

POLICY GUIDE

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Educational Equity Policies/Affirmative

Action

Apr 24

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1140 EDUCATIONAL EQUITY POLICIES/AFFIRMATIVE ACTION

The Board of Education shall adopt and implement written educational equity policies in accordance with the provisions of N.J.A.C.6A:7 – Managing for Equity in Education.

The Board's educational equity policies shall recognize and value the diversity of persons and groups within the community and promote the acceptance of persons of diverse backgrounds regardless of the protected categories listed at N.J.A.C. 6A:7-1.1(a) and pursuant to N.J.A.C. 6A:7-1.4(a)1. The educational equity policies will promote equitable educational opportunity and foster a learning environment that is free from all forms of prejudice, discrimination, and harassment based upon the protected categories listed at N.J.A.C. 6A:7-1.1(a) and pursuant to N.J.A.C. 6A:7-1.4(a)2.

The Board shall inform the school community of these policies in a manner including, but not limited to, the district's customary methods of information dissemination pursuant to N.J.A.C. 6A:7-1.4(b)

Pursuant to N.J.A.C. 6A:7-1.5, the Board annually shall designate a member of its staff as the Affirmative Action Officer and form an Affirmative Action Team to coordinate and implement the requirements of N.J.A.C. 6A:7 – Managing for Equity in Education. The Board shall ensure that all stakeholders know who the Affirmative Action Officer is and how to contact the Affirmative Action Officer.

The Affirmative Action Officer shall have a New Jersey standard certificate with an administrative, instructional, or educational services endorsement, pursuant to N.J.A.C. 6A:9B – State Board of Examiners and Certification. The Affirmative Action Officer shall: coordinate the required professional development training for all personnel pursuant to N.J.A.C. 6A:7-1.6; notify all students and employees of the district's grievance procedures for handling discrimination complaints; ensure the district's grievance procedures, including investigative responsibilities and reporting information, are followed; and serve as a member of the Affirmative Action Team. The Affirmative Action Officer may also serve as the school district's Title IX Coordinator.



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In accordance with N.J.A.C. 6A:7-1.5(a)4., the Affirmative Action Team shall: include, to the extent possible, members who represent the diversity of the school district's student population; develop the Comprehensive Equity Plan (CEP) pursuant to N.J.A.C. 6A:7-1.4(c); oversee the implementation of the school district's CEP pursuant to N.J.A.C. 6A:7-1.4(c); collaborate on coordination of the required professional development training for all personnel pursuant to N.J.A.C. 6A:7-1.6; monitor the implementation of the CEP; and conduct the annual district internal monitoring to ensure continuing compliance with State and Federal statutes governing educational equity, pursuant to N.J.A.C. 6A:7-1.4(d).

In accordance with N.J.A.C. 6A:7-1.6, the Board shall provide, on a continuing basis, professional development training for all school personnel to identify and resolve problems associated with the student achievement and opportunity gaps and other inequities on the basis of the protected categories listed at N.J.A.C. 6A:7-1.1(a). The professional development training shall be differentiated based on staff position type and shall be based on the analysis of data conducted pursuant to N.J.A.C. 6A:7-1.4(c)1. The district shall ensure that parents and other community members are aware of professional development training provided to school district personnel regarding topics around equity. The district shall ensure all new personnel are provided within the first ninety days of employment with professional development training on educational equity issues.

The Commissioner or designee shall provide technical assistance to local school districts for the development of policy guidelines, procedures, and in-service training for Affirmative Action Officers so as to aid in the elimination of prejudice on the basis of the protected categories listed at N.J.A.C. 6A:7-1.1(a).

N.J.A.C. 6A:7-1.1; 6A:7-1.3; 6A:7-1.4; 6A:7-1.5; 6A:7-1.6

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1523 COMPREHENSIVE EQUITY PLAN

The Board of Education shall complete a Comprehensive Equity Plan (CEP) that includes a cohesive set of policies, programs, and practices that ensure high expectations and positive achievement patterns and equitable access to educational opportunities for all learners, including students and teachers, in accordance with the provisions of N.J.A.C. 6A:7-1.8.

The Board's obligation to be accountable for the requirements in N.J.A.C. 6A:7 is not precluded or alleviated by any rule or regulation of any recreational organization, club, athletic association, or other league or organizing group.

Pursuant to N.J.A.C. 6A:7-1.4(c), the district shall develop, once every three years, a CEP that shall identify and correct all discriminatory and inequitable educational policies, patterns, programs, and practices affecting its facilities, programs, students, and staff.

1. Prior to developing the CEP, the district shall assess its needs for achieving equity in educational activities and programs pursuant to N.J.A.C. 6A:7-1.4(c)1. The needs assessment shall identify discriminatory practices and other barriers to achieving equity in educational activities and programs, if applicable.
2. The CEP shall address:
 - a. Professional development, pursuant to N.J.A.C. 6A:7-1.6; and
 - b. Equity in school and classroom practices, educational activities, and programs pursuant to N.J.A.C. 6A:7-1.7.
3. The CEP shall include measurable and actionable goals, objectives, timelines, and benchmarks for measuring progress.
4. The Board shall submit the CEP to the Executive County Superintendent for confirmation of completion.



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- a. If the Executive County Superintendent determines that the CEP is not complete, the Board shall revise the plan in accordance with the Executive County Superintendent's instructions and shall submit to the Executive County Superintendent the revised plan within thirty days of the notification of incompleteness.

Pursuant to N.J.A.C. 6A:7-1.8(c), the CEP shall include the following:

1. An assessment of the school district's needs for achieving equity in educational activities and programs. The assessment shall include staffing practices; quality-of-program data; stakeholder-satisfaction data; and student assessment data disaggregated by gender; race; ethnicity; multilingual learner status; homeless status; special education; migrant; date of enrollment; student suspension; expulsion; Child Study Team referrals; preschool through grade twelve promotion/retention data; preschool through grade twelve completion rates; attendance data; and re-examination and re-evaluation of classification and placement process of students in special education programs if there is disproportionality within certain groups;
2. A description of how other Federal, State, and district policies, programs, and practices are aligned to the CEP;
3. Progress targets for closing the achievement and opportunity gaps;
4. Professional development targets regarding the knowledge and skills needed to provide a thorough and efficient education as defined by the New Jersey Student Learning Standards (NJSLS), differentiated instruction and formative assessments aligned to the NJSLS, and professional standards for teachers and school leaders; and
5. Annual targets that address district needs in equity in school and classroom practices and are aligned to professional development targets.

The Board shall implement the CEP within sixty days of the Executive County Superintendent's certification of completion.



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If the Board does not implement the CEP within sixty days of the Executive County Superintendent's certification of completion date, or fails to report its progress annually, sanctions deemed to be appropriate by the Commissioner of Education or designee shall be imposed, and may include action to suspend, terminate, or refuse to award continued Federal or State financial assistance, pursuant to N.J.S.A. 18A:55-2.

N.J.A.C. 6A:7-1.1; 6A:7-1.3; 6A:7-1.4; 6A:7-1.79; 6A:7-1.8

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Equal Employment/Anti-Discrimination Practices

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1550 EQUAL EMPLOYMENT/ANTI-DISCRIMINATION PRACTICES

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

The Board will ensure all persons regardless of any of the protected categories listed at N.J.A.C. 6A:7-1.1(a) shall have equal and bias-free access to all categories of employment in the public educational system of New Jersey.

The Board will not enter into any contract with a person, agency, or organization that discriminates on the basis of any of the protected categories listed at N.J.A.C. 6A:7-1.1(a), either in employment practices or in the provision of benefits or services to students or employees. In addition, the Board will encourage minority businesses, women's business enterprises, and labor surplus area firms to submit bids to be considered for the awarding of contracts.

The Board shall not assign, transfer, promote, or retain staff, or fail to assign, transfer, promote, or retain staff, on the sole basis of any of the protected categories listed at N.J.A.C. 6A:7-1.1(a).

The Board shall ensure equal pay for equal work among members of the school district's staff, regardless of the protected categories listed at N.J.A.C. 6A:7-1.1(a).

N.J.S.A. 10:5-4; 10:5-12

N.J.A.C. 6A:7-1.1; 6A:7-1.3

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2411 GUIDANCE COUNSELING

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 students 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 students in this school district and shall

Choose only one of the following alternatives:

- ☐ be conducted entirely by teaching staff members certified as guidance personnel.
- ☒ include the services of teaching staff members certified as guidance personnel and other designated teaching staff members.
- ☐ be the responsibility of the classroom teacher, who may draw upon the services of other, more specialized staff members as required.
- ☐ 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:

1. Involves teaching staff members at all appropriate levels;
2. Honors the individuality of each student;
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 parents and shares parents' concern for the development of their children;



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6. Provides for the means of sharing information among appropriate staff members in the student's interest;
7. Ensures all students have access to adequate and appropriate counseling services, pursuant to N.J.A.C. 6A:7-1.7(c).
 - a. When informing students about possible careers or professional or vocational opportunities, the Board shall not restrict or limit the options presented to students on the basis of the protected categories listed at N.J.A.C. 6A:7-1.1(a).
 - b. The Board shall not use tests or guidance or counseling materials that are biased or stereotyped on the basis of the protected categories listed at N.J.A.C. 6A:7-1.1(a); and
8. Establishes a referral system that utilizes all the aid the schools and community offer, guards the privacy of the student, and monitors the efficacy of such referrals.

N.J.A.C. 6A:19-1.2; 6A:8-2.2

N.J.A.C. 6A:7-1.1; 6A:7-1.3; 6A:7-1.7; 6A:8-3.2

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Code of Ethics

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3211 CODE OF ETHICS

The Board of Education endorses the code of ethics for professional educators published by the National Education Association (NEA).

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); 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.

The remedies specified by the NEA and/or its affiliates for the violation of any provision of this Code shall be exclusive and no such provision shall be enforceable in any form other than one specifically designated by the NEA or its affiliates.

Principle I -- Commitment to the Student

The educator strives to help each student realize their potential as a worthy and effective member of society. The educator therefore works to stimulate the spirit of inquiry, the acquisition of knowledge and 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.



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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 any of the protected categories listed at N.J.A.C. 6A:7-1.1(a), unfairly:
 - a. Exclude any student from participation in any program;
 - b. Deny benefits to any student; or
 - 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.



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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 their professional qualifications.
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.

N.J.A.C. 6A:7-1.1; 6A:7-1.3

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Equitable Educational Opportunity
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5750 EQUITABLE EDUCATIONAL OPPORTUNITY

The Board of Education will ensure all students enrolled in the schools of this district shall be afforded an equitable educational opportunity in strict accordance with law. No student 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 any of the protected categories listed at N.J.A.C. 6A:7-1.1(a). The Board shall assure that all students 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 promote mutual acceptance and respect among students; and enable students to interact effectively with others, regardless of any of the protected categories listed at N.J.A.C. 6A:7-1.1(a):

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; and
8. Testing and other assessments.



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Equitable Educational Opportunity

Affirmative action shall be taken to ensure that students are protected from the effects of discrimination, in accordance with Policy 2260. Students who experience less than equal educational opportunities or experience discrimination shall use the procedure established by Regulation 5750 to report and/or appeal any harassment or discriminatory practice.

The conduct of teaching staff members 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 students. A teaching staff member's act of derision or enmity, in any form, against a person or persons on the basis of any of the protected categories listed at N.J.A.C. 6A:7-1.1(a) 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 student or parent may appeal Board policy, district practice, or the act or omission of any district employee that allegedly violates this Policy.

42 U.S.C.A. 12101

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

N.J.S.A. 18A:4A-1 et seq.; 18A:6-5 et seq.; 18A:36-20

N.J.A.C. 6A:7-1.1; 6A:7-1.3; 6A:14-1.2

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