitation, and assistance programs; and

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

4. Warn employees of the penalties that may be imposed for violations of prohibitions set forth in this policy.

The Board will report to law enforcement officials and prosecute as appropriate, any employee or visitor who violates the prohibitions of this policy. A pupil or employee who violates this policy will be treated in accordance with law and Policy Nos. 3218, 4218, and 5530.

This policy will be distributed to each district employee, including all those engaged in the performance of services under a federal grant, and will be prominently posted in the district.

41 U.S.C.A. Chapter 10

34 CFR 85.600 et seq.

N.J.S.A. 2C:33-15 et seq.

N.J.S.A. 24:21-2 et seq.

Adopted: 18 November 2004

### 7440 7440 SECURITY OF SCHOOL PREMISES

The Board of Education believes that the buildings, property and facilities of this district represent a substantial community investment. The Board directs the development and implementation of a plan for district security to protect that investment.

The district security program will include the maintenance of facilities secure against unwelcome intrusion; vandalism and theft; protection against fire hazards and faulty equipment; and the observation of safe practices in the use of electrical, plumbing, and heating equipment. The Board directs the close cooperation of district officials with federal, State and local law enforcement officers, fire fighters, the sheriff's office, utility companies' emergency personnel, federal, State and local emergency officials and insurance company inspectors.

Personal access to school buildings and grounds when school is not in session shall be limited to personnel whose employment or authorized duties requires their presence in the facility. An adequate key control system will be established to limit building access to authorized personnel and guard against the potential of intrusion by unauthorized persons who have obtained keys improperly.

Building facility and confidential records and funds shall be kept in a safe place and under lock and key as appropriate and necessary.

Protective devices designed to be used as safeguards against illegal entry and vandalism may be installed when appropriate. The Board may approve the employment of security guards in situations in which special risks are involved.

Revised: January 23, 2013

### 7441 7441 ELECTRONIC SURVEILLANCE IN SCHOOL BUILDINGS

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

The Board of Education authorizes the use of electronic surveillance systems in school buildings and on school grounds to enhance the safety and security for school district staff, pupils, community members, and other building occupants and to protect the school district's buildings and grounds.

The content produced by the surveillance system under certain circumstances may be considered a student record, in which it will be subject to the Board of Education policy and regulations regarding confidential student records. If the content of the surveillance system becomes the subject of a disciplinary proceeding, it shall be treated like other evidence in the proceeding, and the district declares such use to be a legitimate educational interest.

The following statement shall be posted in a prominent, public place in buildings and on school grounds where electronic surveillance equipment may be used:

The Board of Education authorizes the use of electronic surveillance monitoring devices in school buildings and on school grounds. Therefore, all school buildings and school grounds within this school district may be monitored using such devices in accordance with Board Policy.

In addition to posting, the district shall notify school staff members, parent(s) or legal guardian(s), and pupils that electronic surveillance may be used in school buildings and on school grounds through publication in student and staff handbooks, school calendars, notice sent home with pupils, or any other effective means to publish the district's use of electronic surveillance equipment in school buildings and on school grounds.

Revised: January 23, 2013

### 7444 7444 USE OF METAL DETECTORS

The Board of Education is committed to protecting the health, safety, and welfare of all children, staff, and visitors of the school district. The Board authorizes the school district administration to use walk-through and/or hand-held metal detectors at any school district activity and in the school district's buildings or on "school grounds". These metal detectors may be used for entrance into a school building, on "school grounds", as defined in N.J.A.C. 6A:16-1.3, or at any school district activity where the Superintendent or his/her designee believes a security threat may be present.

Persons entering a school building or attending a school activity may be subject to daily, regular, or random screening with a metal detector. The metal detector may be a walk-through, hand-held, or other type of metal detection device. The Superintendent or designee shall determine if the screening shall be daily, regular, or random upon evaluating the security threat posed by the situation at the time. The screenings may take place before: entering a school building; gaining access to school grounds (as defined in N.J.A.C. 6A:16-1.3); being admitted to a school activity; boarding or unloading a school bus; and/or before gaining access to any other location and/or activity sponsored by this school district. Persons that do not consent to a metal detection screening may be denied admittance.

The School Business Administrator shall recommend, if needed, the Board

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

purchase metal detectors approved for the school district's intended use; shall schedule training and re-training for all personnel using metal detectors; shall provide additional training for all personnel trained and authorized to use metal detectors in the event there is a security breach near or at the location of a metal detector; and shall coordinate all school district metal detector tests in accordance with the requirements as outlined in the manufacturer's specifications. The School Business Administrator shall maintain records for the purchase of metal detectors, training and re-training of personnel in the use of metal detectors and potential security breaches, and the testing of metal detectors.

The Maywood Police Department will be immediately contacted in the event a person is found to have in their possession any item that poses a threat to the security of the person(s) or others.

All school district parent, student, and faculty handbooks will indicate: "The Maywood Board of Education may use metal detecting devices in all school buildings, on school grounds, and at all school activities."

Revised: January 23, 2013

7450    7450    PROPERTY INVENTORY

As steward of this district's school property, the Board of Education recognizes that efficient management and the replacement of lost, damaged, or stolen property depend upon an accurate inventory and properly maintained property records.

The Board shall conduct a complete inventory by physical count of all district-owned equipment and supplies through a perpetual inventory.

For purposes of this policy, "equipment" means a unit of furniture or furnishings, an instrument, a machine, an apparatus, or a set of articles that retains its shape and appearance with use, is nonconsumable, costs at least \$500 as a single unit, and does not lose its identity when incorporated into a more complex unit.

The School Business Administrator/Board Secretary shall ensure that inventories are systematically and accurately recorded and that property records of equipment are adjusted annually. Major items of equipment shall be subject to annual spot check inventory to determine loss, mislocation, or depreciation; any major loss shall be reported to the Board. Property records of consumable supplies shall be maintained on a continuous inventory basis.

The School Business Administrator/Board Secretary shall maintain a system of property records that show, as appropriate to the item recorded, description and identification, manufacturer, year of purchase, initial cost, location, condition and depreciation, and current evaluation in conformity with insurance requirements.

N.J.S.A.        18A:4-14  
N.J.A.C.        6A:23-22

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

Adopted: 18 November 2004

### 7460 7460 ENERGY CONSERVATION

The Board of Education is committed to the conservation of natural as well as fiscal resources and directs the Superintendent to develop and implement regulations for the conservation of energy in the management of school buildings.

The Board further directs all employees of this district to cooperate in the program of energy conservation.

Adopted: 18 November 2004

### 7465 7465 RESOURCE CONSERVATION

The Maywood Board of Education is committed to making resource conservation an integral part of the school district operation and to providing an example to students and the community of responsible stewardship of natural resources.

The Superintendent is responsible for establishing programs that will help the school district meet the following Board goals:

1. Integrating the concept of resource conservation including waste reduction and recycling into the curriculum.
2. Reducing the consumption of consumable materials whenever possible.
3. Fully utilizing all materials prior to disposal.
4. Minimizing the use of non-biodegradable products whenever possible.
5. Purchasing recycled products when financially viable,
6. Participation in recycling programs
7. Encouraging suppliers, both private and public, to make recyclable products and unbleached paper products available for purchase by public schools.

Adopted: 18 November 2004

### 7480 7480 MOTOR VEHICLES ON SCHOOL PROPERTY

The school grounds owned and maintained by this Board of Education are subject to damage by motor vehicles. The district will not assume responsibility for any vehicle parked on school property.

The Board prohibits the use or presence of any motor vehicle, including motorcycles, all-terrain vehicles, snow mobiles, and mopeds, for any purpose on any part of the school property owned by the Board other than the driving and parking areas established by the Board except as expressly permitted by the Superintendent.

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

The Board directs the Superintendent to have conspicuous notices posted forbidding the parking of motor vehicles in undesignated areas of the school grounds.

The Board reserves the right to prosecute in a court of competent jurisdiction any person whose violation of this rule results in damage to the property of this district.

N.J.S.A. 2C:17-3  
N.J.S.A. 18A:37-3

Adopted: 18 November 2004

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N.J.S.A. 2C:17-3  
N.J.S.A. 18A:37-3

Adopted: 18 November 2004

### 7490 7490 ANIMALS ON SCHOOL PROPERTY

The Board of Education will make every reasonable effort to maintain school grounds in a condition appropriate for the activities of school pupils. It is the Board's position that the presence of pets and other domestic animals on school property, especially athletic fields and playgrounds, constitutes a health risk to the pupils and staff of the district.

Pets and other domestic animals are not permitted on school district grounds, except by the express permission of the Building Principal. Without such permission, a person who brings or permits his/her animal on school grounds has committed an act of trespass. If an animal is found running at-large on school grounds, its owner will be deemed to have permitted the animal to enter

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

school property.

The Board directs the Building Principal to give notice regarding the prohibition of pets and other domestic animals by posting appropriate signs on school property. Pets and other domestic animals that are found to be at-large on school property, and their owners shall be reported to the appropriate municipal authorities. The Board reserves the right to prosecute in a court of competent jurisdiction, any person who is in violation of this policy.

Adopted: 18 November 2004

### 7510 7510 USE OF SCHOOL FACILITIES

The district facilities belong to the community, which paid for them for the primary purpose of offering a full educational program for its children. The Board believes that the school facilities of the district should be made available for community purposes, provided that such use does not interfere with the educational program of the schools and does not unduly tax the resources of the district, which are primarily intended to effect that program. The Board shall require that all users of school facilities comply with policies of this Board and the rules and regulations of this district.

The Board will permit the use of school facilities when such permission has been requested in writing and has been approved by the School Business Administrator/Board Secretary. Priority in consideration shall be given to:

1. Uses and groups directly related to the schools and the operations of the schools, including student and teacher groups;
2. Uses and organizations indirectly related to the schools, such as the PTOs and Booster Clubs;
3. Departments or agencies of the municipal government;
4. Community organizations formed for charitable, civic, social, or educational purposes; and
5. All others who qualify, in order of application.

Authorization for the use of school facilities shall not be considered as endorsement of or approval of the activity, person, group or organization nor the purposes they represent.

Each user shall present evidence of the purchase of organizational liability insurance to the limit prescribed by the regulations and naming the Board as 'an additional insured.' As a deterrent to and to cover expenses related to any vandalism or damage, which may occur as a result of the use of school facilities, a fully refundable security deposit will be collected from each sponsoring organization. Users of school facilities shall assume responsibility for bodily injury and property damage in excess of the security deposit, and the board shall be held harmless.

No one may bring firearms, alcoholic beverages and/or controlled substances

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

onto any school property. All facility use shall comply with state and local fire, health, safety and police regulations.

School facilities may not be used by any person, organization or other entity that advocates, supports or facilitates seditious, treasonous or illegal activities or the violent overthrow of the government.

### **Facility Usage Fees**

Use of school facilities for activities related to and for the sole benefit of the educational program or district operations shall be without cost to users. Use of school facilities for activities intended for the community, by community non-profit and civic groups shall be permitted without charge, except when the groups are actively seeking funds. A fee shall apply for any organization using the building for a fund-raising activity or when admission is charged, or a business using the school buildings at any time. The Board shall approve annually a schedule of fees for the use of school facilities. In anticipation of budgetary constraints, the Board reserves the right to assess a fee upon users sponsoring non-educational program activities in order to subsidize the expenses associated with maintaining the facility for an during the activity.

Use of school equipment in conjunction with the use of school facilities must be specifically requested in writing and may be granted by the procedure by which permission to use facilities is granted. The user of school equipment must accept liability for any damage or loss to such equipment that occurs while it is in his/her use. Where rules so specify, no item of equipment may be used except by a qualified operator.

The School Business Administrator/Board Secretary shall develop procedures for the granting of permission to use school facilities and shall promulgate rules and regulations for such use. He/she shall cause such rules and regulations to be distributed to each user of school facilities and monitor such use to a degree sufficient to ensure that it is in conformity with those rules.

Any and all of the foregoing notwithstanding, the Board of Education shall reserve the right to refuse any and all applications for use of the school buildings. Any person or group attempting to use district facilities without prior Board approval shall be considered as trespassing and appropriate legal remedies shall be invoked.

Adopted: 18 November 2004

### **7513 7513 RECREATIONAL USE OF PLAYGROUNDS**

The Board of Education requires that the playgrounds and athletic fields of the school afford residents with a recreational area when school is not in session and when not in use or intended for use by school related activities. The Board reserves the right to determine, in the interest of the safety of district residents and the integrity of the school facility, the uses to which the playground may be put and the hours when it may be used.

The Board will publish rules of conduct, which shall govern all persons who use the facilities of this district. Students and employees of this district

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

who violate those rules will be subject to discipline. The Board directs that any other person who violates a rule of this Board be requested to leave the school premises.

Because of the potential for hazard, no object that is powered by petroleum-based, chemical or electrical fuels, such as gasoline, alcohol or batteries, or requires an external electrical supply, or carries the risk of electrical shock, fire, explosion, or the release of noxious/harmful vapors or chemicals shall be brought onto the school grounds for any purpose that is primarily recreational without the express permission of the Principal. Such objects include, but are not limited to, all recreational motorized vehicles/conveyances, motorized model airplanes, rockets and fireworks.

N.J.S.A. 18A:20-17 et seq.

Adopted: 18 November 2004

### 7520 7520 LOAN OF SCHOOL EQUIPMENT

School equipment may be removed from school property by pupils or staff members only when such equipment is necessary to accomplish tasks arising from their school or job responsibilities. The consent of the Superintendent is required for such removal. The removal of school equipment from school property by pupils or employees for personal use is prohibited.

The Superintendent shall determine the propriety of each request and to grant permission for such use. Written records of borrowed technology equipment must be kept by the Superintendent.

District employees may only use such equipment for the purpose approved by the Superintendent and are directly responsible for its condition and return. Prior to using technology equipment, the employee must agree to indemnify and hold the Board of Education harmless in the event the equipment is damaged, lost or stolen. This agreement must be secured in writing on a Board-approved form which is to be filed in the Superintendent's Office.

The Board of Education believes that district-owned equipment is a valuable resource, which may be loaned for community use under certain conditions only, provided that such use does not infringe on the original and necessary purpose of the equipment or interfere with the educational program of the schools. The user of school-owned equipment shall be fully liable for any damage or loss occurring to the equipment during the period of its use, regardless of any assignment of negligence, and shall be responsible for its safe return. Equipment will be loaned only to those who agree in writing to assure the safe return of the equipment and to bear the cost of replacement in the case of loss, theft or destruction, and necessary repairs in the case of damage due to accident, misuse, alteration and modification or excessive wear, while in the possession of the borrower. When equipment authorized for loan requires the services of a qualified operator, the user shall employ the services of a person designated by this district and shall pay such costs as may have been set for such services.

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

Adopted: 18 November 2004

7610 7610 VANDALISM

The Board of Education believes that all school district property should be respected and all persons who use or have access to school district property should respect such property and take pride in the institutions of this community and the schools of this district.

Any person who purposely or knowingly damages school district property or damages school district property recklessly or negligently in the employment of fire, explosives or another dangerous means listed in accordance with N.J.S.A. 2C:17-2 or purposely or recklessly tampers with the tangible property of the school district so as to endanger school district property shall be reported to the appropriate law enforcement agency. Where the damage to district property is more than minimal or has been caused by a pupil or a minor not a pupil of this district, the Board will hold liable for the amount of the damage the parent(s) or legal guardian(s) having legal custody and control of the minor responsible for the damage.

A person convicted of an offense that involves an act of graffiti will be required to reimburse the school district the cost of damages and may be required to perform community service, which may include removing the graffiti from the property, in accordance with the law. In addition, the courts may suspend or postpone driving privileges of any person, at least thirteen and under eighteen years of age, if convicted of an act of graffiti.

A person who purposely defaces or damages district property with any symbol that exposes persons to violence, contempt, or hatred on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability is guilty of a crime and shall be reported to appropriate law enforcement authorities.

The Superintendent shall develop regulations to implement this policy and to protect textbooks, school equipment, and school facilities from undue wear, damage, or loss.

N.J.S.A. 2C:33-10 et seq.  
N.J.S.A. 18A:34-2; 18A:37-3

Adopted: 18 November 2004

7650 7650. SCHOOL VEHICLE ASSIGNMENT, USE, TRACKING, MAINTENANCE, AND ACCOUNTING

The Board of Education adopts this Policy concerning the assignment, use, tracking, maintenance, and accounting of school district vehicles in accordance with the provisions of N.J.A.C. 6A:23A-6.11 and 6A:23A-6.12. For the purposes of this Policy, a "school district vehicle" means a vehicle purchased, leased, leased-purchased, or acquired without cost by gift, donation, or other method by the school district regardless of funding source.

School district vehicle assignment and use shall be in compliance with

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

N.J.A.C. 6A:23A-6.12 and in accordance with OMB Circular 08-16-ADM or any superseding circulars. The Board of Education, upon the recommendation of the Superintendent, may authorize, at its discretion, by an affirmative vote of the Board's full membership, the lease, lease-purchase, or purchase and assignment of school district vehicles for the conduct of official school district business.

The vehicles may be assigned either to individuals or to units within the school district for pool use according to classifications as outlined in N.J.A.C. 6A:23A-6.12(b). No individual assignment shall be made for the primary purpose of commuting. Vehicle use logs shall be maintained for all individual and pool assignments in order to accurately record all usage of each vehicle, including the driver, mileage, and starting and destination points. All changes to vehicle assignment, whether pool or individual, shall require prior written approval of the Superintendent and the authorization of an affirmative majority vote of the full Board.

A school district vehicle shall only be used for business purposes and incidental and reasonable personal use of a school vehicle is prohibited without the approval of the Superintendent and the authorization of an affirmative majority vote of the full Board.

If a school district vehicle is mis-used the driver's driving privileges for school district vehicles shall be suspended or revoked, and additional disciplinary action shall be taken as appropriate. The Board shall establish and implement a policy for progressive, uniform, and mandatory disciplinary actions to be applied as necessary in the event it is determined a staff member misused a school vehicle.

The Board designates the Business Administrator or his/her designee as the school vehicle coordinator(s) for district vehicles. The school vehicle coordinator(s) shall maintain inventory control records pursuant to the requirements of N.J.A.C. 6A:23A-6.11(a)1., driving records of operators of school district vehicles pursuant to the requirements of N.J.A.C. 6A:23A-6.11(a)2., and the records of maintenance, repair and body work pursuant to the requirements of N.J.A.C. 6A:23A-6.11(a)3.

N.J.A.C. 6A:23A-6.11; 6A:23A-6.12

Adopted: November 19, 2008

8000 8000 OPERATIONS

Number	Title
8110	Attendance Areas
8130	School Organization
8140	Pupil Enrollments
8210	School Year
8220	School Day
8310	Public Records
8320	Personnel Records
8330	Pupil Records
8420	Emergency Evacuation
8431	Preparedness for Toxic Hazard

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

8441	Care of Injured and Ill Persons
8442	Reporting Accidents
8451	Control of Communicable Disease
8453	HIV/AIDS
8461	Reporting Violence and Vandalism
8462	Child Abuse and/or Neglect
8464	Missing Children
8465	Hate Crimes and Bias Incidents in Schools
8467	Weapons
8468	Crisis Response
8500	Food Services
8540	Free and Reduced Rate Meals
8600	Transportation
8630	Bus Driver Responsibility
8660	Transportation by Private Vehicle
8670	Transportation of Disabled Pupils
8710	Property Insurance
8740	Bonding
8750	Employee Indemnification
8760	Pupil Accident Insurance
8770	School Board Insurance Group
8810	Religious Holidays
8820	Opening Exercises
8860	Memorials
8910	Recording of School-Related Business and Activities

### 8110 8110 ATTENDANCE AREAS

The Board of Education directs the assignment of pupils to the schools, programs, and classes in a manner that is consistent with the best interests of the pupils and the best uses of the resources of this district.

The Board shall determine the school attendance areas of the district to determine the assignment of pupils to school in accordance with Policy No. 5120.

The Superintendent shall annually review existing attendance areas and recommend to the Board such changes as may be justified by considerations of safe pupil transportation and travel; convenience of access to the schools; financial and administrative efficiency, the effectiveness of the instructional program, and a wholesome and educationally sound balance of pupil populations.

Adopted: 18 November 2004

### 8130 M

#### 8130 SCHOOL ORGANIZATION

The Board of Education directs the organization of the instructional program of this district in the following schools and grades:

Schools:

Grades:

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

- |    |                                 |          |
|----|---------------------------------|----------|
| 1. | Greenwood Early Learning Center | PreK - K |
| 2. | Memorial School                 | 1-3      |
| 3. | Maywood Avenue School           | 4-8      |

The Superintendent shall continually monitor the effectiveness of the district organizational plan and recommend to the Board such modifications in the plan as may be in the best interest of pupils, make most effective use of district resources, and serve the educational goals of the Board.

The Board intends to retain the K-8 structure of the district in a general elementary, intermediate pattern. Within this framework, the faculty and administration shall develop a program which realistically takes into account the physical, intellectual, social and emotional development of children.

Adopted: 18 November 2004

8140 M

### 8140 PUPIL ENROLLMENTS

The Board of Education recognizes that efficient district operations require an accurate and up to date accounting of the number of pupils resident in this district and enrolled in district classes and programs.

Pupil attendance shall be recorded in the school register during school hours on each day the school is in session. Separate registers shall be kept in accordance with law and regulations of the State Board of Education. Every reasonable effort shall be made to ensure the accuracy of enrollment figures. Such records shall be made and maintained as will enable the Board to plan program and facilities development, to make appropriate allocation of district resources, and to receive the district's maximum amount of State and federal aid.

The Board Secretary, with the approval of the Superintendent, shall annually and in accordance with the timelines established by the Commissioner, file a report with the Commissioner stating the school district's enrollment. The report will include the number of pupils enrolled by grade; pupils enrolled in approved programs of special education, bilingual education, and vocational education; pupils in state facilities; pupils enrolled in public or private schools to which the Board is paying tuition; pupils receiving home instruction; and any other information required by the Commissioner.

N.J.S.A. 18A:25-4

N.J.A.C. 6:3-9.1; 6:3-9.2; 6A:14-4.8; 6A:14-4.9

Adopted: 18 November 2004

### 8210 8210 SCHOOL YEAR

The Board of Education recognizes that the preparation of a school calendar is essential to orderly educational planning and to the efficient operation of the district.

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

The Board shall determine annually the days when the schools will be in session for instructional purposes. The school calendar will provide no fewer than one hundred and eighty days of instruction.

The Board shall adopt annually a list of religious holidays that will include, but need not be limited to, those holidays designated as religious holidays by the Commissioner of Education. Staff members shall avoid, whenever possible, scheduling a test on a religious holiday commonly observed by residents of the district.

The Superintendent shall annually prepare and submit to the Board a school calendar no later than March. The Board reserves the right to alter the school calendar when such alteration is feasible and serves the best interests of the pupils of this district.

N.J.S.A. 18A:25-3; 18A:36-2; 18A:36-16  
N.J.A.C. 6:20-1.3; 6:14-4.1

Adopted: 18 November 2004

### 8220 8220 SCHOOL DAY

The Board of Education shall determine the number of hours and the time of the day which the schools are regularly in session. However, for appropriate reasons, the Superintendent may alter the regular session whenever he/she deems it necessary and desirable, consistent with the policies of the district.

A schedule of school hours and class periods shall be distributed to all parents/guardians at the beginning of the school year.

N.J.A.C. 6:20-1.3; 6:21-2.5

Adopted: 18 November 2004

### 8310 8310 PUBLIC RECORDS

The Board of Education recognizes its responsibility to maintain the public records of this district and to make such records available to residents of New Jersey for inspection and reproduction. The Board designates the Superintendent as the custodian of government records for the district.

Government Record or Record (N.J.S.A. 47:1A-1.1)

"Government records" or "records" pursuant to N.J.S.A. 47:1A-1.1 include any record that has been required by law to be made, maintained, or kept on file by the Board, its officials, or its employees. Except as such records that may be exempted by law or this policy, a "government record" or "record" means any paper, written or printed book, document, drawing, map, plan, photograph, microfilm, data processed or image processed document, information stored or maintained electronically or by sound-recording or in a similar device, or any copy thereof, that has been made, maintained or kept on file in the course of

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

the official business of the Board of Education or that has been received in the course of the official business of the Board of Education.

Board meeting minutes may be inspected and copied as soon as they are prepared; unapproved minutes will be so labeled. Minutes of executive/closed session Board meetings conducted in accordance with the Open Public Meetings Act will be preserved separately and will not be available for immediate public inspection. These minutes will be integrated with minutes of public meetings only after the matter discussed at the executive/closed session meeting has been made public.

A "government record" or "record" does not include inter-agency or intra-agency advisory, consultative, or deliberative material.

A "government record" or "record" does not include excluded information as outlined in N.J.S.A. 47:1A-1.1. The excluded information includes, but is not limited to, information which is deemed to be confidential as per N.J.S.A. 47:1A-1 et seq. Victims' records; trade secrets and proprietary commercial or financial information; any record within the attorney-client privilege; administrative or technical information regarding computer hardware, software and networks which, if disclosed, would jeopardize computer security; emergency or security information or procedures for any buildings or facility which, if disclosed, would jeopardize security; security measures and surveillance techniques and information which, if disclosed, would give an advantage to competitors or bidders are examples of excluded government records.

Information generated by or on behalf of the Board or Board employees in connection with any sexual harassment complaint filed within the Board or with any grievance filed by or against an individual or in connection with collective negotiations, including documents and statements of strategy or negotiating position; information which is a communication between the district and its insurance carrier, administrative service organization or risk management office; information which is to be kept confidential pursuant to court order and that portion of any most documents which discloses the social security number, credit card number, unlisted telephone number or driver license number of any person; and personnel and pension records of an individual, except the individual's name, title of position, salary, payroll record, length of service, date of separation and the reason therefore, the amount and type of pension he/she receives, and data, other than detailed medical or psychological information, that shows conformity with qualifications for employment and pensions are examples of excluded government records.

Test questions, scoring keys and other examinations for employment or for pupil achievement; information concerning individual pupil records or information regarding grievance or disciplinary proceedings against a pupil to the extent disclosure would reveal the identity of the pupil and all other information as defined in N.J.S.A. 47:1A-1 et seq.

Public Right of Inspection, Copies and Fees (N.J.S.A. 47:1A-2 et seq.)

All government records or records as defined in N.J.S.A. 47:1A-1.1 will be deemed to be public records. Every citizen of this State also has the right, during such regular business hours and under the supervision of a

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

representative of the custodian, to copy such records by hand, and will also have the right to purchase copies of such records.

Copies of records will be made available upon the payment of such price as established below:

First page to tenth page	\$0.75 per page
Eleventh page to twentieth page	\$0.50 per page
All pages over 20	\$0.25 per page

If the custodian finds there is no risk of damage or mutilation of such records and it would not be incompatible with the economic and efficient operation of the office and the transaction of public business therein, he/she may permit any citizen who is seeking to copy more than 100 pages of records to use his own photographic process. This process must be approved by the custodian, upon the payment of a reasonable fee, considering the equipment and the time involved, to be fixed by the custodian at not less than \$10.00 or more than \$50.00 per day.

Records of Investigation In Progress (N.J.S.A. 47:1A-3 et seq.)

Records which are sought to be inspected, copied, or examined pertain to an investigation in progress by the Board and/or administration will be inspected, copied and/or examined pursuant to N.J.S.A. 47:1A-3.

Enforcement of Right to Inspection, Examination and Copying (N.J.S.A. 47:1A-4)

Any such citizen of this State who has been or will have been denied for any reason the right to inspect, copy or obtain a copy of any such record as provided in this act may apply to the Superior Court of New Jersey by a proceeding in lieu of prerogative writ for an order requiring the custodian of the record to afford inspection, the right to copy or to obtain a copy thereof, as provided in N.J.S.A. 47:1A-4.

Inspection, Examination and Copying (N.J.S.A. 47:1A-5 et seq.)

The custodian will permit the record to be inspected, examined, and copied pursuant to N.J.S.A. 47:1A-5 et seq. by any person during regular business hours. In the case of a Board of Education having a total district enrollment of 500 or fewer, the custodian will permit the records to be inspected, examined and copied during not less than six regular business hours over not less than three business days per week or the entity's regularly-scheduled business hours, whichever is less, unless the government record is exempt from public access as per N.J.S.A. 47:1A-5.a.

Copy Purchase (N.J.S.A. 47:1A-5 et seq.)

If the custodian can demonstrate its actual costs for duplication of a government record exceed the Board approved rates, the district is permitted to charge the actual cost of duplicating the record. Whenever the nature, format, manner of collation, or volume of a government record embodied in the form of printed matter to be inspected, examined, or copied pursuant to this policy is such that the record cannot be reproduced by ordinary document copying equipment in ordinary business size or involves an extraordinary

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expenditure of time and effort to accommodate the request, the district may charge, in addition to the actual cost of duplicating the record, a special service charge that will be reasonable and will be based upon the actual direct cost of providing the copy or copies. The custodian will provide the requestor an opportunity to review and object to the charge prior to it being incurred.

A custodian will permit access to a government record and provide a copy thereof in the medium requested if the district maintains the record in that medium. If the district does not maintain the record in the medium requested, the custodian will either convert the record to the medium requested or provide a copy in some other meaningful medium. If a request is for a record in a medium not routinely used by the district; not routinely developed or maintained by the district or requiring a substantial amount of manipulation or programming of information technology, the district may charge, in addition to the actual cost of duplication, a special charge that will be reasonable and based on the cost for any extensive use of information technology, or for the labor cost of personnel providing the service, that is actually incurred by the district or attributable to the district for the programming, clerical, and supervisory assistance required, or both.

Immediate access ordinarily will be granted to budgets, bills, vouchers, contracts, including collective negotiations agreements and individual employment contracts, and public employee salary and overtime information.

The custodian will adopt a form for the use of any person who requests access to a government record held or controlled by the district. The request form will include information in accordance with the requirements of N.J.S.A. 47:1A-5.f. Requests for access to a government record will be in writing and hand-delivered, mailed, transmitted electronically, or otherwise conveyed to the custodian and the custodian will promptly comply with a request in accordance with N.J.S.A. 47:1A-5.g.

Any officer or employee of the district who receives a request for access to a government record will forward the request to the custodian of the record or direct the requestor to the custodian of the record.

The custodian will grant access to a government record or deny a request for access to a government record in accordance with N.J.S.A. 47:1A-5.i and as soon as possible, but not later than seven business days after receiving the request, provided that the record is currently available and not in storage or archived.

A custodian will post prominently in public view in the part of the office of the custodian that is open to or frequented by the public a statement that sets forth in clear, concise and specific terms the right to appeal a denial of, or failure to provide, access to a government record by any person for inspection, examination, or copying or for purchase of copies thereof and the procedure by which an appeal may be filed.

### **Challenge to Access Upon Denial (N.J.S.A. 47:1A-6)**

A person who is denied access to a government record by the custodian, at the option of the requestor, may institute a proceeding to challenge the custodian's decision by filing an action in Superior Court or in lieu of

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filing an action in Superior Court, file a complaint with the Government Records Council established pursuant to Section 8 of P.L.2001, c. 404 (C.47:1A-7). If it is determined that access was improperly denied, the court or agency head shall order that access be allowed. A requestor who prevails in any proceeding shall be entitled to a reasonable attorney's fee.

Government Records Council (N.J.S.A. 47:1A-7 et seq.)

The Board and the custodian of records will comply with the requirements and guidelines from the Government Records Council in accordance with N.J.S.A. 47:1A-7.

Common Right Law Right of Access (N.J.S.A. 47:1A-8)

Nothing contained in N.J.S.A. 47:1A-1 et seq. will be construed as limiting the common law right of access to a government record, including criminal investigative records of a law enforcement agency.

Construction with Other Laws (N.J.S.A. 47-1A-9 et seq.)

The provisions of this Regulation and N.J.S.A. 47:1A-1 et seq. will not abrogate any exemption of a public or government record from public access heretofore made pursuant to N.J.S.A. 47:1A-1 et seq.; any other statute; resolution of either or both Houses of the Legislature; regulation promulgated under the authority of any statute or Executive Order of the Governor; Executive Order of the Governor; Rules of Court; any federal law; federal regulation; or federal order.

The provisions of this regulation and N.J.S.A. 47:1A-1 et seq. will not abrogate or erode any executive or legislative privilege or grant of confidentiality heretofore established or recognized by the Constitution of this State, statute, court rule or judicial case law, which privilege or grant of confidentiality may duly be claimed to restrict public access to a public or government record.

N.J.S.A. 10:4-14  
N.J.S.A. 47:1A-1.1 et seq.; 47:3-16  
N.J.A.C. 6:3-6.1 et seq.

Adopted: 18 November 2004

### 8311 8311. Managing Electronic Mail

School district e-mail messages, like paper records, must be retained and destroyed according to established records management procedures as required by New Jersey's Division of Archives & Records Management (NJDRAM). E-mail messages are electronic documents created and sent or received by a computer system. This definition applies equally to the contents of the communication, the transactional information, and any attachments associated with such communication. Thus, e-mail messages are similar to other forms of communicated messages, such as correspondence and memoranda.

N.J.S.A. 47:3-16, as amended, defines public records as follows:

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"Public records" mean any paper, written or printed book, document or drawing, map or plan, photograph, microfilm, data processed or image processed document, sound recording or in a similar device, or any copy thereof, that has been made or required by law to be received for filing, indexing, or reproducing by any officer, commission agency, or authority of the State or any political subdivision thereof, including any subordinate boards thereof, or that has been received in the course of his/her or its official business by such officer, commission, agency, or authority of the State or of any political subdivision thereof, including subordinate boards thereof, in connection with the transaction of public business and has been retained by such recipient or its successor as evidence of its activities or because of the information contained therein.

An e-mail message that meets the criteria of the definition of public records per N.J.S.A. 47:3-16, as amended, whether it is subject to access by the general public or not, must be retained according to records retention and disposition schedules approved by the State Records Committee. No public record e-mail may be destroyed without prior consent of the NJDARM and the State Records Committee, even if the retention period for a record has expired.

Retention or disposition of e-mail messages must be related to the information they contain or the purpose they serve. The content of e-mail messages may vary considerably and therefore, the content must be evaluated to determine the length of time the message must be retained.

For the purposes of this Policy, there are non-record e-mail messages and public record e-mail messages.

Non-record e-mail messages are personal correspondence that do not meet the criteria of public records as per N.J.S.A. 47:3-16, as amended, and may be deleted at any time unless they become part of some official record as a result of a special circumstance. These types of messages may include personal correspondence not received or created in the course of school district business and may be deleted at any time since it is not an official public record. Non-record e-mail messages are also non-governmental publications that are publications, promotional material from vendors, and similar materials that are publicly available to anyone. These e-mail messages are not public records as defined by N.J.S.A. 47:3-16, as amended, unless specifically incorporated into other official public records, and may also be deleted at any time. However, if an e-mail message is used to justify an expenditure or is included in a proposal, the e-mail message becomes an official public record and must be retained according to records retention and disposition schedules in accordance with the appropriate retention schedules.

All public record e-mail messages shall be maintained by the individual who sends the e-mail message and the primary recipient. The sender and primary recipient are encouraged to print a hard copy of a public record e-mail and file the e-mail in school district files for continued access. The district may establish a district-wide system to facilitate public record e-mail management for continued access and retention. All public record e-mails shall be retained according to records retention and disposition schedules approved by the State Records Committee and no public record e-mail may be destroyed without prior consent of the NJDARM and the State Records Committee, even if the retention period for a record has expired.

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An e-mail message that meets the criteria of the definition of a "government record" per N.J.S.A. 47:1A-1.1 must be made available to the public upon request under New Jersey's Open Public Records Act during the required retention period, unless the content of the message falls under one of the exceptions contained in the Act or any other statute, regulation, Executive Order by the Governor, rule of Court, or Federal law, regulation or order.

State of New Jersey - Circular Letter 03-10-ST - Managing Electronic Mail: Guidelines and Best Practices - 7/11/02

Adopted: 3/25/09

8320 8320 PERSONNEL RECORDS

The Board of Education believes that the orderly operation of the school district requires the retention of all records bearing upon an employee's qualifications for employment and employment history.

The Board requires that sufficient records be compiled and maintained to demonstrate an employee's qualifications for the position assigned; compliance with federal, state, and local benefit programs; conformity to district rules; the proper conduct of evaluations; and the employee's entitlement, as appropriate, to tenure and seniority.

The Superintendent shall be responsible for the custody and maintenance of personnel records. A single, central file of documents shall be maintained; temporary, subsidiary records will be permitted for ease in data gathering only. An employee's personnel file shall be maintained for six years following his/her termination of district service, provided the employment history record card is maintained a minimum of eighty years.

Records maintained in the personnel files of this district are not public records and are not open to inspection except as provided for in this policy. Board minutes and other public records of this district and any computerized files maintained by this district may include only an employee's name, title, position, assignments, salary, payroll record, length of service in the district and in military service, the date and reason for separation from service in this district, and the amount and type of pension a former employee receives.

Personnel records may be inspected by school administrators to the extent that such inspection is required in the performance of the inspector's duties.

Board members may have access to confidential information in the personnel files of only those employees recommended for or subjected to an employment action requiring a vote of the Board or where access to the information is essential for the performance of the Board member's duties. Board member access to personnel files is limited to the relevant portion of the file and is available only through the Superintendent. Board members may freely inspect employment applications filed by candidates for district positions.

An employee may inspect his/her personnel file provided that the employee

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requests such access in writing, reviews the record in the presence of the administrator designated to maintain the file, makes no alteration or addition to the file nor removes any material from it, and signs a log attached to the file indicating the date on which it was inspected.

An employee may appeal to the Superintendent the inclusion or exclusion of records or for appropriate administrative review of the accuracy of any record in his/her personnel file.

The Superintendent shall prepare rules enumerating the records to be maintained for each employee of this district, including, as a minimum and as appropriate to the position, the completed application form, employment contract(s), a copy of the employee's qualifying certification, transcripts, report of an employment physical examination, oath of allegiance, criminal background check, income tax forms, retirement registration, hospitalization forms, annuity forms, rate of compensation, attendance record, assignments to positions, completed evaluations, reports of disciplinary incidents, records of special awards or distinctions, and reports of annual or special physical and mental examinations.

N.J.S.A. 18A:18A-14.2; 18A:40-19; 18A:66-32  
N.J.S.A. 47:1A-1 et seq.

Adopted: 18 November 2004

8330

8330. PUPIL RECORDS (M)

The Board of Education believes that information about individual pupils must be compiled and maintained in the interest of the pupil's educational welfare and advancement. The Board will strive to balance the pupil's right to privacy against the district's need to collect, retain, and use information about individual pupils and groups of pupils. The Board authorizes the establishment and maintenance of pupil files that include only those records mandated by law, rules of the State Board of Education, authorized administrative directive, and those records permitted by this Board.

The Superintendent shall prepare, present to the Board for approval, and distribute regulations that implement this Policy and conform to applicable State and federal law and rules of the State Board of Education.

For purposes of this Policy:

1. "Adult pupil" means a pupil who is at least eighteen years of age, or is attending an institution of postsecondary education, or is an emancipated minor.

2. "Parent" means the natural or adoptive parent, the legal guardian, surrogate parent, or a person acting in place of a parent in accordance with N.J.A.C. 6A:32-2.1. Unless parental rights have been terminated by a court of appropriate jurisdiction, the parent retains all rights under N.J.A.C. 6A:32. "Parent" shall also include, for the purposes of N.J.A.C. 6A:32, the adult pupil. A foster parent may act as a parent under the provisions of N.J.A.C. 6A:32 if the parent's authority to make educational decisions on the pupil's

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behalf has been terminated by a court of appropriate jurisdiction.

## General Considerations

Pupil records shall contain only such information as is relevant to the education of the pupil and is objectively based on the personal observations or knowledge of certified school personnel who originate the record. The district shall notify parents and adult pupils annually in writing of their rights in regard to pupil records and pupil participation in educational, occupational, and military recruitment programs. Copies of the applicable State and federal laws and local policies shall be made available upon request. The district shall make every effort to notify parents and adult pupils in their dominant language.

Nothing in this Policy shall be construed to prohibit certified school personnel, at their discretion, from disclosing pupil records to non-adult pupils or to appropriate persons in connection with an emergency, if such knowledge is necessary to protect the health or safety of the pupil or other persons.

No liability shall be attached to any member, officer, or employee of the Board of Education permitting access or furnishing pupil records in accordance with Department of Education rules.

## Pupil Information Directory

A pupil information directory is a publication of a school district that includes pupil information as defined in N.J.A.C. 6A:32-2.1. In the event the district publishes information included in the pupil information directory, the Superintendent or designee will inform parents or adult pupils of such publication, and parents or adult pupils will be afforded a ten-day period to submit a written statement to the Superintendent prohibiting the school district from including any and all types of information about the pupil in any pupil information directory before allowing access to such directory to educational, occupational, and military recruiters pursuant to N.J.S.A. 18A:36-19.1 and P.L. 107-110 sec. 9528, Armed Forces Recruiter Access to Students and Student Recruiting Information of the No Child Left Behind Act of 2001.

## School Contact Directory

The district shall compile and maintain, but need not publish, a school contact directory for official use, which is separate and distinct from the pupil information directory. School personnel shall provide information from the school contact directory for official use only to judicial, law enforcement, and medical personnel who are currently providing services to the pupil in question. In order for a parent or adult pupil to exclude any information from the school contact directory for official use, the parent or adult pupil shall notify the Superintendent or designee in writing on a form prescribed by the Commissioner of Education.

## Mandated and Permitted Pupil Records

Mandated pupil records are those records school districts have been directed to compile by State statute, regulations, or authorized administrative directive in accordance with N.J.A.C. 6A:32-7.3.

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Permitted pupil records are records authorized by the Board to be collected in order to promote the educational welfare of the pupil. The Board shall authorize the permitted records to be collected by adopting at a regular public Board meeting a resolution listing such permitted records or Regulation 8330, which will list such permitted records.

### **Maintenance and Security of Pupil Records**

The Superintendent or designee shall be responsible for the security of pupil records maintained in the school district. Policy and Regulation 8330 assure that access to such records is limited to authorized persons.

Records for each individual pupil shall be maintained in a central file at the school attended by the pupil. When records are maintained in different locations, a notation in the central file as to where such other records may be found is required.

Pupil health records shall be maintained and located in a locked cabinet or room in the school building or complex where the pupil is assigned. Records kept in electronic form shall be both accessible and secure. Pupil health records shall be maintained separately from other pupil records, until such time as graduation or termination, whereupon the health history and immunization record shall be removed from the pupil's health record and placed in the pupil's mandated record. Records shall be accessible during the hours in which the school program is in operation.

Security blocks will be installed for records stored in any computer system to protect against any security violations of the records stored therein. To guard against the loss of pupil records, the district shall maintain an updated hard copy and backup versions of pupil records.

Any district internet website shall not disclose any personally identifiable information about a pupil, in accordance with N.J.S.A. 18A:36-35.

### **Access to Pupil Records**

The district shall control access to, disclosure of, and communication regarding information contained in pupil health records to assure access only to those authorized organizations, agencies, and persons under the conditions permitted by federal and State statute and regulations in accordance with N.J.A.C. 6A:32-7.5.

The district may charge a reasonable fee for reproduction, not to exceed the schedule of costs set forth in N.J.S.A. 47:1A-2, provided that the cost does not effectively prevent the parents or adult pupils from exercising their rights under N.J.A.C. 6A:32-7 or under rules and regulations regarding pupils with disabilities.

Access to and disclosure of a pupil's health record shall meet the requirements of the Family Education Rights and Privacy Act, 34 C.F.R. Part 99 (FERPA). The following authorized organizations, agencies, and persons shall have access to pupil records:

1. The pupil who has the written permission of a parent and the parent of a pupil under the age of eighteen whether or not the child resides with that

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parent except per N.J.S.A. 9:2-4; the place of residence shall not be disclosed and access shall not be provided if denied by a court.

2. Pupils at least sixteen years of age who are terminating their education in the district because they will graduate secondary school at the end of the term or no longer plan to continue their education.

3. The adult pupil and the pupil's parent who has the written permission of such pupil, except that the parent shall have access without consent of the pupil as long as the pupil is financially dependent on the parent and enrolled in the public school system or if the pupil has been declared legally incompetent by a court of appropriate jurisdiction. The parent of the financially dependent adult pupil may not disclose information contained in the adult pupil's record to a second or third party without the consent of the adult pupil.

4. Certified school district personnel who have assigned educational responsibility for the pupil shall have access to the general pupil record, but not to the pupil health record except under conditions permitted in N.J.A.C. 6A:16-1.5.

5. Certified educational personnel who have assigned educational responsibility for the pupil and who are employed by agencies as indicated in N.J.A.C. 6A:32-7.5(e)5 shall have access to the general pupil record, but not to the pupil health record, except under conditions permitted in N.J.A.C. 6A:16-1.5.

6. In order to fulfill its legal responsibility as a Board, the Board has access through the Superintendent or designee to information contained in a pupil's record. Information shall be discussed in executive session unless otherwise requested by the parent or adult pupil.

7. Secretarial and clerical personnel under the direct supervision of certified school personnel shall be permitted access to those portions of the record to the extent that is necessary for the entry and recording of data and the conducting of routine clerical tasks. Access shall be limited only to those pupil files which such staff are directed to enter or record information and shall cease when the specific assigned task is completed.

8. Accrediting organizations in order to carry out their accrediting functions, the Commissioner of Education and members of the New Jersey Department of Education staff who have assigned responsibility which necessitates the review of such records.

9. Officials of other district Boards of Education within the State of New Jersey or other educational agencies or institutions where the pupil is placed, registered, or seeks to enroll subject to the following conditions:

a. Original mandated pupil records school districts have been directed to compile by New Jersey statute, regulation or authorized administrative directive shall be forwarded to the receiving school district with written notification to the parent or adult pupil;

b. Original permitted pupil records which the Board has required shall be forwarded to the receiving school district only with the written consent of

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the parent or adult pupil except where a formal sending-receiving relationship exists between the school districts;

c. All records to be forwarded, including disciplinary records as specified in N.J.S.A. 18A:36-19(a), shall be sent to the Superintendent or designee of the school district to which the pupil has transferred within ten school days after the transfer has been verified by the requesting school district;

d. The Superintendent or designee shall request all pupil records in writing from the school district of last attendance within two weeks from the date that the pupil enrolls in the new school district;

e. The Superintendent or designee of the school district of last attendance shall upon request, provide a parent(s) or an adult pupil with a copy of the records disclosed to other educational agencies or institutions; and

f. Proper identification, such as a certified copy of the pupil's birth certificate, shall be requested at the time of enrollment in a new school district.

10. Officials of the United States Department of Education who have assigned responsibilities which necessitate review of such records.

11. Officers and employees of a State agency who are responsible for protective and investigative services for pupils referred to that agency, pursuant to N.J.S.A. 9:6-8.40. Wherever appropriate, the district shall ask such State agency for its cooperation in sharing the findings of the investigation.

12. Organizations, agencies, and persons from outside the school if they have the written consent of the parent or adult pupil, except that these organizations, agencies, and persons shall not transfer pupil record information to a third party without the written consent of the parent or adult pupil.

13. Organizations, agencies, and individuals outside the school, other than those specified in N.J.A.C. 6A:32-7.5(e), upon the presentation of a court order.

14. Bona fide researchers who explain in writing, in advance to the Superintendent, the nature of the research project and the relevance of the records sought and who satisfy the Superintendent or designee that the records are to be used under strict conditions of anonymity and confidentiality. Such assurance shall be received in writing by the Superintendent prior to the release of information to the researcher.

Nothing shall be construed to prohibit school personnel from disclosing information contained in the pupil health record to pupils or adults in connection with an emergency, if such knowledge is necessary to protect the immediate health or safety of the pupil or other persons.

In providing access to pupil records in accordance with N.J.A.C. 6A:32-7.5, individuals shall adhere to requirements pursuant to N.J.S.A. 47:1A-10, the Open Public Records Act (OPRA) and 34 CFR Part 99, the Family Educational Rights and Privacy Act (FERPA).

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## Conditions for Access to Pupil Records

All authorized organizations, agencies, and persons with access to pupil records shall have access to the records of a pupil subject to the following conditions:

1. No pupil record shall be altered or disposed of during the time period between a request to review the record and the actual review of the record.
2. Authorized organizations, agencies, and persons from outside the school whose access requires the consent of parents or adult pupils shall submit their request in writing together with any required authorization to the Superintendent or designee.
3. The Superintendent or designee shall be present during the period of inspection to provide interpretation of the records where necessary and to prevent their alteration, damage, or loss. In every instance of inspection of pupil records by persons other than parents, pupil, or individuals who have assigned educational responsibility for the individual pupil, an entry shall be made in the pupil's record of the names of persons granted access, the reason access was granted, the time and circumstances of inspection, the records studied, and the purposes for which the data will be used.
4. Unless otherwise judicially instructed, the district shall, prior to the disclosure of any pupil records to organizations, agencies, or persons outside the school district pursuant to a court order, give the parent or adult pupil at least three days' notice of the name of the requesting agency and the specific records requested. Such notification shall be provided in writing if practicable. Only those records related to the specific purpose of the court order shall be disclosed.
5. A record may be withheld from a parent of a pupil under eighteen or from an adult pupil only when the district obtains a court order or is provided with evidence that there is a court order revoking the right to access. Only that portion of the record designated by the court may be withheld. When the district has or obtains evidence of such court order, the parent or adult pupil shall be notified in writing within five days of his or her request that access to the record has been denied and that the person has the right to appeal this decision to the court issuing the order.

## Rights of Appeal for Parents and Adult Pupils

Pupil records are subject to challenge by parents and adult pupils on the grounds of inaccuracy, irrelevancy, impermissible disclosure, inclusion of improper information or denial of access to organizations, agencies, and persons in accordance with N.J.A.C. 6A:32-7.7(a).

To request a change in the record or to request a stay of disclosure pending final determination of the challenged procedure, the process shall be as follows:

1. A parent or adult pupil shall notify the Superintendent in writing of the specific issues relating to the pupil's record.

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2. Within ten days of notification, the Superintendent or designee shall notify the parent or adult pupil of the school district's decision.

3. If the school district disagrees with the request, the Superintendent or designee shall meet with the parent or adult pupil to revise the issues set forth in the appeal.

4. If the matter is not satisfactorily resolved, the parent or adult pupil may appeal this decision either to the Board of Education or the Commissioner of Education within ten days.

5. If appeal is made to the Board of Education, a decision shall be rendered within twenty days. The decision of the Board may be appealed to the Commissioner pursuant to N.J.S.A. 18A:6-9 and N.J.A.C. 6A:4, Appeals.

6. At all stages of the appeal process, the parent or adult pupil shall be afforded a full and fair opportunity to present evidence relevant to the issue. A record of the appeal proceedings and outcome shall be made part of the pupil's record with copies made available to the parent or adult pupil.

Appeals relating to pupil records for pupils with disabilities shall be processed in accordance with the requirements of 1 through 6 above.

Regardless of the outcome of any appeal, a parent or adult pupil shall be permitted to place a statement in the pupil's record commenting upon the information in the pupil's record or setting forth any reasons for disagreement with the decision of the agency. Such statements shall be maintained as part of the pupil's record as long as the contested portion of the record is maintained. If the contested portion of the record is disclosed to any party, the statement commenting upon the information shall also be disclosed to that party.

### Retention and Disposal of Pupil Records

A pupil's record is considered to be incomplete and not subject to the provisions of the Destruction of Public Records Law, N.J.S.A. 47:3-15 et seq., while the pupil is enrolled in the school district.

The school district shall retain the pupil health record and the health history and immunization record according to the School District Records Retention Schedule, as determined by the New Jersey State Records Committee.

Pupil records of currently enrolled pupils, other than that described in 1. below, may be disposed of after the information is no longer necessary to provide educational services to a pupil. Such disposition shall be accomplished only after written parental or adult pupil notification and written parental or adult pupil permission has been granted or after reasonable attempts of such notification and reasonable attempts to secure parental or adult pupil permission have been unsuccessful.

Upon graduation or permanent departure of a pupil from the school district, the parent or adult pupil shall be notified in writing that a copy of the entire pupil's record will be provided to them upon request. Information in

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pupil records, other than that described in 1. below, may be disposed of, but only in accordance with the Destruction of Public Records Law, N.J.S.A. 47:3-15 et seq. Such disposition shall be accomplished only after written parental or adult pupil notification and written parental or pupil permission has been granted, or after reasonable attempts at such notification and reasonable attempts to secure parental or adult pupil permission have been unsuccessful and prior written authorization has been obtained from the New Jersey Department of State, Records Committee.

1. In accordance with N.J.A.C. 6A:32-7.8(e), the New Jersey public school district of last enrollment, graduation, or permanent departure of the pupil from the school district shall keep for 100 years a mandated record of a pupil's name, date of birth, name of parents, gender, citizenship, address, telephone number, health history and immunization, standardized assessment and test answer sheet (protocol), grades, attendance, classes attended, grade level completed, year completed, and years of attendance.

No additions shall be made to the record after graduation or permanent departure without the prior written consent of the parent or adult pupil.

N.J.S.A. 18A:36-19; 18A:36-19.1; 18A:40-4; 18A:40-19

N.J.A.C. 6A:32-7.1; 6A:32-7.2; 6A:32-7.3; 6A:32-7.4; 6A:32-7.5

Adopted: January 20, 2010

8420

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The Board of Education recognizes its responsibility to provide for the safety and security in each school building in the district. The district will develop and implement written plans and procedures to provide for the protection of health, safety, security, and welfare of the school population; the prevention of, intervention in, response to and recovery from emergency and crisis situations; the establishment and maintenance of a climate of civility; and supportive services for staff, pupils, and their families.

The Superintendent of Schools or designee shall consult with law enforcement agencies, health and social services provider agencies, emergency management planners, and school and community resources, as appropriate, in the development of the school district's plans, procedures, and mechanisms for school safety and security. The plans, procedures, and mechanisms shall be consistent with the provisions of N.J.A.C. 6A:16-5.1 and the format and content established by the Domestic Security Preparedness Task Force, pursuant to N.J.S.A. App. A:9-64 et seq., and the Commissioner of Education and shall be reviewed annually, and updated as appropriate.

A copy of the school district's school safety and security plan shall be disseminated to all school district employees. New employees shall receive a copy of the school district's safety and security plan, as appropriate, within sixty days of the effective date of their employment. All employees shall be briefed in writing, as appropriate, regarding updates and changes to the school safety and security plan.

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The school district shall develop and provide an in-service training program for all school district employees to enable them to recognize and appropriately respond to safety and security concerns, including emergencies and crisis, consistent with the school district's plans, procedures, and mechanisms for school safety and security and the provisions of N.J.A.C. 6A:16-5.1 by November 1, 2010. New employees shall receive this in-service training, as appropriate, within sixty days of the effective date of their employment. This in-service training program shall be reviewed annually and updated, as appropriate.

In accordance with N.J.S.A. 18A:41-1, at least one fire drill and one school security drill will be conducted each month within school hours, including any summer months which the school is open for instructional programs. A school security drill means an exercise, other than a fire drill, to practice procedures that respond to an emergency situation including, but not limited to, a non-fire evacuation, lockdown, or active shooter situation that is similar in duration to a fire drill.

Such drills and in-service training programs shall be conducted in accordance with a building security drill guide and training materials that educate school employees on proper evacuation and lockdown procedures in a variety of emergency situations on school grounds as provided by the New Jersey Office of Homeland Security and Preparedness.

N.J.S.A. 2C:33-3

N.J.S.A. 18A:41-1 et seq.

N.J.A.C. 6A:16-5.1; 6A:27-11.2

Revised: January 23, 2013

8431    8431    PREPAREDNESS FOR TOXIC HAZARD

The Board of Education is concerned for the safety of the pupils and staff members assigned to district schools and will take reasonable steps to protect pupils and staff members from hazards that may result from industrial accidents beyond the control of school officials.

The Board will appoint an employee to serve as Toxic Hazard Preparedness (THP) Officer. The THP Officer will, in accordance with procedures prepared by the Superintendent, identify potential sources of toxic hazard and develop a plan that includes preventive and remedial measures to be followed in the event pupils and staff members are exposed to a toxic hazard. The plan will also include a system for the periodic evaluation of school environments.

The THP Officer will enlist the aid of county and municipal authorities and, if possible, the owners or operators of identified potential sources of toxic hazard. The Board may, in its discretion, appoint and charge an ad hoc committee of community representatives to assist the THP Officer.

The plan for toxic hazard preparedness developed by the THP Officer and approved by this Board will be disseminated to the public. Teaching staff members will be instructed in the specific measures to be taken when toxic hazard is present and in the recognition of toxic hazards in the environment. A teaching staff member who detects a toxic hazard in school shall immediately notify the school principal and the school nurse or, in the absence of either,

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the person authorized to perform that office.

Nothing in this policy should be construed in any way as an assumption of liability by the Board of Education for any death, injury, or illness that is the consequence of an accident or equipment failure or negligent or deliberate act beyond the control of the Board or its officers and employees.

N.J.S.A. 13:1K-19 et seq.  
N.J.S.A. 34:5A-1 et seq.  
N.J.A.C. 8A:16-1.4  
N.J.A.C. 7:1G-2.1  
N.J.A.C. 8:59-1.4

Revised: January 23, 2013

8441 M

## 8441 CARE OF INJURED AND ILL PERSONS

The Board of Education directs the Superintendent to provide for prompt and appropriate medical attention for pupils, staff members, or visitors who are injured or become ill on school premises or at school sponsored events.

Any injury or illness shall be reported immediately to the school nurse or, in the absence of the school nurse, the Building Principal, who will determine whether an emergency exists. Immediate steps may be taken as necessary to remove the injured or ill person from imminent danger and/or prevent exacerbation of the disability. Routine first aid will be administered by district personnel as necessary to ensure the safety and comfort of the injured or ill person.

The parent(s) or legal guardian(s) of an injured or ill pupil and, if necessary, the family of an injured or ill staff member or adult visitor will be notified promptly and tactfully of the injury or illness. If the school nurse or school physician or, in the absence of both, the Principal, determines that the injured or ill person should be removed from school for rest and/or treatment at home or for consultation with a private physician, the parent(s) or legal guardian(s), or family member shall be requested to provide transportation.

In a serious emergency requiring immediate medical attention, an ambulance may be summoned for transportation to a hospital or the school nurse may drive the injured or ill person to the hospital.

The Superintendent shall, in consultation with the school physician and/or school nurse, prepare standing orders for the emergency treatment of injuries and disabilities by the school nurse and regulations for the handling of injured and ill persons by all other school employees. All district personnel will be briefed annually on the regulations governing the handling of injured and ill persons.

Injuries and disabilities that occur in the course of the athletic program are subject to the provisions of Policy No. 2431 and implementing regulations.

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Pupil disabilities attributable to substance abuse will be handled in accordance with Policy No. 5530. Injuries that occur in the course of school bus transportation will be handled in accordance with regulations implementing Policy No. 8630.

N.J.S.A. 18A:40-3  
N.J.A.C. 6:29-1.3(a)1; 6:29-1.3(a)3;  
6:29-1.3(a)4

Adopted: 18 November 2004

### 8442 8442 REPORTING ACCIDENTS

The Board of Education directs that all reasonable efforts be made to ensure a safe learning and working environment for the pupils and employees of this district. To that end and to the end that legitimate employee claims for worker's compensation be expedited, the Board requires that accidents be reported and evaluated. Any accident that results in an injury, however slight, to a pupil, an employee of the Board, or a visitor to the schools must be reported promptly and in writing to the district business office. Injured persons shall be referred immediately to the school nurse for such medical attention as may be appropriate.

The injured employee or visitor or the staff member responsible for an injured pupil shall complete a form, available in the office of the Building Principal, that includes the date, time and place of the incident; the names of persons involved; the nature of the injury, to the extent that it is known; and a description of all relevant circumstances.

A copy shall be retained by the Building Principal and a copy shall be sent to the business office.

Any employee of the Board who suffers a job-related injury must report the injury and its circumstances to the Building Principal or job supervisor, as appropriate, no later than twenty four hours following the occurrence of the injury. The failure of an employee to comply with this mandate may result in disciplinary action.

Adopted: 18 November 2004

### 8451 M

#### 8451 CONTROL OF COMMUNICABLE DISEASE

The Board of Education recognizes that control of the spread of communicable disease is essential to the well-being of the school community and to the efficient operation of the schools.

The Board shall be bound by the statutes and by rules of the State Board of Education for the exclusion and readmission of pupils who have contracted a communicable disease and of teachers and pupils who have been exposed to a communicable disease and for the instruction of teachers in health and the prevention of disease. The Board shall comply with regulations of the New

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Jersey Department of Health and the Bergen County Board of Health governing the prevention, control, and reporting of communicable disease.

The teacher may exclude from the classroom and the Principal may exclude from the school building any pupil who appears to be ill or has been exposed to a communicable disease. A pupil may be isolated in school to await the arrival of or instructions from a parent(s) or legal guardian(s). If the school physician or the school nurse is present in the building, his/her recommendation shall be sought before any such exclusion or isolation is ordered.

Any pupil retained at home or excluded from school by reason of having or being suspected of having a communicable disease shall not be readmitted to his/her classroom until he/she presents written evidence of being free of communicable disease. That evidence may be supplied by the school physician or another qualified physician who has examined the pupil.

Any pupil or adult who has weeping skin lesions that cannot be covered shall be excluded from school.

The Superintendent shall develop procedures for the control of communicable disease that include the instruction of teaching staff members in the detection of disease and measures for its prevention and control; the removal from school premises to the care of a responsible adult for pupils identified and excluded in accordance with this policy; the preparation of standards for the readmission of pupils who have recovered from communicable disease; the provision of appropriate home instruction to excluded pupils in accordance with law; and the filing of reports as required by law.

N.J.S.A. 18A:40-3; 18A:40-7 et seq.  
N.J.S.A. 26:4-4; 26:4-6  
N.J.A.C. 6A:16-1.4  
N.J.A.C. 8:57-1.3; 8:57-1.6; 8:57-2.1 et seq.

Adopted: 18 November 2004

8453 8453 HIV/AIDS

The Board of Education will comply with rules of the State Board of Education and the State Department of Health and Senior Services with regard to the admission and employment of persons who may be diagnosed with Acquired Immune Deficiency Syndrome (AIDS) or infected with Human Immunodeficiency Virus (HIV). "AIDS" means acquired immune deficiency syndrome as defined by the Center for Disease Control of the United States Health Service and "HIV infection" means infection with the human immunodeficiency virus or any other related virus identified as a probable causative agent of AIDS. AIDS or HIV infection shall not be considered a communicable disease for purposes of admission to or attendance in a school or for eligibility for educational transportation.

In accordance with N.J.A.C. 6A:16-1.4(a)8, no person, pupil or employee, will be excluded from school solely because he/she is infected with HIV or lives with or is related to a person infected with HIV. Pupils infected with HIV, including those who may be symptomatic or diagnosed with AIDS, may be excluded

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from school only as a pupil not infected with HIV or diagnosed with AIDS may be excluded from school. A school employee infected with HIV may be restricted in his/her employment only if the employee has another illness that would affect his/her employment.

Any pupil excluded from the regular school program will be provided with home instruction in accordance with rules of the State Board of Education and Policy No. 2412.

No pupil, staff member, or visitor may attend or visit school if he/she has an uncoverable and/or uncovered weeping skin lesion, whether or not the person has been screened for HIV.

It is not required that anyone in the school be especially notified that an HIV-infected pupil or employee is present. School employee physicals, pupil physicals and athletic physicals do not require disclosure of HIV status. Records of health and medical examinations should not include information about an individual's infection with HIV. Therefore, HIV/AIDS status is an exception to records required pursuant to pupil physical examinations, N.J.A.C. 6A:16-2.2, and school employee physical examinations, N.J.A.C. 6:3-4A.1 et seq. In the event the school nurse or a school official is apprised that a pupil or employee is HIV-infected, the fact of the infection will be held in strict confidence and will not be classified as a communicable disease for admission, local health reporting or educational transportation.

Information that identifies a pupil as having an HIV infection or AIDS shall be shared only with prior written informed consent of the pupil age twelve or greater, or of the pupil's parent(s)/legal guardian(s) as required by N.J.S.A. 26:5C-1 et seq. and only for the purpose of determining an appropriate educational program for the pupil. The person who receives such information shall not reveal it to any other person without the express written consent of the minor pupil's parent(s) or legal guardian(s), or the adult pupil.

The Board shall annually provide pupils, parent(s) or legal guardian(s), staff members, school volunteers, and members of the community with information intended to increase awareness of HIV and AIDS, including information regarding the nature of the disease and its prevention. The Board will cooperate with other agencies to provide HIV/AIDS awareness information to the community.

N.J.S.A. 26:5C-5; 26:5C-6; 26:5C-7; 26:5C-8;  
26:5C-9; 26:5C-10; 26:5C-11;  
26:5C-12; 26:5C-13; 26:5C-14  
N.J.A.C. 6:3-8.1; 6A:16-1.3; 6A:16-1.4; 6A:16-1.5;  
6A:16-3.2  
N.J.A.C. 8:57-2.1 et seq.

Adopted: 18 November 2004

8461

8461. REPORTING VIOLENCE, VANDALISM, ALCOHOL AND OTHER DRUG ABUSE (M)

The Board of Education shall observe "School Violence Awareness Week" during

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the week beginning with the third Monday in October of each year by organizing activities to prevent school violence. Activities shall include, but are not limited to, age-appropriate opportunities for pupil discussion on conflict resolution, issues of pupil diversity, and tolerance. The Board shall invite law enforcement personnel to join members of the teaching staff in the discussions and provide programs for school employees that are designed to help them recognize warning signs of school violence and to instruct them on recommended conduct during an incident of school violence.

Any school employee who observes or has direct knowledge from a participant or victim of an act of violence or the possession and/or distribution of alcohol or other drugs on school grounds, and any school employee who reports a pupil for being under the influence of alcohol or other drugs, according to the requirements of N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3, shall file a report describing the incident to the school Principal, in accordance with N.J.S.A. 18A:17-46. The report shall be on a form to include all of the incident detail and offender and victim information that are reported on the Electronic Violence and Vandalism Reporting System (EVVRS).

The Building Principal, for each incident report of violence, vandalism, alcohol, or other drug abuse, shall review the incident report for accuracy; forward a copy of the incident report to the Superintendent; and notify the Superintendent of the action taken regarding the incident. The Board shall not discharge or subject to any manner of discrimination any school employee who files a report pursuant to N.J.A.C. 6A:16-5.3.

The majority representative of the school employees' bargaining units shall have monthly access to the number and disposition of all reported acts of school violence and vandalism, pursuant to N.J.S.A. 18A:17-46. Personally identifying information may be provided to the majority representative of the school employees' bargaining units only in instances when school administrators have reason to believe that the safety of a school staff member is at risk.

The Superintendent annually shall submit a report to the Commissioner of Education of each incident of violence, vandalism and alcohol and other drug abuse in the school district utilizing the EVVRS in accordance with the requirements of N.J.A.C. 6A:16-5.3(e)1 through (e)3.

At an annual hearing held pursuant to N.J.S.A. 18A:17-46, the Superintendent shall report to the Board all acts of violence and vandalism and incidents of alcohol and other drug abuse that occurred during the previous school year, according to the provisions of N.J.S.A. 18A:17-46.

Whenever it is alleged a school employee has knowingly falsified the annual report on violence and vandalism required under N.J.S.A. 18A:17-46, the Board shall make a determination regarding whether the employee committed the act. The Board shall provide written notice of the allegations to the employee and the employee shall be entitled to a hearing before the Board in accordance with the provisions of N.J.A.C. 6A:16-5.3(g)2. Upon a determination by the Board that an employee has knowingly falsified the annual violence and vandalism report, the Board may take appropriate action as outlined in N.J.A.C. 6A:16-5.3(g)3. Any action taken by the Board shall be based on its consideration of the nature of the conduct, the circumstances under which it occurred, and the employee's prior employment record. Any employee having

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been found responsible for the falsification of the annual report by the Board shall have the right to file a grievance under their respective bargaining agreements, appeal the Board's determination to the Commissioner of Education and subsequently to the State Board of Education, or appeal the decision to the Superior Court of New Jersey. The availability of appeal options shall be based upon the action taken by the Board.

A Board of Education shall submit and implement corrective action plans for high incidences of violence, vandalism, or alcohol or other drug abuse upon notification by the Commissioner of Education.

N.J.S.A. 18A:17-46; 18A:36-5.1

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

Revised: January 23, 2013

8462

8462. REPORTING POTENTIALLY MISSING OR ABUSED CHILDREN (M)

The Board of Education recognizes early detection of missing, abused, or neglected children is important in protecting the health, safety, and welfare of all children. In recognition of the importance of early detection of missing, abused, or neglected children, the Board of Education adopts this Policy pursuant to the requirements of N.J.S.A. 18A:36-25. The Board provides this Policy for its employees, volunteers, or interns to provide for the early detection of missing, abused, or neglected children through notification of, reporting to, and cooperation with the appropriate law enforcement and child welfare authorities pursuant to N.J.S.A. 18A:36-25 and N.J.S.A. 9:6-8.10.

Employees, volunteers, or interns working in the school district shall immediately notify designated child welfare authorities of incidents of alleged missing, abused, and/or neglected children. Reports of incidents of alleged missing, abused, or neglected children shall be reported to the New Jersey State Central Registry (SCR) at 1-877 NJ ABUSE. If the child is in immediate danger a call shall be placed to 911 as well as to the SCR.

The person having reason to believe that a child may be missing or may have been abused or neglected may, prior to notifying designated child welfare authorities, inform the Building Principal or designee if the action will not delay immediate notification. The person notifying designated child welfare authorities shall inform the Building Principal or designee of the notification, if such had not occurred prior to the notification. Notice to the Building Principal or designee need not be given when the person believes that such notice would likely endanger the reporter or pupil involved or when the person believes that such disclosure would likely result in retaliation against the pupil or in discrimination against the reporter with respect to his or her employment.

The Building Principal or designee upon being notified by a person having reason to believe that a child may be missing or may have been abused or neglected, must notify appropriate law enforcement authorities of incidents of potentially missing, abused, or neglected child situations. Notification to appropriate law enforcement authorities shall be made for all reports by

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employees, volunteers, or interns working in the school district. Confirmation by another person is not required for a school district employee, volunteer, or intern to report the suspected missing, abused, or neglected child situation.

School district officials will cooperate with designated child welfare and law enforcement authorities in all investigations of potentially missing, abused, or neglected children in accordance with the provisions of N.J.A.C. 6A:16-11.1(a)5.

The district designates the building principal as the school district's liaison to designated child welfare authorities to act as the primary contact person between the school district and child welfare authorities with regard to general information sharing and the development of mutual training and other cooperative efforts. The district designates Superintendent as the school district's liaison to law enforcement authorities to act as the primary contact person between the school district and law enforcement authorities, pursuant to N.J.A.C. 6A:16-6.2(b)1, consistent with the memorandum of understanding, pursuant to N.J.A.C. 6A:16-6.2(b)13.

An employee, volunteer, or intern working in the school district who has been named as a suspect in a notification to child welfare and law enforcement authorities regarding a missing, abused, or neglected child situation shall be entitled to due process rights, including those rights defined in N.J.A.C. 6A:16-11.1(a)9.

The Building Principal and GuidanceCounselor shall provide training to school district employees, volunteers, and/or interns on the district's policy and procedures for reporting allegations of missing, abused, or neglected child situations. All new school district employees, volunteers, and/or interns shall receive the required information and training as part of their orientation.

There shall be no reprisal or retaliation against any person who, in good faith, reports or causes a report to be made of a potentially missing, abused, or neglected child situation pursuant to N.J.S.A. 9:6-8.13.

N.J.S.A. 18A:36-24  
N.J.A.C. 6A:16-11.1

Revised: January 23, 2013  
8464 M

8464 MISSING CHILDREN

The Board of Education directs the establishment and implementation of a program for the identification and reporting of children missing from the educational system.

Used in this policy, "parent" means the parent(s) or legal guardian(s) having legal custody and control of a minor child.

The Superintendent shall develop and implement procedures to identify children

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who have been withdrawn from this district without enrollment in another school or school district or pupils who have been willfully or neglectfully removed from school by protracted absences without good cause. Children so identified shall be reported promptly to the Maywood Police Department. The Board authorizes the release of the child's name, age, gender, last known home address, and physical description and the parent(s) or legal guardian(s) name and work place, if known, to the Maywood Police Department. Reasonable attempts shall be made to determine the cause of a child's unauthorized absence and to remediate the cause to the extent possible within the school setting. The Superintendent shall report periodically to the Board the results of the program for the identification of children missing from the educational program.

The Maywood Police Department, pursuant to N.J.S.A. 52:17B-9.8b, must notify the Superintendent of a missing child, who is currently or was most recently enrolled in the school district, of the disappearance and provide the Superintendent with information concerning the identity of the missing child. The Maywood Police Department shall also notify the Superintendent if the child is located.

If the Superintendent is notified of a missing child by the Maywood Police Department, the Superintendent shall mark the child's school record. The mark will be a clearly, identifiable and removable marking so in the event a copy or information regarding the record is requested, the school district will be aware the record is that of a missing child. Once the Maywood Police Department notifies the Superintendent that the child has been located, the Superintendent, or designee, will remove the mark from the child's school record. If a copy of a school record is requested that has been "marked" in accordance with this Policy, the Superintendent, or designee, will remove the marking from only the copy of the school record to be provided to the requestor in accordance with Board Policy No. 8330, and without alerting the requestor to the fact that the record has been "marked". After supplying a copy of or information regarding the "marked" record, the Superintendent will immediately report the inquiry or any knowledge as to the whereabouts of the missing child to the Maywood Police Department.

N.J.S.A. 18A:36-24; 18A:36-25  
N.J.S.A. 52A:17B-9.8b.

Adopted: 18 November 2004

8465 M

### 8465 HATE CRIMES AND BIAS-RELATED ACTS

The Board of Education is committed to providing a safe and healthy environment for all children in the school district. Hate crimes and bias-related acts involving pupils can lead to further violence and retaliation. Hate crimes and bias-related acts, by their nature are confrontational, inflame tensions, and promote social hostility and will not be tolerated by the school district. The school district employees will work closely with local law enforcement and the county prosecutor's office to report or

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eliminate the commission of hate crimes and bias-related acts.

### Definitions

A "hate crime" is any criminal offense where the person or persons committing the offense acted with a purpose to intimidate an individual or group of individuals because of race, color, disability, religion, sexual orientation, or ethnicity.

A "bias-related act" is an act directed at a person, group of persons, private property, or public property that is motivated in whole or part by racial, gender, disability, religion or sexual orientation, or ethnic prejudice. A bias-related act need not involve conduct that constitutes a criminal offense. All hate crimes are also bias-related acts, but not all bias-related acts will constitute a hate crime.

### Required Actions

Whenever any school employee in the course of his/her employment develops reason to believe that (1) a hate crime has been committed or is about to be committed on school property, or has been or is about to be committed by any pupil, whether on or off school property and whether or not such offense was or is about to be committed during operating school hours, or (2) a pupil enrolled in the school has been or is about to become the victim of a hate crime, whether committed on or off school property or during operating school hours, the school employee shall immediately notify the Building Principal and Superintendent, who in turn shall notify the Maywood Police Department and Bias Investigation Officer for the county prosecutor's office and the President of the Board of Education. The Principal shall notify the Maywood Police Department and the county prosecutor's office immediately if there is reason to believe that a hate crime that involves an act of violence has been or is about to be physically committed against a pupil or there is otherwise reason to believe that a life has been or will be threatened.

Whenever any school employee in the course of his/her employment has reason to believe that a bias-related act has been committed or is about to be committed on school property, or has been or is about to be committed by any pupil, whether on or off school property and whether or not such bias-related act was or is to be committed during operating school hours, the school employee should immediately notify the Building Principal and Superintendent, who in turn should promptly notify the Maywood Police Department and the President of the Board of Education.

In deciding whether to refer the matter of a bias-related act to the Maywood Police Department or the county prosecutor's office, the Building Principal and the Superintendent, should consider the nature and seriousness of the conduct and the risk that the conduct posed to the health, safety and well-being of any pupil, school employee or member of the general public. The Building Principal and Superintendent should also consider the possibility that the suspected bias-related act could escalate or result in some form of retaliation which might occur within or outside school property.

It is understood that a referral to the Maywood Police Department or county prosecutor's office is only a transmittal of information that might be pertinent to a law enforcement investigation and is not an accusation or

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formal charge.

Unless the Maywood Police Department or the county prosecutor's office request otherwise, the school district may continue to investigate a suspected hate crime or bias-related act occurring on school property and may take such actions as necessary and appropriate to redress and remediate any such acts.

School officials will secure and preserve any physical evidence of a suspected hate crime or bias-related act, e.g., graffiti, destruction of property, etc. pending the arrival of the Maywood Police Department or the county prosecutor's office. The school officials, when feasible, will cover or conceal such evidence in a manner that does not disturb or alter the scene until the arrival of the Maywood Police Department or county prosecutor's office.

N.J.A.C. 6A:16-6.1 et seq.; 6A:16-6.3(e)  
State Memorandum of Agreement approved by the Department  
of Law & Public Safety and the Department of Education

Adopted: 18 November 2004

8467 M

8467 WEAPONS

The Board of Education prohibits the possession, use, or exchange of any weapon in any school building, on school grounds, at any school sponsored event, and on school sanctioned transportation except as the possession and use of a weapon is authorized by law and required in the performance of the possessor's duty.

For the purpose of this policy, "weapon" means anything readily capable of lethal use or of inflicting serious bodily injury. "Weapon" includes, but is not limited to, all firearms, knives, dangerous instruments intended to inflict harm, components that can be readily assembled into a weapon, explosive devices, and imitation firearms. For the purposes of this policy "firearm" means those items enumerated in N.J.S.A. 2C:39-1f and 18 U.S.C. 921.

Any pupil or school employee who has reasonable grounds to suspect the presence of a weapon prohibited by this policy shall immediately report his/her suspicion to the Principal. The Principal shall conduct an appropriate search in accordance with Policy No. 5770 and confiscate any weapon discovered in the course of the search. He/she shall, if appropriate and feasible, summon the aid of law enforcement officers in the conduct of the search. Any school employee who confirms the presence of a weapon under circumstances that place persons at serious risk may confiscate the weapon immediately and may use such force as is reasonable and necessary to obtain possession.

Unless the weapon has been taken into custody by a law enforcement officer, the Principal shall immediately store any confiscated weapon in a securely locked box or container and report the presence of the weapon to the Superintendent. The Superintendent shall promptly notify, by telephone call and by letter, the Chief of Police of Maywood that a weapon is present on school premises; the notice shall request removal of the weapon by an

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authorized law enforcement officer. The Superintendent shall obtain and file a receipt for any weapon removed by a law enforcement officer.

Any pupil who possesses, uses, or exchanges a weapon in violation of this policy shall be subject to stringent discipline, which may include expulsion. Any pupil or school employee who suspects or knows of the presence of a weapon in violation of this policy and fails to report the same shall be subject to discipline. Any person who possesses a weapon on school premises or school transportation or at a school-sponsored function shall be reported to the appropriate law enforcement agency.

Any pupil who is convicted or is an adjudicated delinquent for possession of a firearm or who is found to be in possession of a firearm on school property must be immediately removed from the regular education program and provided with an alternative program, pending a hearing before the Board of Education. Pupils convicted or found to be delinquent for possessing a firearm on school property, on a school bus, or at a school-sponsored function or committing a crime while possessing a firearm shall be immediately removed from the regular education program for a period of not less than one calendar year and placed in an alternative education school or program pending a hearing before the Board of Education to remove the pupil. (Chapters 127 and 128 of 1995, The Zero Tolerance for Guns Act)

Any pupil who commits an assault upon members of the school community with a weapon other than a firearm on school property must be immediately removed from the regular education program and provided with an alternative program, pending a hearing before the Board of Education. (Chapters 127 and 128 of 1995, The Zero Tolerance for Guns Act)

Pupils with disabilities violating the provisions of this policy shall be dealt with in accordance with Policy No. 2460 and Regulation No. 2460.6.

Nothing in this policy shall be construed to prohibit the reporting of a crime committed by a child with a disability to the appropriate law enforcement or judicial authorities, or to prevent such authorities from exercising their responsibilities with regard to the application of federal or state law to crimes committed by a child with disabilities.

Any pupil requiring removal from the regular education program for the reasons enumerated above shall be removed in accordance with Policy and Regulation No. 5611.

The Superintendent, or designee, shall prepare regulations to implement this policy for the guidance of school staff in dealing with incidents involving weapons in the school district.

N.J.S.A. 2C:39-1 et seq.; 2C:58-6.1; 2C:58-15

N.J.S.A. 18A:6-1

N.J.S.A. 23:4-16

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

Chapters 127 and 128 of 1995, The Zero Tolerance for Guns Act

18 U.S.C. 921

20 U.S.C 1415

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

Revised: January 23, 2013

8468 8468 CRISIS RESPONSE

The Board of Education recognizes its responsibility to be prepared to confront circumstances in which the physical and/or mental well-being of pupils, staff and other individuals on school grounds is threatened or overtly impacted upon by an individual or group of individuals. Situations at issue include, but are not limited to, acts of terrorism, hostage situations and other threats or acts of a violent nature. The Board further recognizes there is a need to deal with the aftermath of such events and circumstances, and to contend with the psychological trauma, pain and confusion which may ensue as the result of these events.

The Board establishes through the person of the Superintendent or his/her designee, a Crisis Team whose responsibility it shall be to act:

1. As a source of information;
2. As a vehicle through which direct services may be delivered;
3. In an advisory capacity to the Superintendent, or his/her designee, and/or other agents or agencies dealing with the crisis situation.

The Crisis Team shall consist of the following membership:

1. The Superintendent of Schools, or his/her designee;
2. An administrator from each of the schools within the district;
3. School Psychologist(s);
4. Guidance Counselor(s);
5. School Social Worker(s);
6. Director of Special Services and/or Guidance;
7. Supervisor of Buildings and Grounds;
8. Teacher representative(s);
9. A representative of the Maywood Police;
10. School Nurse;
11. Board of Education Member; and
12. Others as deemed appropriate to the function of the Crisis Team; e.g., a fire department representative, EMT specialist, other school or community representatives.

The Crisis Team shall be convened at least on an annual basis:

1. To review established policy and procedures;

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

2. To orient new members as to their responsibilities;
3. To maintain and reinforce lines of communication between the various disciplines and specialists who make up the Crisis Team.

Revised: January 23, 2013

8500 8500 FOOD SERVICES

The school lunch program shall make a nutritionally adequate lunch available to every pupil and shall operate on the most economically feasible basis.

It shall be operated in strict compliance with all laws and regulations pertaining to health, sanitation and safety; internal accounting; employment practices; nutritional standards; costs of lunches; and periodic reporting required by New Jersey law.

The School Business Administrator/Board Secretary is responsible for the administration and operation of the school lunch program in keeping with federal and state laws and the policies and directives of the Board.

Adopted: 18 November 2004

8540 8540 FREE AND REDUCED RATE MEALS

The Board of Education recognizes the importance of good nutrition to each pupil's educational performance and directs that needy pupils be provided with lunch at reduced rates or free of charge.

Pupils shall be eligible for free or reduced rate meals who would not otherwise receive proper nourishment. The Board designates the Principal to determine, in accordance with standards issued annually by the State Department of Education, the pupils eligible for free or reduced rate meals.

The School Business Administrator/Board Secretary shall annually notify all interested persons in the school district of the availability, eligibility requirements, and application procedures for free and reduced rate meals by the distribution of an application for such meals to the family of each pupil enrolled in the district, by placing a notice in the Board's official newspaper, and by informing appropriate municipal agencies and community organizations.

A parent(s) or legal guardian(s) who so requests shall be given an application form and at least two weeks to prepare and submit the form. Where necessary, the Principal or the Principal's designee shall assist the applicant in the preparation of the form. The pupil's eligibility shall be determined and the applicant shall be notified of that determination in writing within ten working days of the receipt of the application. Any pupil found eligible shall be offered free or reduced rate meals immediately and shall continue to receive such meals during the pendency of any inquiry regarding his/her eligibility.

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

A denial of eligibility for free or reduced rate meals shall be in writing and shall include the reasons for which eligibility was denied, notice of the applicant's right to appeal the denial, and the procedures for appeal. Appeal procedures shall include a hearing, held with reasonable promptness and at the convenience of the applicant and before a hearing officer other than the school official who denied the application; the applicant's opportunity to be represented by counsel; a decision rendered promptly and in writing; and an opportunity to appeal the decision of the hearing officer to the School Business Administrator/Board Secretary.

The identity and confidentiality of pupils who receive free or reduced rate meals will be protected, and they shall not be required to provide any form of compensation, nor shall they be subject to psychological stigmatization in consideration for receiving such meals.

The School Business Administrator/Board Secretary shall develop regulations to implement this policy and shall seek out and apply for such federal, state, and local funds as may be applied to the district's program of free and reduced rate meals.

7 C.F.R.            210.1 et seq.  
N.J.S.A.            18A:33-5; 18A:58-7.2  
N.J.A.C.            2:36

Adopted: 18 November 2004

8600 M

8600 TRANSPORTATION

The Board of Education shall transport eligible pupils to and from school and school related activities in accordance with N.J.S.A. 18A:39-1 et seq., N.J.A.C. 6A:27-1 et seq. and Board policy. Transportation shall be provided only to eligible public and nonpublic (and charter, if applicable) school pupils, authorized school staff members, and adults serving as approved chaperones.

The Board will transport disabled pupils in accordance with N.J.S.A. 18A:46-1 et seq. and Policy No. 8670.

The Board will approve all bus routes by September of each school year. Bus routes for all non-remote pupils who must walk to and from school along hazardous routes will be designated. The Board will consider, but shall not be limited to, the criteria outlined in N.J.S.A 18A:39-1.5 in determining "Hazardous Routes."

The Board will not be responsible for the transportation of nonresident pupils to or from school, except that transportation to and from school will be provided for homeless children for whom the district is determined to be the district of residence and for homeless children enrolled in this district when no district of residence has been determined.

The Board will transport resident children who attend a nonpublic or charter school in the State of New Jersey not more than twenty miles from their

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

residence, but not a lesser distance from their residence than that required for the transportation of pupils enrolled in the schools of this district. Pursuant to N.J.A.C. 6A:27-2.2, pupils living more than twenty miles from their nonpublic school are eligible for transportation services when other pupils living within the district, whose residence is less than twenty miles from school, are transported to the same nonpublic school.

Aid in lieu of transportation will be provided to a parent(s) or legal guardian(s) of nonpublic and charter pupils pursuant to N.J.S.A. 18A:39-1. When the schools of this district are closed for inclement weather or other conditions, no transportation will be provided for pupils enrolled in any public, nonpublic and/or charter school.

When the Board provides transportation of pupils to and from schools classified pursuant to Chapter 46 of N.J.S.A. 18A of the New Jersey Statutes the Board will utilize cooperative transportation services in accordance with N.J.S.A. 18A:39-11.1. The Board will attempt to use one of the agencies prior to determining to pay aid in lieu of transportation if in the prior year payments in lieu of transportation were provided. The Board will provide to the cooperative transportation service any unique limitations or restrictions of the required transportation.

When the costs to provide transportation in cooperation with the cooperative transportation service is less than the aid in lieu of payments, the Board will contract with the cooperative transportation service to provide transportation. The Board will make the determination on the manner in which transportation services shall be provided in accordance with N.J.S.A. 18A:39-11.1 and shall notify the nonpublic school and the parent(s) or legal guardian(s) of the nonpublic school by August 1 prior to the beginning of the school year.

Transportation will not be required when the district can provide transportation at a lower cost than the service or the transportation provided by the service does not fall within the policies of the Board regarding length of ride and assignment of students to a route based on student age or classification.

Vehicles used to transport pupils to and from school or school related activities shall meet standards, registration and inspection requirements of the New Jersey Departments of Education and Transportation. The operation and fiscal management of the district's transportation system and that of transportation companies retained by the district shall be conducted in strict accordance with rules of the State Board of Education and the Department of Education Policy and Procedures Manual for Pupil Transportation.

N.J.S.A.	18A:39-1 et seq.
N.J.S.A.	27:15-16
N.J.S.A.	39:3B-1 et seq.
N.J.A.C.	6A:27-1.1 et seq.; 6A:27-2.1 et seq.;
	6A:27-3.1.

Adopted: 18 November 2004

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

8630 8630 BUS DRIVER RESPONSIBILITY

The Board of Education requires all school bus drivers employed by the district or employed by a contracted school bus company to be reliable persons of good moral character who possess the qualifications and communication skills necessary to perform the duties of the position. The school bus driver will possess the appropriate license and endorsement(s) to drive a school bus in the State of New Jersey and is subject to all the Federal and State requirements to maintain the appropriate license.

The school bus driver shall be in full charge of the school bus at all times and shall be responsible for maintaining order. The school bus driver will never exclude a pupil from the school bus, but if unable to manage a pupil, the school bus driver will report the unmanageable pupil to the Principal or designee of the school in which the pupil attends.

The Principal or his/her designee, upon such report from the school bus driver, may assign appropriate discipline. The discipline may include excluding the pupil from the bus and the pupil's parent(s) or legal guardian(s) shall provide for the pupil's transportation to and from school during the time of exclusion.

In the event of an emergency, the school bus driver shall follow procedures established by this Board. The school bus driver will immediately inform the Principal of the receiving school and the School Business Administrator or designee of the district providing the transportation following an accident that involves injury, death or property damage. The school bus driver must also complete a Preliminary School Bus Accident Report prescribed by the Commissioner of Education and provide the Report to the Principal of the receiving school by the end of the next working day. The Principal of the receiving school shall retain a copy of the Report and forward other copies of the Report as prescribed by the New Jersey Department of Education.

A school bus driver, during the driver's work schedule, may only use a cellular, or other wireless telephone, for school related business. The driver is prohibited from using a cellular, or other wireless telephone, while operating a school bus. A cellular, or other wireless telephone, may only be used for school related business by the school bus driver while operating the school bus, when the school bus is parked in a safe area off a highway or in an emergency situation. A driver who violates this policy provision is subject to fines pursuant to N.J.S.A. 39:3B-25.

The school bus driver is responsible for the safety of his/her pupils and shall rigorously observe all motor vehicle laws and regulations and State Board of Education rules in the operation of his/her school bus.

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

N.J.S.A. 39:3B-25

N.J.A.C. 6A:27-11.1 et seq.; 6A:27-12.1 et seq.

Adopted: 18 November 2004

8660 M

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

### 8660 TRANSPORTATION BY PRIVATE VEHICLE

In recommending arrangements for pupil transportation to and from school-related activities, the Superintendent shall consider the type of activity, the total number of pupils involved, and the availability of appropriate vehicles. Groups of pupils too small in number to make economical use of Type I or Type II vehicles may be transported in privately owned passenger vehicles driven by qualified school personnel and parents/guardians.

The Superintendent and School Business Administrator/Board Secretary shall supplement the transportation resources of the district by identifying qualified school personnel and parents/guardians who are willing to provide transportation for district pupils to and from school-related activities away from their school of attendance.

Qualifications shall include:

1. A valid New Jersey (or other) driver's license with no convictions for moving violations;
2. A private passenger vehicle of eight or fewer capacity, with a current New Jersey or other inspection sticker; and
3. Evidence of at least the statutorily required insurance coverage.

The Superintendent and School Business Administrator/Board Secretary shall develop detailed regulations to ensure:

1. District approval of activities involved;
2. District determination of drivers and assignment of students to them;
3. Student safety in pick-up, transit and drop-off;
4. Adequate supervision of students at the activity.

Adopted: 18 November 2004

8670

### 8670. TRANSPORTATION OF DISABLED PUPILS (M)

The Board of Education shall provide transportation services for pupils with disabilities as required by law and dictated by the pupil's educational needs and physical welfare. The Board will provide the transportation specified as a related service in the program of special education approved for a disabled pupil. Such transportation will conform to the pupil's Individualized Education Program (IEP) and the transportation requirements described by the Child Study Team or prescribed by the school physician. Transportation to a placement outside this district will conform to the school calendar of the receiving school.

The transportation of a disabled pupil may include such special equipment, transportation aides, and special arrangements for other assistance to and

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

from and in and around the school. When necessary for the pupil's welfare, the case manager will provide the transportation coordinator and driver with specific information about the pupil. For pupils with disabilities below the age of five, safety belts or restraint systems will be used.

The transportation of disabled pupils to special education programs approved by the Board and located outside the state will conform to guidelines established by the New Jersey State Department of Education. Such transportation services will be dictated by the pupil's IEP and approved by the Child Study Team. The individual plan for a disabled pupil's out-of-state transportation will be submitted to the Office of the County Superintendent prior to its implementation. In general, transportation of out-of-state disabled pupils will be by the most economical and expeditious mode consistent with the pupil's special needs and will be limited to travel at the beginning and the ending of the school year.

State aid will be sought for the services provided in accordance with law and this policy. The Board directs that appropriate records be maintained and all relevant documentation be preserved in order that the district be properly reimbursed for the costs of transportation.

N.J.S.A. 18A:39-2.1; 18A:46-19.6; 18A:46-23  
N.J.A.C. 6A:14-3.9(a)7; 6A:27-5.1 et seq.

Cross reference: Policy Guide No. 2460.4

Adopted: January 20, 2010

### 8710 8710 PROPERTY INSURANCE

The Board of Education recognizes its responsibility under law to insure the replacement value of the property of this school district, both real and personal, against loss or damage by fire and expressly extends such insurance coverage to loss or damage caused by theft, water, glass breakage, explosion, boiler failure, smoke, windstorm, vandalism, and other hazards.

In placing property insurance coverage, the Board shall be guided by the price of the coverage, the ability of the insurer to meet obligations promptly and fully, the reputation and past performance of the insurer's agent, and the goal of distributing the insurance coverage of the district through one insurance broker only.

The Board shall annually appoint an insurance advisor who shall review the insurance program of the district, consider alternatives, and report recommendations to the Board; recommend specific insurance placement and prepare specifications; assist the Board in the establishment and maintenance of property valuation and insurance records; provide annual safety and fire inspections; process all claims; provide workshops and lectures on fire safety and prevention and safety precautions to the appropriate staff members; and recommend such measures as may reduce the cost of insurance premiums.

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

To be eligible to represent this Board an insurance agent must write all insurance through a company whose minimum financial status, so far as loss paying ability is concerned, is rated by A.M. Best and Company to be no less than A+; and must derive over fifty percent of his/her income from insurance premium commissions or receive no less than \$100,000 annually in premium income from sources other than this school district.

The Board may, in accordance with law, enter a joint contract for the purchase of property insurance.

N.J.S.A. 18A:18A-42(e); 18A:20-25  
N.J.S.A. 40A:10-52 et seq.

Adopted: 18 November 2004

### 8740 8740 BONDING

The Board of Education recognizes that the prudent trusteeship of the resources of this district dictates that employees responsible for the safekeeping of district moneys and property be bonded.

The Board directs the indemnification of the district against loss of money and property by the bonding of the Treasurer of School Moneys and the School Business Administrator/Board Secretary in accordance with rules of the State Board of Education. All other employees shall be covered under a blanket bond in an amount to be determined by the Board.

The Board shall bear the cost of bonding each employee required to be bonded by law or by this policy.

N.J. Consti., Art. 7, §1, 4  
N.J.S.A. 18A:17-6; 18A:17-26; 18A:17-32  
N.J.A.C. 6A:23-2.5

Adopted: 18 November 2004

### 8750 8750 EMPLOYEE INDEMNIFICATION

The Board of Education recognizes that officers and employees of this district are exposed to certain risks in the course of the performance of their duties and will provide insurance coverage against losses that may be incurred by such risks.

The Board shall in accordance with law, insure employees of the school district against injury and death arising out of or in the course of their employment.

The Board shall provide indemnification to any person holding any office, position or employment under the jurisdiction of the Board, including any student teacher/intern, or person assigned to other professional pre-teaching field experience, for damages, losses, and costs incurred as a result of a

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

civil or administrative action or other legal proceeding brought against any such persons for any acts or omissions arising out of and in the course of their employment, student teaching, or other assignment to professional field experience with this Board. This indemnification will include all costs of defending such action, including reasonable counsel fees and expenses, together with costs of appeal, if any, and will hold harmless and protect such person from any financial loss resulting from such action. No employee will be held harmless or have his/her defense costs defrayed in a disciplinary proceeding instituted against him/her by the Board or when the employee is appealing an action taken by the Board. Indemnification for exemplary or punitive damages is not required and will be governed by the standards and procedures set forth in N.J.S.A. 59:10-4. The Board may arrange for and maintain appropriate insurance to cover all such damages, losses and expenses.

The Board shall provide indemnification to any person holding any office, position or employment under the jurisdiction of the Board, including any student teacher/intern, or person assigned to other professional pre-teaching field experience, for the costs of defense against any criminal or quasi-criminal action for any such act or omission when such prosecution is dismissed or results in a final disposition favorable to the officer or employee. This indemnification will include the cost of defending such proceeding, including reasonable counsel fees and expenses of the original hearing or trial and all appeals. No employee will be held harmless or have his/her defense costs defrayed as a result of a criminal or quasi-criminal complaint filed against the employee by or on behalf of the Board. The Board may arrange for and maintain appropriate insurance to cover all such damages, losses and expenses.

The Board shall insure against any liability arising out of the use of motor vehicles in the course of the conduct of automobile driver training courses and against any liability arising from the use of a motor vehicle by a person duly appointed by the Board to transport pupils and while in the course of such transportation.

The Board may insure against any major liability arising from the use of a motor vehicle by an employee or pupil of the district in the performance of district business.

The Board may, in accordance with law, enter a joint contract.

N.J.S.A. 18A:16-6; 18A:16-6.1; 18A:18A-3.2;  
18A:18A-42(e); 18A:18B-1; 18A:18B-2;  
18A:39-6; 18A:39-6.1; 18A:39-20.1  
N.J.S.A. 40A:10-52

Adopted: 18 November 2004

### 8760 8760 PUPIL ACCIDENT INSURANCE

The Board of Education recognizes injuries to pupils may occur from accidents occurring in the course of attendance at school and participation in the athletic and co-curricular programs of the schools district.

In accordance with the provisions of N.J.S.A. 18A:43-1, the Board is not

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

required to, but may arrange for, maintain, and may pay the premiums for insurance coverage by a qualified insurer for loss sustained by pupils through accidental means while participating in those school activities insured by the Board's insurance provider. This insurance coverage, if purchased by the Board, will not cover all school activities and will be secondary insurance requiring all claims be submitted to the pupil's parent's or legal guardian's insurance provider before being submitted to the school district's insurance provider. All claim decisions and payment amounts will be made by the school district's insurance provider in accordance with the terms of the insurance policy purchased by the Board. The insurance coverage provided under this program will be based on a payment schedule and may not provide for full payment of such claims.

The Board, if such insurance is provided, may require payment to the Board by pupils to whom the benefit of such insurance is extended, of a proportional share of premiums or any part thereof in accordance with the provisions of N.J.S.A. 18A:43-2. In the event the Board requires such payment, the amount to be paid by pupils shall be established by a schedule determined by the Board, but no pupil electing not to participate in the accident insurance coverage shall be required to make any payment toward the cost of the premiums.

The Board may provide parent(s) or legal guardian(s) the opportunity to purchase insurance coverage, at no cost to the Board, for injury resulting from accidents sustained by pupils occurring in the course of attendance at school and participation in the athletic and co-curricular programs of the school district.

The Superintendent and/or designee will recommend suitable and qualified insurance providers for Board consideration and approval. Parent(s) or legal guardian(s) of pupils who may be eligible for such insurance coverage will be notified of its availability.

In accordance with the provisions of N.J.S.A. 18A:43-3, in the event the Board elects to provide this pupil accident insurance, it shall not be construed to impose any liability on the part of the Board for an injury sustained by a pupil as a result of or in connection with any activities outlined in N.J.S.A. 18A:43-1 or as a result of or in connection with the conduct of the physical education program of the school district.

N.J.S.A. 18A:43-1; 18A:43-2; 18A:43-3

Adopted: 11/18/09

8770 8770 SCHOOL BOARD INSURANCE GROUP

The Board of Education shall provide insurance for loss or damage to school district property, real or personal; loss or damage from liability resulting from the use of district property; loss or damage from liability for the acts and omissions of school district officers or employees; loss or damage from liability established by the workers' compensation statutes; and the expenses of defending any claim against the Board members, officers, or employees of this district arising out of and in the course of the performance of their duties.

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

The Board recognizes the benefits to the school district of joining with other Boards of Education in providing coverage for the insurance needs of this district and in participating in programs of risk management to prevent loss and to control liability.

The Board may, upon formal resolution duly adopted, become a member of a school board insurance group in order to participate in any joint self-insurance fund or funds, risk management programs, or related services offered or provided by the group. The Board's membership in the group will be governed by the bylaws of the insurance group, which must be reviewed and approved by the Commissioner of Insurance in accordance with State law.

Trustees of the school board insurance group shall be selected in accordance with the bylaws of the insurance group; if the bylaws do not provide for the manner of a trustee's election, the trustee or trustees representing this Board of Education shall be elected by a plurality vote of those Board members present and voting.

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

Adopted: 18 November 2004

### 8810 8810 RELIGIOUS HOLIDAYS

The Board of Education recognizes the acknowledgment of religious holidays in the public school may be a source of community concern. It is a goal of the district educational program to teach mutual understanding and brotherhood and respect for group differences. In pursuing this goal, the educational program may recognize that various religious groups celebrate different holidays with different practices.

In the acknowledgment or observance of any religious holiday, the Superintendent shall ensure the school and/or school officials do not mandate, organize, participate in an official capacity, endorse, persuade, compel, prevent or deny participation in constitutionally protected prayer or religion in violation of the governing principles of the First Amendment of the United States Constitution. Consistent with these principles, the Superintendent shall ensure:

1. No worship or religious service of any kind is sponsored by the school district and conducted during the school day, whether or not conducted by a clergyman;
2. Religious exhibits or displays include only materials that are a necessary or integral part of the curriculum;
3. Any religious music played is selected primarily for its artistic content; and
4. Any acknowledgment of a religious holiday neither advances nor inhibits any particular religious sect or religion consistent with the governing principles of the First Amendment of the United States Constitution.

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U.S. Consti., First Amendment  
N.J. Consti., Art. 1, 4  
United States Department of Education - Guidance on  
Constitutionally Protected Prayer in Public Elementary  
and Secondary Schools  
N.J.S.A. 18A:36-16  
N.J.A.C. 6:20-1.3(j)

Adopted: 18 November 2004

## 8820 8820 OPENING EXERCISES

The Board of Education requires that the pledge of allegiance to the flag of the United States be conducted during each day's opening exercises in each school classroom in accordance with law. A pupil who has conscientious objections that interfere with his/her full participation in the salute to the flag and the pledge of allegiance shall be exempted from the exercise but shall be required to maintain a respectful attitude throughout the ceremony.

The parent(s) or legal guardian(s) of any pupil who refuses to salute the flag shall be so informed by the Building Principal, and any such parent(s) or legal guardian(s) or the adult pupil shall be required to furnish a written statement of the pupil's conscientious objection.

N.J.S.A. 18A:36-3

Adopted: 18 November 2004

## 8860 8860 MEMORIALS

The Board of Education recognizes that each officer and employee of this district is important not only to the school district but to the community at large. The loss of any officer or employee of this Board by death is a loss that the Board and the district share with the community.

In order to memorialize that loss in a fitting manner, the Board directs that, whenever notice is received of the death of a Board member or a person employed by the Board, the flag of the United States at each school district building shall be flown at half mast for one school day. Written notice shall be posted in an appropriate manner in each district building on that day in order that pupils, staff members, and visitors are informed of the purpose of the memorialization.

The Superintendent may, in his/her discretion, grant an employee of this district a brief absence without loss of pay or personal leave for the purpose of attending the funeral of his/her direct supervisor or subordinate provided that no disruption in the educational program will be caused by any such absence.

The Superintendent shall recommend to the Board and the Board may approve appropriate recognition measures beyond those provided for in this policy when the deceased Board officer or employee has, by length of service or extraordinary accomplishment, especially distinguished his/her service to this

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

school district.

Adopted: 18 November 2004

## 8910 8910 RECORDING OF SCHOOL-RELATED BUSINESS AND ACTIVITIES

The Maywood Board of Education recognizes that students, employees. Board of Education members, parent(s) and legal guardian(s) have an expectation of privacy in many records, meetings and other proceedings, which take place in the course of school business. To help ensure that this privacy is maintained the Maywood Board of Education hereby enacts the following policy.

All Maywood Board of Education employees, including but not limited to teachers, administrators, Board of Education members and staff, while conducting or engaging in school related meetings, whether on or off school property, are forbidden to possess or use wire tapping or electronic surveillance equipment (any device or apparatus that can be used to intercept or record a wire. visual, or oral communication). This includes, but is not limited to, any meeting by or among students, parent(s), guardian(s) or employees.

At the discretion of the Superintendent, employees or students who violate this policy will be subject to discipline. Board members who violate this policy are subject to discipline pursuant to School Board Ethics Rules. The Board shall take appropriate action against any parent or guardian who violates this policy.

Nothing contained herein shall diminish a Maywood student's parent's or legal guardian's right to record meetings with any Maywood employee so long as the parent or legal guardian informs all parties that they are recording the meeting and have the consent of all parties concerned. This policy is in no way to interfere with a parent's right to record special education meetings such as a meeting for Individualized Education Programs ("IEP") pursuant to IDEA, Section 504, or any other Board policy. This policy does not prohibit the tape recording of classes by either an employee or student so long as it is known by all participants that the class session is being recorded or is otherwise arranged by the students IEP and/or Section 504 Plan.

N.J.S.A. 2A:4A-60; 2A:156A:4

N.J.S.A. 18A:6-10; 18A:12-24.1; 18A:12-29; 18A:25-2; N.J.S.A. 18:27-4;  
18:37-1

Adopted: 18 November 2004 27 February 2002

## 9000 9000 COMMUNITY

Number	Title
9100	Public Relations
9110	Quality Assurance Annual Report
9120	Public Information Program
9130	Public Complaints and Grievances
9140	Citizens Advisory Committees

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9150	School Visitors
9161	Crowd Control
9180	School Volunteers
9181	Volunteer Athletic Coaches
9190	Community Organizations
9200	Cooperation Between Parents and School
9210	Parent Organizations
9230	Parental Responsibilities
9240	Rights of Parents
9260	Parental Liability for Vandalism
9270	Home Schooling and Equivalent Education
9280	Parent Conferences
9310	Cooperation with Municipal Agencies
9320	Cooperation with Law Enforcement Agencies
9323	Notification of Juvenile Offender Case Disposition
9324	Sex Offender Registration and Notification
9340	Cooperation with Public Library
9400	News Media Relations
9500	Cooperation With Educational Agencies
9541	Student Teachers/Interns
9550	Educational Research Projects
9700	Special Interest Groups
9713	Recruitment by Special Interest Groups
9100	9100 PUBLIC RELATIONS

The purpose of the school-community relations program is to establish and maintain in the public mind confidence and respect that the school system is providing the best possible education for the children of the community in terms of intellectual, emotional, moral, social, and physical development.

Toward this end, the Board shall provide parents/guardians and other district residents opportunities for orientation and information regarding state regulations and local school procedures, and will utilize, insofar as practical, all appropriate means and media to:

1. Explain the programs, achievements, and needs of the schools to the community as a whole;
2. Determine what residents expect from their schools; what residents think about the accomplishments of their schools; what residents would like to know about their schools that they don't now know, and which particular areas of the school program, policies, or operations need further clarification or explanation;
3. Make every effort to foresee and avoid problems caused by misunderstanding or lack of information;
4. Provide optimum staff performance by keeping all staff members fully informed of district policies and procedures, as well as reasons for them when that is relevant including system-wide activities, their own responsibilities, their rights within district policy and under school law, and practices and procedures to follow at parent/guardian meetings or conferences, to establish cordial relationships and trust on the part of their pupils'

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

parents/guardians.

5. Operate, insofar as required, in public session, as speedily and efficiently as circumstances permit, and with opportunities for public participation;

6. Recognize pupils as a "public" entitled both to be heard and to be provided with reasons for policies and practices which relate to them; as "ambassadors" from the school system to the community, whose attitudes will affect community opinion of the schools;

7. Inform teaching staff personnel that community opinion depends upon the daily life of the school, and that they should seek the following objectives as opportunity permits in their respective fields of services:

- a. Acquaint citizens with the work of the schools;
- b. Give courteous and thoughtful consideration to all inquiries and suggestions and carefully investigate all complaints;
- c. Make parents/guardians feel welcome in the school office and in the classroom;
- d. Cooperate with parent-teacher groups and with other organizations of citizens seeking information or offering assistance to the schools;
- e. Maintain all pupil relations with firmness, intelligence and sympathy so as to command their respect and enlist the cooperation of the home; and
- f. Observe interstaff relations conducive to high morale and meriting the respect of pupils and citizens.

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

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

1. Promote public interest and participation in the operation of the school system;
2. Gather information about public attitudes toward the school system and its programs and report them to Superintendent and the Board;
3. Provide an honest, continuous, comprehensive flow of information about the policies, procedures, programs, problems and progress of the school system to the community and the staff;
4. Develop the most effective means of communication with the school system's public and use available media as appropriate;
5. Develop programs in the schools that will integrate home, school, and community in meeting the needs of district pupils;

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

6. Develop and maintain the confidence of the community in the school Board and the school staff;

7. Develop a climate that attracts good teachers and encourages staff to strive for excellence in the educational program;

8. Anticipate and forestall problems that are brought about by lack of understanding;

9. Evaluate past procedures in order to make improvements in future communications.

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

Adopted: 18 November 2004

9110 M

### 9110 QUALITY ASSURANCE ANNUAL REPORT

The Board of Education recognizes the vital role played by parent(s) or legal guardian(s) and other residents of the district in assuring the children of this district a thorough and efficient system of education. Accordingly, and in compliance with rules of the State Board of Education, the Board shall annually, offer a quality assurance report at a regular Board meeting.

The Superintendent shall offer the public a quality assurance presentation that reports on:

1. The implementation of school-level plans,  
N.J.A.C. 6:8-2.4;
2. The achievement of performance objectives, N.J.A.C. 6:8-2.6;
3. Each school report card, including pupil performance results and pupil behavior data, N.J.A.C. 6:8-2.6 and 6:8-2.7;
4. Professional development activities,  
N.J.A.C. 6:8-2.8;
5. The condition of the school facilities,  
N.J.A.C. 6:8-2.9;
6. The status of mandated program reviews,  
N.J.A.C. 6:8-2.5;
7. Community support data consisting of:
  - a. A review of demographic data,
  - b. A community survey,
  - c. Identification of available resources and linkages to social service agencies,

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- d. Strategies to overcome any community and environmental conditions that hinder learning,
- e. Methods to eliminate any barriers to community participation,
- f. Planned level of community involvement,
- g. Strategies for parental involvement, and parent-teacher interaction.

The Superintendent shall prepare summaries of his/her reports for distribution at the meeting. Copies of the reports in addition to the summaries will be provided on request in accordance with Board policy on public records. Those reports that are public records will be available for public inspection from the time they are received or filed by the district.

The Board will invite public discussion on issues related to Superintendent's reports. Members of the public will be heard in accordance with Bylaw No. 0167 on public participation in Board meetings.

N.J.S.A. 10:4-6 et seq.  
N.J.S.A. 47:1A-1 et seq.  
N.J.A.C. 6:8-2.4 et seq.; 6:8-7.1(f)

Adopted: 18 November 2004

### 9120 9120. PUBLIC RELATIONS PROGRAM

The Board of Education believes all reasonable means should be employed to keep the community served by the school district informed on matters of importance regarding district programs, finances, personnel, policies, and operations.

The Board will determine which of its official actions have sufficient community impact and interest to warrant special release; the Board alone will release to the news media information about those matters of importance. The Board President may release information regarding Board actions of lesser importance as they have been recorded in the minutes of the Board meetings and upon the request of media representatives. The release of all other publications, photographs, and documents depicting the accomplishments of the pupils and staff of the district shall be approved by the Superintendent of Schools or designee.

The school district will not release or publish photographs or release other personal identifying information of an individual district pupil without the prior written permission of the parent(s) or legal guardian(s) or from the adult pupil. Written permission slips for such release from each parent(s) or legal guardian(s) or adult pupil will be obtained by the Principal or designee for the pupils in their school building or by the Program Administrator for pupils in programs where a Principal is not assigned. These written permission forms shall be maintained by the Principal or Program Administrator. Group photographs may be released by the district without permission, but in no event will an individual pupil in a group photograph be identified by name and/or by other personal identifier without written

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

permission from the parent(s) or legal guardian(s) or adult pupil.

The Superintendent of Schools shall direct an information program designed to acquaint residents of the community and the public generally with the achievements and the needs of the schools. As a minimum, information shall be disseminated regarding the district's educational goals; the district's guarantee of equal educational opportunity; the district's programs for basic skills improvement, special education, bilingual education, and English as a second language; and summary reports of the administration of statewide assessment tests. Every effort shall be made to foresee and avoid problems caused by misunderstanding or lack of information.

The public information program may include the publication and distribution of a district newsletter, meetings with parent(s) or legal guardian(s) and interested residents, a presentation and interpretation of the proposed annual budget, periodically distributed calendars and notices of events, the Superintendent's annual report, and a pupil handbook, as well as the release of news and photographs of school activities for publication. Notices, publications, and other written materials may be prepared in languages other than English when necessary and appropriate for understanding.

The Board of Education adopts the following strategies to minimize the cost of public relations as defined in N.J.A.C. 6A:23A-9.3(c)14 in accordance with N.J.A.C. 6A:23A-5.2.

School district publications shall be produced and distributed in the most cost-efficient manner possible that will enable the school district to inform and educate the target community. The use of expensive materials or production techniques where lower cost methods are available, such as the use of multi-color glossy publications instead of suitable, less expensive alternatives, is prohibited.

The school district will not distribute, via mass mailings or other means to the district community at large, publications that include the picture(s) of any members of the Board of Education within ninety days before any election in which any Board member is seeking any elective office or any election relating to school district operations held in the district. Any publication(s) distributed by the Board via mass mailings or other means to the district community at large within sixty days before any election in which any Board member is seeking any elective office or any election relating to school district operations held in the district must be submitted to the Executive County Superintendent for review prior to distribution to ensure that the public funds are being expended in a reasonable and cost-effective manner.

Public relations activities, such as booths at Statewide conferences, marketing activities and celebrations for opening schools and community events, and TV productions that are not part of the instructional program or do not provide information about district or Board operations to the public, that are excessive in nature are prohibited. All activities involving promotional efforts to advance a particular position on school elections or any referenda are prohibited.

Nothing in N.J.A.C. 6A:23A-5.2 and this Policy shall preclude the school district from accepting donations or volunteer services from community

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

members, local private education foundations and local business owners to conduct or assist in public relations services. Examples include, but are not limited to: providing school district flyers, newsletters, or other materials containing school-related information of public concern to local businesses, public meeting places, or other local organizations to display or make available for dissemination; making school district related information of public concern available to local newspapers to publish related articles; and utilizing volunteered services of local community members, district employees, members of parent organizations or local businesses with expertise in related areas such as printing, advertising, publishing, or journalism.

The Board of Education will establish annually prior to budget preparation, a maximum dollar limit for public relation, as defined in N.J.A.C. 6A:23A-9.3(c)14. In the event it becomes necessary to exceed the established maximum dollar limit for public relations, the Superintendent of Schools shall recommend to the Board of Education an increase in the maximum dollar amount for public. Any increase in the maximum dollar amount shall require formal Board action.

N.J.A.C. 6A:23A-5.2

Adopted: 3/25/09

### 9130 9130 PUBLIC COMPLAINTS AND GRIEVANCES

The Board of Education invites constructive criticism by all parents/legal guardians and residents of the district. It is also the policy of this district that the Board of Education supports the actions of its employees in the normal course of their duties and protects them from unwarranted and unnecessary attack. Therefore, to ensure that all complaints are fairly treated and that the interests of district employees guarded, the following procedures shall be followed:

1. Employees of the Board will not normally entertain or consider communications or complaints from teachers, parents/guardians, or other citizens, but shall refer all such communications to the appropriate principal or the Superintendent.
2. Individual Board members shall refer persons making complaints about the schools to the appropriate administrative officer immediately in charge of the person, building, or facility under complaint.
3. Complaints shall be monitored and/or addressed by the Principal of the appropriate school; but in the event the complaint is not satisfied in a conference with school representatives (Principal, teachers or counselors), the problem will be referred to the Superintendent.
4. The Superintendent will arrange for a hearing. If the complaint concerns a teacher or a principal, the Superintendent will be available if his/her presence is desired; otherwise, the Superintendent's designee will represent him/her.
5. If no solution satisfactory to the parent(s)/legal guardian(s) or citizen(s) is forthcoming, the parents/legal guardians or citizens may seek a hearing before the Board. The complaint shall state:

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

a. The nature of the problem.

b. The facts of the case.

c. The persons involved.

d. The recommended solution.

6. A written statement must be submitted six calendar days before the next Board meeting, in order to be included on the agenda.

7. To prevent hasty, ill-considered action, the Board reserves the right if the circumstances warrant it, to wait until the next regular meeting after the complaint is placed on the agenda before acting on same.

### Public Complaints and Inquiries

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

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

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

When a Board member is confronted with a complaint, he/she will advise the complainant of the appropriate procedures instituted to address their complaint and refer the complaint or inquiry to the Superintendent. Board of Education members will refrain from voicing opinions, making commitments or taking actions when to do so may be interpreted by the complainant(s) as opinions, commitments, or actions authorized or sanctioned by the Board of Education or when to do so may jeopardize a fair and unprejudiced resolution.

Only in those cases where a satisfactory resolution of a complaint cannot be made by the Superintendent, the appropriate Building Principal, and the staff, shall communications and complaints be referred to the Board of Education for resolution.

All signed complaints shall be acknowledged promptly. No anonymous letters shall be considered by the Board.

Adopted: 18 November 2004

9140 M

9140 CITIZENS ADVISORY COMMITTEES

The success of the school system depends, to a large extent, on open channels of communication between the school community and the community at large. Citizens advisory committees are particularly useful in keeping the Board of

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

Education and the administration informed with regard to community opinion and in representing the community in the study of specific school problems.

The Board may establish advisory committees as standing committees to serve in a liaison function between the local community and the schools, as permanent committees for funded programs as the law requires, and as the need arises.

In creating a new advisory committee, the Board shall appoint members of the community who are able and interested in the subject and concerned about the schools; appoint members who represent a wide range of community interests and backgrounds; appoint a chairperson; and appoint one or more Board members to serve as ex officio members.

In charging a new advisory committee, the Board shall define the committee assignment in writing, set a date for a preliminary and final report, and establish a budget. Expenditures of district funds by advisory committees shall be made only upon the approval of the Superintendent.

Recommendations of an advisory committee shall not reduce the responsibility of the Board, which may accept or reject recommendations in the exercise of its statutory discretion.

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

N.J.A.C. 6:30-1.5; 6:31-1.14(b)  
20 U.S.C.A. 3801 et seq.

Adopted: 18 November 2004

9150 9150 SCHOOL VISITORS

The Board welcomes visits to the schools by parents/legal guardians, Board members, other adult residents of the community and interested educators. In order for the educational program to continue undisturbed when visitors are present, and to prevent the intrusion of disruptive persons into the schools, the Superintendent shall devise regulations controlling visitors.

All visitors shall be required to report to the Main Office upon entering the building.

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

Individual Board members interested in visiting the schools for the purpose of Board of Education business will inform the Superintendent and the appropriate Building Principal of such visits, and the Superintendent will make arrangements for such visits. Such visits shall be regarded as expressions of interest in school affairs and not for supervisory or administrative purposes. Official visits by Board members will be made only by Board authorization, and with the knowledge of the Superintendent and the Building Principal.

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

No one may visit the school during school hours for the purpose of solicitation or recommending or exhibiting books, maps, etc., or any educational materials or aids, to staff unless authorized by the Superintendent. No person shall be allowed to deliver any address or lecture on any subject unless authorized by the Superintendent or designee.

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

In order to protect the educational program of the schools from undue disturbance, the following procedures are established:

1. Except for assigned parent/legal guardian conferences, persons wishing to visit the schools must make arrangements in advance through the school office.
2. All visitors must register at the school office where they will receive identification and instructions. Any person who has not registered with the school office is illegally on school property and may be asked to identify himself/herself properly or leave the school grounds. If the visitor refuses to leave the school grounds or creates a disturbance, the Building Principal is authorized to request aid from the local law enforcement agency.
3. No visitor may interact with a student in school unless it is with the specific approval of the administration. If an emergency situation requires that a student be called to the office to meet a visitor, a member of the staff must be present during the conference. A student is never to be permitted to leave the school with anyone who is not clearly identified as his/her parent/legal guardian or an appropriately authorized person. If the school has been made aware that the marital status of his/her parents/legal guardians is such that the student is in the custody of one or the other, the Principal shall ascertain that he/she is released only to that parent/guardian, or designee of the parent/legal guardian, legally entitled to his/her custody.
4. Students may not bring guests to school unless permission to do so has been granted by the Building Principal.

Adopted: 18 November 2004

9161 9161 CROWD CONTROL

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

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

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

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

Adopted: 18 November 2004

### 9180 9180 SCHOOL VOLUNTEERS

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

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

Volunteers carrying out prescribed functions under the supervision of designated professional staff members shall be covered by the Board's liability insurance policy. Community volunteers who will be in contact with pupils on a regular basis must pass the required tuberculosis screening.

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

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

Volunteer Aides

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

A volunteer aide shall be one engaged in instructional or non-instructional classroom or school activities, under the direct supervision of classroom teachers and principals. The aide will be selected to help the schools provide better instructional services to students, not to relieve teachers of their teaching responsibilities. They will be chosen by qualifications presented and school standards established. The volunteer will be recruited from parents/guardians, retired teachers, a college training program, civic and service organizations and the community at large.

The volunteer aide must not be used in a primary instructional role, nor as a substitute, but in a supportive capacity. Aides will be assigned with respect to interest and qualifications to fulfill the needs of the individual teaching situations; no aide shall be assigned to his/her own child's class or grade level.

The aide shall be oriented to the goals and objectives of the program and informed of the confidential aspects of the work.

Volunteers require approval by the Superintendent for their specific involvement as recommended by the Principal and/or Superintendent, and ratification by the Board of Education.

Each school shall direct its own aide program within the framework of the district's policy.

Adopted: 18 November 2004

### 9181 9181 VOLUNTEER ATHLETIC COACHES

The Board of Education recognizes that the services of volunteer athletic coaches bring unique skills to the district, enrich the athletic program, assist district's coaching staff members in the performance of their duties, and enhance the relationship between the school district and the community. The Board directs a program for the utilization of volunteer athletic coaches in grades four through eight.

The Athletic Director will be responsible for the recruitment and screening of volunteer athletic coaches and their assignment. The district is not obligated to utilize the proffered services of a volunteer athletic coach whose abilities or interests do not serve the needs of the school district as determined by the Superintendent. Coaching volunteers must be persons of known character, responsibility, and integrity and must be recommended by the Superintendent and approved by the Board of Education prior to assuming any coaching responsibilities.

The Athletic Director will prepare and promulgate rules of conduct for volunteer athletic coaches. Each volunteer athletic coach will be given a copy of this policy and the rules of conduct.

The following guidelines shall govern the service of a volunteer athletic coach:

1. Volunteer athletic coaches may serve only under the direction and immediate supervision of a head and/or assistant coach employed by the Board;

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

2. Volunteer athletic coaches must clearly understand their duties and responsibilities and perform no services outside those duties;
3. Volunteer athletic coaches serve only in a support capacity and only head or assistant coaches employed by the Board are responsible for the supervision and instruction provided to pupils participating in the athletic program;
4. Volunteer athletic coaches shall respect the individuality, dignity and worth of each pupil;
5. Volunteer athletic coaches are not permitted access to pupil records;
6. Volunteer athletic coaches must exercise discretion in disclosing any confidential pupil matters the coach becomes aware of as a result of their volunteer responsibilities;
7. Volunteer athletic coaches must consult with the Athletic Director regarding any matters or questions regarding their duties and responsibilities;
8. Volunteers shall not receive financial remuneration for their services;
9. Volunteer athletic coaches, may be immediately relieved of their volunteer responsibilities, with or without cause, by the Superintendent with such action to be recommended to the Board by the Superintendent at the next Board Meeting following relief of duties.

The Superintendent shall report annually to the Board on the number of volunteer coaches serving in the district, the duties performed by volunteer coaches, and the number of volunteer hours served, by school athletic program.

N.J.S.A. 18A:6-7.1

Adopted: 18 November 2004

### 9190 9190 COMMUNITY ORGANIZATIONS

The Board of Education respects the contributions to community life made by business, industry, labor, charitable organizations, cultural institutions, volunteer associations and other community groups that enrich the educational potential of the community.

The Board directs the Superintendent to be alert to the opportunities for an educational program expanded and enriched by utilization, both within and without the school district, of a diversity of community resources.

The Superintendent shall establish and maintain a file of community resources and invite the appropriate participation of community organizations and resource persons in the instructional program. The Superintendent shall determine those schools, instructional programs, and/or district operations that would profit by the involvement of community resources.

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

Adopted: 18 November 2004

## 9200 9200 COOPERATION BETWEEN PARENTS AND SCHOOL

The Board of Education believes that the education of children is a joint responsibility that the Board shares with the parent(s) or legal guardian(s) of pupils. To ensure that the best interests of the child are served in this process, a strong program of communication between home and school must be maintained.

It is the position of the Board that parent(s) or legal guardian(s) bear the ultimate responsibility for their children's in-school behavior, including the behavior of pupils who have reached the legal age of majority, but are still for all practical purposes under parental authority.

The Board directs that cooperation be encouraged by parent-teacher conferences that permit two-way communication between home and school; open houses in district schools that provide parent(s) or legal guardian(s) with the opportunity to see the school facilities, meet the faculty, and observe the program on a first hand basis; meetings of staff members and groups of the parent(s) or legal guardian(s) of those pupils having special abilities, needs, or problems; and special events of a cultural, ethnic, or topical nature, which are initiated by parent groups, involve the cooperative effort of students and parent(s) or legal guardian(s), and are of general interest to the schools or community.

Adopted: 18 November 2004

## 9210 9210 PARENT ORGANIZATIONS

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

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

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

The Board shall make it a practice not to interfere in the internal workings of such groups. However, the Board may appoint a liaison to the group in order to facilitate communication.

The school principal or another professional staff member designated by the principal shall serve as advisor to the general parent/teacher organization.

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

All members of the professional staff shall be encouraged to join the organization and to participate in its activities.

Adopted: 18 November 2004

### 9230 9230 PARENTAL RESPONSIBILITIES

The Board of Education believes that the education of children is a joint responsibility, one it shares with the parents/legal guardians and the school community. To ensure that the best interests of the child are served in this process, a strong program of communication between home and school must be maintained and parental involvement in district concerns encouraged.

The Board recognizes the vital role of parents/legal guardians in the welfare and education of their children and the pivotal part they play in shaping character and values. Because parents/legal guardians are familiar with the needs, problems, gifts, and abilities of their children, staff should seek to involve parents/legal guardians as much as possible in the planning of the educational program. Parents/legal guardians must, by law, be included in the development of certain educational programs for their children.

Parents/legal guardians are requested to keep the school apprised of changes in factors in the home situation which may affect pupil conduct or performance. Parents/guardians are specifically requested to inform the school of any changes in legal custody of the child.

Parents/legal guardians are responsible for their child's punctuality, attendance, cleanliness, and propriety of dress.

The Superintendent shall develop procedures and regulations to implement this policy. These regulations shall include use of the parents/legal guardian's native language when necessary.

Adopted: 18 November 2004

### 9240 9240 RIGHTS OF PARENTS

The Board of Education recognizes that the parent(s) or legal guardian(s) of each child are ultimately responsible for the care and custody of that child, and that both parent(s) or legal guardian(s) share that responsibility equally. The Board recognizes as well that, where only one parent has legal custody of a child, the rights and responsibilities of the other parent may be limited. The Board believes that the interests of the child are best served by the continuing involvement of both parents in the child's life and well-being.

The Board will presume that each natural or adoptive parent(s) or legal guardian(s) of a pupil enrolled in this district possesses full parental rights of access to the pupil and to information about the pupil, notwithstanding any separation of the parent(s) or legal guardian(s) or dissolution of their marriage. Accordingly, and in the absence of notice to the contrary, the Board directs that school administrators accommodate the needs of both parent(s) or legal guardian(s) for access to their child, to their child's teachers, and to information about their child.

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

Every parent, except as prohibited by federal and state law, shall have access to records and information pertaining to his/her unemancipated child, including, but not limited to, medical, dental, insurance, child care and educational records, whether or not the child resides with the parent, unless that access is found by the court to be not in the best interest of the child or the access is found by the court to be sought for the purpose of causing detriment to the other parent.

The place of residence of either parent shall not appear on any records or information released pursuant to the provisions of this section.

A child's parent(s), guardian(s) or legal custodian(s) may petition the court to have a parent's access to the records limited. If the court, after a hearing, finds that the parent's access to the record is not in the best interest of the child or that the access sought is for the purpose of causing detriment to the other parent, the court may order that access to the records be limited. Proper notice of court action consists of the custodial parent's sworn affidavit or certification supported by a copy of the pertinent portion of a legal agreement or court order that awards custody and establishes the rights and limitation of the noncustodial parent or terminates the parental rights of the noncustodial parent.

Nothing in this policy shall be construed as limiting in any way the rights of the noncustodial parent whose parental rights have not been terminated to full access to his/her child's records.

N.J.S.A. 18A:35-4.6 et seq.; 18A:47-4; 18A:47-8  
N.J.A.C. 6:3-6.1; 6:3-6.5; 6A:14-1.3; 6A:14-2.9

Adopted: 18 November 2004

### 9260 9260 PARENTAL LIABILITY FOR VANDALISM

The school property held in trust by this Board of Education represents a substantial investment of the taxpayers of the school district; liability for the willful and malicious destruction of that property should be borne by those directly and indirectly responsible.

The Board further believes that parent(s) or legal guardian(s) are ultimately responsible for the supervision and discipline of pupils and that the knowledge that they are vicariously liable for the acts of their children and wards will encourage parent(s) or legal guardian(s) to exercise that responsibility more vigorously.

Where any property, real or personal, owned by this Board has been willfully and maliciously damaged by any minor, whether or not the person is enrolled in this district, the Board shall bring civil action against the parent(s) or legal guardian(s) having legal custody and control of the person at the time the damage was caused, for the full amount of the damage.

N.J.S.A. 18A:37-3

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

Adopted: 18 November 2004

9270 M

## 9270 HOME SCHOOLING AND EQUIVALENT EDUCATION OUTSIDE THE SCHOOLS

The Board of Education encourages the enrollment of all children of school age resident in the district in public schools or in approved private schools so that they may enjoy the benefits of a well-planned educational program and the socialization possible in a group environment.

Every parent, legal guardian or other person having custody and control of a child between the ages of six and sixteen years shall cause such child regularly to attend the public school or a day school in which there is given instruction equivalent to that provided in the public schools for children of similar grades and attainments or to receive equivalent instruction elsewhere than at school. The Board recognizes its responsibility for assuring that every child of school age resident in the district is enrolled in a public or private school or is offered an equivalent thorough and efficient education elsewhere than at school. The Board acknowledges that parents have a constitutional right to choose the type and character of education they feel is best suited for their children, be it secular or sectarian. Home schooling is an option that parent(s) or legal guardian(s) may choose to educate their children. When parents choose this option the program will be carried out in the pupil's home rather than the school.

In the event a child is receiving an education outside the district schools, the Superintendent may report to the appropriate municipal authorities children whom he/she has reason to believe are not offered instruction outside the schools equivalent to that offered in the public schools for children of similar ages or attainments. If the Superintendent makes such report, the parent(s) or legal guardian(s) of a pupil receiving instruction elsewhere other than school may notify the Superintendent of their child's educational program status and provide sufficient information to satisfy the district that equivalent instruction is being offered.

The parent(s) or legal guardian(s) or other person having charge and control of a child between the ages of six and sixteen, who shall fail to comply with any of the compulsory education provisions of N.J.S.A. 18A:38 et seq. relating to his/her duties, shall be deemed to be a disorderly person and shall be subject to a fine.

If a child seeks admission to this school district from a program of home schooling, the school district will evaluate the work of the child to determine his/her appropriate grade placement. The Superintendent or designee will objectively evaluate the child's skill and achievement levels, as it would with any transfer student, before making a determination as to the acceptability of credits and/or the appropriate grade level placement.

When children are educated at home and are not enrolled in a school, the school district is not required to provide any of the entitlements or privileges of pupils enrolled in the school district unless specifically provided in the federal special education laws.

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

A child educated at home shall not receive a state endorsed high school diploma from the Board of Education.

N.J.S.A. 18A:38-25; 18A:38-25 through 18A:38-31  
U.S.C.A. 1401 et seq.

Adopted: 18 November 2004

9280 9280 PARENT CONFERENCES

The Board of Education endorses the parent-teacher conference as an effective means of permitting parent(s) or legal guardian(s) and teachers to share information about pupils and the educational program in a constructive setting.

The Superintendent is directed to schedule parent-teacher conferences at such times as will permit the maximum attendance of parent(s) or legal guardian(s), including working parent(s) or legal guardian(s); to encourage the participation of parent(s) or legal guardian(s); and to provide in-service training to teachers to assist them in making most effective use of the conference.

The Board believes that the information exchanged in parent-teacher conferences can be of great importance to the pupil's ability to profit educationally; such conferences are, therefore, an essential part of the instructional program and an integral part of a teacher's professional responsibility. Accordingly, all teachers are required to attend the parent conferences scheduled for the children assigned to them. A teacher's failure to observe this policy may be cause for discipline.

The Board regards parent-teacher conferences as non-adversarial meetings in which all persons present are united in a common interest in the educational well-being of the pupil. The parent(s) or legal guardian(s) of the pupil may bring to the conference additional persons who share that interest and wish to aid the parent(s) or legal guardian(s) and the teacher. When a parent(s) or legal guardian(s) desires the representation of legal counsel at the conference, however, the Board may wish to be similarly represented. Accordingly, the parent(s) or legal guardian(s) who plan(s) to bring legal counsel to a parent-teacher conference shall notify the school principal of that intention no later than five working days in advance of the conference in order that the Superintendent may secure such legal representation as he/she may deem advisable.

The purposes of the parent-teacher conference are best served when all persons present share freely and candidly their knowledge of the pupil's educational progress and information relating to that progress. Any person present may make and preserve notes, for his/her benefit, of the information shared and may, if permitted and with the consent of all parties involved, make a tape recording of the conference as an aid to memory or to share with an absent parent or legal guardian. However, because the presence of a recording device may act to impede the free exchange necessary to an effective conference, either the parent(s) or legal guardian(s) or the teacher may refuse a request to use a recording device.

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

Adopted: 18 November 2004

## 9310 9310 COOPERATION WITH MUNICIPAL AGENCIES

The Board of Education wishes to cooperate as fully as possible with other public agencies in the community that deal with pupils. The Superintendent shall seek to develop positive working relationships with such agencies, including but not limited to investigative committees, pooled resources, information exchange, and as service advisors/providers.

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

### Fire Department

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

### Emergency Room/Squad

In implementing policies, the Superintendent shall establish procedures whereby the facilities of the local hospital Emergency Department and local ambulance/rescue squad may be called upon implementing policies.

Adopted: 18 November 2004

## 9320

## 9320. COOPERATION WITH LAW ENFORCEMENT AGENCIES (M)

The Board of Education acknowledges the law compelling school attendance vests in the Board a custodial responsibility for the children in its charge and a duty to protect those children from persons not associated with the school district.

The Board further recognizes that its interest in helping children understand and respect the law is best served by a close and cooperative relationship with local law enforcement. The Board adopts Policy and Regulation 9320 in accordance with N.J.A.C. 6A:16-6.1 et seq. to ensure cooperation between school staff and law enforcement officials in all matters relating to the unlawful possession, distribution and disposition of controlled dangerous substances, as defined in N.J.S.A. 24:21-2, including anabolic steroids, drug paraphernalia, alcoholic beverages and/or firearms as defined in subsection f. of N.J.S.A. 2C:39-1.(f); and other deadly weapons as defined in N.J.S.A. 2C:39-1.(r) and in the planning and conduct of law enforcement activities and operations occurring on school property, including arrest procedures and undercover school operations. The Board directs the Superintendent to institute a program of such communication and cooperation.

Policy and Regulation 9320, as adopted by the Board, will be submitted for

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

approval to the County Superintendent of Schools in accordance with N.J.A.C. 6A:16-6.2 (a) 2.

Policy and Regulation 9320 have been developed and approved by the Board to protect the interests of pupils and serve the legitimate needs of law enforcement in accordance with N.J.A.C. 6A:16-6.1 et seq.

N.J.A.C. 6A:16-6.1 et seq.

Adopted: January 20, 2010

### 9323 9323 NOTIFICATION OF JUVENILE OFFENDER CASE DISPOSITION

School principals have a need to receive and have access to juvenile justice proceedings involving juveniles who are registered students in the school building. The school principal shall have access to information relating to juvenile justice proceedings in accordance with N.J.S.A. 2A:4A-60.

The school principal may request from law enforcement agencies at the time of charge, adjudication or disposition, information as to the identity of a juvenile student charged, the adjudication and the disposition. The school principal may inform school staff members of this information if the Principal deems it appropriate for maintaining order, safety or discipline in the school or for planning programs relevant to the juvenile's educational and social development. This information will not become part of the juvenile student's permanent school record and shall not be maintained except as authorized by regulation of the Department of Education.

A law enforcement or prosecuting agency shall, at the time of charge, adjudication or disposition, advise the school principal of the school where the juvenile is enrolled, of the identity of the juvenile charged, the offense charged, the adjudication and the disposition if:

1. The offense occurred on school property or a school bus, occurred at a school-sponsored function or was committed against an employee or official of the school; or

2. The juvenile was taken into custody as a result of information or evidence provided by school officials; or

3. An offense, if committed by an adult, would constitute a crime and the offense:

- a. Resulted in death or serious bodily injury or involved an attempt or conspiracy to cause death or serious bodily injury; or

- b. Involved the unlawful use or possession of a firearm or other weapon; or

- c. Involved the unlawful manufacture, distribution or possession with intent to distribute a controlled dangerous substance or controlled substance analog; or

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

d. Was committed by a juvenile who acted with a purpose to intimidate an individual or group of individuals because of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability; or

e. Would be a crime of the first or second degree.

Information provided in accordance with the section above shall be treated as confidential. The school principal may inform school staff members of this information if the Principal deems it appropriate for maintaining order, safety or discipline in the school or to planning programs relevant to the juvenile's educational and social development. This information will not become part of the juvenile student's permanent school record and shall not be maintained except as authorized by regulation of the Department of Education.

Law enforcement or the prosecuting agency may provide the school principal with information identifying one or more juveniles who are under investigation or who have been taken into custody for the commission of any act that would constitute an offense if committed by an adult when the law enforcement or prosecuting agency determines that the information may be useful to the Principal in maintaining order, safety, or discipline in the school or in planning programs relevant to the juvenile's educational and social development. Information provided in accordance with the section above shall be treated as confidential, but the school principal may inform school staff members of this information if the Principal deems it appropriate for maintaining order, safety or discipline in the school or for planning programs relevant to the juvenile's educational and social development. No information provided in accordance with this paragraph shall be maintained.

The Principal who requests and/or receives information as specified in this policy shall notify the Superintendent or designee within twenty-four hours.

The school district shall comply with the Department of Education rules and regulations concerning the creation, maintenance and disclosure of pupil records regarding school principal notification of juvenile offender case disposition and this policy.

P.L.1982, c.79; R.S.53:1-15; P.L.1985, c.69

Adopted: 18 November 2004

### 9324 9324 SEX OFFENDER REGISTRATION AND NOTIFICATION

The Board of Education and administration will comply with the guidelines developed by the New Jersey Attorney General's Office and will work cooperatively with the County Prosecutor's Office and the Maywood Police Department regarding the requirements of N.J.S.A. 2C:7-1 et seq. (Megan's Law).

The Megan's Law notification statute applies to all sex offenders who are required to register pursuant to N.J.S.A. 2C:7-1 et seq. The offenses requiring registration by persons convicted, an adjudicated delinquent or a person acquitted by reason of insanity are as indicated in New Jersey Statutes Annotated.

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

## Definitions

A. Tier One offenders encompass those that are a "low risk of re-offense", thus constituting a low risk of harm to the community. This offender is one who, because of the type of crime, the lack of violence in his/her behavior, the lack of a substantial criminal history and the existence of ties to the community presents no more than a possible risk of re-offense.

B. Tier Two offenders encompass those who are a "moderate risk of re-offense", thus constituting a moderate risk of harm to the community in that the pertinent documents demonstrate that they are reasonably likely to re-offend, warranting limited notice for the protection of the public.

C. Tier Three offenders encompass those who are a "high risk of re-offense" in that the available record demonstrates that there is a probable risk of re-offense, warranting notice to the community likely to encounter the offender.

The County Prosecutors Office determines the specific schools, community organizations and residences to receive notification.

The School District is automatically included on the notification list and is not required to register to be notified under Tier Two or Tier Three notifications. Where the risk of re-offense is determined by the County Prosecutor's Office to be moderate or high in accordance with the law, the County Prosecutor's Office and/or the appropriate law enforcement office will notify the Superintendent and the Principal of the targeted school(s). The Superintendent should not notify the target school(s), but may contact the Prosecutor's Office if the Superintendent thinks that a school in the notification area has been inadvertently omitted. The school district is entitled to receive the offender's name and a recent photograph, along with a physical description, the offense of which he/she was convicted, their address, place of employment and/or schooling, and vehicle license number.

The Board of Education shall take appropriate steps to educate and alert those staff members who are charged with the care and supervision of children, emphasizing that this information is intended to assist such staff members in the protection of their charges, not to provide notification to the community at large. All sex offender notification information to the community must be released by the appropriate law enforcement agency or the County Prosecutor's Office. The school district and/or any school staff member shall keep all sex offender notification information confidential. In the event that the school district is notified of the fact that a pupil is a Tier One or Two sex offender, the school district will cooperate with local law enforcement and the County Prosecutor's Office on community notification consistent with the law and guidelines of the New Jersey Attorney General's Office.

The County Prosecutor's Office will be asked to provide guidance to the school district staff members. The Board of Education, working in conjunction with the County Prosecutor's Office and/or a local law enforcement office, will hold meetings and other educational programs at a particular school for staff regarding the safeguarding of the school district's children. There will be a strong emphasis on providing pertinent information, constructive knowledge and guidance to the community, as well as advice concerning the consequences of

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

vigilante activity.

The Building Principal of each school notified by the Prosecutor's Office will have the discretion to make the determination as to which employees within the school should be informed of the notification. The Building Principal should share the notice with any person who in the course of the duties of his/her employment or assignment, is regularly in a position to observe unauthorized persons in or near the property of the notified school. If any persons to be notified by the Building Principal are employees of private contractors, the Principal or the Superintendent will notify the private vendor who will provide notice to the employees.

The Principal shall only notify appropriate school district staff of Tier Two or Tier Three notifications and shall not provide notification to the community at large. Guidance to the school district in providing this information to staff members will be obtained from the County Prosecutor's Office.

N.J.S.A. 2C:7-1 et seq.  
Guidelines - New Jersey Office of the Attorney General

Adopted: 18 November 2004

### 9340 9340 COOPERATION WITH PUBLIC LIBRARY

The public library can and should play an important role in the intellectual and educational development of children attending district schools, serving them as a resource that reinforces and augments the school library in many areas and by providing services and materials that may go beyond those that the school library alone can provide.

The Board of Education encourages the effective utilization of the public library by communication and cooperation between the school and library staff. School staff members should be kept informed of new materials and services available from the public library, and library staff members should be kept advised of school projects and programs that call for pupil use of the public library.

N.J.A.C. 6:70-1.1

Adopted: 18 November 2004

### 9400 9400 NEWS MEDIA RELATIONS

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

In general, the Superintendent shall be responsible for establishing relations with news media, and providing information to each through the means found most suitable. Particularly, he/she shall ensure that the media receive all school profiles as required by the administrative code.

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

The Board encourages public presentation of the programs, policies and progress of the schools through press and other media. Building principals shall clear proposed presentations with the Superintendent. The administration shall ensure that the parent/guardians of pupils who participate in such presentations are informed.

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

The Board shall make a periodic review of its relations with the news media.

The Superintendent of Schools is responsible for all news released relative to the schools and may delegate authority to the principal to release routine and non-controversial material.

All matters representing the official position of this district prepared for publication by any of its employees shall be approved by the Superintendent prior to release to the public media.

### Coverage of Board meetings

Representatives of all news media are invited to attend all public meetings of the Board of Education. The School Business Administrator/Board Secretary shall submit for publication, meeting announcements to newspapers in accordance with Policy No. 0162 (Notice of Board Meetings) and other news media at the discretion of the Board, which provide information and communication services to the local community.

All material discussed at public Board of Education meetings may be presented to media representatives by the President of the Board of Education or the Superintendent of Schools.

In its dealing with the media, the school system will be frank and open, recognizing both the privilege of the media to publish newsworthy information, and the requirements of the Open Public Meetings Act.

Adopted: 18 November 2004

### 9500 9500 COOPERATION WITH EDUCATIONAL AGENCIES

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

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

Further, this school district shall cooperate with other school districts in the solution of common educational concerns. District staff under the

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

direction of the Superintendent shall participate in the coordination of such areas as research, exchange of information and data, coordination of curriculum, coordination of school calendar and activities, and any others where it may be advantageous to serve a broader area than this school district. In carrying out this policy, the Superintendent shall include in his/her reports to the Board an evaluation of the desirability and feasibility of cooperation with other school districts.

Adopted: 18 November 2004

### 9541 9541. STUDENT TEACHERS/INTERNS

The Board of Education encourages cooperation with the state colleges and universities in the education of teachers, because the public school offers an experience essential to their training, interaction with pupils and teachers at work in the classroom. Accordingly, the schools of this district will accept pupils from accredited institutions of higher learning as junior or senior student teachers/interns.

The Board, upon the recommendation of the Superintendent, shall approve all student teachers/interns.

Student teachers/interns shall be assigned by the Superintendent. The Superintendent shall assign student teachers/interns throughout the district in a manner that assures that no single group of pupils will be subject to excessive student teacher/intern classroom hours.

Student teachers/interns shall comply with the health examination required by rules of the State Board of Education and that are required for teaching staff members by this Board.

The Board of Education requires every student teacher/intern possess a county substitute credential issued in accordance with N.J.A.C. 6A:9-6.5.

Student teachers/interns shall at all times be subject to the policies of this Board. Student teachers/interns serving in the schools of this district shall be responsible to the Principal for their conduct and to the cooperating teacher for their performance.

Students and other affiliates of educational institutions will be offered the opportunity to visit and observe our district in the course of teacher training programs and educational research projects. Such students will be treated as visitors and will be under the direct supervision of the Principal.

N.J.A.C. 6A:9-6.5; 6A:9-10.2; 6A:9-10.3; 6A:9-10.4

Adopted: 18 November 2004

Revised: 3/25/09

### 9550 9550 EDUCATIONAL RESEARCH PROJECTS

The Board of Education will cooperate, whenever appropriate and feasible, with organizations and individuals conducting bona fide educational research involving pupils enrolled in the schools of this district.

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

All educational research by persons other than district employees must be approved in advance by the Board. A written application for approval must state the purpose of the research, the specific ways in which pupils will be involved, the estimated duration of the project, the persons who will conduct the research project and their relevant affiliations, and any possible benefits or consequences to pupils or to the school district. Approval will be granted only to those projects that will serve the interests of pupils and the educational program; approval will not be granted to projects that will impede or significantly disrupt the instructional program approved by the Board.

Parent(s) or legal guardian(s) will be informed of any educational research project that involves their children and may request the removal of their children from the project.

The conduct of research activities must rigorously protect pupils' privacy. Approved researchers may be given access to pupil records in accordance with rules of the State Board of Education and Board Policy No. 8330, but shall not abuse this privilege by using information in any way that may embarrass or harm individual pupils or their families. The Board must be satisfied that strict standards of anonymity and confidentiality will be observed.

N.J.A.C. 6:3-6.5

Adopted: 18 November 2004

9700 9700 SPECIAL INTEREST GROUPS

The Board of Education recognizes that the contributions of persons and organizations outside the schools may, from time to time, take the form of materials, activities, and awards that tend to serve the interests of the contributor as well as benefit the school district generally and pupils individually.

The Board reserves the right to review all such proposed contributions and to reject those that have the primary effect of advancing the name, product, or special interest of a person, corporation, or organization; fail to meet district standards of accuracy and good taste; are of little or no educational value to pupils; make unreasonable demands upon the time and energies of staff and pupils or upon the resources of the district; interrupt or interfere with the regular school program; or involve a direct cost to the district.

The approval of the use of any material or the conduct of any activity offered by an agency outside the schools shall not under any circumstances be construed as an endorsement by this Board of any interest, cause, or organization.

Permission to solicit funds on school premises will be granted only to those persons and organizations whose purposes are consonant with the goals of this district and the interests of the community. Solicitation may not interfere with the orderly operation of the schools. The Board will not be responsible for the protection of or accounting for such funds, nor may any such funds be

## **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

deposited in any district account.

The Board forbids the distribution of political literature to or through the pupils of this district; further, no pupil under the jurisdiction of this Board shall be requested or directed to engage in any activity that tends to promote, favor, or oppose a candidate for political office or a public question submitted at any election.

The Board will only prohibit the distribution of literature or material to pupils on school premises that tends to advance or is inimical to the interests of a religious sect or religion if the distribution method is inconsistent with the governing principles of the First Amendment of the United States Constitution.

### Contests for Pupils

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

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

1. For the benefit of the pupil;
2. Open to all pupils regardless of race, creed, color, national origin, ancestry, age or sex;
3. Consistent with district objectives;
4. Judged by disinterested parties;
5. Properly supervised with safety precautions in place;
6. Voluntary for pupils and teachers.

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

### Distribution of Materials by Pupils and Staff

Materials that are sent home with pupils should relate to school matters or pupil-related community activities. All such material must be approved in advance by the Superintendent or his/her designee.

Pupils shall not be used to distribute partisan materials or partisan information pertaining to a school or general election, budget or bond issue,

## **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

or negotiations. Pupils shall not be exploited for the benefit of any individual, group, or profit-making organization.

Staff members may not distribute any materials on school property that do not relate to classroom, school, district, or pupil-related community activities without prior approval of the Superintendent.

All surveys, questionnaires or other similar items requiring pupil or parent/guardian response shall be reviewed and approved by the Superintendent prior to distribution.

N.J.S.A. 18A:42-4  
United States Department of Education - Guidance on  
Constitutionally Protected Prayer in Public  
Elementary and Secondary Schools

Adopted: 18 November 2004

9713 M

9713 RECRUITMENT BY SPECIAL INTEREST GROUPS

The Board of Education prohibits recruitment activities by outside organizations on school premises, regardless of the purpose of the recruitment or the nature of the recruitment agency. Except as required and referenced below no information about individual pupils will be released for the purpose of approaching pupils for educational, occupational, military, or any other recruitment purpose.

However, a school district that receives funds under ESEA, on request from a military recruiter or an institution of higher education, must provide access to the names, addresses, and telephone listings for secondary pupils. Parent(s), legal guardian(s) and/or the adult pupil may request that such information not be released for the child without the prior written parental, legal guardian and/or adult pupil approval. The district will give military recruiters the same right of access to secondary pupils as generally provide to post-secondary institutions and prospective employers.

Parent(s) or legal guardian(s) and adult pupils will be informed annually in writing of their right to request a pupil's excusal from participation in all recruitment activities and/or from a listing in the pupil information directory distributed for recruitment purposes.

Nothing in this policy shall be construed as requiring the Board to approve or participate in an activity that appears to advance or inhibit any particular religious sect or religion generally.

N.J.S.A. 18A:36-19.1  
No Child Left Behind §9528

# **MAYWOOD SCHOOL DISTRICT - BOARD APPROVED POLICIES**

Adopted: 18 November 2004

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10001 NOTE: THIS IS NOT A DISTRICT POLICY. This text is intended both as a printer test and to present additional information about ELAN.

## **ABOUT ELAN**

ELAN is a copyrighted database which includes Strauss Esmay Associates LLP Policy and Regulation Guides, your District Policy and Regulation Manuals, New Jersey Statutes Title 18A, New Jersey Administrative Code Title 6 and the New Jersey School Digest Cumulative. The database is searchable using multiple words, allows printouts and provides the most convenient way to search policies, regulations, education statutes and code, and education law-related questions. Legal references included in policies and regulations are instantly available by clicking a button in the policy or regulation which brings the citation to the screen. ELAN brings policy and regulation manuals, educational law and case searching into the information age. While permission is NOT granted to use this ELAN document on a web site, district policies and regulations may be placed on the web using either other FileMaker Pro documents or as an HTML text file. DO NOT MAKE ILLEGAL COPIES OF THIS SOFTWARE.

## **FILE LOCATION ON YOUR COMPUTER**

The master copy of your ELAN program is installed on the root of the C drive in a UA directory. The pathway to the file is C:\UA\MSDELAN09.fp7. This UA directory is where all updates will be automatically installed when shipped from Strauss Esmay, Inc.

## **BACKING UP ELAN**

When you alter text in ELAN, FileMaker Pro will automatically save the new changes once you leave the current screen. There is no method of preventing this, and the ELAN file will be permanently changed. If your computer crashes or loses power, files are sometimes corrupted, and FileMaker Pro will then attempt to reconstruct ELAN if necessary. It is very important to have a backup file. To back up the file, from ELAN's File menu, choose Save a copy as...type in a new file, direct the file to the desired location (preferably to a server or an external drive), and click Save.

## **ENTERING NEW DISTRICT POLICIES**

Although they are copyrighted, the district is welcome to use the Strauss Esmay Associates Policy Guides as a boilerplate for new policies. Drafts of new policies should be completed in a word processor; after final approval, the policy should then be added to the District Policy book in ELAN. See COPY - ELAN TO WORD PROCESSING and COPY - WORD PROCESSING TO ELAN in the Help section of this file for further directions.

There are different methods of dealing with policy changes:

# **MAYWOOD SCHOOL DISTRICT – BOARD APPROVED POLICIES**

1. If a policy already exists and needs a change that has been approved by the Board of Education, simply navigate to that policy in ELAN, type the changes, and print it for the District Policy Book.

2. If a new policy has been created, navigate to the policy Chapter Table of Contents and type the new number in the Grey block that is available after the text "CREATE OR VIEW A NEW DISTRICT POLICY NUMBERED:" and then select the green "GO" button. A record will be made available in the District Policy Manual with the new policy number for your use.

## **COPYING ELAN TO WORD PROCESSING**

1. Open the ELAN file and navigate to the record to be copied;
2. Click in the text portion of the ELAN record, then from the Edit menu chose Select All; the text will then be highlighted;
3. From the Edit menu, choose Copy;
4. Switch to the word processor application, click on the space where the record is to be placed, and use the word processor Paste function to insert it into the document.

## **COPYING WORD PROCESSING TO ELAN**

1. Open the file you wish to copy from your word processor;
2. Open the ELAN file and navigate to the record to be altered - remember to navigate to the destination record in your ELAN file (NOTE: do this before executing a Copy command; otherwise FileMaker Pro will replace your copied text with a navigation number);
3. Click in the text portion of the ELAN record, then from the Edit menu chose Select All; the text will then be highlighted; then
4. Switch to the word processor application, highlight (block) the text to be copied, and use the word processor copy function to Copy it to the clipboard;
5. Switch to ELAN, and from the Edit menu, select Paste.