LIVINGSTON BOARD OF EDUCATION
PUBLIC HEARING ON BUDGET/VOTING MEETING AGENDA

Tuesday, April 25, 2023

Public Session - Hybrid Meeting - Administration Building - 7:00 p.m.

This is a public meeting of the Board of Education. The Livingston Board of Education will be video recording and posting its open public meetings on the district website. The Board reserves the right to edit the videotape prior to posting to protect the privacy of students and staff.

The Board's Bylaw #0168 allows videotaping and livestreaming of public meetings with prior approval from the Board Secretary. 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, distract Board members or other observers present at the meeting, or violate the privacy of students and staff. The Board will permit the use of tape recorder(s), video camera(s) or live streaming only when notice of such intended use has been given to the Board Secretary five days in advance of the meeting. Any camera(s) must be operated in an inconspicuous location in the meeting room. The Board reserves the right to request a copy of the tape. 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.

While the Board of Education discourages the videotaping/livestreaming of students without written parental consent, public meetings are not subject to the same restrictions as other school events. Please be aware that you and your children may be videotaped or livestreamed as a result of your participation at this meeting.

In accordance with Policy #9131, the Livingston Board of Education members, district administration, and staff will treat students, parents/guardians and other members of the public with respect and expect the same consideration in return. The district is committed to maintaining orderly educational and administrative processes in keeping schools and administrative offices free from disruptions and preventing unauthorized persons from entering school/district grounds.

I. OPEN SESSION

A. Call to Order – Vineeta Khanna, President

B. Reading of Meeting Notice

Adequate notice of this meeting has been provided by amendment to notice approved at the Board's reorganization meeting on January 3, 2023 and posted at the Board of Education office and communicated to *The Star Ledger, West Essex Tribune, TAPinto Livingston* and the Livingston Township Clerk.

C. Pledge of Allegiance / Roll Call

D. Public Hearing on Budget

1. Presentation
2. Discussion
3. Questions and Comments from Public

- Speakers are asked to stand and state name and address for the board and public
- Speakers may raise their hand, state their name and address for the board and speak through the webinar
- Each person may speak once with a three (3) minute time limit until all who wish to be heard have had an opportunity to speak

E. Adoption of 2023-2024 Budget

Resolved, that the Livingston Board of Education approves the 2023-2024 Proposed School District Budget:

	General Fund	Special Revenues	Debt Service	Total
2023-2024 Total Appropriations	$134,833,470	$2,472,718	$7,695,050	$145,001,238
Less: Anticipated Revenues	$ 17,809,432	$2,472,718	$1,759,252	$ 22,041,402
Taxes to be Raised	$117,024,038	-0-	$5,935,798	$122,959,836

Further, Be it Resolved, that the Livingston Board of Education includes in the budget a capital reserve withdrawal in the amount of $2,228,638 for:

LHS Boiler Rebuild	$50,000
MPM Boiler Rebuild	$100,000
Public Address System (BH, HIL, RH)	$349,638
Fire Panel Upgrade (HIL)	$29,000
Modular Units (BH and HIL)	$1,700,000
Total	$2,228,638

ROLL CALL VOTE

F. Superintendent's Report

1. Equity Audit

G. Board Reports

H. Approval of Minutes
The Superintendent recommends the following:

1. Voting Meeting Minutes of March 20, 2023
2. Workshop/Voting Meeting Minutes of April 18, 2023

ROLL CALL VOTE

I. Public Input on Agenda Items ~ up to 15 minutes

An excerpt from Policy #0167 adopted on December 13, 2004, revised on January 10, 2011 and reviewed on March 4, 2013 and January 23, 2017 states that 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.

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 three 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.

The portion of the meeting during which the participation of the public is invited shall be limited to fifteen minutes, or at the discretion of the presiding officer.

II. RECOMMENDATIONS FOR APPROVAL

1. PROGRAM/CURRICULUM

The Superintendent recommends the following:

1.1 Student Teachers

Resolved, that the Livingston Board of Education approves the student teachers as shown on ***Attachment A.***

1.2 Field Trips

Resolved, that the Livingston Board of Education approves the field trips as shown on ***Attachment B.***

ROLL CALL VOTE

2. STUDENT SERVICES

The Superintendent recommends the following:

2.1 Related Services/Medical Consultants

Resolved, that the Livingston Board of Education approves the following consultants that will be utilized to provide related services for the 2022-2023 school year.

ASSISTIVE TECHNOLOGY EVALUATIONS

Adam Krass Consulting, LLC	$1,500.00/evaluation

BILINGUAL EVALUATIONS

Bilingual Child Study Team	$1,100.00/evaluation

2.2 The Partnerships for Educational Equity and Research (PEER) Lab d/b/a a2Z equity coaching inc

Resolved, that the Livingston Board of Education approves the proposal with The Partnerships for Educational Equity and Research (PEER) Lab d/b/a a2z equity coaching, inc., to conduct a district-wide equity audit in an amount not to exceed $95,960.

ROLL CALL VOTE

3. BUSINESS

The Superintendent recommends the following:

3.1 Payment of Bills

Whereas, the Board Secretary has audited certain vendor claims as required by N.J.S.A. 18A:19-2 and Board Policy 6470 and presented them to the Livingston Board of Education with the recommendation they be paid, now therefore be it

Resolved, that the Livingston Board of Education approves the payment of the following bills in the amounts listed and attach a complete copy of these bills to the minutes of this meeting.

Fund	Name	Amount
10&11	Regular	$1,139,949.10
12	Regular	$70,415.60
20	Regular	$128,272.35
60	Cafeteria	$11,170.00
	TOTAL	**$1,349,807.05**

Regular Checks	101235-101414	$1,338,637.05
Cafeteria	1466	11,170.00
	TOTAL	**$1,349,807.05**

3.2 Board Secretary Report – February 2023

Whereas, the Livingston Board of Education has received the Report of the Board Secretary for February 28, 2023, consisting of:

1) Interim Balance Sheets
2) Interim Statements Comparing Budgeted Revenue with Actual to Date and Appropriations with Expenditures and Encumbrances to Date
3) Schedule of Revenues - Actual Compared with Estimated
4) Statement of Appropriations Compared with Expenditures and encumbrances, and

Whereas, the Livingston Board of Education has received the report of the Treasurer for February 28, 2023, which report is in agreement with the Report of the Board Secretary, and

Whereas, these reports show the following balances on the date indicated:

	Cash Balance	Appropriation Balance	Fund Balance
(10) General Current Exp. Fund	$19,669,148.97		
(11) Current Expense		$4,232,350.20	$14,677,013.58
(12) Capital Outlay		$2,518,554.89	$4,826,849.00
(20) Special Revenue Fund	$621,623.03	$1,628,881.96	
(30) Capital Projects Fund	$4,560,530.46		
(40) Debt Service Fund	$0.00		
Total:	$24,851,302.46	$8,379,787.05	$19,503,862.58

Whereas, pursuant to N.J.A.C. 6:20-212(d), the Board Secretary has certified that as of February 28, 2023, no budgetary line item account has obligations and payments contractual orders which in total exceed the amount appropriated by the district board of education pursuant to N.J.S.A. 18A:22-8, 18A:22-8.1, now therefore be it

Resolved, the Livingston Board of Education accepts the above referenced reports and certification and directs that they be made part of this resolution by reference, and be it

Further Resolved, the Livingston Board of Education certifies that, after review of the Secretary's monthly financial report (appropriations section) and upon consultation with the appropriate district officials, to the best of its knowledge no major account or fund has been over-expended in violation of N.J.A.C.6:20-2.13(d) and that sufficient funds are available to meet the district's financial obligations for the remainder of the fiscal year.

3.3 Transfers

Whereas, the Superintendent of Schools recommends certain transfers among accounts in the 2022-2023 budget for February pursuant to Board of Education Policy 6422, now therefore be it

Resolved, that the Livingston Board of Education ratify transfers pursuant to N.J.S.A. 18A:22-8.1 and N.J.A.C. 6:20-2A.10:

Object	Description	To		From
0100	Salaries			171,191.22
0270	Health Benefits			55,649.25
0290	Employee Benefits	500.00		
0299	Employee Benefits	6,862.50		
0300	Purch Prof-Technical Services	347.03		
0330	Purchased Professional	4,870.68		
0331	Legal Services	48,674.69		
0332	Audit Fees	1,250.00		
0420	Clean/Repair Maintenance			35,940.71
0440	Rentals/Lease Purchase	14,045.00		
0450	Construction Services			27,222.56
0490	Other Purch Prop Serv			1,400.00
0530	Communications/Telephone			960.00
0564	Tuition County Vocational School District-Special	575.10		
0580	Travel			535.54
0590	Misc Purch Services	468.10		
0600	Supplies and Materials			25,939.65
0610	General Supplies	63,460.45		
0622	Energy-Gas	171,736.50		
0731	Instructional Equipment	5,665.99		
0832	Interest Lease Purchase	733.39		
0890	Other Objects			350.50
	TOTALS	**$319,189.43**		**$319,189.43**

3.4 Conferences and Overnight Trips

Resolved, that the Livingston Board of Education approves the conferences and overnight trips as shown on ***Attachment C***.

Resolved, that the Livingston Board of Education approves *Hal Mordkoff* and *Cynthia Cooney* to chaperone approximately 14 students attending the FBLA National Leadership Conference from June 26 through July 1, 2023 in Atlanta, Georgia, at no cost to the district.

3.5 Union County Educational Services Commission

Resolved, that the Livingston Board of Education authorizes the Union County Educational Services Commision to coordinate and administer the transportation for all applications submitted to the district for the 2023-2024 school year.

3.6 Gloucester County Special Services School District

Resolved, that the Livingston Board of Education approves participation in a cooperative transportation agreement with Gloucester County Special Services School District for the 2023-2024 school year.

3.7 Safety Grant

Resolved, that the Livingston Board of Education approves the submission of a grant application for the 2023 Safety Grant Program through the New Jersey School Insurance Group's NJEIF Subfund for the purpose described in the application, in the amount of $16,217.00, for a period July 1, 2023 to June 30, 2024.

3.8 Subscription Bus Pricing

Resolved, that the Livingston Board of Education establishes a subscription bus rate of $810 round trip and $405 one way per child for the 2023-2024 school year.

3.9 Cyber Security Contract

Resolved, that the Livingston Board of Education approves the contract with Arctic Wolf Networks, Inc. for cyber security services to protect the district's electronic technology in the amount of $141,022.20 for the 2023-2024 school year. This contract is awarded under the Extraordinary Unspecifiable Service (UES) bidding exemption.

3.10 Bylaws, Policies & Regulations

Resolved, that the Livingston Board of Education abolishes Regulation #0155.

Resolved, that the Livingston Board of Education approves the following Bylaws, Policies and Regulations for first reading:

Bylaw #0155 - Board Committees
Policy #2423 - Bilingual & ESL Education (M)
Regulation #2423 - Bilingual & ESL Education (M)
Policy #5512 - Harassment, Intimidation, or Bullying (M)
Policy #8330 - Student Records (M)
Regulation #8330 - Student Records (M)

ROLL CALL VOTE

4. PERSONNEL

The Superintendent recommends the following:

4.1 Resignations & Retirements

Resolved, that the Livingston Board of Education accepts the resignations of:

Name	Position	Reason	Location	Last Day of Employment
Jill Johnson	Teacher of Math	Resignation	LHS	June 30, 2023
Lisa Schlesinger	LDTC	Resignation	Hillside	June 30, 2023
Amy Mercado	Technology Coach	Resignation	Collins/ Hillside	June 30, 2023
Lovely Stphard	25 Hr Bus Driver	Resignation	Transportation	April 21, 2023

**as amended from a previous agenda*

4.2 Leaves of Absences

Resolved, that the Livingston Board of Education approves the leaves of absences of:

Name	Location	Position	LOA w/pay and benefits	LOA w/o pay, but with benefits *(if applicable)*	Extended LOA w/o pay or benefits	Return Date
*AnnMarie Mansfield**	RHE	Kindergarten Aide	1/30/2023	1/31/2023 - 4/28/2023**	NA	5/1/2023
*Christine Siti**	Harrison	School Counselor	3/28/2023-5/22/2023	5/23/2023-6/30/2023 & 8/30/2023-10/20/2023**	10/23/2023-11/3/2023	11/6/2023
*Natalie Pacholec**	LHS	TOSD	1/23/2023-3/10/2023	3/13/2023-6/2/2023**	NA	6/5/2023
Kathleen Giordano	RHE	School Nurse	3/30/2023-4/11/2023**	4/12/2023-4/28/2023**	NA	5/1/2023
Onelia Rodriguez	HMS	Custodian	NA	4/3/2023-5/12/2023**	NA	5/15/2023
*Jordan Montgomery**	BHE/ MPE	Teacher of Art	3/6/2023-5/12/2023	5/15/2023-5/31/2023 & 6/1/2023-11/1/2023**	NA	11/2/2023
Danielle Felcher	LHS	Teacher of Health & PE	NA	NA	8/30/2023-6/30/2024	8/30/2024
Jennifer Torres	LHS	Teacher of English	9/14/2023-11/24/2023	11/27/2023-3/1/2024**	3/4/2024-4/5/2024	4/8/2024

**as amended from a previous agenda*
***Designates time counted toward NJFLA/FMLA*

4.3 Appointments

Resolved, that the Livingston Board of Education approves the applications indicated below (*) for emergent hiring for the following appointments under the requirements of N.J.S.A. 18A:16-1 et. seq., N.J.S.A. 18A:39.17 et. seq.; N.J.S.A. 18A:6-4.13 et. seq. All appointments are contingent upon reference checks in accordance with P.L. 2018, c.5.

Name	Location	Title	Tenure Track/LOA or LT Replacement	Replacing	Guide	Step	Salary	Effective Date
Jill McLaughlin	RHE	Elementary School Teacher	Leave Replacement	G. Melucci	BA	4	$56,300 (prorated)	3/6/2023-6/30/2023
Maria Suarez	Transportation	25-Hr Bus Driver	NA	NA	BD	9	$31,212 (prorated)	5/8/2023

4.4 Appointment of School Business Administrator/Board Secretary

Resolved, that the Livingston Board of Education approves the contract between the LBOE and *Thomas Lambe* (School Business Administrator/Board Secretary). The contract will commence on July 1, 2023 and end on June 30, 2024. A copy of this contract is on file at the Board Office and has been approved by the Executive County

4.5 Substitutes

Resolved, that the Livingston Board of Education approves the appointment of the individuals listed below to serve as substitutes on an as-needed basis for the 2022-2023 school year:

Teachers
Matthew Lee
Lisa Mascera
Michele Jackson
Michael Horn
Yanger Douglas Tan

Security
Kurt Paster ($25/hr)

Custodian
David Held ($18.50/hr)
Peter Marcel ($18.50/hr)

Resolved, that the Livingston Board of Education approves the appointment of the individual(s) listed below to serve as long-term substitutes as reflected below:

Name	Location	Title	Leave Replacement or Long Term Sub	Replacing	Salary	Effective Date
Eric Moeltner	LHS	Teacher of Health & PE	Long Term Sub	T. Floruss	$275/day	2/1/2023 - TBD
Marie Cuenca	HMS	Teacher of French (.8)	Long Term Sub	R. Morrison	$220/day	4/24/2023 - TBD
*Meghan Dufford**	RHE	Kindergarten Aide	Long Term Sub	A Mansfield	$130/day	1/30/2023-4/28/2023

Colleen Cornell	LHS	Cooperative Education Coordinator	Long-Term Sub	NA	$200/day	5/1/2023-6/22/2023

**amended from previous agenda*

Resolved, that the Livingston Board of Education approves the individuals listed on ***Attachment D*** as certified substitutes. These individuals are currently employed by the District. In the event these individuals are called upon to serve as a substitute, they will be compensated an additional $50/day ($10/period) for that assignment.

4.6 Extra Work Pay

Resolved, that the Livingston Board of Education approves the following payments as listed on ***Attachment E*** for work performed.

4.7 Stipends

Resolved, that the Livingston Board of Education approves the individuals on ***Attachment F*** for co-curricular stipends at Heritage Middle School for the 2022-2023 school year in accordance with the contract between the LBOE and the LEA.

Resolved, that the Livingston Board of Education approves the individuals on ***Attachment G*** for co-curricular stipends at Livingston High School for the 2022-2023 school year in accordance with the contract between the LBOE and the LEA.

4.8 Extra Period Assignments

Resolved, that the Livingston Board of Education approves the individuals listed on ***Attachment H*** for extra period assignments during the 2022-2023 school year.

4.9 Mentor Fees

Resolved, that the Livingston Board of Education approves the individuals on ***Attachment I*** listed as assigned mentors to receive payment in accordance with the schedule listed.

4.10 ESSER Grant

Resolved, that the Livingston Board of Education approves the individuals listed on ***Attachment J*** for the *Harrison Project Achieve* and *Riker Hill Project Achieve* at the rate of $61.81 per hour, not to exceed 96 hours total. This program will be paid through ESSER Evidence-Based Comprehensive Beyond the School Day Activities Grant funds.

Resolved, that the Livingston Board of Education approves the individuals listed on ***Attachment J*** for the *Collins Project Achieve* and *Mt. Pleasant Elementary Project Achieve* at the rate of $61.81 per hour, not to exceed 20 hours each. This program will be paid through ESSER Evidence-Based Comprehensive Beyond the School Day Activities Grant funds.

4.11 ESEA Grant

Resolved, that the Livingston Board of Education approves the individuals listed on ***Attachment K*** for the *ELL Homework Help* at the rate listed. This program will be paid through ESEA Title III Immigrant grant funds.

4.12 Job Descriptions

Resolved, that the Livingston Board of Education approves the changes to the following job descriptions:

Instructional Aide
Teacher Assistant - Life Skills
Job Coach

4.13 Approval of Tentative Agreements for Successor Contracts

Resolved, that the Livingston Board of Education approves the tentative agreements dated December 19, 2022 and February 8, 2023 between the Livingston Education Association and the Livingston Board of Education for a successor contract from July 1, 2023 through June 30, 2028.

Resolved, that the Livingston Board of Education approves the tentative agreement dated March 28, 2023 between the Livingston Supervisors Association and the Livingston Board of Education for a successor contract from July 1, 2023 through June 30, 2028.

Resolved, that the Livingston Board of Education approves the tentative agreement dated April 10, 2023 between the Livingston Education Association and the Livingston Board of Education for a successor contract from July 1, 2023 through June 30, 2028.

ROLL CALL VOTE

5. MISCELLANEOUS

The Superintendent recommends the following:

5.1 HIB Report

Resolved, that the Livingston Board of Education accepts the findings of HIB cases.

ROLL CALL VOTE

J. Public Comment ~ up to 15 minutes

An excerpt from Policy #0167 adopted on December 13, 2004, revised on January 10, 2011 and reviewed on March 4, 2013 and January 23, 2017 states that 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.

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 three 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.

The portion of the meeting during which the participation of the public is invited shall be limited to fifteen minutes, or at the discretion of the presiding officer.

K. Old Business

L. New Business

III. ADJOURNMENT

EXECUTIVE SESSION

Whereas, N.J.S.A. 10:4-1 et seq., also known as the "Sunshine Law," authorizes a public body to meet in executive or private session under certain limited circumstances, and

Whereas, said law requires the Board to adopt a resolution at a public hearing before it can meet in such an executive or private session, now, therefore, be it

Resolved, by the Livingston Board of Education that:

(A) It does hereby determine that it is necessary to meet in executive session on April 25, 2023 to discuss the matters stipulated, in conformance with the subsections of said act which are indicated.
   1. Matter rendered confidential by federal law, state statute or rule of court.
   2. Matter in which the release of information would impair a right to receive federal funds.
   3. Matter, the disclosure of which would constitute an unwarranted invasion of individual privacy unless the individual concerned shall request in writing that the same be disclosed publicly.
   4. Collective bargaining matter.
   5. Matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates, etc. where it would adversely affect the public interest if discussion were disclosed.
   6. Tactics and techniques utilized in protecting public property where disclosure could impair protection.
   7. Investigation of violations or possible violations of law.
   8. Pending or anticipated litigation or contract negotiation other than collective bargaining agreement.
   9. Personnel matters unless the individual employees or appointees affected requested that such matter be discussed at a public meeting.
   10. Deliberations occurring after a public hearing that may result in the imposition of a specific civil penalty.

(B) The matters discussed will be made public when confidentiality is no longer required and formal action pursuant to said discussion shall take place only at a meeting to which the public has been invited.

(C) No action will be taken.

LBOE Agenda Planning/Future Agenda Items

JANUARY

Meetings and Workshops

- Board Reorganization
- Election of Board Officers
- Board Member Committee Assignments
- BOE Meeting Calendar
- LPS Budget Calendar
- Submission of Financial Disclosure
- Mandatory Training Requirements
- Review of ACFR or Action Items

Presentations

- LHS Report on Graduates from Counseling
- Annual Comprehensive Financial Report

Professional Development

- Code of Ethics with BOE Attorney

Executive Sessions

- BOE Retreat
- Establish CSA Evaluation Schedule

FEBRUARY

Meetings and Workshops

- Academic Calendar Discussion, two years out

Presentations

- Update on Diversity, Equity, and Inclusion
- District Goals: Mid-Year Update
- First Presentation of LPS Budget
- Second Presentation of LPS Budget

Executive Sessions

- CSA Evaluation Process: Meet with the NJSBA representative and review the CSA evaluation process and timeline

MARCH

Presentations

- Third Presentation of LPS Budget
- Fourth Presentation of LPS Budget
- Final Presentation and BOE Adoption of Tentative Budget (before the deadline to Essex County)
- Board Goals Update

Executive Sessions

- NJSBA CSA Evaluation (to meet July 1st statutory deadline for CSA evaluation)
- NJSBA Board Self-Evaluation

APRIL

Meetings and Workshops

- Public Hearing and Adoption of Budget
- Subscription Bus Pricing
- Safety Grant
- Comprehensive Equity Plan (every 3 years/SOA annually)

Presentations

- Superintendent Goals Planning and Update

Executive Sessions

- Board and CSA pre-conference for evaluation

MAY

Meetings and Workshops

- Livingston Education Association: Second Conference
- Personnel Appointments
- Governor's Educator of the Year Ceremony
- Annual Appointments
- Sale of SRECs
- General Education Out-of-District Tuition Rates
- New Jersey State Interscholastic Athletic Association

Presentations

- End-of-Year District Goals Report

Executive Sessions

- Board Self-Evaluation
- CSA Evaluation Process
- Tenure Recommendations (BOE Review of Files)
- End-of-Year, All-Staff Review

JUNE

Meetings and Workshops

- LHS Student Representative to BOE
- Staff Retirement Ceremony
- Seal of Biliteracy
- Non-Affiliated Appointments
- Summer Appointments (work, project, curriculum)
- Compliance with PL 2015, Chapter 47
- Transfer of Current Year Surplus to Capital Reserve
- Bus Evaluation Drills Report

Presentations

- SEPAC
- End-of-Year Report on District Goals (by CSA)
- End-of-Year Report on Board Goals (by BOE)
- Board Self-Evaluation, review, and reflection

Executive Sessions

- Review, revise, and finalize CSA Evaluation
- Board Retreat

JULY

Meetings and Workshops

- Property, Liability, and WC Insurance
- Board Goals and Action Plans
- District Professional Development Plan
- Review and Approval of Curriculum Writing Plans and Process

AUGUST

Meetings and Workshops

- Open Campus Lunch

Presentations

- Enrollment Update
- District Goals and Action Plans
- Student progress at key grade levels and the NJ Student Learning Standards results, including the performance of student subgroups on state tests as appropriate and allowable.

SEPTEMBER

Meetings and Workshops

- Board Goals
- Mentoring Plan
- Remote Learning Plan

OCTOBER

Meetings and Workshops

- Approval of Nursing Services Plan
- Livingston Education Association: First Conference
- Annual review of MOA and law enforcement operations with the Board President
- Public Hearing of District and School HIB Self-Assessment Report

Presentations

- Summer Curriculum Writing
- NJSLA Results

NOVEMBER

Meetings and Workshops

- Board Budget Goals
- Technology Plan: review and approval
- Comprehensive Maintenance Plan: review and approval

Presentations

- LPS Assessment Update

DECEMBER

Meetings and Workshops

- QSAC SOA

Presentations

- National Merit Semi-Finalists Recognition Ceremony
- New LPS Course Offerings

Professional Development

- New BOE member orientation

Name	School	Type of Placement	In-District Location	Assigned Staff	Date
Nicholas Bellanich	Montclair State University	Clinical	HMS	Kimberly Campbell	July 2022-August 2023
Eryn Goldstein	Montclair State University	Clinical	HMS	Kimberly Campbell	July 2023-January 2024

FIELD TRIPS

SCHOOL	GRADE/COURSE	MONTH	DESTINATION
Elementary	Grade 3	April	Sterling Hill Mine
Elementary	Kindergarten and Grade 5	May	Abma's Farm
Elementary	Grade 2	May	Liberty Hall
Elementary	Grade 5	May	Liberty Science Center
Elementary	Grade 5	June	Harbor Hills Day Camp
Secondary	HMS Life Skills	May	Essex County Environmental Center
Secondary	Marketing	May	American Dream Mall
Secondary	Grade 6 Physical Education	June	Hanover Lanes
Secondary	Theatre Arts	June	Broadway Theater
Secondary	Beginner Guitar	June	Martin Guitar Factory Tour & Museum

Conference	Attendee(s)	Date(s)	Location	Cost	
NJTESOL - NJBE 2023 Spring Conference	Lucia Santarella	May 23-24, 2023	New Brunswick, NJ	$636.00	*Updated amount - Paid for with Title Funds
NJTESOL - NJBE 2023 Spring Conference	Michelle Bellemo	May 23-24, 2023	New Brunswick, NJ	$636.00	*Updated amount - Paid for with Title Funds
NJTESOL - NJBE 2023 Spring Conference	Michele Kim	May 23-24, 2023	New Brunswick, NJ	$636.00	*Updated amount - Paid for with Title Funds
NJTESOL - NJBE 2023 Spring Conference	Linda Eagle	May 23-24, 2023	New Brunswick, NJ	$636.00	*Updated amount - Paid for with Title Funds
NJTESOL - NJBE 2023 Spring Conference	Kristina Dugan	May 23-24, 2023	New Brunswick, NJ	$636.00	*Updated amount - Paid for with Title Funds
NJTESOL - NJBE 2023 Spring Conference	Smruti Shah	May 23-25, 2023	New Brunswick, NJ	$636.00	*Updated amount - Paid for with Title Funds
American Association of School Personnel Administrators 85th Conference	Susan Burman	October 2-6, 2023	Anaheim, CA	$3,975.00	
School Redesign in Action Conference	Dakashna Lang	March 26-28, 2023	Providence, Rhode Island	$500.00	
Institute for Multi-Sensory Education: Phonological Awareness	Lisa Capone-Steiger	April 4, 2023	Virtual	$400.00	
Rutgers Center for Literacy Development: Motivating Children to Love Literature	Susan Finan	February 23, 2023	Brunswick, NJ	$175.00	
NJALC: Ready, Set, Reset: Addressing the Heart of the IEP	Lisa Schlesinger	April 28, 2023	Somerville, NJ	$186.62	
College Board: AP US History Reader	Ernie Cuneo	May 30-June 8, 2023	Tampa, Florida	$0.00	
ATEC: Department of Energy	Diane Sigalas	April 14-16, 2023	Denver, CO	$0.00	
Rutgers University: Climate Change Workshop for Educators grades 6-12	Douglas Jay	April 27, 2023	New Brunswick, NJ	$200.00	
AAC for Gestalt Language Processors	Brittany Arrington	April 27, 2023	Virtual	$350.00	

LOC	Last Name	First Name	Position
COL	Kravetz	Pamela	Instructional Aide
COL	Wolf	Alec	Instructional Aide
HAR	Sevgi Tugce	Yalt	Instructional Aide

NAME	DATE	POSITION	#HOURS WORKED	RATE	TOTAL AMOUNT
Ambio, Lester	3/17/2023	LHS Jr. Prom	6	$25.00	$150.00
	3/18/2023	Security/Academic Tournament	11	$25.00	$275.00
Dzama, Brad	11/5/2022	Game Worker/Gymnastics Event	5	$22.50	$112.50
Gromek, Melissa	1/23/2023	Game Worker/Basketball	4	$22.50	$90.00
	1/27/2023	Game Worker/Basketball	3	$22.50	$67.50
	1/30/2023	Game Worker/Hockey	3	$22.50	$67.50
	1/31/2023	Game Worker/Basketball	3.5	$22.50	$78.75
	2/7/2023	Game Worker/Basketball	5	$22.50	$112.50
Lukowiak, Stuart	2/11/2023	Security/Basketball	6	$25.00	$150.00
Sullivan, Joe	3/24/2023	Security/HSA MPMS Basket Event	4	$25.00	$100.00
	3/25/2023	Security/Namaste Global Event	10.5	$25.00	$262.50
					$1,466.25

HERITAGE MIDDLE SCHOOL STIPENDS

Position	# of Positions	2022/2023 Amount	STAFF
Spring Musical Costumes/Set Design	1	$1,290	Lisa Dascoli
Spring Musical Choreography	1	$1,290	Cassandra Barckett (OD)
OSE Science Materials Manager*	2	$50.36/hour not to exceed 30 hours each	Breanna Willard Jessica Cumbo

**amended from previous agenda*

2022-2023 LHS Co-Curricular Stipends		
Position	**Amount**	**Approved 2022-2023**
Detention AM/PM	$25.62	Stacey Strumeyer
Detention Saturday	$42.52	Stacey Strumeyer

Name	Position	Location	# Classes	Effective Date
Lisa LeBlanc	Teacher of French	HMS	0.2	3/20/2023-4/26/2023
Nathalie Ricot	Teacher of French	HMS	0.4	3/20/2023-4/26/2023
Christalla Pahhas	Teacher of Spanish	HMS	0.2	3/20/2023 - TBD

Last Name	First Name	School	Position	Mentor	Fee	Notes
Fitzgerald	Krista	BHE	Teacher of Art	Rachel Ehudin	$275	First 15 weeks
Moeltner	Eric	LHS	Teacher of Health & PE	Keith Chaudruc	$183	First 10 weeks
Schwindel*	Kate	LHS	TOSD	Emily Mann	$275	First 15 weeks

**amended from previous agenda*

HARRISON PROJECT ACHIEVE

First Name	Last Name
Rachel	Frieman
Celine	Falchetta
Anne	Matienzo
Maura	Scully
Sara	Kiene
Deborah	Craig
Stephanie	Siu

RHE PROJECT ACHIEVE

First Name	Last Name
Brooke	Korfin

COLLINS PROJECT ACHIEVE

First Name	Last Name
Danielle	Cataldo
Rhonda	Isakower
Jennifer	Vernotica

MPE PROJECT ACHIEVE

First Name	Last Name
Amanda	Blount
Brenda	Perry
Jennifer	Szostak
Dana	Triana
Christina	Whipple

ELL HOMEWORK HELP

NAME	LOCATION	RATE
Celine Falchetta	Harrison	$48/hr

LIVINGSTON SCHOOL DISTRICT
Livingston, New Jersey 07039

INSTRUCTIONAL AIDE

QUALIFICATIONS:

1. BA Degree.
2. Possession of a teaching certificate preferred
3. Ability to effectively communicate and work well with students, staff, parents, and community members.
4. Successful participation in professional development activities specific to the nature and demands of the position.
5. Such alternatives to the above qualifications as the Board may find appropriate.

REPORTS TO: Principal

JOB GOALS: To provide support for non-instructional functions and programs sponsored by the district.

JOB RESPONSIBILITIES:

1. Assist the individual responsible for the students in successfully achieving the goals of the particular function or program.
2. Keep records as directed by the individual responsible for the program or function.
3. Assist with the supervision of the students.
4. Operate equipment as needed for the program or function.
5. Participate in lesson and long-term planning meeting as well as data collection and review meetings with CST, teacher(s), administrators, and/or related services providers as assigned.
6. Attend to student's personal and medical needs as appropriate.

This position will also be responsible for all other duties as assigned.

TERMS OF EMPLOYMENT:

This is a part-time, hourly position, (not tenure eligible) with compensation to be negotiated with the Superintendent and approved by the Board.

EVALUATION:

The performance of this position will be evaluated annually in accordance with the provisions of the Board's policy on evaluation.

Board approval date: June 4, 2012

LIVINGSTON SCHOOL DISTRICT
Livingston, New Jersey 07039

TEACHER ASSISTANT, LIFE SKILLS PROGRAM

QUALIFICATIONS:

1. BA degree.
2. Possession of a valid NJ Teaching certification or substitute certificate.
3. Knowledge of and experience working with students with significant learning, behavioral, and functional challenges.
4. Ability to work closely with the classroom teacher in a special needs' environment.
5. Ability to effectively communicate and work well with students, staff, parents, and community members.
6. Successful participation in professional development activities specific to the nature and demands of the position.
7. Possession of or ability and willingness to secure a Commercial Driver's License (CDL) with P and S endorsements.
8. Such alternatives to the above qualifications as the Board may find appropriate.

REPORTS TO: Principal and the Supervisor of Special Education

JOB GOALS: To provide support for the life skills program.

JOB RESPONSIBILITIES:

1. Assist the teacher and the students in successfully achieving the goals of the life skills program.
2. Assist in the instruction and management of the students.
3. Assist with the supervision of the students.
4. Provide individual support to students during group instruction.
5. Ensure that students are productively engaged in all settings throughout the day.
6. Operate instructional equipment and implement instructional apps as needed for the program and individual students.
7. Attend to personal, hygienic and medical needs of students, as appropriate.
8. Attend and participate in meetings and discussions regarding individual students and program planning.
9. Participate in planning daily, long-range classroom activities, data collection training/data collection review, collaborative meetings with the CST, teachers(s), administrators, and/or related service providers as assigned.
10. All other duties as assigned.

TERMS OF EMPLOYMENT:

This is a non-tenure eligible position with compensation to be negotiated with the Superintendent and approved by the Board.

EVALUATION:

The performance of this position will be evaluated annually by the building principal in consultation with the Supervisor of Special Education in accordance with the provisions of the Board's policy on evaluation.

Board approval date: July 16, 2014

LIVINGSTON SCHOOL DISTRICT
Livingston, New Jersey 07039

JOB COACH

QUALIFICATIONS:

1. BA Degree.
2. Certification as a Teacher of the Handicapped or Teacher of Students with Disabilities preferred.
3. Ability to effectively communicate and work well with students, staff, parents and community members.
4. Successful participation in professional development activities specific to the nature and demands of the position.
5. Possession of a valid CDL license with P and S endorsements.
6. Such alternatives to the above qualifications as the Board may find appropriate.

REPORTS TO: Principal and Assistant Superintendent of Student Services

JOB GOALS: To assist in providing Community Based Instruction and/or on-site job coaching programs. Assist with job site supervision as directed by Structured Learning Experience (SLE) Coordinator, Teacher of Students with Disabilities, and/or administrators.

JOB RESPONSIBILITIES:

1. Safely transport students to and from job sites from LHS.
2. Assist SLE Coordinator or Teacher of Students with Disabilities in the supervision of students on the job site.
3. Help students organize for scheduled jobs and activities.
4. Communicate with employers regarding status of student work and progress.
5. Attend building staff meetings.
6. Participate in lesson and long-term planning meetings as well as data collection and review meetings with CST, teacher(s), administrators, and/or related services providers as assigned.
7. Attend specialized in and out-of-district training.
8. Maintain and track student transition data.

This position will also be responsible for all other duties as assigned.

TERMS OF EMPLOYMENT:

This is a full-time ten-month position (non-tenure eligible), with compensation under the Teacher Assistant guide which is to be negotiated with the Superintendent and approved by the Board.

EVALUATION:

The performance of this position will be evaluated annually in accordance with the provisions of the Board's policy on evaluation.

Board approval date: May 10, 2010
Revised: September 9, 2015

0155 BOARD COMMITTEES

The Livingston Board of Education has established the~~ree~~ following standing committees: Curriculum, Finance/Facilities, ~~and~~ Policy, and Diversity, Equity & Inclusion. The following establishes general and specific guidelines related to the newly created committee structure.

General Guidelines

1. Committee meetings shall have specific agendas built cooperatively between the committee chairpersons and the Superintendent or his/her designee. Committee chairpersons will be responsible for ensuring agendas are available to all committee members at least 24 hours before committee meetings. A calendar of meeting dates will be shared with committee members, the Board, and the Superintendent.

2. Preferably, committee meetings should last no longer than necessary to complete the established agenda, respecting committee members' time.

3. In an effort to keep all Board members apprised of the ongoing work of the committees, ~~M~~minutes of ~~the~~ meetings will be compiled and posted ~~distributed to~~ for all Board members at least 72 prior to a Board meeting if there is an item that will be voted upon. ~~, a minimum of 24 hours prior to the next Board of Education meeting.~~

The ~~School~~ Board's ~~S~~standing c~~C~~ommittees exist to facilitate the work of the ~~school board~~Board. Each standing committee has a board member that serves as chair and ~~,~~ a second board member that serves as a member of the committee. Each committee will have District administration representation, as well as representation of faculty and staff members, when appropriate. If an assigned committee member cannot attend a meeting, he or she should inform the chair so that the Board President or his/her designee may attend.

Standing committees are not decision-making bodies. They:

1. make recommendations to the full Board.
2. study issues more deeply than time would allow at the board meeting.
3. allow for community or staff input on relevant issues, as needed.

Curriculum Committee

Purpose: review and recommend textbook selection, new programs, curriculum and assessment modifications, test results, various data elements and academic progress to the full Board.

Some of the functions of the Committee are to:

1. Review current instructional materials and future options for updating those materials at all levels. Textbooks and other materials are discussed and examined for course relevance and appropriateness before being presented to the Board for approval.

2. Review recommendations of new textbooks and technology and report findings to the full Board.

3. Review curriculum adoption and implementation cycle in collaboration with the Directors of Curriculum and Instruction, Assistant Superintendent and Superintendent and report to the full Board as appropriate.

4. Receive updates regarding curriculum mandates and ensure that action is taken to implement necessary programs.

5. Ensure that resources are planned for in the area of curriculum review and staff development within the community's financial resources.

6. Review standardized test and evaluation results of the District prior to the full Board presentation.

7. Inform and direct the Board's annual approval of learning goals in support of the District's educational mission.

8. Guide the Board in periodic assessment of progress toward achievement of these goals in compliance with the District's Strategic Plan.

9. Attend informational meetings with appropriate professional staff members dealing with curriculum items including current and innovative matters as representatives of the Board, as appropriate.

10. Discuss proposed structural changes that impact staffing as related to curriculum & instruction initiatives.

11. Review proposed or revised job descriptions related to staffing adjustments.

Finance & Facilities

Purpose: work with the Business Administrator and the Superintendent on the District finances and issues relating to the funding of the District. In addition, the committee would be apprised of the District's physical operating systems and structures, including District buildings and fields, capital projects, maintenance and repairs, and construction.

Some functions of the Committee are to:

1. Review and monitor issues related to the ~~school~~ District budget.
2. Recommend cost effective and efficient projects and initiatives for full Board consideration.
3. Review the needs and uses of District buildings and grounds.
4. Study the budgetary impact of suggested improvements.
5. Recommend, with input from administration and staff, as appropriate, long- and short-term uses and facility improvement plans that are in the best interest of the community and the District.
6. Explore alternative revenue sources to supplement the District's budget and financial goals.
7. Discuss proposed structural changes that impact staffing as related to business operations of the District.
8. Review proposed or revised job descriptions related to staffing adjustments.

Policy:

Purpose: Work with the Manager of Human Resources and the Superintendent to review, revise, and draft District's Bylaws, Policies, and mandated Regulations. The committee brings recommendations to add or change policies to the full Board for discussion and adoption.

Some functions of the Committee are to:

1. Review Bylaw, Policy, and Regulation recommendations and mandated updates as submitted by the policy consultant.

2. Prepare Bylaws, Policies, and mandated Regulations and appropriate revisions for full Board review. ~~of the BOE~~

4. Suggest policies that may require review or modification as topics arise within the community that would require the same.

4. Provide an explanation to the Board of any new Bylaws, Policies, or mandated Regulations proposed for adoption and any subsequent changes to the same.

Diversity Equity, and Inclusion:

Purpose: The Diversity, Equity and Inclusion Committee will meet throughout the academic year and work with the Superintendent and Assistant Superintendent and provide support, guidance, and information about issues related to diversity, equity and inclusion in our schools, activities, and programs, as appropriate.

Some functions of the Diversity, Equity and Inclusion Committee are to:

1. Promote inclusion and equity for all within our schools by examining issues of institutional equity.

2. Review and analyze student performance, program participation, and appropriate data to inform Board policy developments and updates.

3. Review and analyze the District's Comprehensive Equity Plan.

4. Support District efforts and District initiatives that enable the District to hire a more diverse workforce.

5. Review and recommend new and/or revised language to board policies which guide and support a District focus that is anti-racist and supportive of diversity, equity, and inclusion in the District.

6. Ensure the District is progressing in the area of Diversity, Equity and Inclusion, including achievement and support of any stated district-wide goals and action plans.

Issued 10/16/17
Revised: April 5, 2022
Revised: June 21, 2022

POLICY #2423 - BILINGUAL AND ESL EDUCATION (M)

The Board of Education will provide programs of bilingual education, English as a second language (ESL), and English language services program for English Language Learners (ELLs) as required by law and rules of the New Jersey State Board of Education. ELLs are those students whose native language is other than English and who have varying degrees of English language proficiency in any one of the domains of speaking, reading, writing or listening and is synonymously with limited speaking ~~abilitiy~~ability pursuant to N.J.S.A. 18:35-15 through ~~to~~ 26.1.

Identification of Eligible ELLs

The district shall use a multi-step process at the time of enrollment to determine the native language of each ELL. The district shall:

1. Maintain a census indicating all identified students whose native language is other than English; and

2. Administer the Statewide home-language survey to determine which students in Kindergarten to grade twelve whose native language is other than English must be screened further to determine English language proficiency. The Statewide home-language survey shall be administered by a bilingual/ESL or other certified teacher and shall be designed to distinguish students who are proficient English speakers and need no further testing.

The district shall determine the English language proficiency of all Kindergarten to grade twelve students who are not screened out and whose native language is other than English by administering an English language proficiency test, assessing the level of reading in English, reviewing the previous academic performance of students, including their performance on standardized tests in English, and reviewing the input of teaching staff members responsible for the educational program for ELLs. Students who do not meet the New Jersey Department of Education (Department) standard on a language proficiency test and who have at least one other indicator shall be considered ELLs. The district shall also use age-appropriate methodologies to identify preschool ELLs to determine their individual language development needs.

~~The Board will conduct a screening process to determine the native language of each ELL at the time of enrollment in the school district. A census shall be maintained of all identified students whose native language is other than English. The English language proficiency of each student 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 student's level of reading in English, a review of the student's previous academic performance, including their performance on standardized tests in English, and a review of the input of teaching staff members responsible for the educational program for ELLs..~~

Bilingual Programs for ELLs

The district shall provide the following programs:

1. An English language services program in accordance with N.J.A.C. 6A:15-1.2;

2. An ESL program in accordance with N.J.A.C. 6A:15-1.2; and

3. A bilingual education program in accordance with N.J.A.C. 6A:15-1.2.

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 student participating in a bilingual, ESL, or English language services program shall be entitled to continue such participation for a period of three years pursuant to N.J.S.A. 18A:35-19.

Bilingual, English as a Second Language, and English Language Services Program Enrollment, Assessment, Exit, and Reentry

Students enrolled in the bilingual, ESL, or English language services program shall be assessed annually using English Language Placement (ELP) assessments to determine their progress in achieving English language proficiency goals and readiness for exiting the program. Students who meet the criteria for Statewide alternate assessments, pursuant to N.J.A.C. 6A:14-4.10(a)2., shall be assessed annually using an alternate ELP assessment.

ELLs enrolled in the bilingual, ESL, or English language services program shall be placed in a monolingual English program when they have demonstrated readiness to exit a bilingual, ESL, or English language services program through a Department-established criteria on an ELP assessment and a Department-established English language observation form. A student shall first achieve the Department-established English proficiency standard as measured by an ELP assessment. The student's readiness shall be further assessed by the use of a Department-established English language observation form that considers, at a minimum: classroom performance; the student's reading level in

English; the judgment of the teaching staff member or members responsible for the educational program of the student; and performance on achievement tests in English.

~~Program Implementation~~

~~The district shall provide the following programs:~~

1. ~~An English language services program to improve the English language proficiency of ELLs whenever there are at least one , but fewer than ten ELLs enrolled within the schools of the district. English language services shall be provided in addition to the regular school program;~~

2. ~~An ESL program that provides at least one period of ESL instruction based on student language proficiency whenever there are ten or more ELLs enrolled within the schools of the district, and~~

3. ~~A bilingual education program whenever there are twenty or more ELLs in any one-language classification enrolled in the school district pursuant to N.J.S.A. 18A:35-18. Where the age range, grade span, and/or geographical location of eligible students makes a full-time bilingual program impractical, the Board may annually offer an instructional program alternative, provided 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 students.~~

~~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 student participating in a bilingual, ESL, or English language services program shall be entitled to continue such participation for a period of three years pursuant to N.J.S.A. 18A:35-19.~~

~~Bilingual, English as a Second Language, and English Language Services Program Enrollment, Assessment, Exit, and Re-entry~~

~~Students enrolled in a bilingual, ESL, or English language services program shall be assessed annually using 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. ELLs 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 to determine the readiness or inability of the individual student to function successfully in~~

~~the English only program shall be initiated by the student's level of English proficiency as measured by a New Jersey Department of Education established standard on an English language proficiency test. The readiness of the student shall be further assessed on the basis of multiple indicators that shall include, at a minimum, classroom performance, the student's reading level in English, the judgment of the teaching staff member or members responsible for the educational program of the student, and performance on achievement tests in English.~~

In accordance with provisions of N.J.S.A. 18A:35-22.1, a parent may remove a student who is enrolled in a bilingual education program at any time; except that during the first three years of a student's participation in a bilingual education program, the parent may only remove the student at the end of each school year. If ~~during the first three years of a student's participation in a bilingual education program,~~ a parent wishes to remove the student prior to the end of each school year, the removal shall ~~must~~ be approved by the Executive County Superintendent ~~of Schools~~. If the Executive County Superintendent determines the student should remain in the bilingual education program until the end of the school year, the parent may appeal the Executive County Superintendent's decision to the Commissioner of Education or designee pursuant to the provisions of N.J.S.A. 18A:35-19.2.~~The parent may appeal the Executive County Superintendent's decision to the Commissioner of Education.~~

Newly exited students 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 review process for exiting a student from a bilingual, ESL, or English language services program has been completed, the student's parent shall be informed by mail of the placement determination. A parent or teaching staff member who disagrees with the proposed placement may appeal the decision in writing to the Superintendent of Schools or designee, who will provide a written explanation for the decision within seven (7) working days. The complainant may appeal this decision in writing to the Board within seven (7) calendar days of receiving the Superintendent's or designee's written explanation of the decision. The Board will review the appeal and respond in writing to the parent within forty-five calendar days of the Board's receipt of the parent's written appeal to the Board. Upon exhausting an appeal to the Board, the ~~A~~complainant not satisfied with the Board's determination of the appeal may appeal to the Commissioner of Education.

Parental Involvement

The parent ELLs 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, ESL or English language services education program. Notice shall be in writing, and in the language of which the parent(s) possesses a primary speaking ability, and in English. The notice must also include a statement that the parents have the option of declining their child's enrollment in a bilingual program, and shall be given an opportunity to do so if they choose.

The district will notify the parent ELL's by mail within thirty days of the child's identification.

Parent(s) shall receive progress reports of students enrolled in bilingual, ESL, or English language services programs in the same manner and frequency as progress reports are sent to parents of other students enrolled in the District.

The Superintendent or designee will provide for the maximum practical involvement of parent(s) of ELLs in the development and review of program objectives and dissemination of information to and from the District's Board of Education and communities served by the bilingual, ESL, or English language services education programs. A ~~school~~ District that implements a bilingual education program shall establish a parent advisory committee on bilingual education of which the majority membership shall ~~will~~ be parents of ELLs.

Graduation

ELLs will qualify for graduation from high school in accordance with N.J.A.C. 6A:8-5.1(a) and Policy 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:35-26.1~~5~~
N.J.A.C. 6A:14-4.10; 6A:15-1.1, 6A:15-1.2, 6A:15-1.9; ~~6A:15-1.1 et seq.~~

Adopted: 06 June 2011
Revised:

REGULATION 2423 - BILINGUAL AND ESL EDUCATION (M)

A. Definitions

1. "Alternate English language proficiency assessment" (alternate ELP assessment) means a New Jersey Department of Education-approved assessment for students with the most significant cognitive disabilities that assesses a student's English language proficiency on the four domains of listening, speaking, reading, and writing, and that is aligned with the State's academic achievement standards, as permitted under the Every Student Succeeds Act (ESSA) and the Individuals with Disabilities Education Act (IDEA).

~~1~~2. "Bilingual education program" means a full-time program of instruction in all courses or subjects that a child is required by law or rule to receive, given in the native language of English language learners (ELLs) enrolled in the program and also in English; in the aural comprehension, speaking, reading, and writing of the native language of ELLs enrolled in the programs, and in the aural comprehension, speaking, reading, and writing of English; and in the history and culture of the country, territory, or geographic area that is the native land of the parents of ELLs enrolled in the program, and in the history and culture of the United States.

~~2~~3. "Bilingual part-time component" means a program alternative in which students are assigned to mainstream English program classes, but are scheduled daily for their developmental reading and mathematics instruction with a certified bilingual teacher.

~~3~~4. "Bilingual resource program" means a program alternative in which students receive, on an individual basis, daily instruction from a certified bilingual teacher in identified subjects and with specific assignments ~~on an individual student basis~~.

~~4~~5. "Bilingual tutorial program" means a program alternative in which students receive ~~are provided~~ one period of instruction from a certified bilingual teacher in a content area required for graduation and a second period of tutoring in other required content areas.

instruction in elementary and secondary schools that provides structured English language instruction and instruction in a second language in all content areas for ELL ~~students~~ and for native English speaking students enrolled in the program.

~~6~~7. "Educational needs" means the particular educational requirements of ELLs; the fulfillment of which will provide them with equal educational opportunities.

8~~7~~. "English as a second language (ESL) program" means a daily developmental second-language program of at least one period of instruction based on student language proficiency ~~which~~ that teaches aural comprehension, speaking, reading, and writing in English using second language teaching techniques, and incorporates the cultural aspects of the student's experiences in their ESL instruction. A period is the time allocated in the school schedule for instruction in core subjects.

~~8~~9. "English language development standards" means the 2012 Amplification of the English Language Development Standards, in grades Kindergarten through ~~G~~grade 12, incorporated herein by reference, as amended and supplemented, developed by the World-Class Instructional Design and Assessment (WIDA) Consortium. They are the standards and language competencies ELLs in preschool programs and elementary and secondary schools need to become fully proficient in English and to have unrestricted access to grade-appropriate instruction in challenging academic subjects. The standards are published by the Board of Regents of the University of Wisconsin System, on behalf of the WIDA Consortium (www.wida.us) and are available for review at http://www.wida.us/standards/eld.aspx.

~~9~~10. "English language learner" or "ELL" means a student whose native language is other than English. The term refers to students with varying degrees of English language proficiency in any one of the domains of speaking, reading, writing, or listening and is synonymous with limited English speaking ability as used in N.J.S.A. 18A:35-15 to 26.

1~~0~~1"English language proficiency assessment" (ELP assessment) means a New Jersey Department of Education-approved assessment that evaluates a student's English language proficiency on the four domains of listening,

academic achievement standards as permitted under ESSA.~~. "English language proficiency test" means a test that measures English language skills in the areas of aural comprehension, speaking, reading, and writing.~~

1~~1~~2. "English language services" means services designed to improve the English language skills of ELLs. The services, provided in school districts with less than ten ELLs, are in addition to the regular school program and are designed to develop aural comprehension, speaking, reading, and writing skills in English.

1~~2~~3. "Exit criteria" means the criteria that must be applied before a student may be exited from a bilingual, ESL, or English language services education program.

1~~3~~4. "High-intensity ESL program" means a program alternative in which students receive two or more class periods a day of ESL instruction. One period is the standard ESL class and the other period is a tutorial or ESL reading class.

1~~4~~5. "Instructional program alternative" means a part-time program of instruction that may be established by a Board of Education in consultation with and approval of the New Jersey Department of Education (Department). All students in an instructional program alternative receive English as a second language.

1~~5~~6. "Native language" means the language first acquired by the student, the language most often spoken by the student, or the language most often spoken in the student's home regardless of the language spoken by the student.

16. "Native language" means the language or mode of communication normally used by a person with a limited ability to speak or understand the English language. In the case of a student, the native language is the language normally used by the student's parents, except that in all direct contact with a student, including during the evaluation of the child, the native language is the language normally used by the student in the home or in the learning environment.

N.J.A.C. 6A:8-1.3.

18~~6~~. "Parent(s)" for the purposes of Policy 2423 and this Regulation ~~2423~~ means the natural parent(s) or the legal guardian(s), foster parent(s), surrogate parent(s), or person acting in the place of a parent with whom the student legally resides. When parents are separated or divorced, parent means the person(s) who has legal custody of the student, provided such parental rights have not been terminated by a court of appropriate jurisdiction.

17~~7~~9. "Review process" means the process established by the Board ~~of Education~~ to assess ELLs for exit from bilingual, ESL, or English language services programs.

~~18~~20. "Sheltered English instruction" means an instructional approach used to make academic instruction in English understandable to ELLs. Sheltered English classes are taught by regular classroom teachers who have received training on strategies to make subject-area content comprehensible for ELLs.

B. Identification of Eligible English Language Learners (ELLs) (N.J.A.C. 6A:15-1.3)

1. The district shall use a multi-step process at the time of enrollment to determine the native language of each ELL. The district shall:

   a. Maintain a census indicating all identified students whose native language is other than English; and

   b. Administer the Statewide home-language survey to determine which students in grades Kindergarten through grade Twelve whose native language is other than English must be screened further to determine English language proficiency. The Statewide home-language survey shall be administered by a bilingual/ESL or other certified teacher and shall be designed to distinguish students who are proficient English speakers and need no further testing.

~~1. The Superintendent of Schools will designate a teaching staff member(s) who will determine the native language of each ELL at the time of enrollment of the student in the school district. The district will:~~

~~language is other than English; and~~

~~b. Develop a screening process, initiated by a home language survey, to determine which students in Kindergarten to grade twelve, of those whose native language is other than English, must be tested to determine English language proficiency. The screening shall be conducted by a bilingual/ESL or other certified teacher, and shall be designed to distinguish students who are proficient English speakers and need no further testing.~~

2. The district shall determine the English language proficiency of all grade Kindergarten through ~~to~~ grade ~~t~~Twelve students who are not screened out and whose native language is other than English, by administering an ~~Department of Education-approved~~ English language proficiency test, assessing the level of reading in English, reviewing the previous academic performance of students, including their performance on standardized tests in English, and reviewing the input of teaching staff members responsible for the educational program for ELLs. Students who do not meet the ~~New Jersey~~ Department ~~of Education~~ standard on a ~~Department-approved~~ language proficiency test and who have at least one other indicator shall be considered ELLs. The district shall also use age-appropriate methodologies to identify preschool ELLs to determine their individual language development needs.

C. Bilingual Programs for English Language Learners (ELLs) (N.J.A.C. 6A:15-1.4)

D. ~~1.~~ The Board shall provide ~~A~~all Kindergarten to ~~through~~ grade ~~t~~Twelve ELLs enrolled in the district pursuant to N.J.S.A. 18A:7F-46 ~~will be provided~~ with all required courses and support services outlined in N.J.A.C.6A:15-1.4 (b) through (h) and C.2. through C.8. below ~~a. through g. below~~ to prepare ELLs to meet the NJSLS ~~Core Curriculum Content Standards~~ for high school graduation. This may include tutoring, after-school programs, summer programs, and remedial services as needed by ELLs. The district shall also provide appropriate instructional programs to eligible pre-school ELLs based on need according to the New Jersey Preschool Program Implementation Guidelines, 2015. The guidelines provide developmentally appropriate recommendations for good practice and are intended for school districts that provide preschool programs.

designed to improve the English language proficiency of ELLs whenever there are at least one, but fewer than ten ELLs enrolled in the school district. English language services shall be provided in addition to the regular school program.

3~~b~~. The Board ~~of Education~~ shall establish an ESL program that provides at least one period of ESL instruction based on student language proficiency whenever there are ten or more ELLs enrolled in the school district.

~~(1)~~a. An ESL curriculum that addresses the WIDA English language development standards shall be developed and adopted by the Board to address the instructional needs of ELLs.

~~(2)~~b. The ESL curriculum shall ~~will~~ be cross-referenced to the district's bilingual education and content area curricula to ensure that ESL instruction is correlated to all the content areas taught.

~~c~~4. The Board ~~of Education~~ shall establish bilingual education programs whenever there are twenty or more ELLs in any one-language classification enrolled in the school district pursuant to N.J.S.A. 18A:35-18. ~~The b~~Bilingual education programs shall:

~~(1)~~a. Be designed to prepare ELLs to acquire sufficient English skills and content knowledge to meet the ~~Core Curriculum Content Standards~~NJSLS. All ELLs participating in the bilingual programs shall also receive ESL instruction;

~~(2)~~b. Include a curriculum that addresses the ~~Core Curriculum Content Standards~~NJSLS, the WIDA English language development standards, and the use of two languages. The bilingual education curriculum shall be adopted by the Board; and

~~(3)~~c. Include ~~a~~the full range of required courses and activities offered on the same basis and under the same rules that apply to all students within the school district.

~~d~~5. ELLs shall be provided with equitable instructional opportunities to participate in all non-academic courses necessary to meet the ~~Core Curriculum Content Standards~~NJSLS, including comprehensive health and physical education, the visual and performing arts, and career awareness programs. The instructional opportunities shall be designed to assist ELLs to fully comprehend all subject matter and demonstrate their mastery of the content matter.

~~e~~6. The Board ~~of Education~~ shall offer sufficient courses and other relevant supplemental instructional opportunities in grades nine through twelve to enable ELLs to meet the ~~Core Curriculum Content Standards~~NJSLS for graduation. When sufficient numbers of students are not available to form a bilingual class in a subject area, the Board shall develop plans in consultation with and approved by the ~~New Jersey~~ Department of Education to meet the needs of the students.

~~f~~7. In addition to N.J.A.C. 6A:15-1.4(a) through (f) and C.1. through C.6. above, ~~The~~I Board ~~of Education~~ shall design additional programs and services to meet the special needs of eligible ELLs and include, but not be limited to: remedial instruction through Title I programs; special education; school-to-work programs; computer training; and gifted and talented education services.

~~g~~8. The Board ~~of Education~~ may establish dual-language bilingual education programs in its schools and may make provisions for the coordination of instruction and services with the school district's world languages program. Dual-language bilingual education programs shall also enroll students whose primary language is English, and shall be designed to help students achieve proficiency in English and in a second language while mastering subject-matter skills. To the extent necessary, instruction shall be in all courses or subjects of study that allow students to meet all grade promotion and graduation standards. Where possible, classes in dual-language bilingual programs shall be comprised of approximately equal numbers of ELLs and of students whose native language is English.

~~2~~9. The Board ~~of Education~~ may establish a program in bilingual education for any language classification with fewer than twenty students.

D. Waiver Process Provided by Statute (N.J.A.C. 6A:15-1.5)

The school district may request a waiver from N.J.A.C. 6A:15-1.4(d) and C.4. above to establish annually an instructional program alternative with the approval of the Department ~~of Education~~ when there are twenty or more students eligible for the bilingual education program in grades Kindergarten through grade ~~grade t~~Twelve, and the school district is able to demonstrate that it would be impractical to provide a full-time bilingual program due to age range, grade span, and/or geographic location of eligible students.

1. Instructional program alternatives shall be developed in consultation with and approved annually by the Department of Education after review of student enrollment and achievement data. All bilingual instructional program alternatives shall be designed to assist ELLs to develop sufficient English skills and subject-matter skills to meet the ~~Core Curriculum Content Standards~~NJSLS.

2. The instructional program alternatives that shall be established include, but are not limited to: the bilingual part-time component; the bilingual resource program; the bilingual tutorial program; the sheltered English instruction program; and the high-intensity ESL program.

3. In the event the district implements program alternatives, the district shall annually submit student enrollment and achievement data that demonstrate the continued need for these programs.

E. ~~Department of Education~~ Approval Procedures ~~of Bilingual, ESL, or English Language Services Programs~~(N.J.A.C. 6A:16-1.6)

1. ~~1.~~ If the ~~Each school~~ district provide~~sing~~ a bilingual program, ESL program, or English language services, the District shall submit a plan every three years to the ~~New Jersey~~ Department of Education for approval. At its discretion, the Department ~~of Education~~ may request modifications, as appropriate.

a. Plans submitted by the school district for approval shall include information on the following:

(1)~~a~~. Identification of students;

(2)~~b~~. Program description;

(3)~~c~~. The ~~n~~Number of certified staff hired for the program;

(4)~~d~~. Bilingual and ESL curriculum development;

(5)~~e~~. Evaluation design;

(6)~~f~~. Review process for exit; and

(7)~~g~~. A budget for bilingual and ESL programs or English language services.

~~2. The Department of Education will establish procedures for monitoring and evaluation of school district bilingual/ESL programs by means of its district and school accountability process.~~

F. Supportive Services (N.J.A.C. 6A:15-1.7)

1. Students enrolled in bilingual, ESL, or English language services programs shall have full access to educational services available to other students in the school district.

2. To the extent that ~~it~~ is administratively feasible, supportive services to ELLs, such as counseling, tutoring, and career guidance, should be provided by bilingual personnel who are familiar with and knowledgeable of the unique needs and background of the ELLs and their parents.

G. In-service Training (N.J.A.C. 6A:15-1.8)

1. The Board shall develop a ~~A~~ plan ~~shall be developed~~ for in-service training for bilingual, ESL, and mainstream teachers; administrators who supervise bilingual/ESL programs; and administrators and any personnel who observe and evaluate teachers of ELLs. The plan shall include instructional strategies and appropriate assessments to help ELLs meet the ~~Core Curriculum Content Standards~~NJSLS and the WIDA English language development standards. All ~~ESL and~~ bilingual and ESL teachers shall receive training in the use of the ESL curriculum.

needs of bilingual and ESL teachers, which shall be addressed through in-service training.

H. Certification of Staff (N.J.A.C. 6A:15-1.9)

~~All teachers in these programs will hold the following certifications:~~

1. All teacher of ~~B~~bilingual ~~C~~classes shall hold ~~-~~a valid New Jersey instructional certificate with an endorsement for the appropriate grade level and/or content area, as well as an endorsement in bilingual education pursuant to N.J.S.A. 18A:6-38 et seq. and 18A:35-15 to 26.1.

2. All teacher of ESL ~~C~~classes shall hold ~~-~~a valid New Jersey instructional certificate in ESL pursuant to N.J.S.A. 18A:6-38 et seq. and N.J.A.C. 6A:9B-10.5.

3. All teachers providing English Language Services shall hold~~-~~ a valid New Jersey instructional certificate.

I. Bilingual, English as a Second Language, and English Language Services Program Enrollment, Assessment, Exit, and Re-entry (N.J.A.C. 6A:15-1.10)

1. All ELLs from Kindergarten through grade ~~t~~Twelve shall be enrolled in the bilingual, ESL, or English language services education program established by the Board ~~of Education~~ as prescribed in N.J.A.C. 6A:15-1.4(b) through (e) and 1.5(a), C.2. through C.5. and D. above, and P.L. 1995, c. 59 and c. 327.

2. Students enrolled in the bilingual, ESL, or English language services program shall be assessed annually using ELP assessments ~~a Department of Education-approved English language proficiency test~~ to determine their progress in achieving English language proficiency goals and readiness for exiting the program. Students who meet the criteria for Statewide alternate assessments, pursuant to N.J.A.C. 6A:14-4.10(a)2, shall be assessed annually using an alternate ELP assessment.

2. ELLs enrolled in the bilingual, ESL, or English language services program shall be placed in a monolingual English program when they have demonstrated readiness to exit a bilingual, ESL, or ELS program through

Department-established English language observation form. A student shall first achieve the Department-established English proficiency standard as measured by an ELP assessment. The student's readiness shall be further assessed by the use of a Department-established English language observation form that considers, at a minimum: classroom performance; the student's reading level in English; the judgment of the teaching staff member or members responsible for the educational program of the student; and performance on achievement tests in English.

a. Pursuant to C.F.R. §200.6(h)(4)(ii), an ELL with a disability whose disability makes it impossible for the student to be assessed in a particular domain because there are no appropriate accommodations for assessing the student in that domain may be exited from ELL status based on the student's score on the remaining domains in which the student was assessed.

~~3. ELLs enrolled in the bilingual, ESL, or English language services program shall be placed in a monolingual English program when they have demonstrated readiness to function successfully in an English-only program. The process to determine the readiness or inability of the individual student to function successfully in the English-only program shall be initiated by the student's level of English proficiency as measured by a Department of Education-established standard on an English language proficiency test. The readiness of the student shall be further assessed on the basis of multiple indicators that shall include, at a minimum: classroom performance; the student's reading level in English; the judgment of the teaching staff member or members responsible for the educational program of the student; and performance on achievement tests in English.~~

4. A parent may remove a student who is enrolled in a bilingual education program pursuant to provisions in N.J.S.A. 18A:35-22.1.

5. Newly exited students who are not progressing in the mainstream English program may be considered for reentry to bilingual and ESL programs as follows:

years of exit, the mainstream English classroom teacher may recommend retesting with the approval of the Principal.

b. A waiver of the minimum time limitation may be approved by the Executive County Superintendent upon request of the Superintendent if the student is experiencing extreme difficulty in adjusting to the mainstream program.

c. The recommendation for retesting shall be based on the teacher's judgment that the student is experiencing difficulties due to problems in using English as evidenced by the student's inability to: communicate effectively with peers and adults; understand directions given by the teacher; and/or comprehend basic verbal and written materials.

d. The student shall be tested using a different form of the test or a different language proficiency test than the one used to exit the student.

e. If the student scores below the State-established standard on the language proficiency test, the student shall be re-enrolled into the bilingual or ESL program.

6. When the review process for exiting a student from a bilingual, ESL, or English language services program has been completed, the district shall notify by mail the student's parent of the placement determination. If the parent or teaching staff member disagrees with the placement, they~~he/she~~ may appeal the placement decision in writing to the Superintendent or designee, who will provide a written explanation for the decision within seven working days of receiving the written appeal. The complainant may appeal this decision in writing to the Board~~ of Education~~ within seven calendar days of receiving the Superintendent's or designee's written explanation of the decision. The Board will review the appeal and respond in writing to the parent within forty-five calendar days of the Board's receipt of the parent's written appeal to the Board. Upon exhausting an appeal to the Board, the complainant may appeal to the Commissioner of Education pursuant to N.J.S.A. 18A:6-9 and N.J.A.C. 6A:3.

J. Graduation Requirements for English Language Learners (N.J.A.C. 6A:15-1.11)

All ELLs shall ~~must~~ satisfy requirements for high school graduation according to N.J.A.C. 6A:8-5.1(a).

K. Location (N.J.A.C. 6A:15-1.12)~~of Programs~~

All bilingual, ESL, and English language services programs shall be conducted within classrooms within the regular school buildings of the school district pursuant to N.J.S.A. 18A:35-20.

L. Notification (N.J.A.C. 6A:15-1.13)

1. The school district shall ~~will~~ notify by mail the parents of ELLs of the fact that their child has been identified as eligible for enrollment in a bilingual, ESL, or English language services education program. The district shall issue the notification within thirty days of the child's identification. Notice shall include a statement that the parents may decline their child's enrollment in a bilingual program, and they shall be given an opportunity to do so if they choose. The notice shall be in writing and in the language in which the parent(s) possesses a primary speaking ability, and in English, and shall include the following information:

   a. Why the student was identified as an ELL;

   b. Why the student needs to be placed in a language instructional educational program that will help them ~~him or her~~ develop and attain English proficiency and meet the NJSLS~~State academic standards~~;

   c. The student's level of English proficiency, how the level of English proficiency was assessed, and the student's academic level;

   d. The method of instruction the school district will use to serve the student, including a description of other instruction methods available and how those methods differ in content, instructional goals, and the use of English and a native language, if applicable;

   e. How the program will meet the student's specific needs in attaining English and meeting State standards;

a classroom not tailored for ELLs and, in the case of high school students, the expected rate of graduation; and

g. How the instructional program will meet the objectives of the individualized education program of a student with a disability.

2. The school district shall send progress reports to parent(s) of students enrolled in a bilingual, ESL, or English language services programs in the same manner and frequency as progress reports are sent to parents of other students enrolled in the school district.

3. Progress reports shall be written in English and in the native language of the parent of students enrolled in the bilingual and ESL program unless the school district can demonstrate and document in the three-year plan required in N.J.A.C. 6A:15-1.6(a) that the requirement would place an unreasonable burden on the district.

4. The school district shall notify the parent when a student meets the exit criteria and are~~is~~ placed in a monolingual English program. The notice shall be in English and in the language in which the parent possesses a primary speaking ability.

M. Joint Programs (N.J.A.C. 6A:15-1.14)

With ~~the~~ approval of the Executive County Superintendent ~~of Schools~~ on a case-by-case basis, a school district may join with another Board ~~of Education~~ to provide bilingual, ESL, or English language services programs.

N. Parental Involvement (N.J.A.C. 6A:15-1.15)

1. The District ~~Superintendent or designee will~~shall provide for the maximum practicable involvement of parents of ELLs in the development and review of program objectives and dissemination of information to and from the district Boards of Education and communities served by the bilingual, ESL, or English language services education programs.

2. If the ~~A school d~~District ~~that~~ implements a bilingual education program, the District shall establish a parent advisory committee on bilingual education of which the majority membership shall ~~will~~ be parents of ELLs.

Adopted:

POLICY #5512 - HARRASMENT, INTIMIDATION ~~&~~ OR BULLYING (M)

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A. Prohibiting Harassment, Intimidation or Bullying ~~Policy Statement~~

The Board of Education prohibits acts of harassment, intimidation, or bullying of a student. The Board has determined that ~~A~~a safe and civil environment in school is necessary for students to learn and achieve high academic standards; ~~. H~~harassment, intimidation, or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe and disciplined environment. ~~Harassment, intimidation, or bullying is unwanted, aggressive behavior that may involve a real or perceived power imbalance.~~ Since students 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), resource family ~~foster~~ parent(s), or parent surrogate(s) of a student. When parents are separated or divorced, "parent" means the person or agency which has legal custody of the student, as well as the natural or adoptive parent(s) of the student, provided such parental rights have not been terminated by a court of appropriate jurisdiction.

B. Definition of Harassment, Intimidation, ~~and~~ or 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 by any other distinguishing characteristic;

2. 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;

3. Substantially disrupts or interferes with the orderly operation of the school or the rights of other students; and that

    a. A reasonable person should know, under the circumstances, that the act(s) will have the effect of physically or emotionally harming a student or damaging the student's property, or placing a student in

reasonable fear of physical or emotional harm to their person or damage to their property; or

b. Has the effect of insulting or demeaning any student or group of students; or

c. Creates a hostile educational environment for the student by interfering with a student's education or by severely or pervasively causing physical or emotional harm to the student.

The Board recognizes that bullying is unwanted, aggressive behavior that may involve a real or perceived power imbalance. Recognizing "a real or perceived power imbalance" may assist school officials in identifying harassment, intimidation, or bullying within the context and relative positions of the alleged aggressor and target.

"Electronic communication" means a communication transmitted by means of an electronic device, including, but not limited to, a telephone, cellular phone, computer, or remotely activating paging device (N.J.A.C. 6A:16-1.3).

In accordance with the Board of Education's Code of Student Conduct and this Policy, all acts of harassment, intimidation, or bullying that occur off school grounds, such as "cyber-bullying" (e.g., the use of electronic means to harass, intimidate, or bully) is addressed in this Policy.
~~Schools are required to address harassment, intimidation, and bullying occurring off school grounds, when there is a nexus between the harassment, intimidation, and bullying and the school (e.g., the harassment, intimidation, or bullying substantially disrupts or interferes with the orderly operation of the school or the rights of other students).~~

~~"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. Student Behavior~~Expectations~~

The Board of Education expects students to conduct themselves in keeping with their levels of development, maturity and demonstrated capabilities with a proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities and the care of school facilities and equipment consistent with the Code of Student Conduct.

The Board believes that standards for student behavior must be set cooperatively through interaction among the ~~students,~~ parents and other community representatives, school administrators~~employees~~, school employees,~~administrators~~, school volunteers, and students of the school district~~community representatives~~, producing an atmosphere that encourages students 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 students, staff, and community members.

Students are expected to behave in a way that creates a supportive learning environment. The Board believes the best discipline is self-imposed, and that it is the responsibility of staff to use instances of violations of the Code of Student Conduct as opportunities for helping ~~to help~~ students learn to assume and accept responsibility for their behavior and the consequences of their behavior. Staff members who interact with students shall apply best practices designed to prevent student conduct problems and foster students' abilities to grow in self-discipline.

The Board expects that students will act in accordance with the student behavioral expectations and standards regarding harassment, intimidation, ~~and~~or bullying, including:

1. Student responsibilities (e.g., requirements for students 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. Student rights; and

4. Sanctions and due process for violations of the Code of Student 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, school employees, volunteers, students, and community representatives~~instructional staff, student 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.

Pursuant to N.J.A.C. 6A:16-7.1, ~~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~~ developed guidelines for student conduct, taking ~~pursuant to N.J.A.C. 6A:16-7.1. These guidelines for student conduct will take~~ into consideration the nature of the behavior, the nature of the student's disability, if any and to the extent relevant; the developmental ages of students; ~~;~~ ~~the~~ severity of the offenses and students' histories of inappropriate behaviors;~~;~~ and the mission and physical facilities of the individual school(s) in the district. This Policy requires all students 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 assigned for infractions of these rules.

Pursuant to N.J.A.C. 6A:16-7.1, the Superintendent shall ~~must~~ annually provide to students and their parents the rules of the district regarding student conduct. Provisions shall be made for informing parents whose primary language is other than English.

The district prohibits active or passive support for acts of harassment, intimidation, or bullying. The school district will ~~Students are encouraged to~~ support ~~other~~ students 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 students who have been subjected to harassment, intimidation, or bullying; and

4. Report acts of harassment, intimidation, or ~~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 students who commit one or more acts of harassment, intimidation, or bullying, consistent with the Code of Student 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 students.~~

In every incident found to be harassment, intimidation, or bullying, the school Principal, in consultation with appropriate school staff, may apply disciplinary consequences and/or remedial actions, such as the provision of counseling, behavioral interventions, or other measures.

Appropriate consequences and remedial actions are those that are graded according to the severity of the offenses; consider the developmental ages of the student offenders; the nature of the student's disability, if any and to the extent relevant; and students' histories of inappropriate behaviors, per the Code of Student Conduct and N.J.A.C. 6A:16-7.

The following factors, at a minimum, shall be given full consideration by the school administrators in the implementation of appropriate consequences and remedial measures for each act of harassment, intimidation, or bullying by students.

Factors for Determining Consequences

- Age, disability (if any and to the extent relevant), developmental and maturity levels of the parties involved and their relationship to the school district;
- Degrees of harm;
- Surrounding circumstances;
- Nature and severity of the behaviors;
- Incidences of past or continuing patterns of behavior;
- Relationships between the parties involved; and
- Context in which the alleged incidences occurred.

Factors for Determining Remedial Measures

Personal:

- Life skill deficiencies;
- Social relationships;
- Strengths;

- Talents;
- Traits;
- Interests;
- Hobbies;
- Extra-curricular activities;
- Classroom participation;
- Academic performance;
- Relationship to peers; and
- Relationship between student/family and the school district.

Environmental:

- School culture;
- School climate;
- Student-staff relationships and staff behavior toward the student;
- General staff management of classrooms or other educational environments;
- Staff ability to prevent and manage difficult or inflammatory situations;
- Availability of programs to address student behavior;
- Social-emotional and behavioral supports;
- Social relationships;
- Community activities;
- Neighborhood situation; and
- Family situation.

Examples of Consequences and Remedial Measures

The consequences and remedial measures may include, but are not limited to, the examples listed below:

Examples of Consequences:

- Admonishment;
- Temporary removal from the classroom (any removal of .5 days or more must be reported in the Student Safety Data System);

- Deprivation of privileges;
- Classroom or administrative detention;
- Referral to disciplinarian;
- In-school suspension during the school week or the weekend;
- Out-of-school suspension (short-term or long-term);
- Reports to law enforcement or other legal action;
- Expulsion; and
- Bans from receiving certain services, participating in school-district-sponsored programs or being in school buildings or on school grounds.

Examples of Remedial Measures

Personal:

- Restitution and restoration;
- Peer support group;
- Recommendations of a student behavior or ethics council;
- Corrective instruction or other relevant learning or service experience;
- Supportive student interventions, including participation of the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
- Behavioral assessment or evaluation, including, but not limited to, a referral to the Child Study Team, as appropriate;
- Behavioral management plan, with benchmarks that are closely monitored;
- Assignment of leadership responsibilities (e.g., hallway or bus monitor);
- Involvement of school "disciplinarian;"
- Student counseling;
- Parent conferences;
- Alternative placements (e.g., alternative education programs);

- Student treatment; and
- Student therapy.

Environmental (Classroom, School Building, or School District):

- School and community surveys or other strategies for determining the conditions contributing to HIB;
- School culture change and school climate improvement;
- Adoption of research-based, systemic bullying prevention programs;
- School policy and procedures revisions;
- Modifications of schedules;
- Adjustments in hallway traffic;
- Modifications in student routes or patterns traveling to and from school;
- Supervision of student before and after school, including school transportation;
- Targeted use of monitors (e.g., hallway, cafeteria, locker room, playground, school perimeter, bus);
- Teacher aides;
- Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
- General professional development programs for certificated and non-certificated staff;
- Professional development plans for involved staff;
- Disciplinary action for school staff who contributed to the problem;
- Supportive institutional interventions, including participation of the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
- Parent conferences;
- Family counseling;
- Involvement of parent-teacher organizations;
- Involvement of community-based organizations;
- Development of a general bullying response plan;

- Recommendations of a student behavior or ethics council;
- Peer support groups;
- Alternative placements (e.g., alternative education programs);
- School transfers; and
- Law enforcement (e.g., safe schools resource officer, juvenile officer) involvement or other legal action.

Consequences and appropriate remedial actions for a student 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 students, as set forth in the Board's approved Code of Student Conduct, pursuant to N.J.A.C. 6A:16-7.1.

~~Consequences – Students~~

~~Consequences for a student 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 students, as set forth in the Board's approved Code of Student Conduct pursuant to N.J.A.C. 6A:16-7.1. Consequences for a student who commits an act of harassment, intimidation, or bullying are those that are varied and graded according to the nature of the behavior, the nature of the student's disability, if any, and to the extent relevant, the developmental age of the student, and the student's history of problem behaviors and performance consistent with the Board's approved Code of Student Conduct and N.J.A.C. 6A:16-7, Student Conduct. The use of negative consequences should occur in conjunction with remediation and not be relied upon as the sole intervention approach.~~

~~Factors for Determining Consequences – Student Considerations~~

~~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 Consequences – School Considerations~~

~~1. School culture, climate, and general staff management of the learning environment;~~
~~2. Social, emotional, and behavioral supports;~~
~~3. Student-staff relationships and staff behavior toward the student;~~
~~4. Family, community, and neighborhood situation; and~~
~~5. Alignment with Board policy and regulations/ procedures.~~

~~Examples of Consequences~~

~~1. Admonishment;~~
~~2. Temporary removal from the classroom;~~
~~3. Deprivation of privileges;~~
~~4. Administrative detention;~~
~~5. Referral to Assistant Principal;~~
~~6. In-school suspension;~~
~~7. Out-of-school suspension (short-term or long-term);~~
~~8. Reports to law enforcement or other legal action; or~~
~~9. Expulsion.~~

~~In accordance with N.J.S.A. 18A:37-15.b.(4), the consequences for a student who commits an act of harassment, intimidation, or bullying may vary depending on whether it is the first act of harassment, intimidation, or bullying by a student, the second act, or third or subsequent acts. If it is the third or subsequent act of harassment, intimidation, or bullying by a student,~~

Tthe Principal, in consultation with appropriate school staff, shall develop an individual student intervention plan

when a student is found to be an offender in three harassment, intimidation, or bullying incidents and each subsequent incident occurring within one school year. The student intervention plan may include disciplinary consequences and/or remedial actions and may require the student, accompanied by a parent, to satisfactorily complete a class or training program to reduce harassment, intimidation, or bullying behavior. Each student intervention plan must be approved by the Superintendent.

While the majority of incidents may be addressed solely by school officials, the Superintendent or designee and the Principal shall report a harassment, intimidation, or bullying incident to law enforcement officials if the conduct rises to the level of a mandatory report as outlined in the Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials.

~~which shall be approved by the Superintendent or designee, and may require the student, accompanied by a parent, to complete in a satisfactory manner a class or training program to reduce harassment, intimidation, or bullying behavior.~~

~~Appropriate Remedial Actions – Students~~

~~Appropriate remedial action for a student who commits an act of harassment, intimidation, or bullying that takes into account the nature of the behavior, the nature of the student's disability, if any, and to the extent relevant, the developmental age of the student, and the student's history of problem behaviors and performance. The appropriate remedial action may also include a behavioral assessment or evaluation including, but not limited to, a referral to the Child Study Team as appropriate, and supportive interventions and referral services, including those at N.J.A.C. 6A:16-8.~~

~~Factors for Determining Remedial Measures~~

~~Personal~~

1. ~~Life skill deficiencies;~~
2. ~~Social relationships;~~
3. ~~Strengths;~~
4. ~~Talents;~~
5. ~~Interests;~~
6. ~~Hobbies;~~
7. ~~Extra-curricular activities;~~
8. ~~Classroom participation;~~
9. ~~Academic performance; and~~
10. ~~Relationship to students and the school district.~~

~~Environmental~~

1. ~~School culture;~~

2. School climate;
3. Student-staff relationships and staff behavior toward the student;
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.

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 Remedial Measures

Personal – Student Exhibiting Bullying Behavior

1. Develop a behavioral contract with the student. Ensure the student has a voice in the outcome and can identify ways they can solve the problem and change behaviors;
2. Meet with parents to develop a family agreement to ensure the parent and the student understand school rules and expectations;
3. Explain the long-term negative consequences of harassment, intimidation, and bullying on all involved;
4. Ensure understanding of consequences, if harassment, intimidation, and bullying behavior continues;
5. Meet with school counselor, school social worker, or school psychologist to decipher mental health issues (e.g., what is happening and why?);
6. Develop a learning plan that includes consequences and skill building;
7. Consider wrap-around support services or after-school programs or services;
8. Provide social skill training, such as impulse control, anger management, developing empathy, and problem solving;
9. Arrange for an apology, preferably written;

~~10. Require a reflective essay to ensure the student understands the impact of their actions on others;~~
~~11. Have the student research and teach a lesson to the class about bullying, empathy, or a similar topic;~~
~~12. Arrange for restitution (i.e., compensation, reimbursement, amends, repayment), particularly when personal items were damaged or stolen;~~
~~13. Explore age-appropriate restorative (i.e., healing, curative, recuperative) practices, and~~
~~14. Schedule a follow-up conference with the student (and parent, when appropriate).~~

~~Personal – Target/Victim~~

~~1. Meet with a trusted staff member to explore the student's feelings about the incident;~~
~~2. Develop a plan to ensure the student's emotional and physical safety at school;~~
~~3. Have the student meet with the school counselor or school social worker to ensure they do not feel responsible for the bullying behavior;~~
~~4. Ask students to log behaviors in the future;~~
~~5. Help the student develop skills and strategies for resisting bullying, and~~
~~6. Schedule a follow-up conference with the student (and parent, when appropriate).~~

~~Parents, Family, and Community~~

~~1. Develop a family agreement;~~
~~2. Refer the family for family counseling, and~~
~~3. Offer parent education workshops related to bullying and social-emotional learning.~~

~~Examples of Remedial Measures – Environmental (Classroom, School Building, or School District)~~

~~1. Analysis of existing data to identify bullying issues and concerns;~~
~~2. Use of findings from school surveys (e.g., school climate surveys);~~
~~3. Focus groups;~~
~~4. Mailings – postal and email;~~
~~5. Cable access television;~~
~~6. School culture change;~~
~~7. School climate improvement;~~
~~8. Increased supervision in "hot spots" (e.g., locker rooms, hallways, playgrounds, cafeterias, school perimeters, buses);~~
~~9. Adoption of evidence-based systemic bullying prevention practices and programs;~~
~~10. Training for all certificated and non-certificated staff to teach effective prevention and intervention skills and strategies;~~
~~11. Professional development plans for involved staff;~~
~~12. Participation of parents and other community members and organizations (e.g., Parent Teacher Associations, Parent Teacher Organizations) in the educational program and in problem-solving bullying issues;~~
~~13. Formation of professional learning communities to address bullying problems;~~
~~14. Small or large group presentations for fully addressing the actions and the school's response to the actions, in the context of the acceptable student and staff member behavior and the consequences of such actions;~~
~~15. School policy and procedure revisions;~~
~~16. Modifications of schedules;~~
~~17. Adjustments in hallway traffic;~~

~~18. Examination and adoption of educational practices for actively engaging students in the learning process and in bonding students to pro-social institutions and people;~~
~~19. Modifications in student routes or patterns traveling to and from school;~~
~~20. Supervision of student victims before and after school, including school transportation;~~
~~21. Targeted use of monitors (e.g., hallway, cafeteria, locker room, playground, school perimeter, bus);~~
~~22. Targeted use of teacher aides;~~
~~23. Disciplinary action, including dismissal, for school staff who contributed to the problem;~~
~~24. Supportive institutional interventions, including participation in the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;~~
~~25. Parent conferences;~~
~~26. Family counseling;~~
~~27. Development of a general harassment, intimidation, and bullying response plan;~~
~~28. Behavioral expectations communicated to students and parents;~~
~~29. Participation of the entire student body in problem-solving harassment, intimidation, and bullying issues;~~
~~30. Recommendations of a student behavior or ethics council;~~
~~31. Participation in peer support groups;~~
~~32. School transfers; and~~
~~33. Involvement of law enforcement officers, including school resource officers and juvenile officers or other appropriate legal action.~~

Consequences and Appropriate Remedial Actions – Adults

The district will also impose appropriate consequences and remedial actions to an adult who commits an act of harassment, intimidation, or bullying of a student. The consequences may include, but not be limited to: verbal or written reprimand, increment withholding, legal action, disciplinary action, termination, and/or bans from providing services, participating in school district-sponsored programs, or being in school buildings or on school grounds. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.

~~Target/Victim Support~~

~~Districts should identify a range of strategies and resources that will be available to individual victims of harassment, intimidation, and bullying, and respond in a manner that provides relief to victims and does not stigmatize victims or further their sense of persecution. The type, diversity, location, and degree of support are directly related to the student's perception of safety.~~

~~Sufficient safety measures should be undertaken to ensure the victims' physical and social-emotional well-being and their ability to learn in a safe, supportive, and civil educational environment.~~

~~Examples of support for student victims of harassment, intimidation, and bullying include:~~

~~1. Teacher aides;~~
~~2. Hallway and playground monitors;~~
~~3. Partnering with a school leader;~~
~~4. Provision of an adult mentor;~~
~~5. Assignment of an adult "shadow" to help protect the student;~~
~~6. Seating changes;~~
~~7. Schedule changes;~~
~~8. School transfers;~~
~~9. Before- and after-school supervision;~~
~~10. School transportation supervision;~~
~~11. Counseling; and~~
~~12. Treatment or therapy.~~

E. Reporting Harassment, Intimidation, or ~~and~~ Bullying ~~Reporting Procedure~~

The Board of Education requires the Principal at each school to be responsible for receiving all complaints alleging harassment, intimidation or bullying committed by an adult or youth against a student~~violations of this Policy~~. All Board members, school employees, and volunteers and contracted service providers who have contact with students, are required to verbally report alleged acts of harassment, intimidation or bullying ~~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 students, also shall submit a ~~r~~New Jersey Department of Education approved HIB 338 Form ~~eport in writing~~ to the Principal within two school days of the verbal report. Failure to make the

required report(s) may result in disciplinary action. ~~The written report shall be on a numbered form developed by the New Jersey Department of Education in accordance with N.J.S.A. 18A:37-15.b.(5). A copy of the form shall be submitted promptly by the Principal to the Superintendent.~~ The HIB 338 Form shall be kept on file at the school, but shall not be included in any student record unless the incident results in disciplinary action or is otherwise required to be contained in a student's record under State or Federal Law.

The district may not fail to initiate an investigation of harassment, intimidation, or bullying solely because written documentation was not provided. Failing to conduct a harassment, intimidation, or bullying investigation solely because a parent or student did not submit written documentation violates the Anti-Bullying Bill of Rights Act and this Policy. If a parent makes a verbal allegation of harassment, intimidation, or bullying to a district staff member, but does not complete and submit the HIB 338 Form, the staff member or a designee must complete and submit the HIB 338 Form.

The Principal or designee is required to ~~will~~ inform the parents of all students involved in alleged incidents, and, as appropriate, may discuss the availability of counseling and other intervention services. ~~The Principal or designee shall keep a written record of the date, time, and manner of notification to the parents.~~ Pursuant to N.J.A.C. 6A:16-7.7(a)2.viii.(2), when providing notification to the parents of all students involved, ~~T~~the Principal or designee shall take into account the circumstances of the incident when ~~providing notification to parents of all students involved in the reported harassment, intimidation, or bullying incident and when~~ conveying the nature of the incident, including the actual or perceived ~~protected~~ category motivating the alleged offense. The Principal or designee shall keep a written record of the date, time, and manner of notification to the parents.

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.

Students, parents, and visitors are encouraged to report alleged acts of ~~violations of~~ harassment, intimidation or bullying this Policy to the Principal or designee on the same day when the individual witnessed or received reliable information regarding any such incident.

The school district shall provide a person an online means to complete the HIB 338 Form to anonymously report an act of harassment,

intimidation, or bullying. Formal action for violations of the Code of Student Conduct may not be taken solely on the basis of an anonymous report.

~~A person may report, verbally or in writing, an act of harassment, intimidation, or bullying committed by an adult or youth against a student anonymously. The Board will not take formal disciplinary action based solely on the anonymous report. The district shall provide a means for a parent to complete an online numbered form developed by the New Jersey Department of Education to confidentially report an incident of harassment, intimidation, or bullying.~~

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.

The Principal shall promptly submit a copy of each completed HIB 338 Form to the Superintendent. ~~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, in addition to making the HIB 338 Form available online, 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~~or bullying or who determines a reported incident or complaint, assuming all facts presented are true, is a report within the scope of N.J.S.A. 18A:37-14 ~~from a district employee,~~ and fails to initiate or conduct an investigation, or who should have known of an incident of harassment, intimidation, or bullying and fails to take sufficient action to minimize or eliminate the harassment, intimidation, or bullying, may be subject to disciplinary action. The district also should consider procedures and disciplinary action when it is found that someone had information regarding a harassment, intimidation, or bullying incident, but did not make the required report(s).

F. Anti-Bullying Coordinator, Anti-Bullying Specialist, and School Safety/School Climate 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 students;

   b. Collaborate with school Anti-Bullying Specialists in the district, the Board of Education, and the Superintendent to prevent, identify, and respond to harassment, intimidation, or bullying of students in the district;

   c. Provide data, in collaboration with the Superintendent, to the Department of Education regarding harassment, intimidation, or bullying of students;

   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~~or bullying in the district.

2. The Principal in each school shall appoint a school Anti-Bullying Specialist. The Anti-Bullying Specialist shall be a guidance counselor, school psychologist, or other certified staff member trained to be the Anti-Bullying Specialist from among the currently employed staff in the school.

   The school Anti-Bullying Specialist shall:

   a. Chair the School Safety/School Climate 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/School Climate 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 operational procedures and educational practices in the school, and to address issues such as harassment, intimidation, or bullying that affect school climate and culture. Each School Safety/School Climate Team shall meet, at a minimum, two times per school year. The School Safety/School Climate 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 student 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/School Climate Team.

The School Safety/School Climate Team shall:

a. Receive records of all complaints of harassment, intimidation, or bullying of students that have been reported to the Principal;

b. Receive copies of all reports prepared after an investigation of an incident of harassment, intimidation, or bullying;

c. Identify and address patterns of harassment, intimidation, or bullying of students in the school;

d. Review and strengthen school climate and the policies of the school in order to prevent and address harassment, intimidation, or bullying of students;

e. Educate the community, including students, teachers, administrative staff, and parents, to prevent and address harassment, intimidation, or bullying of students;

f. Participate in the training required pursuant to the provisions of N.J.S.A. 18A:37-13 et seq. and other training which the Principal or

the district Anti-Bullying Coordinator may request. The School Safety/School Climate Team shall be provided professional development opportunities that may address effective practices of successful school climate programs or approaches; and

g. Execute such other duties related to harassment, intimidation, or bullying as requested by the Principal or district Anti-Bullying Coordinator.

Notwithstanding any provision of N.J.S.A. 18A:37-21 to the contrary, a parent who is a member of the School Safety/School Climate 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 student, consistent with, at a minimum, the requirements of the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232 and 34 CFR Part 99), N.J.A.C. 6A:32-7, Student Records and N.J.A.C. 6A:14-2.9, Student Records.

G. Investigating Allegations of Harassment, Intimidation, ~~and~~or Bullying ~~Investigation~~

Prior to initiating an investigation regarding a reported incident or complaint, the Principal or designee, in consultation with the anti-bullying specialist, shall make a preliminary determination as to whether a reported incident or complaint, assuming all facts are presented as true, is a report within the scope of N.J.S.A. 18A:37-14.

Should the Principal or designee, in consultation with the anti-bullying specialist, determine that a reported incident or complaint, assuming all facts presented are true, is not a report within the scope of N.J.S.A. 18A:37-14, the incident will be addressed through the Board's Code of Student Conduct policy. The HIB 338 Form shall be completed, even if a preliminary determination is made not to conduct an investigation of harassment, intimidation, or bullying because the reported incident or complaint is a report outside the scope of the definition of harassment, intimidation, or bullying, and must be submitted to the Superintendent. The Principal will provide the parents of the alleged offender(s) and victim(s) with formal notice of the decision not to initiate a harassment, intimidation, or bullying investigation.

The HIB 338 Form shall be kept on file at the school and will only be added to a student record if the alleged incident is founded, disciplinary action is imposed or is otherwise required to be contained in a student's record under State or Federal law.

The Superintendent may require the Principal to conduct a harassment, intimidation, or bullying investigation of the incident if the Superintendent determines that the incident is within the scope of harassment, intimidation, or bullying and shall notify the Principal of this determination in writing. Should the Superintendent require the Principal to conduct a harassment, intimidation, or bullying investigation, the Principal will immediately initiate an investigation of harassment, intimidation, or bullying by referring the matter to the school anti-bullying specialist.

Additionally, any preliminary determination that finds the incident or complaint is a report outside the scope of N.J.S.A. 18A:37-14 may be appealed to the Board, pursuant to the Board policies and procedures governing student grievances, and thereafter to the Commissioner (N.J.A.C. 6A:16-7.7(a)ix(1) and (a)ix(1)(A)). Should the preliminary determination not to conduct an investigation of harassment, intimidation, or bullying be overturned, the Principal will immediately initiate an investigation of harassment, intimidation, or bullying by referring the matter to the school anti-bullying specialist.

The Board requires a thorough and complete investigation to be conducted for each reported incident or complaint, assuming all facts presented are true, that is determined to be a report within the scope of N.J.S.A. 18A:37-14. The investigation shall be initiated by the Principal or designee within one school day of the verbal report of the incident. The investigation shall be conducted by the school anti-bullying specialist appointed by the Principal. The Principal may appoint additional personnel who are not school anti-bullying specialists to assist the school anti-bullying specialist in the investigation. Investigations of complaints concerning adult conduct shall not be investigated by a member of the same bargaining unit as the individual who is the subject of the investigation. The anti-bullying specialist may not participate in an investigation regarding their supervisor or staff at a higher administrative level.

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 or ten school days from the date of the written notification from the Superintendent to the Principal to initiate an investigation. 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 Student 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 Student Conduct has been implemented and provide intervention services, order counseling, establish training programs to reduce harassment, intimidation, or bullying and enhance school climate, or take or recommend other appropriate action, including seeking further information as necessary.

The Superintendent shall report the results of each investigation to the Board no later than the date of the regularly scheduled Board meeting following the completion of the investigation. The Superintendent's report also shall include information on any consequences imposed under the Code of Student Conduct, intervention services provided, counseling ordered, training established or other action taken or recommended by the Superintendent.

Parents of the students 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 includes 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.

A parent may request a hearing before the Board after receiving the information. Any request by the parents for a hearing before the Board concerning the written information about a harassment, intimidation, or bullying investigation, pursuant to N.J.S.A. 18A:37-15(b)(6)(d), must be filed with the Board Secretary no later than sixty calendar days after the written information is received by the parents. The hearing shall be held within ten business days of the request. Prior to the hearing, the Superintendent shall confidentially share a redacted copy of the HIB 338 Form that removes all student identification information with the Board. The Board 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 students. 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 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, no later than ninety days after the issuance of the Board's decision.

A school administrator who receives a report of harassment, intimidation, or bullying and fails to initiate or conduct an investigation, or who should have known of an incident of harassment, intimidation, or bullying and fails to take sufficient action to minimize or eliminate the harassment, intimidation, or bullying, may be subject to disciplinary action.

The Board also requires the thorough investigation of complaints or reports of harassment, intimidation, or bullying, occurring on district school buses, at district school-sponsored functions, and off school grounds involving a student who attends an approved private school for students with disabilities. The investigation will be conducted by the Board's anti-bullying specialist in consultation with the approved private school for students with disabilities.
~~The Board requires a thorough and complete investigation to be conducted for each report of violations and complaints which either identify harassment, intimidation, or bullying or describe behaviors that indicate harassment, intimidation, or bullying.~~

~~[Option – Principal's Preliminary Determination~~

~~However, prior to initiating the investigation, the Principal or designee, in consultation with the Anti-Bullying Specialist, may make a preliminary determination as to whether the reported incident or complaint, assuming all facts presented are true, is a report within the scope of the definition of harassment, intimidation, and bullying under the Anti-Bullying Bill of Rights Act, N.J.S.A. 18A:37-14.~~

~~The Principal shall report to the Superintendent if a preliminary determination is made that the reported incident or complaint is a report outside the scope of the definition of harassment, intimidation, or bullying. The Superintendent may require~~

the Principal to conduct an investigation of the incident if the Superintendent determines that an investigation is necessary because the incident is within the scope of the definition of harassment, intimidation, and bullying. The Superintendent shall notify the Principal of this determination in writing. An investigation required by the Superintendent must be completed as soon as possible, but not later than ten school days, from the date of the written notification from the Superintendent to the Principal.

The Principal shall complete the written report form developed by the New Jersey Department of Education, in accordance with N.J.S.A. 18A:37-15.b.(5), even if a preliminary determination is made that the reported incident or complaint is a report outside the scope of the definition of harassment, intimidation, or bullying pursuant to N.J.S.A. 18A:37-14. This written report form shall be kept on file at the school, but shall not be included in any student record unless the incident results in disciplinary action or is otherwise required to be contained in a student's record under State or Federal law.

The Principal or designee, upon making a preliminary determination the incident or complaint is not within the scope of the definition of harassment, intimidation, and bullying, shall inform the parents of the parties involved, who may appeal the preliminary determination to the Board of Education and thereafter to the Commissioner of Education in accordance with N.J.A.C. 6A:3.

A Board hearing shall be held within ten business days of receipt of the request for a Board hearing. If the preliminary determination, upon review of the facts presented in the reported incident or complaint, is to continue with the harassment, intimidation, and bullying investigation, the investigation shall be completed in accordance with N.J.S.A. 18A:37-15.b.(6) and this Policy.]

The Superintendent shall provide annually to the Board of Education information on the number of times a preliminary determination was made that an incident or complaint was outside the scope of the definition of harassment, intimidation, or bullying for the purposes of the State's monitoring of the school district pursuant to N.J.S.A. 18A:17-46

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 in coordination with the Principal. The Principal may appoint additional personnel who are not school Anti-Bullying Specialists to assist with the investigation. Investigations or complaints concerning adult conduct shall not be investigated by a member of the same bargaining unit as

~~the individual who is the subject of the investigation. An investigation concerning a staff member shall not be conducted by a staff member who is supervised by the staff member being investigated or who is an administrator in the district. The Principal or designee, in consultation with the Superintendent or designee, will appoint a staff member to complete these investigations. The Superintendent or designee will appoint a staff member to complete investigations involving allegations against a staff member serving in a supervisory or administrative position.~~

~~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 incident. Should information regarding the reported incident and the investigation be received after the end of the ten-day period, the school Anti-Bullying Specialist 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 Student 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 Student Conduct has been implemented and may decide to provide intervention services, order counseling as a result of the finding of the investigation, establish training programs to reduce harassment, intimidation, or bullying and enhance school climate, impose discipline, or take or recommend other appropriate action, including seeking additional information, 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 shall include information on any consequences imposed under the Code of Student Conduct, any services provided, training established, or other action taken or recommended by the Superintendent.~~

~~Parents of involved student offenders and targets/victims shall be provided with information about the investigation, in accordance with Federal and State law and regulation. The information to be provided to parents shall include the nature of the investigation, whether the district found evidence of harassment, intimidation, or bullying, and 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 may request a hearing before the Board of Education after receiving the written information about the investigation. Any request for such a hearing shall be filed with the Board Secretary no later than sixty calendar days after the written information is provided to the parents. The hearing shall be held within ten business 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 students. 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 incident, the findings from the investigation of the incident, recommendations for consequences or services, and any programs instituted to reduce such incidents, prior to rendering a determination. A redacted copy of the completed written report form developed by the New Jersey Department of Education that removes all student identification information shall be confidentially shared with the Board of Education after the conclusion of the investigation if a hearing with the Board of Education is requested by the parents pursuant to N.J.S.A. 18A:37-15.b.(6)(d).

At the regularly scheduled Board of Education meeting following its receipt of the Superintendent's report on the results of the investigations to the Board 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, student, 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.).

H. Responding to ~~Range of Responses to an Incident of~~ Harassment, Intimidation, or Bullying

The Board of Education authorizes the Principal of each school 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, or bullying, according to the parameters described below and in this Policy. The Board recognizes that some acts of harassment, intimidation, or bullying may be isolated incidents requiring that 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 that they require a response either at the classroom, school building, or school district levels or by law enforcement officials. Consequences and appropriate remedial actions for a student who commits an act of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37, 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:16-7.4, Expulsions.

In considering whether a response beyond the individual 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 parents 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 student and staff member behavior and the consequences of such actions, and to the involvement of law enforcement officers, including safe schools resource officers.

~~The Board shall establish a range of responses to harassment, intimidation, and bullying incidents and the Principal and the Anti-Bullying Specialist shall appropriately apply these responses once an incident of harassment, intimidation, or bullying is confirmed. The Superintendent shall respond to confirmed harassment, intimidation, and bullying, according to the parameters described in this Policy. The range of ways in which school staff will respond shall include an appropriate combination of counseling, support services, intervention services, and other programs. 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 that they require a response either at the classroom, school building, or school district level or by law enforcement officials.~~

For every incident of harassment, intimidation, or bullying, the school officials must respond appropriately to the individual who committed the act. 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 ~~consistent and appropriate~~ 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).~~intended to remediate the problem behaviors.~~

2. Classroom responses can include class discussions about an incident of harassment, intimidation, or bullying, role plays, ~~(when implemented with sensitivity to a student's situation or involvement with harassment, intimidation, and bullying),~~ 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, ~~"acts of kindness" programs or awards, use of student survey data to plan prevention and intervention programs and activities, social norms campaigns, posters, public service announcements, "natural helper" or peer leadership programs, "upstander" programs,~~ parent programs, and information disseminated to students and parents , such as fact sheets or newsletters, ~~the dissemination of information to students and parents~~ explaining acceptable uses of electronic and wireless communication devices, or strategies for fostering expected student behavior.~~and harassment, intimidation, and bullying prevention curricula or campaigns.~~

4. District-wide responses can include community involvement in policy review and development; professional development programs; adoption of curricular and school-wide programs ~~comprise of adoption of school-wide programs, including enhancing the school climate, involving the community in policy review and development, providing professional development coordinating~~ 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 values adopted by the Board's Code of Student Conduct, per N.J.A.C. 6A:16-7.1(a)2.

In providing support for victims of harassment, intimidation, or bullying, the district should identify a range of strategies and resources, which may include, but is not 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.

~~launching harassment, intimidation, and bullying prevention campaigns.~~

I. Reprisal or Retaliation ~~Prohibited~~

The Board of Education prohibits a Board member, school employee, contracted service provider who has contact with students, school volunteer, or student from engaging in reprisal, retaliation, or false accusation against a victim, witness, ~~or 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 for students who engage in reprisal or retaliation are listed and described in the Consequences and Appropriate Remedial Actions section of this Policy.~~

~~Examples of consequences for a school employee or a contracted service provider who has contact with students who engage in reprisal or retaliation may include, but not be limited to: verbal or written reprimand, increment withholding, legal action, disciplinary action, termination, and/or bans from providing services, participating~~

~~in school district-sponsored programs, or being in school buildings or on school grounds. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.~~

~~Examples of consequences for a Board member who engages in reprisal or retaliation may include, but not be limited to: reprimand, legal action, and other action authorized by statute or administrative code. Remedial measures may include, but not be limited to: counseling and professional development.~~

J. ~~Consequences and Appropriate Remedial Action for~~ False Accusations of Harassment, Intimidation or Bullying

The Board of Education prohibits any person from falsely accusing another as a means of ~~retaliation or as a means of~~ harassment, intimidation, or bullying.

1. Students - Consequences and appropriate remedial action for a student could ~~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 Students and as set forth in N.J.A.C. 6A:16-7.3, Short-term ~~S~~suspensions, N.J.A.C. 6A:16-7, Long-term s~~S~~uspensions and N.J.A.C. 6A:16-7.4, Expulsions~~, and those listed and described in the Consequences and Appropriate Remedial Actions section of this Policy.~~

2. School Employees - Consequences and appropriate remedial action for a school employee or contracted service provider who has contact with students ~~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; and ~~which may include, but not be limited to: reprimand, suspension, increment withholding, termination, and/or bans from providing services, participating in school district-sponsored programs, or being in school buildings or on school grounds. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.~~

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 students or the provision of student services. ~~Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.~~

K. ~~Harassment, Intimidation, and Bullying Policy Publication and Dissemination~~Additional Policy Requirements

The Board of Education requires the Superintendent to annually disseminate this Policy to all school employees, contracted service providers who have contact with students, school volunteers, students and parents who have children enrolled in a school in the school district, along with a statement explaining that this 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 post a link to this Policy that is prominently displayed on the home page of the school district's website. The Superintendent shall ensure that notice of this Policy appears in the student handbook and all other publications of the school district that set forth the comprehensive rules, procedures, and standards for schools within the school district.

The Superintendent shall post the name, school phone number, school address and school email address of the district anti-bullying coordinator on the home page of the school district's website. Additionally, the Superintendent shall post the contact information for the School Climate State Coordinator on the school district home page alongside this Policy.

Each Principal or designee shall post the name, school phone number, school address, and school email address of both the school anti-bullying specialist and the district anti-bullying coordinator on the home page of each school's website.

The Superintendent shall post the New Jersey Department of Education's Guidance for Parents on the Anti-Bullying Bill of Rights Act on the district homepage and on the homepage for each school in the district with a website.

The Superintendent and the Principals shall provide training on the school district's harassment, intimidation, or bullying policies to school employees

contracted service providers and volunteers who have significant contact with students. 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 policy against harassment, intimidation, or bullying, which shall be provided to full-time and part-time staff, contracted service providers and school volunteers who have significant contact with students.

The Superintendent shall develop and implement a process for annually discussing the school district policy on harassment, intimidation, or bullying with students. The Superintendent and the Principal(s) shall annually conduct a re-evaluation, reassessment, and review of this Policy and any report(s) and/or finding(s) of the school safety/school climate team, with input from the school anti-bullying specialists, and recommend revisions and additions to this Policy as well as to harassment, intimidation, or bullying prevention programs and approaches based on the findings from the evaluation, reassessment, and review.
~~This Policy will be disseminated annually by the Superintendent to all school employees, contracted service providers who have contact with students, school volunteers, students, and parents 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 student handbook and all other publications of the school district that set forth the comprehensive rules, procedures, and standards for schools within the school district.~~

~~The Superintendent or designee 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 students 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 home page 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 home page of each school's website. The Superintendent or designee shall post the contact information for the New Jersey School Climate State Coordinator on the school district's and on each school's website in the same location as this Policy is posted.~~

~~The Superintendent or designee shall post on the school district's and each school's website the current version of "Guidance for Parents on the Anti-Bullying Bill of Rights Act" developed by the New Jersey Department of Education.~~

L. Harassment, Intimidation, ~~and~~or Bullying Training and Prevention Programs

~~The Superintendent and Principal(s) shall provide training on the school district's Harassment, Intimidation, and Bullying Policy to current and new school employees, including administrators, instructors, student support services, administrative/office support, transportation, food service, facilities/maintenance, contracted service providers, and volunteers who have significant contact with students, and persons contracted by the district to provide services to students. 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.~~

Each public school teacher and educational services professional shall be required to complete at least two hours of instruction in harassment, intimidation, ~~and~~or bullying prevention within each five year 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 shall include information on the risk of suicide and incidents of harassment, intimidation, or bullying and information on reducing the risk of suicide in students who are members of communities identified as having members at high risk of suicide.

Each newly elected or appointed Board member must complete, during the first year of the member's first term, a training program on harassment, intimidation, ~~and~~or bullying in accordance with the provisions of N.J.S.A. 18A:12-33.

~~The school district shall provide time during the usual school schedule for the Anti-Bullying Coordinator and each school Anti-Bullying Specialist to participate in harassment, intimidation, and bullying training programs.~~

A school leader shall complete school leader training that shall include information on the prevention of harassment, intimidation, ~~and~~or bullying as required in N.J.S.A. 18A:26-8.2.

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 age-appropriate instruction focusing on the prevention of harassment, intimidation, ~~and~~or 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 New Jersey Student Learning ~~Core Curriculum Content~~ Standards, pursuant to N.J.S.A. 18A:37-29.

The school district and each school in the district will annually establish, implement, document, and assess harassment, intimidation, ~~and~~or bullying prevention programs or approaches, and other initiatives in consultation with school staff, students, administrators, volunteers, parents, law enforcement, and community members. The programs or approaches and other initiatives shall be designed to create school-wide conditions to prevent and address harassment, intimidation, ~~and~~or bullying in accordance with the provisions of N.J.S.A. 18A:37-17.

~~M. 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 students.~~

~~The Superintendent, Principal(s), and the Anti-Bullying Coordinator, with input from the schools' Anti-Bullying Specialists, shall annually conduct a reevaluation, reassessment, and review of the Harassment, Intimidation, and Bullying Policy, and any report(s) and/or finding(s) of the School Safety/School Climate Team(s). The Superintendent shall recommend to the Board necessary revisions and additions to the Policy consistent with N.J.S.A. 18A:37-15.c., as well as to harassment, intimidation, and bullying prevention programs and approaches based on the findings from the evaluation, reassessment, and review.~~

~~N~~M. Reports to Board of Education and New Jersey Department of Education

The Superintendent shall report two times each school year, between September 1 and January 1 and between January 1 and June 30 at a public hearing all acts of violence, vandalism, and harassment, intimidation, ~~and~~or bullying which occurred

during the previous reporting period 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.

~~O~~N. School and District Grading Requirements

Each school and each district shall receive a grade for the purpose of assessing their efforts to implement policies and programs consistent with the provisions of N.J.S.A. 18:37-13 et seq. 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~~O. Reports to Law Enforcement

The Superintendent or designee and the Principal shall consult law enforcement, as appropriate, pursuant to the provisions of the Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials, if the student's behavior may constitute a possible violation of the New Jersey Code of Criminal Justice.

Some acts of harassment, intimidation, or ~~and~~ bullying may be bias-related acts and school officials must report to law enforcement officials any bias related acts, in accordance with N.J.A.C. 6A:16-6.3.(e), and pursuant to the provisions of the Memorandum of Agreement Between Education and Law Enforcement Officials.

~~Q~~P. 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.

The Board of Education prohibits the employment of or contracting for school staff positions with individuals whose criminal history record check reveals a record of conviction for a crime of bias intimidation or conspiracy to commit or attempt to commit a crime of bias intimidation.

~~R~~Q. Students with Disabilities

Nothing contained in N.J.S.A. 18A:37-13.1 et seq. may alter or reduce the rights of a student with a disability with regard to disciplinary actions or to general or special education services and supports. N.J.S.A. 18A:37-32.

~~S. Approved Private Schools for Students with Disabilities (APSSD)~~

~~In accordance with the provisions of N.J.A.C. 6A:16-7.7(a).2.ix.(2), the Board of Education shall investigate a complaint or report of harassment, intimidation, or bullying, pursuant to N.J.A.C. 6A:16-7.7(a).2.ix. and Section G. of this Policy, occurring on Board of Education school buses, at Board of Education school-sponsored functions, and off school grounds involving a student who attends an APSSD. The investigation shall be conducted by a Board of Education Anti-Bullying Specialist, in consultation with the APSSD.~~

The school district shall submit all subsequent amended Harassment, Intimidation, ~~and~~or Bullying Policies to the Executive County Superintendent of Schools within thirty days of Board adoption.

N.J.S.A. 18A:37-13 through 18A:37-37
N.J.A.C. 6A:16-7.1 through 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 – August 2022~~April 2011~~ – New Jersey Department of Education
~~Memorandum – New Jersey Commissioner of Education – Guidance for Schools on Implementing the Anti-Bullying Bill of Rights Act – December 16, 2011~~

Adopted: 03 March 2003
Revised: 04 February 2008
Revised: 20 June 2011
Revised: 20 October 2014
Revised: 08 December 2014
Revised: 28 September 2016
Revised: August 15, 2018
Revised: November 22, 2022

8330 STUDENT RECORDS (M)

The Board of Education believes that information about individual students must be compiled and maintained in the interest of the student's educational welfare and advancement. The Board will strive to balance the student's right to privacy against the district's need to collect, retain, and use information about individual students and groups of students. The Board authorizes the establishment and maintenance of student 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 and distribute regulations that implement this Policy and conform to applicable State and Federal law and rules of the State Board of Education.

General Considerations

The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g, and 34 CFR Part 99, disclosure, or communication of information contained in student records in a manner that assures the security of the records in accordance with the provisions of N.J.A.C. 6A:32-7 et seq. Student records shall contain only information that is relevant to the education of the student and is objectively based on the personal observations or knowledge of the certified school personnel who originate(s) the record. The district shall provide annual, written notification to parents, adult students, and emancipated minors of their rights in regard to student records and student participation in educational, occupational, and military recruitment programs. Copies of the applicable State and Federal laws and Board policies shall be made available upon request. The district shall make every effort to notify parents and adult students in their dominant language.

Nonadult students may assert rights of access only through their parent(s). However, nothing in N.J.A.C. 6A:32-7 shall be construed to prohibit certified school personnel from disclosing at their discretion student records to nonadult students or to appropriate persons in connection with an emergency, if the information contained in the record is necessary to protect the health or safety of the student or other persons.

~~Student records shall contain only such information as is relevant to the education of the student and is objectively based on the personal observations or knowledge of certified school personnel who originate the record. The district shall notify parents and adult students annually in writing of their rights in regard to student records and student 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 students in their dominant language.~~

~~Nothing in this Policy shall be construed to prohibit certified school personnel, at their discretion, from disclosing student records to non-adult students or to appropriate persons in connection with an emergency, if such knowledge is necessary to protect the health or safety of the student or other persons.~~

No liability shall be attached to any member, officer, or employee of the Board of Education permitting access or furnishing student records in accordance with N.J.A.C. 6A:32-7.1 et. seq.

Student Information Directory

A student information directory is a publication of a school district that includes student information as defined in N.J.A.C. 6A:32-2.1. This information includes: name; grade level; date and place of birth; dates of school attendance; major field of study; participation in officially recognized activities; weight and height relating to athletic team membership; degrees; awards; the most recent educational agency attended by the student; and other similar information. The student information directory shall be used only by authorized district personnel and for designated official use by judicial, law enforcement, and medical personnel and not for general public consumption.

In the event the district publishes a student information directory, the Superintendent or designee will provide a parent or adult student a ten-day period to submit to the Superintendent a written statement prohibiting the inclusion of any or all types of information about the student in any student information directory before allowing access to the directory and school facilities to educational, occupational, and military recruiters pursuant to N.J.S.A. 18A:36-19.1, P.L. 114-95 §8528, and 20 U.S.C. §8528 - Armed Forces Recruiter Access to Students and Student Recruiting Information of the Every Student Succeeds Act of 2015. In accordance with N.J.S.A. 18A:36-19.1, military recruiters will be provided the same access to a student information directory that is provided to educational and occupational recruiters.
~~In the event the district publishes information included in the student information directory, the Superintendent or designee will inform parents or adult students of such publication, and parents or adult students 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 student in any student 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 for Official Use

A school contact directory for official use is a compilation by the ~~school~~ district that includes the following information for each student: name; address; telephone number; date of birth; and school enrollment. The district shall compile and maintain a school contact directory for official use in accordance with N.J.A.C. 6A:32-7.2,that is separate and distinct from the student information directory. The student contact directory may be provided for official use only to judicial and law enforcement personnel, and to medical personnel currently providing services to the student in question. To exclude any information from the school contact directory for official use the parent, adult student, or emancipated minor shall notify the Superintendent or designee in writing.

Mandated and Permitted Student Records

Mandated student 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.

Permitted student records are records authorized by the Board to be collected in order to promote the educational welfare of the student. The Board shall authorize the permitted records to be collected by adopting this Policy ~~at a regular public Board meeting a resolution listing such permitted records or~~and Regulation 8330, which will list such permitted records.

Maintenance and Security of Student Records

The Superintendent or designee shall be responsible for the security of student records maintained in the ~~school~~ district in accordance with N.J.A.C. 6A:32-7.4. This Policy and Regulation 8330 assure that access to student ~~such~~ records is limited to authorized persons.

Records for each individual student may be stored electronically or in paper format. When student records are stored electronically, proper security and back-up procedures shall be administered.

Student health records, whether stored on paper or electronically, shall be maintained in accordance with N.J.A.C. 6A:32-7.1(I)~~separately from other student records, until such time as graduation or termination, whereupon the health history and immunization record shall be removed from the student's health record and placed in the student's mandated record.~~ Records shall be accessible during the hours in which the school program is in operation.

Any district ~~internet~~ website shall not disclose any personally identifiable information about a student ~~without receiving prior written consent from the student's parent,~~ in accordance with ~~the provisions of~~ N.J.S.A. 18A:36-35 and N.J.A.C. 6A:32-2.1. ~~Personally identifiable information means student names; student photos; student addresses; student e-mail addresses; student phone numbers; and locations and times of class trips.~~

Access to Student Records

Only authorized organizations, agencies, or persons as defined in N.J.A.C. 6A:32-7.5 shall have access to student records, including student health records. Access to student records shall be provided to persons authorized such access under N.J.A.C. 6A:32-7.1 et seq. within ten days of a request, but prior to any review or hearing conducted in accordance with N.J.A.C. 6A.

The district may charge a reasonable fee for reproduction of student records, not to exceed the schedule of costs set forth at N.J.S.A. 47:1A-5, provided that the cost does not effectively prevent parents or adult students from exercising their rights under N.J.A.C. 6A:32-7 or other Federal and State rules and regulations regarding students with disabilities, including N.J.A.C. 6A:14.

The district shall control access to, disclosure of, and communication regarding information contained in student 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 will charge a reasonable fee for reproduction, not to exceed the schedule of costs set forth in N.J.S.A. 47:1A-5, provided that the cost does not effectively prevent the parents or adult students from exercising their rights under N.J.A.C. 6A:32-7 or under rules and regulations regarding students with disabilities, including N.J.A.C. 6A:14.~~

Access to and disclosure of a student's health record shall meet the requirements of FERPA. ~~the Family Education Rights and Privacy Act, 34 C.F.R. Part 99 (FERPA).~~

Only authorized organizations, agencies, or persons as defined in N.J.A.C. 6A:32-7.5 shall have access to student records, including student health records.

Nothing in N.J.A.C. 6A:32-7.1 et seq. or in this Policy and Regulation 8330 shall be construed to prohibit school personnel from disclosing information contained in the student health record to students or adults in connection with an emergency, if such knowledge is necessary to protect the immediate health or safety of the student or other persons.

In complying with N.J.A.C. 6A:32-7 – Student Records, the district ~~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~~)~~.

Conditions for Access to Student Records

All authorized organizations, agencies, and persons defined in N.J.A.C. 6A:32-7.1 et seq. shall have access to ~~the records of~~ a student record, subject to conditions outlined in N.J.A.C. 6A:32-7.6~~(a)~~.

Rights of Appeal for Parents and Adult Students

Student records are subject to challenge by parents and adult students on the grounds of inaccuracy, irrelevancy, impermissible~~ive~~ 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 student record or to request a stay of disclosure pending final determination of the challenged procedure, the parent or adult student shall follow the procedures pursuant to N.J.A.C. 6A:32-7.7(b).

Appeals relating to student records for students with disabilities shall be processed in accordance with the requirements of N.J.A.C. 6A:32-7.7(b).

Regardless of the outcome of any appeal, a parent or adult student shall be permitted to place in the student record a statement commenting upon the information in the student record or setting forth any reasons for contesting a portion of the student record, including the decision made in the appeal. ~~disagreement with the decision made in the appeal. Such statements~~ The parent's or adult student's statement shall be maintained as part of the student record as long as the contested portion of the student 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.

~~Appeals relating to student records for students with disabilities shall be processed in accordance with the requirements of N.J.A.C. 6A:32-7.7(b).~~

~~Regardless of the outcome of any appeal, a parent or adult student shall be permitted to place a statement in the student's record commenting upon the information in the student's record or setting forth any reasons for disagreement with the decision of the agency. Such statements shall be maintained as part of the student'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 Student Records

A student'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 student is enrolled in the ~~school~~ district.

The Board ~~school district~~ shall retain the student 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.

Student records of currently enrolled students, other than the records ~~that~~ described in N.J.A.C. 6A:32-7.8(f~~e~~), may be disposed of after the information is no longer necessary to provide educational services to a student and in accordance with the provisions of N.J.A.C. 6A:32-7.8(c~~b~~).

Upon graduation or permanent departure of a student from the ~~school~~ district, the parent or adult student shall be notified in writing that a copy of the entire student record will be provided to them upon request. Information in student records, other than that described in N.J.A.C. 6A:32-7.8(~~e~~f), 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 in accordance with the provisions of N.J.A.C. 6A:32-7.8(c)2.

No additions shall be made to the record after graduation or permanent departure without the prior written consent of the parent or adult student.

In accordance with N.J.A.C. 6A:32-7.8(~~e~~f), the ~~New Jersey public school~~ district of last enrollment, graduation, or permanent departure of the student from the ~~school~~ district shall keep for 100 years a mandated record of a student's name, date of birth, name of parents, gender, health history and immunization, standardized assessment results, grades, attendance, classes attended, grade level completed, year completed, and years of attendance.

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; 6A:32-7.6; 6A:32-7.7; 6A:32-7.8

Adopted: 11 January 2010
Revised: 04 June 2012
rRevised: October 15, 2018
Revised:

8330 STUDENT RECORDS (M)

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

1. "Access" means the right to view, make notes, and/or reproduce a student record.

2. "Adult student" means a person who is at least eighteen years of age~~, or is attending an institution of postsecondary education,~~ or is an emancipated minor.

3. "Days in membership" means the number of school days in session in which a student is enrolled. A student's membership begins on the first possible day of attendance following enrollment during the school year, notwithstanding the actual day the student was recorded as present for the first time.

4. "Health history" means the record of a person's past health events obtained in writing, completed by the individual or the individual's physician.

~~3~~5. "Mandated student records" means student records that school districts compile pursuant to State statute, regulation, or authorized administrative directive.

~~4~~6. "Parent" means the natural or adoptive parent, legal guardian, surrogate parent appointed pursuant ~~according~~ to N.J.A.C. 6A:14-2.2, or a person acting in place of a parent (such as a grandparent or stepparent with whom the student lives or a person legally responsible for the student's welfare). Unless parental rights have been terminated by a court of appropriate jurisdiction, the parent retains all rights pursuant to ~~under~~ N.J.A.C. 6A:32. In addition, a resource family ~~foster~~ parent may act as a parent pursuant to ~~under~~ the provisions of N.J.A.C. 6A:32 if the parent's authority to make educational decisions on the student's behalf has been terminated by a court of appropriate jurisdiction.

~~5~~7. "Permitted student records" means records that the Board of Education has authorized, by resolution adopted at a regular public meeting, to be collected to promote the educational welfare of students.

8. "Personally identifiable information" means, but is not limited to:

a. The student's name;

b. The name of the student's parent(s) or other family members;

c. The address of the student or the student's family;

d. The email address of the student, the student's parent(s), or other family members;

e. The telephone number of the student, the student's parent(s), or other family members;

f. A personal identifier, such as the student's Social Security number, student number, or biometric record;

g. A photo of the student;

h. The location and times of class trips;

i. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name;

j. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community who does not have personal knowledge of the relevant circumstances to identify the student with reasonable certainty; or

k. Information requested by a person who the district, or private agency that provides educational services by means of public funds, reasonably believes knows the identity of the student to whom the student record relates.

9. "Physical examination" means the assessment of an individual's health, in accordance with the requirements at N.J.A.C. 6A:16-2.2.

10. "School contact directory for official use" means a compilation by a district that includes the following information for each student: name, address, telephone number, date of birth, and school of enrollment. The directory

may be provided for official use only to judicial, law enforcement, and medical personnel.

11. "Student discipline record" means information regarding all disciplinary actions taken against a student by a school district pursuant to N.J.S.A. 18A:36-25.1.b. and that is maintained in a student's record.

~~6. "Student record" means information related to an individual student gathered within or outside the school district and maintained within the school district regardless of the physical form in which it is maintained. Essential in this definition is the idea that any information that is maintained for the purpose of second-party review is considered a student record. Therefore, information recorded by certified school personnel solely as a memory aid and not for the use of a second party is excluded from this definition.~~

~~7~~12. "Student information directory" means a publication of the Board ~~of Education~~ that includes information relating to a student. It shall be used only by authorized school district personnel and for designated official use by judicial, law enforcement, and medical personnel and not for general public consumption. The information shall be the student's: name; grade level; date and place of birth; dates of school attendance; major field of study; participation in officially recognized activities; weight and height relating to athletic team membership; degrees; awards; the most recent educational agency attended by the student; and other similar information.

13. "Student record" means information related to an individual student gathered within or outside the school district and maintained within the school district regardless of the physical form in which it is maintained. Essential in this definition is the idea that any information that is maintained for the purpose of second-party review is considered a student record. Therefore, information recorded by certified school personnel solely as a memory aid and not for the use of a second party is excluded from this definition. In the absence of any "information related to an individual student," the document(s) no longer meets the definition of "student record."

B. General Considerations (N.J.A.C. 6A:32-7.1)

1. The Board ~~of Education~~ shall compile and maintain student records and regulate access in accordance with the Federal Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g, and 34 CFR Part 99, disclosure, or communication of information contained in student ~~educational~~ records in a manner that assures the security of the ~~such~~ records in accordance with the provisions of N.J.A.C. 6A:32-7.1~~. et seq~~.

2. Student records shall contain only ~~such~~ information that ~~as~~ is relevant to the education of the student and is objectively based on the personal observations or knowledge of the certified school personnel who originate(s) the record.

3. The ~~school~~ district shall provide annual, written notification to parents, adult students, and emancipated minors of their rights in regard to student records and student participation in educational, occupational, and military recruitment programs. Copies of the applicable State and Federal laws and Board ~~local~~ policies shall be made available upon request. The ~~school district~~ Board shall make every effort to notify parents and adult students in their dominant language.

4. ~~A n~~The non-adult student may assert rights of access only through their ~~his or her~~ parent(s). However, nothing in N.J.A.C. 6A:32-7 ~~et seq.~~ or in Policy 8330 or this Regulation ~~8330~~ shall be construed to prohibit certified school personnel from disclosing at their discretion student records to non-adult students or to appropriate persons in connection with an emergency, if the information contained in the record ~~such knowledge~~ is necessary to protect the health or safety of the student or other persons.

5. The parent or adult student shall have access to the student's ~~ir own~~ records and have access to or be specifically informed about only the~~at~~ portion of another student's record that contains information about the studen~~this or her own child or himself or herself~~.

6. All anecdotal information and assessment reports collected on a student shall be dated and signed by the individual who originated the data.

7. The Superintendent or designee shall require all ~~permitted~~ student records of currently enrolled students to be reviewed annually by certified school personnel to determine the education relevance of the information ~~material~~ contained therein. The reviewer shall cause information ~~data~~ no longer

descriptive of the student or educational program to be deleted from the records except that prior notice shall be given for ~~classified~~ students with disabilities in accordance with N.J.A.C. 6A:14, Special Education. The deleted ~~Such~~ information shall be disposed of and not be recorded elsewhere. No record of any such deletion shall be made.

~~7~~8. No liability shall be attached to any member, officer, or employee of the Board ~~of Education~~ permitting access or furnishing student records in accordance with N.J.A.C. 6A:32-7.1 ~~et seq~~.

~~8~~9. When the parent's or adult student's dominant language is not English or the parent or adult student is deaf, the ~~school~~ district shall provide interpretation of the student records in the dominant language of the parents or adult student.

~~9~~10. Student health records shall be maintained separately from other student records. Student health records also shall be maintained ~~and handled,~~ according to the requirements of N.J.A.C. 6A:32-7.1 ~~et seq.,~~ until such time as graduation or termination, whereupon the health history and immunization record shall be removed from the student's health record and placed in the student's mandated record.

C. School Contact Directory for Official Use (N.J.A.C. 6A:32-7.2)

1. The Board ~~of Education~~ shall compile and maintain a school contact directory for official use that is separate and distinct from the student information directory.

2. School personnel shall provide information from the school contact directory for official use only to judicial and law enforcement personnel and to medical personnel currently providing services to the student in question. Upon request from a court, other judicial agency, law enforcement agency, or medical service provider currently providing services to the student in question, school personnel shall promptly verify the enrollment of a student and provide the requester with all information about the student that is contained in the school contact directory for official use.

3. A parent, adult student, or emancipated minor shall notify, in writing, the Superintendent or designee of their request to exclude any information from the school contact directory for official use.

~~a. School personnel shall provide information from the school contact directory for official use only to judicial and law enforcement personnel, and to medical personnel currently providing services to the student in question.~~

~~b. Upon request from a court, other judicial agency, law enforcement agency, or medical service provider currently providing services to the student in question, school personnel shall promptly verify the enrollment of a student and provide the requester with all information about that student that is contained in the school contact directory for official use.~~

~~2. To exclude any information from the school contact directory for official use, the parent, adult student, or emancipated minor shall notify the Superintendent or designee in writing.~~

D. Mandated and Permitted Student Records (N.J.A.C. 6A:32-7.3)

1. Mandated student records shall include the following:

a. The student's name, address, telephone number, date of birth, name of parent(s), gender, standardized assessment results, grades, record of daily attendance, classes attended, grade level completed, year completed, and years of attendance;

~~b. Record of daily attendance;~~

~~e~~b. Descriptions of the student's progress according Board's ~~to the system of~~ student performance data~~evaluation used in the school district~~;

~~d~~c. History and status of physical health compiled in accordance with State regulations, including immunizations and results of any physical examinations given by qualified ~~school~~ district employees ~~and immunizations~~;

~~e~~d. Records pursuant to rules and regulations regarding the education of students with disabilities; and

~~f~~e. All other records required by N.J.A.C. 6A.

2. Permitted student records are those student records not mandated pursuant to N.J.A.C. 6A:32-7.3, but authorized by the Board to promote the student's educational welfare and include the following as authorized by this Board upon adoption of Policy 8330 and this ~~and~~ Regulation ~~8330~~. These records may include, but are not limited to:

   a. Personally authenticated observations, assessments, ratings, and anecdotal reports recorded by teaching staff members in the performance of their professional responsibilities and intended for review by another person, provided the record is dated and signed by the originator. Information recorded solely as a memory aid for the originator becomes a student's record when it is reviewed by any other person, including a substitute;

   b. Information, scores, and results obtained from standardized tests or by approved tests conducted by professional personnel;

   c. Educationally relevant information provided by the parent or~~;~~ adult student~~, or emancipated minor regarding the student's achievements or school activities~~;

   d. Any correspondence with the student and/or the student's parents;

   e. Driver education certificate;

   f. Emergency notification form;

   g. New student registration form;

   h. Withdrawal or transfer form;

   i. Change of schedule form;

   ~~j. Records of disciplinary infractions, penalties, and disciplinary hearings;~~

   ~~k~~j. Records of the student's co-curricular and athletic activities and achievements;

   ~~l~~k. Class rank;

~~m~~l. Awards and honors;

~~n~~m. Notations of additional records maintained in a separate file;

~~o~~n. The statement from a student's parent, adult student, or emancipated minor regarding a contested portion of the record; and

~~p~~o. Entries indicating review of the file by an authorized person.~~;~~

~~q. _____;~~

~~r. _____;~~

~~s. _____; and~~

~~t. _____.~~

E. Maintenance and Security of Student Records (N.J.A.C. 6A:32-7.4)

1. The Superintendent or designee shall be responsible for the security of student records maintained in the ~~school~~ district and shall devise procedures/regulations for assuring that access to such records is limited to authorized persons. Policy and Regulation 8330 assures that access to student ~~such~~ records is limited to authorized persons.

2. The Board may store all student records ~~Records for each individual student may be stored~~ either electronically or in paper format.
   a. When student records are stored electronically, proper security and backup procedures shall be administered.

3. Student health records, whether stored on paper or electronically, shall be maintained ~~S~~in accordance with N.J.A.C. 6A:32-7.1(I).~~eparately from other student records, until such time as graduation or termination whereupon the health history and immunization record shall be removed from the student's health record and placed in the student's mandated record.~~

4. Records shall be accessible during the hours in which the school program is in operation.

5. Mandated student records required as part of programs established through State-administered entitlement or discretionary funds from the U.S.

Department of Education shall be maintained for a period of five years after a student's graduation; or termination from the ~~school~~ district, or to age twenty-three, whichever is longer. The mandated student records ~~, and~~ shall be disposed of in accordance with N.J.S.A. 47:3-15 et seq.

6. Any district or school website shall not disclose any personally identifiable information about a student, in accordance with N.J.S.A. 18A:36-35.

F. Access to Student Records (N.J.A.C. 6A:32-7.5)

1. Only authorized organizations, agencies, or persons as defined in N.J.A.C. 6A:32-7.5 shall have access to student records, including student health records. Access to student records shall be provided to persons authorized such access under N.J.A.C. 6A:32-7.1 et seq. within ten days of a request, but prior to any review or hearing conducted in accordance with N.J.A.C. 6A.

~~2. The school district shall control access to, disclosure of, and communication regarding information contained in student health records to assure access only to people permitted by Federal and State statute and regulations or stated in N.J.A.C. 6A:32-7.5(e) and section G. below.~~

3.2 The ~~school~~ district may charge a reasonable fee for reproduction of student records, not to exceed the schedule of costs set forth at ~~in~~ N.J.S.A. 47:1A-5, provided that the cost does not effectively prevent the parents or adult students from exercising their rights under N.J.A.C. 6A:32-7 or other Federal and State rules and regulations regarding students with disabilities, including N.J.A.C. 6A:14.

3. The district shall control access to, disclosure of, and communication regarding information contained in student health records to assure access only to people permitted by Federal and State statute and regulations or as stated in N.J.A.C. 6A:32-7.5(e) and F.5. below.

4. Access to, and disclosure of, a student health record shall meet the requirements of FERPA, 20 U.S.C. §1232g, and 34 CFR Part 99.

5. Organizations, agencies, and persons authorized to access student records shall include only the following:

a. The student who has written permission of a parent and the parent of a student under the age of eighteen, regardless of whether the child resides with the parent, except pursuant to N.J.S.A. 9:2-4;

(1) The place of residence shall not be disclosed; and

(2) Access shall not be provided if denied by a court;

b. Students 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;

c. An adult student and/or a parent who has the written permission of an adult student, except that the parent shall have access without the adult student's consent, as long as the adult student is financially dependent on the parent and enrolled in the public school system, or if the adult student has been declared legally incompetent by a court of appropriate jurisdiction. The parent of a financially dependent adult student may not disclose information contained in the adult student's record to a second or third party without the adult student's consent;

d. Certified school district personnel who are assigned educational responsibility for the student shall have access to the general student record but not to the student health record except under conditions permitted in N.J.A.C. 6A:16-2.4;

e. Certified educational personnel who have assigned educational responsibility for the student and who are employed by agencies listed below shall have access to the general student record, but not to the student health record, except under conditions permitted at N.J.A.C. 6A:16-2.4:

(1) An approved private school for students with disabilities;

(2) A State facility;

(3) Accredited nonpublic schools in which students with disabilities have been placed pursuant to N.J.S.A. 18A:46-14; or

(4) Clinics and agencies approved by the New Jersey Department of Education;

f. To fulfill its legal responsibility, the Board shall have access through the Superintendent or designee to information contained in the student's record. Information shall be discussed in executive session, unless otherwise requested by the parent or adult student;

g. Secretarial and clerical personnel under the direct supervision of certified school personnel shall be permitted access to portions of the record to the extent necessary for the entry and recording of data and the conducting of routine clerical tasks. Access shall be limited only to student files in which such staff are directed to enter or record information, and shall cease when the specific assigned task is completed;

h. Accrediting organizations to carry out their accrediting functions;

i. The Commissioner of Education and New Jersey Department of Education staff members who are assigned responsibility that necessitates the review of such records;

j. Officials of other Boards of Education within the State or other educational agencies or institutions where the student is placed, registered, or seeks to enroll, subject to the following conditions:

(1) Original mandated student records that schools have been directed to compile by New Jersey statute, regulation, or authorized administrative directive shall be forwarded to the receiving district, agency, or institution with written notification to the parent or adult student;

(2) Original mandated student records that the Board has required shall be forwarded to the receiving district, agency, or institution only with the written consent of the parent or

adult student, except where a formal sending-receiving relationship exists between the districts;

(3) All records to be forwarded, including disciplinary records as specified at N.J.S.A. 18A:36-19a., shall be sent to the Superintendent of the school district to which the student has transferred, or the Superintendent's designee, within ten school days after the transfer has been verified by the requesting district;

(4) The Superintendent or designee shall request, in writing, all student records from the school district of last attendance within two weeks from the date that the student enrolls in the new school district;

(5) Upon request, the Superintendent or designee of the school district of last attendance shall provide a parent(s) or an adult student with a copy of the records disclosed to other educational agencies or institutions; and

(6) Proper identification, such as a certified copy of the student's birth certificate or other proof of the student's identity pursuant to N.J.S.A. 18A:36-25.1, shall be requested at the time of enrollment in a new school district;

k. Officials of the United States Department of Education assigned responsibilities that necessitate review of such records;

l. Officers and employees of a State agency responsible for protective and investigative services for students pursuant to N.J.S.A. 9:6-8.40. Whenever appropriate, the Board shall ask the State agency for its cooperation in sharing the findings of an investigation;

m. Agency caseworkers or other representatives of a State or local child welfare agency who have the right to access a student's case plan when the agency or organization is legally responsible, in accordance with State law, for the care and protection of the student, consistent with 20 U.S.C. §1232g(b)(1)(L);

n. Organizations, agencies, and persons from outside the school if they have the written consent of the parent or adult student. Organizations, agencies, and persons shall not transfer student record information to a third party without the written consent of the parent or adult student;

o. Organizations, agencies, and individuals outside the school, other than those specified in N.J.A.C. 6A:32-7.5, upon the presentation of a court order; and

p. Bona fide researchers who explain to the Superintendent the nature of the research project and the relevance of the records sought. Prior to the release of records to a researcher, the Superintendent or designee, shall receive from the researcher written assurance that the records will be used under strict conditions of anonymity and confidentiality.

6. Nothing in N.J.A.C. 6A:32-7, Policy 8330, and this Regulation shall be construed to prohibit school personnel from disclosing information contained in the student health record to students or adults in connection with an emergency, if such knowledge is necessary to protect the immediate health or safety of the student or other persons.

7. In complying with N.J.A.C. 6A:32-7, Policy 8330, and this Regulation, the Board shall adhere to the requirements pursuant to the Open Public Records Act (OPRA), N.J.S.A. 47:1A-1 et seq., and FERPA, 20 U.S.C. §1232g; 34 CFR Part 99.

a. When responding to OPRA requests from any party, including parties other than those listed in N.J.A.C. 6A:32-7.5(e) and F.5. above, the Board may release, without consent, records removed of all personally identifiable information, as such documents do not meet the definition of a student record. Before making any release, the Board shall have made a reasonable decision that a student's identity cannot be determined whether through single or multiple releases, or when added to other reasonably available information.

~~4. Access to and disclosure of a student health record shall meet the requirements of the Family Education Rights and Privacy Act, 34 C.F.R. Part 99 (FERPA).~~

~~G. Authorized Organizations, Agencies, and Persons with Access to Student Records (N.J.A.C. 6A:32-7.5(c))~~

~~Access shall include only the following:~~

~~1. A student who has the written permission of a parent and the parent of a student under the age of eighteen whether the child resides with the parent except per N.J.S.A. 9:2-4:~~

~~a. The place of residence shall not be disclosed; and~~

~~b. Access shall not be provided if denied by a court.~~

~~2. Students at least sixteen years of age who are terminating their education in the school district because they will graduate secondary school at the end of the term or no longer plan to continue their education;~~

~~3. An adult student and parent who has the written permission of an adult student, except that the parent shall have access without consent of the student as long as the student is financially dependent on the parent and enrolled in the public school system or if the student has been declared legally incompetent by a court of appropriate jurisdiction. The parent of the financially dependent adult student may not disclose information contained in the adult student's record to a second or third party without the consent of the adult student;~~

~~4. Certified school district personnel who are assigned educational responsibility for the student shall have access to the general student record but not to the student health record except under conditions permitted in N.J.A.C. 6A:16-2.4;~~

~~5. Certified educational personnel who have assigned educational responsibility for the student and who are employed by agencies listed below shall have access to the general student record, but not to the student health record except under conditions permitted in N.J.A.C. 6A:16-2.4:~~

~~a. An approved private school for the disabled;~~

~~b. A State facility;~~

c. Accredited nonpublic schools in which students with educational disabilities have been placed according to N.J.S.A. 18A:46-14; or

d. Clinics and agencies approved by the Department of Education.

6. To fulfill its legal responsibility, the Board of Education shall have access through the Superintendent or designee to information contained in a student's record. Information shall be discussed in executive session unless otherwise requested by the parent or adult student;

7. Secretarial and clerical personnel under the direct supervision of certified school personnel shall be permitted access to portions of the record to the extent necessary for the entry and recording of data and the conducting of routine clerical tasks. Access shall be limited only to student files in 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;

9. The Commissioner of Education and New Jersey Department of Education staff members who are assigned responsibility that necessitates the review of such records;

10. Officials of other district Boards of Education within the State of New Jersey or other educational agencies or institutions where the student is placed, registered, or seeks to enroll subject to the following conditions:

a. Original mandated student records that schools 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 student;

b. Original mandated student records that a Board of Education has required shall be forwarded to the receiving school district only with the written consent of the parent or adult student, 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 student has transferred

~~within ten school days after the transfer has been verified by the requesting school district;~~

~~d. The Superintendent or designee shall request in writing all student records from the school district of last attendance within two weeks from the date that the student enrolls in the new school district;~~

~~e. Upon request, the Superintendent or designee of the school district of last attendance shall provide a parent(s) or an adult student with a copy of the records disclosed to other educational agencies or institutions; and~~

~~f. Proper identification, such as a certified copy of the student's birth certificate or other proof of the child's identity pursuant to N.J.S.A. 18A:36-25.1, shall be requested at the time of enrollment in a new school district.~~

~~11. Officials of the United States Department of Education assigned responsibilities that necessitate review of such records;~~

~~12. Officers and employees of a State agency responsible for protective and investigative services for students referred to that agency, pursuant to N.J.S.A. 9:6-8.40. Wherever appropriate, the Board of Education shall ask the State agency for its cooperation in sharing the findings of an investigation;~~

~~13. Agency caseworkers or other representatives of a State or local child welfare agency who have the right to access a student's case plan when the agency or organization is legally responsible, in accordance with State law, for the care and protection of the student, consistent with 20 U.S.C. § 1232g(b)(1)(L);~~

~~14. Organizations, agencies, and persons from outside the school if they have the written consent of the parent or adult student. Organizations, agencies, and persons shall not transfer student record information to a third party without the written consent of the parent or adult student;~~

~~15. Organizations, agencies, and individuals outside the school, other than those specified in N.J.A.C. 6A:32-7.5, upon the presentation of a court order;~~

~~16. Bona fide researchers who explain to the Superintendent the nature of the research project and the relevance of the records sought. Researchers shall also satisfy the Superintendent or designee that the records will 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;~~

~~17. Nothing in N.J.A.C. 6A:32-7.1 et seq. and Policy and Regulation 8330 shall be construed to prohibit school personnel from disclosing information contained in the student health record to students or adults in connection with an emergency, if such knowledge is necessary to protect the immediate health or safety of the student or other persons; and~~

~~18. In complying with N.J.A.C. 6A:32-7.1 et seq., individuals shall adhere to requirements pursuant to N.J.S.A. 47:1A-1 et seq. - the Open Public Records Act (OPRA) and 20 U.S.C. § 1232g, 34 CFR Part 99 - the Family Educational Rights and Privacy Act (FERPA).~~

~~H~~G. Conditions for Access to Student Records (N.J.A.C. 6A:32-7.6)

All authorized organizations, agencies, and persons defined in N.J.A.C. 6A:32-7.1 ~~et seq.~~ as listed below shall have access ~~to the~~ a student records~~ of a student~~, subject to the following conditions:

~~1~~a. No student 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~~b. Authorized organizations, agencies, and persons from outside the school whose access requires the consent of parents or adult students shall submit to the Superintendent or designee the request in writing together with any required authorization.

~~3~~c. 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 student records by persons other than parents, student, or individuals who have assigned educational responsibility for the individual student, an entry shall be made in the student's record of the name(s) of persons granted access, the reason access was granted, the time and circumstances of inspection, the records inspected ~~studied~~, and the purposes for which the data will be used.

~~4~~d. Prior to disclosure of student records to organizations, agencies, or persons outside the ~~school~~ district pursuant to a court order, the Superintendent or

designee shall give the parent or adult student at least three days' notice of the name of the requesting agency and the specific records requested unless otherwise judicially instructed. The ~~Such~~ notification shall be provided in writing, if practicable. Only records related to the specific purpose of the court order shall be disclosed.

~~a~~(1). Notice to the parent shall not be required when the parent ~~he or she~~ is party to a court proceeding involving child abuse and neglect or dependency matters, consistent with 20 U.S.C. § 1232g(b)(2)(B).

~~5~~e. A record may be withheld from a parent or from an adult student only when the ~~school~~ 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 shall be withheld. When the district has or obtains evidence of such a court order, the parent or adult student shall be notified in writing within five days of ~~his or her~~the 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.

I. Rights of Appeal for Parents and Adult Students (N.J.A.C. 6A:32-7.7)

1. ~~1.~~ Student records are subject to challenge by parents and adult students on grounds of inaccuracy, irrelevancy, impermissible~~ve~~ disclosure, inclusion of improper information, or denial of access to organizations, agencies, and persons. The parent or adult student may request: ~~seek to: expunge inaccurate, irrelevant, or otherwise improper information from the student record; insert additional data as well as reasonable comments as to the meaning and/or accuracy of the records; and/or request an immediate stay of disclosure pending final determination of the challenge procedure as described in N.J.A.C. 6A:32-7.~~

a. Expungement of inaccurate, irrelevant, or otherwise improper information from the student record;

b. Insertion of additional data, as well as reasonable comments regarding the meaning and/or accuracy of the student record;

c. The immediate stay of disclosure pending final determination of the challenged procedure as described in N.J.A.C. 6A:32-7; and/or

d. Immediate access to student records for organizations, agencies, and persons denied access, pending final determination of the challenged procedure, as described in N.J.A.C. 6A:32-7.

2. To request a change in the student record or to request a stay of disclosure pending final determination of the challenged procedure,

a parent or adult student shall notify, in writing, the Superintendent of the specific issues relating to the student record.

a. Within ten school days of notification, the Superintendent or designee shall notify the parent or adult student of the district's decision. If the district disagrees with the request, the Superintendent or designee shall meet with the parent or adult student to resolve the issues set forth in the request.

b. If the matter is not satisfactorily resolved, the parent or adult student has ten school days to appeal the district's decision.

c. If an appeal is made to the Board, the Board shall render a decision within twenty school days.

d. 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:3, Controversies and Disputes. At all stages of the appeal process, the parent or adult student shall be afforded a full and fair opportunity to present evidence relevant to the issue.

e. A record of the appeal proceedings and outcome shall be made a part of the student record with copies made available to the parent or adult student.

3. Appeals relating to student records of students with disabilities shall be processed in accordance with the requirements of N.J.A.C. 6A:32-7.7(b) and I.2. above.

4. Regardless of the outcome of an appeal, a parent or adult student shall be permitted to place in the student record a statement commenting upon the information in the student record or setting forth any reasons for contesting a portion of the student record, including the decision made in the appeal. The parent's or adult student's statement shall be maintained

as part of the student record, as long as the contested portion of the student record is maintained. If the contested portion of the student record is disclosed to any party, the statement commenting upon the information shall also be disclosed to that party.

I. Retention and Disposal of Student Records (N.J.A.C. 6A:32-7.8)

1. A student 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 student is enrolled in the district.

   a. The Board shall retain the student 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.

2. Student records of currently enrolled students, other than the records described at N.J.A.C. 6A:32-7.8(f) and I.5. below, may be disposed of after the information is no longer necessary to provide educational services to a student. The disposition shall be carried out only after the parent or adult student has been notified in writing and written permission has been granted, or after reasonable attempts to notify the parent or adult student and to secure permission have been unsuccessful.

3. Upon graduation or permanent departure of a student from the district:

   a. The parent or adult student shall be notified in writing that a copy of the entire student record will be provided to them upon request.

   b. Information in student records, other than that described at N.J.A.C. 6A:32-7.8(f) and I.5. 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. The disposition shall be carried out only after the parent or adult student has been notified in writing and written permission has been granted, or after reasonable attempts to notify the parent or adult student and to secure permission have been unsuccessful and prior written authorization has been obtained from the New Jersey State Records Committee in the New Jersey Department of the Treasury.

4. No additions shall be made to the record after graduation or permanent departure without the prior written consent of the parent or adult student.

5. The district of last enrollment, graduation, or permanent departure of the student from the district shall keep, for one hundred years, a mandated record of a student's name, date of birth, name of parents, gender, health history and immunization, standardized assessment results, grades, attendance, classes attended, grade level completed, year completed, and years of attendance.

~~the process shall be as follows:~~

~~a. A parent or adult student shall notify in writing the Superintendent of the specific issues relating to the student record.~~

~~b. Within ten school days of notification, the Superintendent or designee shall notify the parent or adult student of the school district's decision.~~

~~c. If the school district disagrees with the request, the Superintendent or designee shall meet with the parent or adult student to resolve the issues set forth in the appeal.~~

~~d. If the matter is not satisfactorily resolved, the parent or adult student has ten school days to appeal this decision to the Board of Education.~~

~~e. If an appeal is made to the Board of Education, a decision shall be rendered within twenty school days. The decision of the Board of Education may be appealed to the Commissioner pursuant to N.J.S.A. 18A:6-9 and N.J.A.C. 6A:3, Controversies and Disputes.~~

~~f. At all stages of the appeal process, the parent or adult student 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 a part of the student's record with copies made available to the parent or adult student.~~

~~3. Appeals relating to student records of students with disabilities shall be processed in accordance with the requirements of I.2. above.~~

~~4. Regardless of the outcome of any appeal, a parent or adult student shall be permitted to place in the student record a statement commenting upon the~~

~~information in the student record or setting forth any reasons for disagreement with the decision made in the appeal.~~

a. ~~Such statements shall be maintained as part of the student 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.~~

~~J. Retention and Disposal of Student Records (N.J.A.C. 6A:32-7.8)~~

~~1. A student'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 student is enrolled in the school district.~~

a. ~~The school district shall retain the student 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.~~

~~2. Student records of currently enrolled students, other than the records that must be maintained for one hundred years as described in N.J.A.C. 6A:32-7.8(e) and 5. below, may be disposed of after the information is no longer necessary to provide educational services to a student.~~

a. ~~Such disposition shall be accomplished only after written parental or adult student notification and written parental or adult student permission has been granted or after reasonable attempts of such notification and reasonable attempts to secure parental or adult student permission have been unsuccessful.~~

~~3. Upon graduation or permanent departure of a student from the school district:~~

a. ~~The parent or adult student shall be notified in writing that a copy of the entire student record will be provided to them upon request.~~

b. ~~Information in student records, other than that described in N.J.A.C. 6A:32-7.8(e) and 5. 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.~~

c. ~~Such disposition shall be accomplished only after written parental or adult student notification and written parental or adult student permission has been granted, or after reasonable attempts at such notification and reasonable attempts to secure parental or adult student permission have been unsuccessful and prior written authorization has been obtained from the New Jersey State Records Committee in the New Jersey Department of State.~~

4. ~~No additions shall be made to the record after graduation or permanent departure without the prior written consent of the parent or adult student.~~

5. ~~The New Jersey public school district of last enrollment, graduation, or permanent departure of the student from the school district shall keep for one hundred years a mandated record of a student's name, date of birth, name of parents, gender, health history and immunization, standardized assessment results, grades, attendance, classes attended, grade level completed, year completed, and years of attendance.~~

Adopted: October 15, 2018
Revised: