

**DISTRICT OF ROXBURY TOWNSHIP
BOARD OF EDUCATION
February 26, 2026**

**REGULAR MEETING AGENDA RESCHEDULED FROM FEBRUARY 23, 2026, TO FEBRUARY 26, 2026
LINCOLN ROOSEVELT SCHOOL
34 N. Hillside Avenue, Succasunna, NJ 07876**

CALL TO ORDER: 6:30 P.M.

PUBLIC SESSION: 7:30 P.M.

SPEAKER REQUEST AT BOARD OF EDUCATION MEETINGS

*Anyone wishing to speak about agenda or non-agenda items at a meeting of the Roxbury Township Board of Education must follow these procedures. Located on the front table will be forms entitled, **Speaker Request Form**. Please fill one out indicating your name and address and the agenda item or topic you wish to discuss. After completing the form, return it to the Assistant Business Administrator. Thank you for your cooperation.*

I. MEETING CALLED TO ORDER

The Roxbury Township Board of Education is meeting in a Regular Session for discussion on business before the Board tonight.

The New Jersey Open Public Meetings Law was enacted to ensure the public's right to have advance notice of and to attend meetings of public bodies at which business affecting their interest is discussed or acted upon. In accordance with the provisions of the Act, the Board has caused written notice of this meeting and copies of its agenda to be transmitted to:

Roxbury Register - Newspaper	Municipal Clerk
Daily Record - Newspaper	Roxbury Public Library
Star Ledger - Newspaper	Roxbury Website - www.roxbury.org/boe/meetings-minutes

The notice of tonight's meeting has been posted in the Board's Business Office.

II. ROLL CALL

III. RESOLUTION TO MEET IN EXECUTIVE SESSION

RESOLVED, that the Roxbury Township Board of Education hold an Executive Session on February 26, 2026, regarding personnel matters, student matters and attorney client privilege.

IV. ROLL CALL

V. PUBLIC SESSION

VI. PLEDGE OF ALLEGIANCE

VII. PRESENTATIONS

- New K- 6 Literacy Program: HMH's Into Reading~ presented by Curriculum Supervisor Ms. Jennifer Maurer, and Teachers Ms. Juliana DaCosta, Ms. Rebecca Freeborn, and Ms. Theresa Trimmer

VIII. CORRESPONDENCE

IX. STUDENT REPRESENTATIVE'S COMMENTS

X. BOARD PRESIDENT'S COMMENTS

XI. SUPERINTENDENT'S REPORT

XII. BUSINESS ADMINISTRATOR'S REPORT

XIII. MINUTES

1. Minutes of the Regular Board Meeting of February 2, 2026.
2. Minutes of the Executive Session of February 2, 2026.

XIV. COMMITTEE REPORTS

Each Committee Chair will advise the full board of the last committee meeting, and the next committee meeting, and any other comments you believe are important for the full board to know.

- A. COMMUNITY RELATIONS/SHARED SERVICES
- B. EDUCATION
- C. FACILITIES
- D. FINANCE
- E. PERSONNEL
- F. POLICIES/GOVERNANCE
- G. NEGOTIATIONS
- H. SUSTAINABILITY

XV. PUBLIC COMMENTS - Action Items - There is a three-minute time limit, per Board Policy.

XVI. ACTION ITEMS

The following motions recommended by the Superintendent and School Business Administrator are non-controversial, a matter of routine business, and will be voted on by one motion.

A. Finances (Resolutions 1-12)

STUDENT ACTIVITY ACCOUNTS

- *1. RESOLVED, that the Roxbury Township Board of Education approve the Student Activity Accounts monthly bill lists for the month of January 2026 as follows:

Roxbury High School	\$64,020.07	Franklin School	\$0
Athletics	\$11,317.00	Kennedy School	\$0
Eisenhower Middle School	\$4,876.46	Jefferson School	\$1,100.00
Lincoln Roosevelt School	\$0	Nixon School	\$0

BILLS LIST

- *2. RESOLVED, that the Roxbury Township Board of Education approve the February 2026 bills list totaling \$3,021,726.31.

TRANSFERS

- *3. RESOLVED, that the Roxbury Township Board of Education approve the December 2025 and January 2026 list of transfers between accounts as presented. Approval by the County Office is not required except as noted on the list.

SECRETARY'S REPORT

- *4. RESOLVED, that the Roxbury Township Board of Education approve the Board Secretary's Reports for December 2025 and January 2026.

TREASURER'S REPORT

- *5. RESOLVED, that the Roxbury Township Board of Education approve the Treasurer's Reports for December 2025 and January 2026.

MONTHLY FINANCIAL CERTIFICATION OF THE BOARD SECRETARY AND BOARD OF EDUCATION

- *6. RESOLVED, that the Roxbury Township Board of Education, pursuant to N.J.S.A. 18A:19-4, does certify that no line item account has encumbrances and expenditures which in total exceed the line item appropriation, and

BE IT FURTHER RESOLVED, that pursuant to N.J.S.A. 18A:17-9 and N.J.S.A. 18A:17-36, after review of the Board Secretary's and Treasurer's monthly financial reports for the month of December 2025 and January 2026 that no major accounts and fund balances in the 2025/2026 budget have been over expended and that sufficient funds are available to meet the district's financial obligations for the remainder of the fiscal year.

TRAVEL REQUESTS

- *7. RESOLVED, that the Roxbury Township Board of Education approve unavoidable travel costs as presented which are educationally necessary and fiscally prudent and are related to and within the scope of the employee's current responsibilities, and promotes the delivery of instruction or further the efficient operation of the school district. The reimbursements are in compliance with the state travel reimbursement guidelines as established by the Department of Treasury and Board of Education policy in accordance with N.J.A.C. 6A-23B-1.1 et seq.

	<i>Name</i>	<i>Workshop Title</i>		<i>Place*</i>	<i>Date of Workshop</i>	<i>Registration Fee</i>	<i>Total Estimated Expenses</i>
1	Williams, Vivian	NJASBO Academy Courses	4	Robbinsville, NJ	10/28/2025, 11/19/2025, 12/4/2025, 2/10/2026, 4/2/2026	\$250.00	\$710.95#
2	Demova, Bohdanka	Model UN	4	Jersey City, NJ	3/2/2026-3/3/2026	\$65.00	\$133.69
3	Hamade, Rabiye	TEEM Mid-Year Workshop	4	Madison, NJ	3/5/2026	\$0.00	\$0.00
4	Kenny, Jennifer	ASAPNJ Conference -The Power of Voice:	4	Princeton, NJ	3/5/2026-3/6/2026	\$350.00	\$387.84

		Guiding Our Students Through Change					
5	Esposito, Geri	ASAPNJ Conference -The Power of Voice: Guiding Our Students Through Change	4	Princeton, NJ	3/5/2026-3/6/2026	\$350.00	\$391.50
6	Mawn, Matthew	LEGAL ONE Anti-Bullying Specialist(ABS) Online Certificate Program	4	Online	3/6/2026	\$500.00	\$500.00
7	Mongelli, Kristin	Spring Administrator Institute: What to Look For in the NGSS Classroom	4	Princeton, NJ	3/10/2026 & 4/29/2026	\$500.00	\$579.32
8	Leister, Tina	Session 1 - IXL Live Immersive: Assessment 8:15-11 Session 2 - IXL Live Immersive: Analytics 12:30-3	4	New Brunswick, NJ	3/12/2026	\$190.00	\$228.36
9	Connelly, Sheila	NJ Classlink User Group	4	Clifton, NJ	3/18/2026	\$0.00	\$32.59
10	Gallagher, Paul	NJAMLE	4	Lincroft, NJ	3/18/2026	\$150.00	\$191.38
11	Santoro, Kim	2026 FLENJ Annual Conference	4	New Brunswick, NJ	3/18/2026	\$180.00	\$212.99
12	Cosgrove, Melissa	MCAEMSA Meeting: Keynote speaker will be Dr. Kimberley Harrington Markus	4	Hanover, NJ	3/19/2026	\$0.00	\$20.30
13	Koch, Joseph	Fascla Performance & Rehab Summit	4	Fairlawn, NJ	3/27/2026	\$249.00	\$271.37
14	Florenza, Corey	Fascla Performance & Rehab Summit	4	Fairlawn, NJ	3/27/2026	\$249.00	\$273.53
15	Simone, Sandra	2026 NJSHA Annual Convention	4	Iselin, NJ	4/16/2026	\$320.00	\$357.70
16	Crispino, William	RHS Choir Trip	4	Williamsburg, VA	4/16/2026-4/19/2026	\$0.00	\$0.00
17	Perez, Linette	2026 NJSHA Annual Convention	4	Iselin, NJ	4/16/2026-4/17/2026	\$435.00	\$509.98
18	Hopper, JoEllen	WWII on the Eastern Front, Rutgers University.	4	New Brunswick, NJ	5/1/2026	\$35.00	\$62.90
19	Bartol, Ryan	MTSS Statewide Summit	4	Monroe, NJ	5/15/2026	\$195.00	\$225.74
20	Dunn, Robin	2026 AP Reader	4	Online	6/3/2026-6/9/2026	\$0.00	\$0.00
1-State/Federal policy requirements, 2-State curricular requirements, 3-State Initiatives, 4-Individual job requirements, T2-paid for by Title II funding, T3 paid for by Title III funding. Substitute coverage is indicated by "S" followed by the number of days for which a substitute is needed. #Amends the mileage reimbursement and toll amounts in resolution XV.A.7 approved on October 13, 2025							

OUT-OF-DISTRICT PLACEMENT/SERVICES - 2025/2026

- *8. RESOLVED, that the Roxbury Township Board of Education approve the 2025/2026 School Year Out-Of-District Placements/Services listed below:

<i>State ID</i>	<i>School or Provider</i>	<i>Total Cost</i>	<i>Dates</i>
7188332467	State of New Jersey	\$43,328.30	12/3/25 - 6/30/26
3748593945	Care Options for Kids (Nursing Services)	\$40,040.00	3/1/26 - 6/30/26
5165412685	Academy 360-Lower School, a program of Spectrum 360	\$51,044.25	3/2/26-6/30/26

TUITION RATES - 2026-2027 SCHOOL YEAR

- *9. RESOLVED, that the Roxbury Township Board of Education approve the following annual tuition rates for students attending the Roxbury Township School District from other districts or at the request of parents for the 2026-2027 school year.

<i>Roxbury Tentative Tuition Rates 2026-2027</i>		<i>ESY Per Diem</i>
Preschool-Kindergarten	\$16,102.00	
Grades 1-5	\$18,619.00	
Grades 6-8	\$18,689.00	
Grades 9-12	\$20,205.00	
Learning/Language Disabilities (LLD)	\$29,921.00	\$166.23
Emotional Reg. Imp.(BD)	\$37,757.00	\$209.76
Autism	\$42,107.00	\$233.93
Multiple Disabled	\$35,076.00	\$194.87
Preschool Disability FT	\$28,687.00	\$159.37

CONTRACTS

- *10. RESOLVED, that the Roxbury Township Board of Education approve a contract with the Sussex County Regional Transportation Cooperative to provide the services to coordinate transportation of students to special education schools, public schools, private schools, and to Athletic and Field Trips along established routes to specific destinations during the 2026/2027 school year, a percentage of the actual cost paid is listed below:

<i>Schedule of Fees</i>	<i>Administrative Fees</i>
Special Education Routes	3.5%
Public Route	2%
Non-Public Routes	2%
Field Trips/Athletic Trips	5%

MEMORANDUM OF UNDERSTANDING - DUAL ENROLLMENT

- *11. RESOLVED, that the Roxbury Township Board of Education approve the Memorandum of Understanding for the Rutgers/Roxbury High School College Writing Program between the Rutgers University School of Arts and Sciences, located at 77 Hamilton Street, New Brunswick, NJ and the Roxbury Township School District. This agreement commences on February 3, 2026, and expires on February 3, 2029. This resolution amends and supersedes Resolution XV.A.10 approved February 2, 2026.

APPROVAL OF SUBMISSION OF GRANT APPLICATION - HIGH-IMPACT TUTORING

- *12. RESOLVED, that the Roxbury Township Board of Education approve the submission of the “New Jersey Learning Acceleration Program: High-Impact Tutoring Grant – Cohort 3” application to the New Jersey Department of Education. This program will serve Grades 3 through 8 for the period of May 1, 2026 through May 31, 2027.

B. Education (Resolutions 1-7)

The following motions recommended by the Superintendent and School Business Administrator are non-controversial, a matter of routine business and will be voted on by one motion.

SSDS REPORT

- *1. RESOLVED, that the Roxbury Township Board of Education acknowledges receipt of the district’s Student Safety Data System (SSDS) Report submitted to the New Jersey Department of Education for its Report Period 1 for the 2025/2026 school year.

HIB REPORT

- *2. RESOLVED, that the Roxbury Township Board of Education affirms the Superintendent’s decisions provided in the Harassment, Intimidation, and Bullying Report for the 2025/2026 school year for Incident No. 13 through 16.
- *3. RESOLVED, that the Roxbury Township Board of Education acknowledges receipt of the Harassment, Intimidation, and Bullying Report for the 2025/2026 school year for Incident Nos. 17 through 20.

APPROVAL OF SPECIAL PROGRAMS - RHS

- *4. RESOLVED, that the Roxbury Township Board of Education accepts the following special programs submitted by Roxbury High School students to be completed during the 2025/2026 school year.

	<i>Student</i>	<i>Special Program</i>	<i>Credits</i>	<i>Research Focus</i>
1	207273	SENIOR OPTION	2.5	Woodworking Assistant
2	208348	SENIOR OPTION	2.5	Violin Assistance Orchestra

FIELD TRIPS / COMPETITIONS

- *5. RESOLVED, that the Roxbury Township Board of Education approve staff and students of Roxbury Public Schools and Roxbury Community School for participation in field trips to the destination listed and as indicated below pursuant to District Policy/Regulation 2340 for the 2025/2026 school year effective February 27, 2026 through June 30, 2026.

		<i>Trip Destination approved for:</i>		
	<i>Trip Destination</i>	<i>Same-day trips</i>	<i>CBI trips for Autism and Multiple Disabilities programs</i>	<i>Rewards-based trips for ERI programs</i>
1	Dream Dance Academy (Ledgewood, NJ)	SAME	CBI	REWARD
2	Saint Peter’s University (Jersey City, NJ)	SAME	CBI	REWARD

- *6. RESOLVED, that the Roxbury Township Board of Education approve staff and students for participation in **overnight field trip requests** as listed.

	School	Group	Estimated # of Students	Trip Destination	Location	Faculty Sponsor(S) & Chaperones(C)	Total Estimated Expenses to District/School
1	RHS	Roxbury Classic Sounds Honors; Roxbury Chorale; Roxbury Concert Choir; Roxbury Treble Choir; Roxbury Revelation; Roxbury Vocal Jazz; Roxbury Melodies; Roxbury Glee Club	88 [#]	Music in the Parks Festival, Colonial Williamsburg, and Busch Gardens	Williamsburg, VA	P.Hachey(S)(C); K.Kong(C); G.Morano(C); C.Reingold(C); J.Speranza(C); C.Scire(C); K.Sweer(C); School Administrator W.Crispino(C)[#]	Sub Coverage for 5 teachers for 2 days
[#] Amendments to 11/17/25, XV.B.3.3.							

APPROVAL OF NEW COURSE

- *7. RESOLVED, that the course listed below be adopted as of the 2026/2027 school year:

	Course	School / Course Level	Grade Level	Course Duration (FY, Sem, Q)
1	Digital Portfolio H	RHS	11 - 12	FY

C. Policies (Resolutions 1-2)

The following motion recommended by the Superintendent and School Business Administrator is non-controversial, a matter of routine business and will be voted on by one motion.

SECOND READING

- *1. RESOLVED, that the Roxbury Township Board of Education approve the following for second reading:

SECOND READING						
	Policy/Reg	P/R No.	P/R Title [(M) = Mandated by law or monitoring standards]	Section	Reason	Exhibit No.
1	P	0142.1	Nepotism (M)	BYLAWS	Revised	0142.1P
2	P	1552	Sexual Harassment – Staff (M)	ADMINISTRATION	New	1552P
3	R	1552	Sexual Harassment – Staff (M)	ADMINISTRATION	New	1552R
4	P	3362	Sexual Harassment (M)	TEACHING STAFF MEMBERS	Abolished	3362P
5	R	3362	Sexual Harassment of Teaching Staff Members Complaint Procedure	TEACHING STAFF MEMBERS	Abolished	3362R
6	P	4352	Sexual Harassment (M)	SUPPORT STAFF	Abolished	4352P
7	R	4352	Sexual Harassment of Support Staff Members Complaint Procedure	SUPPORT STAFF	Abolished	4352R

FIRST READING

- *2. RESOLVED, that the Roxbury Township Board of Education approve the following for first reading:

FIRST READING						
	<i>Policy/ Reg</i>	<i>P/R No.</i>	<i>P/R Title [(M) = Mandated by law or monitoring standards]</i>	<i>Section</i>	<i>Reason</i>	<i>Exhibit No.</i>
1	P	1522	School-level Planning (M)	ADMINISTRATION	Abolished	1522P
2	P	2363	Student Use of Privately-Owned Technology	PROGRAM	Revised	2363P
3	P	2415.02	Title I – Fiscal Responsibilities (M)	PROGRAM	Revised	2415.02P
4	P	4421.13	Postnatal Accommodations	SUPPORT STAFF	New	4421.13P
5	P	5111	Eligibility of Resident/Nonresident Students (M)	STUDENTS	Revised	5111P
6	P	5430	Class Rank	STUDENTS	Revised	5430P
7	R	5430	Class Rank/Grade Point Average	STUDENTS	Revised	5430R
8	P	5710	Student Grievance	STUDENTS	New	5710P
9	P	6115.04	Federal Funds - Duplication of Benefits (M)	FINANCES	New	6115.04P
10	R	7424	Bed Bugs	PROPERTY	New	7424R
11	P	9163	Spectator Code of Conduct for Interscholastic Events (M)	COMMUNITY	New	9163P

D. Negotiations (Resolution 1)

AMENDMENT OF CBA - ADDENDUM/SIDEBAR 2023/2026#10

- *1. IT IS RESOLVED, that the Roxbury Township Board of Education approve the Sidebar of the Collective Bargaining Agreement with the Roxbury Education Association as shown in Exhibit S1.

E. Personnel (Resolutions 1-14)

The following motions recommended by the Superintendent and School Business Administrator are non-controversial, a matter of routine business and will be voted on by one motion.

(NOTE: Approval of these resolutions authorizes the Superintendent to submit to the County Superintendent applications for emergent hiring and the candidate's attestation that he/she has not been convicted of any disqualifying crime pursuant to the provisions of N.J.S.A. 18A:6-7.1 et. seq., N.J.S.A. 18A:39-17 et. seq., or N.J.S.A. 18A:6-4.13 et. seq. for those candidates listed below. All appointments are pending verification of employment history pursuant to New Jersey P.L. 2018, c. 5 (N.J.S.A. 18A:6-7.6, et. seq.); contingent upon receipt of proper certification; and all salary placements are pending receipt of college transcripts verifying degree status.)

RESIGNATIONS, RETIREMENTS, TERMINATIONS

1. RESOLVED, that the Roxbury Township Board of Education approve the following:

	<i>Name</i>	<i>Loc</i>	<i>Position</i>	<i>Action</i>	<i>Final day of employment</i>	<i>Discussion</i>
1	Bolger, Megan	NES	Paraprofessional	Resignation	3/20/26	

2	Bullock, Marielena	NES	Paraprofessional	Resignation	2/27/26	
3	Hollenbeck, Helen	EMS	Special Education Teacher	Retirement	6/30/26	
* 4	Paleos, Elizabeth	DIST	Permanent Substitute Nurse	Resignation	3/6/26	
* 5	Pilgrim, Franklyn	Transp.	Bus Driver	Resignation	2/18/26	
6	Zenna, Kathryn	JES	School Nurse	Retirement	6/30/26	

LEAVES OF ABSENCE

2. RESOLVED, that the Roxbury Township Board of Education approve the following:

	Employee	Leave Start Date	Paid Leave	Unpaid FMLA/ NJFLA ^	Return Date	Discussion
1	15996	2/10/26	Using avail sick then personal days	FMLA, if needed	Upon release by physician	
2	16611	5/14/26 or sooner if nec	Using avail sick days	FMLA/NJFLA	12/1/26	
3	18954	2/11/26	Using avail sick days	FMLA/NJFLA	8/24/26	Amends & supersedes XV.C.2.1, aprvd 10/13/25.
4	23547	3/23/26 or sooner if nec	Using avail sick then personal days	FMLA/NJFLA	10/12/26	Amends & supersedes XV.D.3.8, aprvd 2/2/26.
5	17280	2/20/26	Using 11 sick days	N/A	Upon release by physician	
* 6	23400	4/8/26	N/A	FMLA/NJFLA	9/8/26	

^Leave becomes unpaid when sick/personal days depleted or released by physician, whichever occurs first.

- *3. RESOLVED, that Employee Number 7431 is placed on administrative leave with pay retroactive to the afternoon of February 5, 2026 through February 25, 2026 in accordance with the provisions of NJSA 18A:6-8.3.
- *4. RESOLVED, that Employee Number 6595 is placed on administrative leave with pay retroactive to February 25, 2026 until further notice in accordance with the provisions of NJSA 18A:6-8.3.

REASSIGNMENTS / TRANSFERS

5. RESOLVED, that the Roxbury Township Board of Education approve the reassignment and change in salary for the staff members listed below:

	Name	Former Assignment & Loc.	New Assignment & Loc.	Pay Rate	Effective Date	Discussion
1	Terrero, Amy	Permanent Substitute Teacher (0.80 FTE) TCH.SUB.PERM.NES.01	Leave-replacement H/PE Teacher TCH.NIX.PEH.NA.01	NES \$300.00 per diem	2/27/26 thru TBD Pending return	Replacement in position
2	Terrero, Amy	Leave-replacement H/PE Teacher TCH.NIX.PEH.NA.01	Permanent Substitute Teacher (0.80 FTE) TCH.SUB.PERM.NES.01	NES \$160.00 per diem	TBD, See ^ thru 6/30/26	Leave-repl assignment completed; return to previous position. ^Effective date

							following conclusion of leave-repl assignment in 2/26/26, XVI.E.5.1.
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APPOINTMENTS

6. RESOLVED, that the Roxbury Township Board of Education approve the following:

	<i>Name</i>	<i>Loc</i>	<i>Position</i>	<i>Salary Guide / Step</i>	<i>Salary</i>	<i>Start Date</i>	<i>End Date</i>	<i>Discussion</i>
*	1 Braikovich, Brian	RHS	Special Education Teacher (RC)	25/26 BA Step 14-16	\$76,280 prorated	3/2/26 [#]	6/30/26	Tenure-track replacement in position TCH.SPE.RES.NA.23.
	2 Haidinis, Eleni	FES	Cafeteria Aide	N/A	\$16.35 [^^]	2/19/26	6/30/26	[^^] Amendments to XV.D.7.2 aprvd 2/2/26.
*	3 Roberts, Caren	Transp	Bus Driver	RBDG 25/26 Step 3	\$34.90	2/27/26	6/30/26	Replacement in position BUS.TR.DRI.RE.41
	4 Terracciano, Anthony	LRS	Permanent Substitute Teacher (FTE 0.80)	N/A	\$165 per diem	2/27/26	6/30/26	Replacement in position TCH.SUB.PERM.LRS.01
*	5 Torres, Ignacio	Transp	Bus Driver	RBDG 25/26 Step 2 [^]	\$33.02 per hour	1/5/26	6/30/26	[^] Amendments to XV.D.7.3 aprvd 12/15/25.
[#] Pending completion of documentation in accordance with the law or district policy.								

APPOINTMENTS - LEAVE REPLACEMENTS

7. RESOLVED, that the Roxbury Township Board of Education amend the start dates for previously approved appointments:

	<i>Name</i>	<i>Loc</i>	<i>Position</i>	<i>Salary</i>	<i>Start Date</i>	<i>End Date</i>	<i>Prior BOE Aprvl</i>	<i>Discussion</i>
	1 Conceicao, Gabriella	LRS	Leave-repl Gr. 6 Teacher	\$300.00 per diem	2/12/26	6/19/26	2/2/26	Replacement in position TCH.LR.GR6.NA.10.

8. RESOLVED, that the Roxbury Township Board of Education approve the following non-tenure track positions:

	<i>Name</i>	<i>Loc</i>	<i>Position</i>	<i>Salary</i>	<i>Start Date</i>	<i>End Date</i>	<i>Discussion</i>
1	Klein, Patricia	JES	Leave-repl Special Education Teacher (PSD)	\$300.00 per diem	3/23/26 or sooner if nec	6/19/26	Replacement in position TCH.SPE.PSD.NA.04.
2	Schimpf, Stace	FES, NES	Leave-repl Art Teacher	\$300.00 per diem	2/27/26 [#]	5/1/26	Replacement in position TCH.DS.ART.NA.01.
3	Wilkerson, Ryan	EMS	Leave-replacement H/PE Teacher	\$300.00 per diem	3/5/26 [#]	6/19/26	Replacement in position TCH.EMS.PEH.NA.02.
[#] Pending completion of documentation in accordance with the law or district policy.							

APPOINTMENTS - EXTRACURRICULAR

9. RESOLVED, that the Roxbury Township Board of Education approve the following appointments for the 2025/2026 school year as indicated in the attached Exhibit.

	<i>Exhibit Title</i>	<i>Exhibit Number</i>
1	25/26 Spring Athletic Appointments	HR1

10. RESOLVED, that the Roxbury Township Board of Education approve the following for the 2025/2026 school year:

25/26 Specialized Consultants								
	<i>Name</i>	<i>Position</i>	<i>Sport</i>	<i>Season</i>	<i>Loc. of Sport</i>	<i>Payment</i>	<i>Start Date</i>	<i>Discussion</i>
* 1	Boyd, Joshua	Specialized Consultant	Baseball	Spring	RHS	\$1,000	3/9/26	Payment to be paid by RHS Baseball Parent Booster Club.
* 2	Donnelly, Paige	Specialized Consultant	Softball	Spring	RHS	Volunteer-basis	3/9/26	
3	Gallo, Christine	Specialized Consultant	Softball - Trial Sport	Spring	EMS	Volunteer-basis	3/9/26	CG to serve as Head Coach. Yr 3 of 3-yr trial period for Softball aprvd 5/12/25, XVI.B.10.3.
* 4	Medley, Jordan	Specialized Consultant	Baseball	Spring	RHS	Volunteer-basis	3/9/26	

APPOINTMENTS - SUBSTITUTES

- *11. RESOLVED, that the Roxbury Township Board of Education approve the following non-tenure track positions on an as-needed basis:

	<i>Name</i>	<i>Loc</i>	<i>Position</i>	<i>Start Date</i>	<i>End Date</i>	<i>Discussion</i>
1	Bledsoe, Kara	DIST	T, P, S, LA	2/27/26	6/30/26	
2	Mayer, Cynthia	DIST	T, P, S, LA	2/27/26	6/30/26	
3	Paleos, Elizabeth	DIST	Nurse	3/9/26	6/30/26	
^ Start date is pending completion of documentation in accordance with the law or district policy.						
<i>Position Key:</i> T = Substitute Teacher P = Substitute Paraprofessional S = Substitute Secretary N = Substitute Nurse LA = Substitute Lunch Aide						

SERVICE PAYMENTS

- *12. RESOLVED, that the Roxbury Township Board of Education approve payment to the following individuals for their services to the district as indicated below for the 2025/2026 school year.

	<i>Name</i>	<i>25/26 Payment</i>	<i>Services Performed</i>
1	Bednarcik, Sarah	\$300	Musician for RHS' Spring 2026 Choral Masterworks Concert Orchestra
2	Bream, Samantha	\$300	Musician for RHS' Spring 2026 Choral Masterworks Concert Orchestra
3	Conrad, Jeffrey	\$350	Musician for RHS' Spring 2026 Choral Masterworks Concert Orchestra; and Liaison for Contracting Musicians
4	Kislik-Rodgers, Susanna	\$300	Musician for RHS' Spring 2026 Choral Masterworks Concert Orchestra
5	Monaghan, Mark	\$300	Musician for RHS' Spring 2026 Choral Masterworks Concert Orchestra
6	Sweer, Ryan	\$300	Musician for RHS' Spring 2026 Choral Masterworks Concert Orchestra

EXTRA DUTIES

13. RESOLVED, that any full-time employee assigned to work at Eisenhower Middle School who is a certified instructor be approved to fulfill the following extra duties on an as-needed and as-requested basis at Eisenhower Middle School. Each duty is up to one hour in duration, and total cost for all duties is not to exceed \$3,000.00. This resolution amends and supersedes Resolution XVII.D.22 approved July 14, 2025.

	<i>Extra Duty</i>	<i>Start Date</i>	<i>End Date</i>	<i>Hourly Rate</i>
1	Supervise after-school detention duty	8/27/25	6/18/26	\$35.00
2	Proctor after-school homework help duty	2/27/26	6/18/26	\$35.00

MENTORING

- *14. RESOLVED, that the Roxbury Township Board of Education approve the mentorship for Mr. Colby Snoke who attends Montclair State University for the Spring 2026 semester with the Business Administrator, Mr. Joseph Mondanaro.

F. Executive Session

- *1. WHEREAS, Chapter 231, P.L. 1975, also known as the Sunshine Law, authorizes a public body to meet in Executive Session under certain limited circumstances; and

WHEREAS, said law requires the Board of Education to adopt a resolution at a public meeting before it can meet in such an Executive Session; and

WHEREAS, the Board of Education is anticipating to hold a Regular Meeting on March 23, 2026 at 6:30 p.m. at Lincoln Roosevelt School; and

WHEREAS, the Board of Education intends to discuss matters in Executive Session at this meeting;

NOW THEREFORE, BE IT RESOLVED, that the Roxbury Township Board of Education expects to discuss personnel, student matters, negotiations and matters covered by attorney client privilege during the aforementioned Executive Session; and

BE IT FURTHER RESOLVED, that the public portion of the aforementioned Roxbury Township Board of Education Regular Meeting will commence at 7:30 p.m.

XVII. PUBLIC COMMENTS – There is a three-minute time limit, per Board Policy.

XVIII. BOARD MEMBER COMMENTS

XIX. EXECUTIVE SESSION - (IF NECESSARY)

XX. PUBLIC SESSION – (IF NECESSARY)

XXI. ADJOURNMENT

	POSITION LOC	POSITION	ASSIGNMENT	SEASON	25/26 LAST NAME	25/26 FIRST NAME	25/26 Base Stipend	25/26 # of Consec Yrs thru 25/26 Season	25/26 Longevity Stipend	25/26 TOTAL Stipend	25/26 Note about Consec Yrs
1	EMS	All Sports	Athletic Coordinator	Spring	Moskowitz	Phillip	\$ 2,761	n/a	n/a	\$ 2,761	
2	EMS	Baseball	Head Coach	Spring	Moskowitz	Phillip	\$ 5,754	1	\$ -	\$ 5,754	
3	EMS	Outdoor Track - Boys	Head Coach	Spring	Babetski	David	\$ 5,754	5	\$ 100	\$ 5,854	
4	EMS	Outdoor Track - Girls	Head Coach	Spring	Curley	Kelsey	\$ 5,754	8	\$ 400	\$ 6,154	Spring Head Coach for Girls OT @ EMS for 18/19; Spring Head Coach for Boys OT @ EMS for 19/20 & 20/21; Spring Head Coach for Girls OT @ EMS as of 21/22.
* 5	RHS	All Sports	Athletic Trainer	Spring	Koch	Joseph	\$ 8,019	29	\$ 2,500	\$ 10,519	
* 6	RHS	All Sports	Equipment Assistant Manager	Spring	Bischoff	Derek	\$ 4,562	n/a	n/a	\$ 4,562	
* 7	RHS	All Sports	Equipment Manager	Spring	Misurelli	Frank	\$ 6,291	n/a	n/a	\$ 6,291	
* 8	RHS	Baseball	Assistant Coach	Spring	Capko	Matthew	\$ 5,828	1	\$ -	\$ 5,828	
* 9	RHS	Baseball	Assistant Coach	Spring	Kral	Robert	\$ 5,828	3	\$ -	\$ 5,828	
* 10	RHS	Baseball	Assistant Coach	Spring	Tatarka	Ryan	\$ 5,828	1	\$ -	\$ 5,828	
* 11	RHS	Baseball	Head Coach	Spring	Trotter	Gregory	\$ 8,350	27	\$ 2,300	\$ 10,650	
* 12	RHS	Golf	Assistant Coach	Spring	Dolan	James	\$ 5,523	2	\$ -	\$ 5,523	
* 13	RHS	Golf	Head Coach	Spring	Monaco	David	\$ 8,073	9	\$ 500	\$ 8,573	
* 14	RHS	Lacrosse - Boys	Assistant Coach	Spring	Williams	Ryan	\$ 5,828	1	\$ -	\$ 5,828	Employment start date is pending completion of documentation in accordance with the law or district policy.
* 15	RHS	Lacrosse - Boys	Head Coach	Spring	Blank	David	\$ 8,350	5	\$ 50	\$ 8,400	Spring Boys Lax Asst Coach @ RHS 21/22 thru 24/25; Spring Boys Lax Head Coach @ RHS as of 25/26
* 16	RHS	Lacrosse - Girls	Assistant Coach	Spring	Hall	Melissa	\$ 5,828	2	\$ -	\$ 5,828	
* 17	RHS	Lacrosse - Girls	Assistant Coach	Spring	Peterson	Alexandra	\$ 5,828	10	\$ 300	\$ 6,128	
* 18	RHS	Lacrosse - Girls	Head Coach	Spring	Bewalder	Kevin	\$ 8,350	21	\$ 1,700	\$ 10,050	
* 19	RHS	Outdoor Track	Assistant Coach	Spring	Drexler	Kerry	\$ 5,523	1	\$ -	\$ 5,523	
* 20	RHS	Outdoor Track	Assistant Coach	Spring	Gervasio	Thomas	\$ 5,523	9	\$ 250	\$ 5,773	
* 21	RHS	Outdoor Track	Assistant Coach	Spring	Riedinger	Angela	\$ 5,523	1	\$ -	\$ 5,523	
* 22	RHS	Outdoor Track	Assistant Coach	Spring	Roman	Daniel	\$ 5,523	9	\$ 250	\$ 5,773	Spring Coach: RHS Boys OT Asst 16/17 & 17/18; EMS Boys OT Head 18/19; RHS Boys OT Asst 19/20, & as of 21/22
* 23	RHS	Outdoor Track	Head Coach	Spring	Bischoff	Derek	\$ 9,514	15	\$ 850	\$ 10,364	Spring Boys Outdoor Track Asst Coach @ RHS 11/12 thru 15/16; Spring Boys' Outdoor Track Head Coach @ RHS 16/17 thru 17/18; Spring Outdoor Track Head Coach @ RHS as of 18/19.
* 24	RHS	Softball	Assistant Coach	Spring	Arentowicz	Scott	\$ 5,828	6	\$ 100	\$ 5,928	
* 25	RHS	Softball	Assistant Coach	Spring	Salmon	Kelsey	\$ 5,828	1	\$ -	\$ 5,828	
* 26	RHS	Softball	Head Coach	Spring	Critelli	Paul	\$ 8,350	8	\$ 400	\$ 8,750	
* 27	RHS	Tennis - Boys	Assistant Coach	Spring	Cantwell	Kevin	\$ 5,523	2	\$ -	\$ 5,523	
* 28	RHS	Tennis - Boys	Head Coach	Spring	Doyle	Robert	\$ 8,073	8	\$ 200	\$ 8,273	Spring Asst Coach for RHS Baseball from 18/19 thru 21/22; Spring Head Coach for RHS Boys Tennis as of 22/23.
* 29	RHS	Weight Room	Coach	Spring	Roumes	Ryan	\$ 6,291	n/a	n/a	\$ 6,291	
* 30	RHS & EMS	All Sports	Assistant Athletic Trainer	Spring	Forlenza	Corey	\$ 5,495	8	\$ 200	\$ 5,695	

REA ADDENDUM/SIDEBAR**2023/2026#10****Pg 1 of 2****SIDEBAR AGREEMENT****BETWEEN****THE ROXBURY BOARD OF EDUCATION****AND****THE ROXBURY EDUCATION ASSOCIATION****SUBJECT:** Accumulated Sick Leave Compensation Schedule

THIS SIDEBAR AGREEMENT is made and entered into by and between the **Roxbury Board of Education** (hereinafter referred to as the "Board") and the **Roxbury Education Association** (hereinafter referred to as the "Association").

WHEREAS, the Board and the Association are parties to a Collective Bargaining Agreement; and

WHEREAS, the parties wish to clarify and modify the compensation schedule for accumulated sick leave days as set forth in the Collective Bargaining Agreement;

WHEREAS, the below modifications are subject to N.J.S.A. 18A:30-3.6; and

NOW, THEREFORE, the parties agree to the following terms regarding payout eligibility and amounts:

1. Schedule of Compensation

The following tiers shall apply to the payout of accumulated sick leave:

Employee Category	Eligibility Criteria (Years of Service)	Accumulated Sick Days	Payout Amount
Certificated Staff	10+ Years	90 - 200 Days	\$12,500
	OR	201+ Days	\$15,000
	15+ Years		
Secretarial Staff	20+ Years	90 - 200 Days	\$10,000
		201+ Days	\$12,500
Buildings and Grounds	20+ Years	90 - 200 Days	\$10,000
		201+ Days	\$12,500
Paraprofessionals	20+ Years	90 - 200 Days	\$10,000
		201+ Days	\$12,500

REA ADDENDUM/SIDEBAR**2023/2026#10****Pg 2 of 2****2. General Provisions**

- **Duration of this agreement:** The provisions set forth in this sidebar agreement are effective February 27, 2026 through April 15, 2026.
- **Payment Timing:** Payments under this schedule shall be made in accordance with the district's standard payroll practices for severance or as otherwise stipulated in the primary Collective Bargaining Agreement.
- **Exclusions:** Employees falling below the accumulated day thresholds listed above are not eligible for the payouts listed in this specific schedule unless otherwise determined at the discretion of the Superintendent.
- **Precedence:** This is a one-time offer. All other terms and conditions of the current Collective Bargaining Agreement remain in full force and effect. Where this Sidebar Agreement conflicts with the CBA regarding the specific amounts listed above, this Sidebar Agreement shall control.
- **Consideration of Relevant Factors:** Requests for access to terms set forth in this agreement from employees will be reviewed and considered at the discretion of the Superintendent.

IN WITNESS WHEREOF, the parties have caused this Sidebar Agreement to be signed by their duly authorized representatives.

**FOR THE ROXBURY BOARD OF
EDUCATION:**

(Signature)

(Print Name)

(Print Title)

Date

**FOR THE ROXBURY EDUCATION
ASSOCIATION:**

(Signature)

(Print Name)

(Print Title)

Date

AGENDA ITEM #: XVI.D.1

BOARD APPROVAL DATE: February 26, 2026

POLICY

SECTION: ADMINISTRATION

#: P-1522

SCHOOL-LEVEL PLANNING (M)

1522 SCHOOL-LEVEL PLANNING (M)

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

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~~School Report Card~~

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~~The school district shall annually disseminate a report card for each school in the district which shall contain statistical information specified by the New Jersey Department of Education to all staff and parents. The school district shall also make the report card available to the media. The procedure the district will follow to disseminate the report card shall be in accordance with the requirements of the New Jersey Department of Education.~~

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~~School Level Plan~~

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~~By September 30, each school in the district shall develop and implement a two-year plan based on school report card data. This plan shall include student performance objectives, a review of progress by teaching and administrative staff, and the involvement of parents.~~

-

~~At least once per semester, each school shall conduct meetings by grade level, department, team, or similarly appropriate group to review the school-level plan. The review shall include: school report card data; progress toward achieving student performance objectives; and progress toward achieving New Jersey Student Learning Standards. The results of each such meeting shall be considered by the school planning team in the development of the succeeding school-level plan.~~

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~~Student Performance Objectives~~

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~~Each school in the district shall develop two or more objectives based on student performance or behavior standards as defined in N.J.A.C. 6A:8-4.4(a), 6A:32-13.1 and 13.2. The objectives shall cover a period of not more than two years.~~

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~~If student performance is below minimum State standards, the objectives to meet those standards shall be established. Benchmarks (interim performance levels) shall be set forth to measure the school's progress toward the achievement of minimum State standards.~~

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~~POLICY~~

~~SECTION: ADMINISTRATION~~

~~#: P-1522~~

~~SCHOOL-LEVEL PLANNING (M)~~

~~If student performance is at or above minimum State standards, challenge objectives shall be established.~~

~~-~~

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

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~~Each school shall achieve its student performance objectives by meeting established benchmarks for minimum State standards and/or achieving challenge objectives or demonstrating progress toward meeting such objectives.~~

~~-~~

~~Each school that does not meet established benchmarks for student performance objectives or demonstrate progress toward meeting challenge objectives for two or more successive years shall be assigned a technical assistance team by the Executive County Superintendent to facilitate accomplishment of these objectives.~~

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~~N.J.A.C. 6A:32-12.2~~

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~~Adopted: 14 October 2013~~

~~Revised: 22 May 2017~~



POLICY

SECTION: PROPERTY

#: P 2363

STUDENT USE OF PRIVATELY-OWNED TECHNOLOGY

2363 STUDENT USE OF PRIVATELY-OWNED TECHNOLOGY

The Board of Education recognizes technology is always changing and as a result of increased accessibility to technology many students possess technology devices for their use during non-school hours. These privately-owned devices may be beneficial to students during school hours for approved educational purposes. Therefore, the Board of Education will allow students to use their privately-owned technology devices under conditions outlined in this Policy.

The district-provided Chromebook is intended to be the primary instructional device for all students. In most cases, the district-provided Chromebook fully meets instructional needs, and all students are encouraged to use it as their primary device during the school day. Requests for the use of a personal device are generally approved only when there is a demonstrated instructional need. Specifically, approval is considered when a student requires access to essential programs or applications that are not compatible with the district-issued Chromebook and are critical to the student's academic success.

For the purpose of this Policy, “technology” means hardware or software.

For the purpose of this Policy, “privately-owned” means technology hardware and software that is purchased, owned, and maintained by the student at no expense to the school or school district.

For the purpose of this Policy, “hardware” means any device that can store, access, retrieve, and/or communicate data or information. “Hardware” may include, but is not limited to, any type of computer device; wireless telephone; electronic reader; personal digital assistant (PDAs); video broadcasting and/or recording device; or camera.

For the purpose of this Policy, “software” means any computer program(s) or related data that provide instruction for telling a computer or other hardware device what to do and how to do it.

The use of privately-owned technology by a student in the educational program during the school day must be approved by the student's parent or legal guardian and ~~the school teaching staff member responsible for supervising and/or providing the student's instructional program. A teaching staff member may approve a student's use of privately-owned technology based on the assignment(s) to the student. The teaching staff member may also prohibit the use of privately-owned technology for an assignment(s).~~ the Building Principal or designee. The Building Principal or designee may approve or prohibit the use of privately-owned technology based on the educational needs and safety of the school environment.



POLICY

SECTION: PROPERTY

#: P 2363

STUDENT USE OF PRIVATELY-OWNED TECHNOLOGY

Teaching staff members shall notify their immediate supervisor or Principal that students will be using privately-owned technology during instructional time.

Students who use privately-owned technology in school will not be given access to the school district's computer server(s) or network(s) unless proper documentation and parental permission has been approved. In the event the ~~teaching staff member~~ Building Principal or designee approves the use of privately-owned technology to access the Internet, the access must be through the privately-owned technology without the use of any school district hardware or software. ~~A teaching staff member who approves a student~~ The Building Principal or designee, in consultation with staff, will provide the student to use their privately-owned technology to access the Internet during instructional time ~~will provide the student~~ with a list of approved Internet sites the student is permitted to access. A student granted such permission must comply with school district policies and regulations regarding acceptable use of computers and technology. Any use of privately-owned technology by a student shall be in strict accordance with the ~~teaching staff member's~~ Building Administration's specific approval(s) and Board policies and regulations. Any violation will subject the student to appropriate discipline and/or grading consequences.

The ~~teaching staff member~~ Building Principal or designee, in considering the use of privately-owned technology, will ensure such approval does not provide any advantage or benefit to the student who owns such technology over the student who does not own such technology. The ~~teaching staff member~~ Building Principal or designee will not approve the use of privately-owned technology if the ~~teaching staff member~~ Building Principal or designee determines the use would be advantageous or beneficial to the student who owns such technology over the student who does not own such technology.

The school district assumes no responsibility for any privately-owned technology brought to school by a student. The student shall be responsible for the proper operation and use of any privately-owned technology brought to school. School staff members shall not be responsible for the effective use and/or technical support for any privately-owned technology.

The school district shall assume no responsibility for the security of or damage to any privately-owned technology brought to school by a student. Students are encouraged to purchase private insurance for loss, damage, or theft of any privately-owned technology the student brings to school.

Adopted: 14 October 2013

Revised: TBD



POLICY

SECTION: PROGRAM

#: P 2415.02

TITLE I – FISCAL RESPONSIBILITIES (M)

2415.02 TITLE I – FISCAL RESPONSIBILITIES (M)

The ~~Roxbury Township~~ Board of Education will comply with the requirements of the Elementary and Secondary Education Act (ESEA) of 1965 (20 U.S.C. 2701 et seq.) as amended by the Every Student Succeeds Act (ESSA) ~~No Child Left Behind Act of 2001~~.

Maintenance of Effort

To be in compliance with the requirements of the ~~Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) ESEA~~ as amended by the ESSA ~~No Child Left Behind Act of 2001, §1120A(a)~~, the ~~Roxbury Township~~ Board of Education will maintain either a combined fiscal effort per student, or aggregate expenditures, of State and local funds with respect to the provision of the free public education by ~~in~~ the Local Education Agency (LEA) for the preceding fiscal year that is not less than ninety percent of the combined fiscal effort per student, or the aggregate expenditures, for the second preceding fiscal year.

Comparability with Multiple Schools

To be in compliance with the requirements of the ~~Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) ESEA~~ as amended by the ESSA ~~No Child Left Behind Act of 2001, §1120A(c)~~, the ~~Roxbury Township~~ Board of Education directs the Superintendent to assign teachers, administrators, and auxiliary personnel to the schools in such a way that the equivalence of personnel is ensured among schools. The school district will ensure that State and local funds are used to provide comparable services for Title I and non-Title I schools.

Comparability of Materials and Supplies

To be in compliance with the requirements of the ~~Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) ESEA~~ as amended by the ESSA ~~No Child Left Behind Act of 2001, §1120A(c)~~, the ~~Roxbury Township~~ Board of Education directs the Superintendent to distribute curriculum materials and instructional supplies to the schools in such a way that the equivalence of such material is ensured among schools.

Supplement, Not Supplant

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POLICY

SECTION: PROGRAM

#: P 2415.02

TITLE I – FISCAL RESPONSIBILITIES (M)

Grant funds provided under Federal programs, including the ESEA as amended by the ESSA, shall supplement, not supplant the funds that would, in the absence of such Federal funds, be made available from State and local sources for the education of students participating in programs assisted under the ESEA as amended by the ESSA.

~~No Child Left Behind Act of 2001, §1120A~~

Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) as amended by the Every Student Succeeds Act.

Adopted: 14 October 2013

Revised: TBD



POLICY

SECTION: SUPPORT STAFF#: P 4421.13POSTNATAL ACCOMMODATIONS

4421.13 POSTNATAL ACCOMMODATIONS

The Board of Education recognizes support staff members may be returning to work shortly after their child's birth and may need to express breast milk during the workday. The Patient Protection and Affordable Care Act (PPACA) amended Section 7 of the Federal Fair Labor Standards Act (FLSA) for nursing mothers to be permitted reasonable break times and a private location to express breast milk for their nursing child for one year after the child's birth.

Every employee position in the school district is designated as either "non-exempt" or "exempt" by the provisions of the FLSA. Generally, a support staff member entitled to overtime pay is designated as "non-exempt." A support staff member that performs duties that are executive, administrative, or professional in nature and not entitled to overtime pay is designated "exempt." The school district administration shall refer to the comprehensive definitions of "exempt" and "non-exempt" as outlined in 29 C.F.R. 541 et seq. in determining an employee's designation.

A Board of Education is required to provide reasonable break times to non-exempt support staff members to express breast milk for their nursing child. The non-exempt support staff member shall coordinate such breaks with their immediate supervisor. The non-exempt support staff member will not receive compensation during this break time unless the break time is during a non-exempt support staff member's compensated break time.

A Board of Education is not required under the FLSA to provide such breaks to exempt support staff members. However, exempt support staff members may take such breaks provided the breaks are coordinated with their immediate supervisor. If this break is taken during the exempt support staff member's duty free lunch period or duty free break period during the workday, the exempt support staff member will not be reduced in compensation.

The Principal or the nursing mother's immediate supervisor, in consultation with the school nurse, will designate a lactation room that is shielded from view and free from intrusion from co-workers and the public. The location must be functional as a space for expressing breast milk and shall include an electrical outlet, a chair, and nearby access to running water. If the space is not dedicated to the nursing mother's use, it must be available when needed. A space temporarily converted into a lactation room or made available when needed by a nursing mother is sufficient; however, a bathroom, even if private, is not a permissible location under the FLSA.



POLICY

SECTION: SUPPORT STAFF

#: P 4421.13

POSTNATAL ACCOMMODATIONS

All exempt and non-exempt support staff members are required to sign-out of work to begin the break to express breast milk and shall sign-in when they return to work after the break. The break shall be for a reasonable amount of time. For compensation purposes, the immediate supervisor shall forward all sign-in and sign-out information relative to break times for nursing mothers under the FLSA to the School Business Administrator/Board Secretary.

Fair Labor Standards Act – 29 U.S.C. 201 et seq.

Patient Protection and Affordable Care Act – P.L. 111-148

N.J.S.A. 26:4C-1 through 26:4C-3

Adopted: TBD



POLICY

SECTION: STUDENTS

#: P 5111

ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)

5111 ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)

The Board of Education shall admit to its schools, free of charge, persons over five and under twenty years of age, pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education.

Eligibility to Attend School – N.J.A.C. 6A:22-3.1, 3.2, and 3.3

The Board shall admit students eligible to attend school free of charge that are domiciled within the district as defined in N.J.A.C. 6A:22-3.1 and Regulation 5111 – Section B.

The Board shall also admit any student that is kept in the home of a person other than the student's parent ~~or guardian~~, and the person is domiciled in the school district and is supporting the student without remuneration as if the student were their own child in accordance with N.J.A.C. 6A:22-3.2 and Regulation 5111 – Section C.

Pursuant to N.J.S.A. 18A:38-1.c., any person who fraudulently allows a child of another person to use their residence and is not the primary financial supporter of that child and any person who fraudulently claims to have given up custody of their child to a person in another district commits a disorderly persons offense.

A student is eligible to attend school in this school district free of charge pursuant to N.J.S.A. 18A:38-1.d. if the student's parent ~~or guardian~~ temporarily resides within the school district and elects to have the student attend the school district of temporary residence, notwithstanding the existence of a domicile elsewhere pursuant to N.J.A.C. 6A:22-3.1(a)4. and Regulation 5111 – Section B.

A student is eligible to attend this school district free of charge in accordance with N.J.A.C. 6A:22-3.2 and Regulation 5111 – Section C.

Notwithstanding the provisions of N.J.S.A. 18A:38-1 or any other law, rule, or regulation to the contrary, a student who moves out of the school district as a result of domestic violence, sexual abuse, or other family crises shall be permitted to remain enrolled in the school district for the remainder of the school year pursuant to N.J.S.A. 18A:38-1.1 and in accordance with the provisions of N.J.A.C. 6A:22-3.2(h) and Regulation 5111 – Section C.



POLICY

SECTION: STUDENTS

#: P 5111

ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)

Except as set forth in N.J.A.C. 6A:22-3.3(b)~~1~~, immigration/visa status shall not affect eligibility to attend school. Any student who is domiciled in the school district or otherwise eligible to attend school in the school district pursuant to N.J.A.C. 6A:22-3.2 shall be enrolled without regard to, or inquiry concerning, immigration status. A student's immigration/visa status and their eligibility to attend school shall be in accordance with N.J.A.C. 6A:22-3.3(b) and Regulation 5111 – Section D.

Proof of Eligibility – N.J.A.C. 6A:22-3.4

The Board ~~of Education~~ shall accept a combination of forms of documentation from persons attempting to demonstrate a student's eligibility for enrollment in the school district in accordance with the provisions of N.J.A.C. 6A:22-3.4 and Regulation 5111 – Section E.

In the case of a dispute between the school district and the parent of a student in regard to the student's eligibility to enroll in the school district or to remain enrolled in the school district pursuant to the provisions of N.J.S.A. 18A:38-1, the school district may request from the New Jersey Motor Vehicle Commission (~~NJMVC~~) the parent's ~~or guardian's~~ name and address for use in verifying a student's eligibility for enrollment in the school district in accordance with the provisions of N.J.S.A. 18A:38-1.3.

Registration Forms and Procedures for Initial Assessment – N.J.A.C. 6A:22-4.1

Registration and procedures for initial determinations of eligibility will be in accordance with N.J.A.C. 6A:22-4.1 and Regulation 5111 – Section F.

Initial eligibility determinations shall be made upon presentation of an enrollment application, and enrollment shall take place immediately except in cases of clear, uncontested denials. Enrollment shall take place immediately when an applicant has provided incomplete, unclear, or questionable information, but the applicant shall be notified that the student will be removed from the school district if defects in the application are not corrected, or an appeal is not filed, in accordance with subsequent notice to be provided pursuant to N.J.A.C. 6A:22-4.2 and Regulation 5111 – Section F.

When a student appears ineligible based on the information provided in the initial application, the school district shall issue a preliminary written notice of ineligibility, including an explanation of the right to appeal to the Commissioner of Education in accordance with N.J.A.C. 6A:22-4.1(c)2. and Regulation 5111 – Section F.



POLICY

SECTION: STUDENTS

#: P 5111

ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)

When enrollment is denied and no intent to appeal is indicated, applicants shall be advised they shall comply with compulsory education laws in accordance with N.J.A.C. 6A:22-4.1(d) and Regulation 5111 – Section F.

Enrollment or attendance at the school shall not be conditioned or denied pursuant to N.J.A.C. 6A:22-4.1(e) through (i) and Regulation 5111 – Section F.

Notices of Ineligibility – N.J.A.C. 6A:22-4.2

When a student is found ineligible to attend the school district pursuant to N.J.A.C. 6A:22 or the student's initial application is found to be deficient upon subsequent review or investigation, the school district immediately shall provide to the applicant notice that is consistent with Commissioner-provided sample form(s) and meets requirements of N.J.A.C. 6A:22-4.2 and Regulation 5111 – Section G.

Removal of Currently Enrolled Students – N.J.A.C. 6A:22-4.3

Nothing in N.J.A.C. 6A:22-4, this Policy, and Regulation 5111 shall preclude the Board ~~of Education~~ from identifying through further investigation or periodic requests for revalidation of eligibility, students enrolled in the school district who may be ineligible for continued attendance due to error in initial assessment, changed circumstances, or newly discovered information pursuant to N.J.A.C. 6A:22-4.3 and Regulation 5111 – Section H.

When a student who is enrolled and attending school based on an initial eligibility determination is later determined to be ineligible for continued attendance, the Superintendent may apply to the Board for the student's removal in accordance with the provisions of N.J.A.C. 6A:22-4.3 and Regulation 5111 – Section H.

Appeal to the Commissioner – N.J.A.C. 6A:22-5.1

An applicant may appeal to the Commissioner of Education the school district's determination that a student is ineligible to attend its schools in accordance with N.J.A.C. 6A:22-5.1 and Regulation 5111 – Section I.

Assessment and Calculation of Tuition – N.J.A.C. 6A:22-6

If no appeal to the Commissioner is filed by the parent, ~~guardian~~, adult student, or district resident keeping an affidavit student following notice of an ineligibility determination, the Board ~~of Education~~ may assess



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tuition for up to one year of a student's ineligible attendance, including the twenty-one day period provided by N.J.S.A. 18A:38-1 for appeal to the Commissioner in accordance with N.J.A.C. 6A:22-6.1 and Regulation 5111 – Section J. Tuition will be assessed and calculated in accordance with N.J.A.C. 6A:22-6.3 and Regulation 5111 – Section J.

If an appeal to the Commissioner is filed by the parent, ~~guardian~~, adult student, or district resident keeping an affidavit student and the petitioner does not sustain the burden of demonstrating the student's right to attend the school district, or the petitioner withdraws the appeal, fails to prosecute, or abandons the appeal by any means other than settlement agreeing to waive or reduce tuition, the Commissioner may assess tuition in accordance with the provisions of N.J.A.C. 6A:22-6.2(a) and Regulation 5111 – Section J. Upon the Commissioner's finding that an appeal has been abandoned, the Board may remove the student from school and seek tuition in accordance with N.J.A.C. 6A:22-6.2(a)1. and Regulation 5111 – Section J.

Nonresident Students – N.J.S.A. 18A:38-3.a.

The Board shall receive the approval of the Executive County Superintendent (ECS) to establish a uniform tuition amount for any Board-approved nonresident student to be admitted to the school district.

[Select if Option 2(b) is selected below.]

The Board shall set a tuition amount for nonresident students of teaching staff members, as defined in N.J.S.A. 18A:1-1, that may or may not align with the tuition amount approved by the ECS for other nonresident students.]

[Select if Option 2(c) is selected below.]

The Board shall not charge tuition for nonresident students of teaching staff members, as defined in N.J.S.A. 18A:1-1]

~~Any person not resident in the school district, if eligible except for residence, may be admitted to the schools of the district with the consent of the Board of Education upon such terms, and with payment of tuition, as the Board prescribes. The Board of Education, with the approval of the Executive County Superintendent, shall establish a uniform tuition amount for any nonresident student admitted to the schools of the district pursuant to N.J.S.A. 18A:38-3.a. The continued enrollment of any nonresident student shall be contingent upon the student's maintenance of good standards of citizenship, discipline, attendance, and payment of tuition.~~



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~~{Optional~~

~~Children Who Anticipate Moving to or from the District~~

~~A nonresident student whose parent or guardian anticipates school district residency and has entered a contract to buy, build, or rent a residence in this school district may be enrolled with payment of a tuition rate approved by the Executive County Superintendent for a period of time not greater than twelve weeks prior to the anticipated date of residency.~~

~~Students whose parent or guardian have moved away from the school district on or after April 1st and twelfth grade students whose parent or guardian have moved away from the school district on or after February 1st will be permitted to finish the school year in this school district payment of a tuition rate as approved by the Executive County Superintendent.}~~

~~Children of District Employees~~

~~A child of a Board of Education employee who does not reside in this school district may be admitted to school in this district with or without the payment of tuition for the child if the child's educational program can be provided in a school in the district. If the Board requires the payment of tuition, the Board shall establish and approve a tuition rate for the child of a Board employee upon a request from the employee for their child to attend a school in the district. The tuition amount for the student is not required to follow the amount established in the uniform tuition amount charged pursuant to N.J.S.A. 18A:38-3, if applicable. This provision shall not supersede a provision included in any collective bargaining agreement.~~

[Option 1 - Select if a nonresident staff member will not be permitted to enroll their children in the educational program in the district.]

Children of Nonresident Staff Members

Any staff member who does not reside in this school district will not be permitted to enroll their children in the educational program of the school district.]

[Option 2 - Select one of the following options if Option 1 above was not selected.]

Children of Nonresident Teaching Staff Members



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Option (a)

For the purpose of this section of the Policy “teaching staff member” shall mean, a member of the professional staff of any district or regional Board of Education, or any Board of Education of a county vocational school, holding office, position or employment of such character that the qualifications, for such office, position or employment, require them to hold a valid and effective standard, provisional or emergency certificate, appropriate to their office, position or employment, issued by the State Board of Examiners and includes a school nurse and school athletic trainer, pursuant to N.J.S.A. 18A:1-1.

A teaching staff member who does not reside in this school district will not be permitted to enroll their children in the educational program of the school district.

Option (b)

For the purpose of this section of the Policy “teaching staff member” shall mean, a member of the professional staff of any district or regional Board of Education, or any Board of Education of a county vocational school, holding office, position or employment of such character that the qualifications, for such office, position or employment, require them to hold a valid and effective standard, provisional or emergency certificate, appropriate to their office, position or employment, issued by the State Board of Examiners and includes a school nurse and school athletic trainer, pursuant to N.J.S.A. 18A:1-1.

A teaching staff member who does not reside in this school district will be permitted to enroll their children in the educational program of the school district with the payment of tuition if the child’s educational program can be provided in a school in the district. The amount charged for tuition shall be a uniform amount for children of all nonresident teaching staff members that shall be set at the Board’s discretion.

Option (c)

For the purpose of this section of the Policy “teaching staff member” shall mean, a member of the professional staff of any district or regional Board of Education, or any Board of Education of a county vocational school, holding office, position or employment of such character that the qualifications, for such office, position or employment, require them to hold a valid and effective standard, provisional or emergency certificate, appropriate to their



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office, position or employment, issued by the State Board of Examiners and includes a school nurse and school athletic trainer, pursuant to N.J.S.A. 18A:1-1.

A teaching staff member who does not reside in this school district will be permitted to enroll their children in the educational program of the school district without the payment of tuition if the child's educational program can be provided in a school in the district.]

[Option 3 - Select one of the following options if Option 1 above was not selected.

Children of Nonresident Non-Teaching Staff Members

Option (a)

A non-teaching staff member who does not reside in this school district will not be permitted to enroll their children in the educational program of the school district.

Option (b)

A non-teaching staff member who does not reside in this school district will be permitted to enroll their children in the educational program of the school district with the payment of tuition if the child's educational program can be provided in the district.

If the Board permits the enrollment of a child of a non-teaching staff member who does not reside in the district, the Board must establish and approve a tuition rate for the child. The tuition amount charged for the student is required to follow the amount established in the district's uniform tuition amount pursuant to N.J.S.A. 18A:38-3, if applicable.]

Students Who Anticipate Moving to or from the District During the School Year

[Option – Select One Option

A nonresident student whose parent anticipates residency in this school district and has entered into a contract to buy, build, or rent a residence in this school district will not be enrolled prior to the date of residency.

A nonresident student whose parent anticipates residency in this school district and has entered into a contract to buy, build, or rent a residence in this school district will, with



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Board approval, be enrolled with payment of a uniform tuition amount approved by the Executive County Superintendent for a period of time not greater than _____ weeks prior to the anticipated date of residency, pursuant to N.J.S.A. 18A:38-3.]

[Option – Select One Option]

A student whose parent has moved away from the school district during the course of the school year will not be permitted to finish the school year in the school district.

A student who is in grade _____ and in their graduation year of the school and whose parent has moved away from the school district during the course of the school year will, with Board approval, be permitted to finish the school year in the school district with the payment of a uniform tuition amount as approved by the Executive County Superintendent, pursuant to N.J.S.A. 18A:38-3.

A student whose parent has moved away from the school district during the course of the school year will, with Board approval, be permitted to finish the school year in the school district with the payment of a uniform tuition amount as approved by the Executive County Superintendent, pursuant to N.J.S.A. 18A:38-3.]

F-1 Visa Students

[Option – Select One Option]

____ F-1 Visa students will not be admitted to this school district.

#THIS IS ROXBURY'S CURRENT OPTION SELECTED: The school district is not required to, but may permit the attendance of F-1 Visa students into the school district only with the payment of full tuition and a signed tuition contract. The district may require advance payment of full tuition before providing the requested I-20 Form, in accordance with the provisions of Federal regulation 8 CFR 214.3. A F-1 Visa is granted to a foreign student through an application process that must include, but is not limited to, signed approval by the receiving school district exhibiting the receiving school district will accept the foreign student for enrollment and the foreign student's proof of financial means to pay the full tuition to the receiving school district for the academic year. The host family must be domiciled in the school district and shall submit a request to the Superintendent of Schools with supporting documentation as determined by the Superintendent or designee. A student with a F-1 Visa must be approved by the Board for attendance in the school



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district. The student's continued attendance in the school district shall be conditioned on a satisfactory attendance and disciplinary record.]

J-1 Visa Students

[Option – Select One Option]

___ J-1 Visa students will not be admitted to this school district.

___ **#THIS IS ROXBURY'S CURRENT OPTION SELECTED:** The school district is not required to, but may permit the attendance of J-1 Visa students into the school district. The host family must be domiciled in the school district and shall submit a request to the Superintendent of Schools with supporting documentation as determined by the Superintendent or designee. A student with a J-1 Visa must be approved by the Board for attendance in the school district and shall not pay tuition. The student's continued attendance in the school district shall be conditioned on a satisfactory attendance and disciplinary record.]

N.J.S.A. 18A:38-1; 18A:38-1.1; 18A:38-1.3; 18A:38-3;
18A:38-3.1; 18A:7B-12

N.J.A.C. 6A:14-3.3; 6A:17-2.1 et seq.; 6A:22-1.1 et seq.
8 CFR 214.3

Adopted: 14 October 2013
Revised: 16 May 2016
Revised: 15 April 2019
Revised: 17 August 2020
Revised: 15 November 2021
Revised: 11 December 2023
Revised: TBD



POLICY

SECTION: STUDENTS

#: P 5430

CLASS RANK

5430 CLASS RANK

The Board of Education acknowledges the usefulness of a system of computing grade point averages and class ranking for secondary school graduates, both to inform students of their relative academic placement among their peers and to provide students, prospective employers, and institutions of higher learning with a predictive device so that each student is more likely to be placed in an environment conducive to success.

The Board authorizes a system of class ranking, by grade point average, for students in grades nine through twelve.

All students shall be ranked together by grade level.

Class rank will be calculated by the final grade in all subjects, except those subjects for which no credit is awarded, and will not include failing grades. Weighted credit will be calculated for grades earned in an honors course, ~~a course of independent study~~, and advanced placement. The class ranking of a student who has transferred to this district will include the grades earned in the regular program of the prior school. Grades earned in private summer school programs will not be included in the calculation of class rank.

Any two or more students whose computed grade point averages are identical will be given the same rank. The rank of the student who immediately follows a tied position will be determined by the total number of all preceding students not by the rank of the immediately preceding student.

~~A student's grade point average and rank in class will be entered on the student's record and will be subject to Board Policy No. 8330 on the release of student records.~~

The district authorizes a system of class ranking by cumulative weighted grade point average for the selection of valedictorian and salutatorian only. A valedictorian and salutatorian will be selected using the traditional process of determining the student with the highest weighted cumulative GPA for valedictorian and the second highest weighted cumulative GPA for salutatorian. Students with cumulative weighted GPAs within 1/100th shall be considered a statistical tie. In the event that there is a statistical tie for the valedictorian or salutatorian appointment, the students shall each be awarded the honor and serve as co-valedictorian or co-salutatorian. In case of a tie for valedictorian, there will be co-valedictorians but no salutatorian.

In case of a tie for salutatorian, there will be co-salutatorians along with the single named valedictorian. The cumulative weighted GPA will be run after the posting of the third quarter



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CLASS RANK

grades in the senior year. In order to be eligible for consideration, a student must have a history of continuous enrollment at Roxbury High School for at least their junior and senior years. The cumulative weighted GPA will be calculated to four decimal places.

A decile ranking will be kept in order to provide mandated information to scholarship providers, colleges, and other organizations as evaluated by the district administration. In accordance with NJSA 18A:71B-85.5, internal class rank information may be released directly to the NJ Higher Education Student Assistance Authority, service academies, or other scholarship providers. Internal class rank shall be kept confidential and will only be released to requesting institutions or organizations.

Cumulative grade point averages will be calculated by the final grade earned in all classes taken.

The weight associated with a completed course will be used in calculating the cumulative GPA. Pass/fail grades are not included in this calculation.

The ranking of a student who has transferred to this district will include the grades earned in the regular program of the prior school and be entered on the official transcript at the time of Registration.

Cumulative weighted and unweighted grade point averages will be entered on a student's record and will be subject to Policy 8330 on the release of student records.

Adopted: 14 October 2013

Revised: TBD



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#: R 5430

CLASS RANK/GRADE POINT AVERAGE

R 5430 CLASS RANK/GRADE POINT AVERAGE

Class rank is based on overall Grade Point Average (GPA) as computed in the following steps. All subjects are included in class rank. Grades on the report card will be recorded in a numeric format each marking period.

1. Assign numerical values to the final letter grade as follows:

97-100	A+	= 4.3
93-96	A	= 4.0
90-92	A-	= 3.7
87-89	B+	= 3.3
83-86	B	= 3.0
80-82	B-	= 2.7
77-79	C+	= 2.3
73-76	C	= 2.0
70-72	C-	= 1.7
67-69	D+	= 1.3
63-66	D	= 1.0
60-62	D-	= 0.7
50-59	F	= 0

2. If the class is an Honors level or an Advanced Placement level, the numerical grade must be adjusted. If the class is an Honors class, add .5 to the final numerical grade. If the class is an Advanced Placement course, add 1.0 to the final numerical grade.

- ~~3. Multiply the adjusted final numerical grade by the number of credits the course is worth to determine the number of Quality Points Earned.~~

- ~~4. Add the Quality Points Earned for each class to determine the Total Quality Points. Add the course credits for each class to determine Total Credits Attempted.~~

- ~~5. Determine Course Load Weight Factor using Total Credits attempted and the following table:~~

~~40 credits~~	~~= .16 factor~~
~~39 credits~~	~~= .14 factor~~
~~36-38 credits~~	~~= .12 factor~~
~~35 credits~~	~~= .10 factor~~



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CLASS RANK/GRADE POINT AVERAGE

~~under 35 credits = 0 factor~~

- ~~6. Multiply the Course Load Weight Factor by the total amount of credits attempted. Add that number of the Total Quality Points.~~
- ~~7. Divide total credits attempted into Total Quality Points Earned.~~
- 8. **3.** This will calculate the GPA for one school year.
- ~~9. To determine GPA for more than one school year follow Step 10.~~
- ~~10. Calculate the GPA for each school year as previously shown. Add the Total Quality Points for each of the previous years to the year just calculated and divide by the Total Credits Attempted.~~
- 4. **Cumulative weighted and unweighted grade point averages will be entered on a student's record and will be subject to Policy 8330 on the release of student records.**

Identification of Valedictorian/Salutatorian

~~The district authorizes a system of class ranking by cumulative weighted grade point average for the selection of valedictorian and salutatorian only. A valedictorian and salutatorian will be selected using the traditional process of determining the student with the highest weighted cumulative GPA for valedictorian and the second highest weighted cumulative GPA for salutatorian. Students with cumulative weighted GPAs within 1/100th shall be considered a statistical tie. In the event that there is a statistical tie for the valedictorian or salutatorian appointment, the students shall each be awarded the honor and serve as co-valedictorian or co-salutatorian. In case of a tie for valedictorian, there will be co-valedictorians but no salutatorian. In case of a tie for salutatorian, there will be co-salutatorians along with the single named valedictorian. The cumulative weighted GPA will be run after the posting of the third quarter grades in the senior year. In order to be eligible for consideration, a student must have a history of continuous enrollment at Roxbury High School for at least their junior and senior years. The cumulative weighted GPA will be calculated to four decimal places.~~

Adopted: 14 October 2013
 Revised: 26 August 2019
Revised: TBD



POLICY

SECTION: STUDENTS
#: P 5710
STUDENT GRIEVANCE

5710 STUDENT GRIEVANCE

The Board of Education believes students possess the right to request redress of grievances and disputes. Accordingly, the Board will establish and observe procedures by which the grievances of students will be heard.

For the purpose of this Policy, a student grievance means any complaint that arises out of the acts or policies of this Board or the acts of its employees. The procedure outlined in this Policy shall be used to address a student grievance that is not elsewhere in a Board policy, regulation, and/or grievance with a procedure specifically designed to address the conduct in question.

A student grievance shall be heard in the following manner:

1. First Level

- a. The student or parent may submit a grievance to the teaching staff member most closely related to the policy or act giving rise to the grievance, within five school days of the conduct.

2. Second Level

- a. If the grievance is not resolved at the first level, the student or parent may appeal the teaching staff member's decision by submitting a written appeal of the decision to the Principal or designee within five school days of receipt of the teaching staff member's written decision.

(1) The written grievance shall include:

- (a) The specific nature of the grievance and a brief statement of the facts giving rise to it;
- (b) Any documentation the student or parent has supporting their request; and
- (c) The remedy sought by the student or student's parent.



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- b. The Principal or designee will inform the student and parent, in writing, of the Principal's or designee's decision regarding the appeal within five school days of receiving the written appeal from the student or parent and their right to appeal the Principal's or designee's decision to the Superintendent of Schools or designee.

3. Third Level

- a. If the grievance is not resolved at the second level, the student or parent may appeal the Principal's or designee's decision by submitting a written request to the Superintendent or designee. This written request for an appeal must be submitted to the Superintendent or designee by the student or parent within five school days of the student's or parent's receipt of the Principal's or designee's written decision and must include the same information the parent or student submitted in the written grievance outlined in 2.a.(1) above.
- b. The Superintendent or designee will review the written request for an appeal and supporting documentation submitted by the school staff members and the student or parent to inform the student and parent of the decision regarding the appeal within ten school days of receiving the written request for an appeal.
- c. A student or parent may appeal the Superintendent or designee's decision to the Board. An appeal that proceeds to the Board will be determined promptly and the Board will issue a decision in no more than thirty calendar days. The student will be informed of the right to appeal a decision of the Board to the Commissioner of Education.

The Superintendent shall direct all staff members to respect the right of students to seek redress of grievances by lawful procedures without fear of reprisal.

Adopted: TBD



POLICY

SECTION: FINANCES

#: P 6115.04

FEDERAL FUNDS - DUPLICATION OF BENEFITS (M)

6115.04 FEDERAL FUNDS – DUPLICATION OF BENEFITS (M)

A requirement for a Board of Education/local education agency (LEA) who accepts funds from the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) – Elementary and Secondary School Emergency Relief Fund (ESSERF II); American Rescue Plan Elementary and Secondary Schools Emergency Relief (ARP ESSER); and all Federal programs and grants is for the LEA to have a Duplication of Benefits (DOB) Policy. DOB occurs when a person, household, business, government, or other entity receives financial assistance from multiple sources for the same purpose, and the total assistance received for that purpose is more than the total need for assistance.

The School Business Administrator/Board Secretary shall be responsible for ensuring no DOB occurs and will be responsible for ensuring compliance by subcontractors, subrecipients, and other partners.

To comply with DOB requirements, an LEA that accepts Federal funds is required by the Coronavirus Aid, Relief, and Economic Security (CARES) Act to establish and follow procedures to ensure that DOB does not occur. Establishing a process to effectively identify and prevent DOB is critical for the LEA to effectively manage multiple active funding streams related to coronavirus response and efficiently target resources to meet unmet needs within the school district. The Board of Education is solely responsible for ensuring that an actual DOB does not occur.

To prevent DOB, the LEA will have:

1. A requirement that the LEA must agree to repay assistance that is determined to be duplicative. This may be documented through a subrogation agreement or similar clause included in the agreement with the LEA. The LEA will establish a protocol to monitor compliance based on risk of DOB for each activity; and
2. A method of assessing whether the use of these funds will duplicate financial assistance that is already received or is likely to be received (such as insurance proceeds) by acting reasonably to evaluate the need and the resources available to meet that need. The LEA will evaluate current programs available at the local, county, State, and Federal level as well as current and anticipated non-governmental assistance from nonprofits or faith-based groups and establish lines of communication for preventing DOB.



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#: P 6115.04

FEDERAL FUNDS - DUPLICATION OF BENEFITS (M)

To analyze DOB, the LEA will complete the following steps:

1. Assess Need: Determine the amount of need (total cost);
2. Determine Assistance: Determine the amount of assistance that has or will be provided from all sources to pay for the cost;
3. Calculate Unmet Need: Determine the amount of assistance already provided compared to the need to determine the maximum award (unmet need); and
4. Document Analysis: Document calculation and maintain adequate documentation justifying determination of maximum award.

In DOB calculations, private loans are not considered a form of assistance and will not be considered when calculating DOB. However, subsidized loans from the Small Business Administration or Federal Emergency Management Agency will be included in the DOB analysis unless one of the three exceptions below is met:

1. Short-term subsidized loans (e.g. bridge loans) for costs later reimbursed with Federal funds;
2. Declined or cancelled subsidized loans; or
3. Loan assistance used toward a loss suffered as a result of a major disaster or emergency.

Adopted: TBD



REGULATION

SECTION: PROPERTY#: R 7424BED BUGS

R 7424 BED BUGS

The following procedures are established in implementation of Policy 7424 – Bed Bugs.

A. Observation of Possible Bed Bug Bites or Bed Bugs on a Student

1. A staff member who observes what he/she believes may be bed bug bites on a student or bed bugs on the student or in or on the student's possessions shall send the student to the school nurse.
2. The school nurse shall examine the student to determine if the student has bed bug bites or if there are any bed bugs present on the student or in or on the student's possessions.
3. If the school nurse determines the student does not have bed bug bites or bed bugs on them or in or on their possessions, the student will be returned to resume their school day.

B. Confirmation of Bed Bug Bites or Bed Bugs on a Student

1. If the school nurse believes the student has bed bug bites or finds bed bugs on the student or in or on the student's possessions, the school nurse will contact the Principal or designee.
2. The Principal or designee will arrange for a licensed pest management professional to complete an inspection of the student's classroom(s) to determine if bed bugs are present.
3. If a licensed pest management professional cannot complete an inspection within twenty-four hours of the request from the school district, the district custodial staff will vacuum the student's classroom(s) with a vacuum cleaner using a new vacuum cleaner bag.
4. When vacuuming is completed by district custodial staff, the staff member shall seal the bag and discard it in a receptacle outside the school building. If the vacuum does not have a bag, the contents of the vacuum shall be emptied into a secure plastic bag,



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#: R 7424

BED BUGS

sealed, and discarded into a receptacle outside the school building. The vacuum will also be treated.

5. The Principal shall determine if the classroom(s) should be occupied by staff and students until the inspection by a licensed pest management professional is conducted.

C. Inspection by Licensed Pest Management Professional

1. If an inspection by the licensed pest management professional determines bed bugs are not present in the classroom(s) inspected, the school program shall resume use of the classroom(s) if the Principal previously decided the classroom(s) should not be occupied by staff or students.
2. If an inspection by the licensed pest management professional determines bed bugs are in the classroom(s), the area(s) will be treated by a licensed pest management professional. Any treatment shall be in accordance with the provisions of the New Jersey Pest Management Act, the district's Pest Management Plan, and any other applicable law.

D. Communication with Student's Parent

1. The school nurse will contact the student's parent on the results of the examination.
2. A parent of a student who is believed to have a live bed bug(s) on them or in or on their possessions will be required to arrange for their child to be picked-up from school to return home to change clothes and for the parent to inspect any possessions the student brings to school. The nurse may provide the parent with information regarding bed bugs.
 - a. Upon the student's return to school after being sent home to change clothes and an inspection of their possessions they bring to school, the student will be required to report to the school nurse who will examine the child and the child's possessions before the child can resume the school day.
 - (1) If there are no signs of bed bugs on the student or in or on the student's possessions upon being examined by the school nurse after the child returns to school, the student will be able to resume their school day.



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b. The school nurse may examine the student and the student's possessions subsequent to their initial return to school to ensure the student and possessions are free of bed bugs.

(1) In the event the nurse finds live bed bugs on the student or in or on the student's possession after the student's initial return to school or upon any subsequent examination by the school nurse, the school nurse will contact the parent and require the parent to pick-up the student from school.

3. A parent of a student who is believed to have bed bug bites, but no evidence of bed bugs on them or in or on their possessions, will be informed of such results and the student may be required to be examined by the school nurse subsequent to the initial examination to ensure bed bugs are not on the student or in or on their possessions they bring to school.

E. School Communications

1. The Principal, in consultation with the school nurse, will determine if the parents of other students should be informed if bed bugs are found in an area of the school. This determination will be made on a case-by-case basis.

a. Parents of other students need not be informed if bed bugs are found on a student or in or on the student's possessions, and are not found in the school building.

F. Compliance with Applicable Laws

1. The Principal or designee will ensure the school district complies with all notification requirements and any other legal requirements, including the New Jersey Pest Management Act, the district's Pest Management Plan, and any other applicable law.

Adopted: TBD



POLICY

SECTION: COMMUNITY

P 9163

SPECTATOR CODE OF CONDUCT FOR INTERSCHOLASTIC EVENTS (M)

9163 SPECTATOR CODE OF CONDUCT FOR INTERSCHOLASTIC EVENTS (M)

The Board of Education promotes a physically and emotionally safe and healthy playing environment at interscholastic events and insists good sportsmanship be exhibited at all times by student athletes, coaches, officials, and spectators at such events.

The New Jersey State Interscholastic Athletic Association (NJSIAA) requires the Board to establish policies and procedures relating to sportsmanship and to identify responsibilities of administrators, coaches, and students to ensure their observance. The NJSIAA requires the Board to adopt a Spectator Code of Conduct Policy for all spectators attending an interscholastic event.

The district's high school(s) is a member school of the NJSIAA. The NJSIAA and the Board require high standards of courtesy, fair play, and sportsmanship be featured at school district and NJSIAA interscholastic events. Unsportsmanlike conduct by a person at an event shall subject the individual to disciplinary action.

For the purpose of this Policy, a "home event" shall mean any event occurring in the school district's buildings or on school grounds.

For the purpose of this Policy, "school grounds" also includes other recreational places owned by local municipalities, private entities, or other individuals during those times when the school district has exclusive use of a portion of the land.

1. Unsportsmanlike conduct includes, but is not limited to, actions of a fan or spectator who:
 - a. Strikes or physically abuses an official, opposing coach, player, spectator, school staff member, or school security;
 - b. Intentionally incites participants or spectators to violent or abusive action;
 - c. Uses obscene gestures or profane or unduly provocative language or action toward officials, opponents, spectators, school staff members, or school security; or



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- d. Engages in harassing verbal or physical conduct related to race, gender, ethnicity, disability, sexual orientation, or religion at an interscholastic event.
2. The Board prohibits unsportsmanlike conduct or actions by a spectator, which include, but are not limited to:
- a. The use of profanity, threatening comments, or biased language before, during, or after an interscholastic event;
- b. Verbal harassment of an official or participant (i.e., coaches or players from any participating school) by using names or uniform numbers;
- c. Entering the field of play before, during, or after an interscholastic event;
- d. Having a physical altercation with an official, coach, player, school staff, school security, or spectator before, during, or after an interscholastic event;
- e. The use of artificial noisemakers or other instruments intended to disrupt the interscholastic event or distract the participants during an interscholastic event; or
- f. Any additional unsportsmanlike conduct or actions determined by the Principal or designee to be unsportsmanlike conduct or action.
- g. If the unsportsmanlike conduct involves a potential criminal act, the Principal or designee shall immediately contact law enforcement.
3. Disciplinary Framework
- a. If the Principal or designee determines a person's conduct or actions are prohibited by this Policy, the person will be subjected to the following disciplinary actions:
- (1) Immediate removal from the interscholastic event and school grounds;



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(2) First Offense (365-day calendar starts)

(a) Suspension from attending the next _____ home event(s) for the activity from which the person was immediately removed from school grounds.

(3) Second offense occurring within 365-day calendar days of the first offense

(a) Suspension from attending the next _____ home event(s) for the activity from which the person was immediately removed from school grounds.

(4) Third offense occurring within 365-day calendar days of the first offense or beyond

(a) Suspension from attending the next _____ home event(s) for the activity from which the person was immediately removed from school grounds.

(5) The Superintendent or designee upon consultation with the Principal or designee may increase the disciplinary actions outlined in this Policy, depending on the severity of the offense.

b. If it is determined by the Principal or designee that a person exhibited unsportsmanlike conduct at a home interscholastic athletic event, but was not immediately removed from the interscholastic event or from school grounds at the time of the prohibited conduct, the person shall be subject to the disciplinary actions outlined in this Policy.

[Districts may choose one or more of the following options.]

Option 1



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- c. In the event it is determined by the Principal or designee that a person exhibited unsportsmanlike conduct at an interscholastic event not held in a school district building or on school grounds (away event), the person shall be subject to the disciplinary actions outlined in this Policy.

Option 2

- c. In the event the suspension from an interscholastic event occurs on the last home event of the activity's season or the suspension exceeds the remaining home events remaining in the activity's season, including playoffs or team or individual championships, the suspension shall continue with the first home event of the same activity in the subsequent school year.

Option 3

- c. A person who has been suspended for more than ____ home interscholastic events within ____ months of the initial conduct that resulted in the person's first suspension from attending home interscholastic events may be suspended by the Principal or designee from attending additional home interscholastic events in excess of the suspension provisions in this Policy.]
- d. A person suspended by the Principal or designee from attending more than ____ home interscholastic events for exhibiting conduct or actions that violate this Policy, regardless of the specific event or activity from which the person was suspended, shall be prohibited from attending any other home interscholastic events in the district's schools or on school grounds and shall be required to meet with the Principal or designee prior to being permitted to attend any additional home interscholastic events in the district's schools or on school grounds. The person shall be required to successfully complete an educational component as determined by the Principal or designee before the person is permitted to attend any future home events in school buildings or on school grounds. The educational component will include a program that addresses the unsportsmanlike conduct or actions that caused the person to be suspended from the interscholastic events.
- e. A person who does not comply with the suspension requirements of this Policy or refuses to immediately leave the school building or school grounds for



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violating the provisions of this Policy may be reported to law enforcement to be removed from the school building or from school grounds.

4. Appeals

- a. A person may appeal the decision of the Principal or designee to the Superintendent of Schools by submitting a written appeal to the Superintendent within three calendar days after receiving notice of the suspension from the event by the Principal or designee. The Superintendent shall make a decision on the written appeal within three business days upon receiving the written appeal. The Superintendent's decision may be appealed to the Board in accordance with the Board appeal provisions in Policy and Regulation 9130 – Public Complaints and Grievances.

This Policy shall be provided to the parent(s) of student-athletes participating in interscholastic programs in the district. The parent(s) shall be required to sign a document acknowledging receipt of this Policy and acknowledging their understanding of the provisions of this Policy. This document shall be provided to the parent(s) during the high school's sports registration process before each season.

This Policy shall be made available to NJSIAA staff upon request. NJSIAA staff may share a copy of this Policy with another member school when appropriate.

A list of unsportsmanlike conduct or actions will be posted at all venues hosting school district events to the extent reasonably possible.

Failure of a member school to enforce the provisions of this Policy may result in discipline by the NJSIAA. In addition to the penalties set forth by NJSIAA, a school that does not enforce its Policy may be prohibited by NJSIAA from hosting an NJSIAA State tournament event.

NJSIAA Spectator Code of Conduct Policy – Revised, May 8, 2024

Adopted: TBD



BYLAW

SECTION: BYLAWS

#: P 0142.1P

NEPOTISM (M)

0142.1 NEPOTISM (M)

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

For the purposes of this Policy, “relative” means an individual’s spouse, ~~by marriage or~~ civil union partner as defined at ~~pursuant to~~ N.J.S.A. 37:1-2833 et seq., domestic partner as defined at ~~in~~ N.J.S.A. 26:8A-3, or the ~~individual’s or spouse’s~~ parent, child, sibling, aunt, uncle, niece, nephew, grandparent, grandchild, son-in-law, daughter-in-law, stepparent, stepchild, stepbrother, stepsister, half-brother, or half-sister of the individual or of the individual’s spouse, civil union partner, or domestic partner, whether the relative is related to the individual or the individual’s spouse, civil union partner, or domestic partner by blood, marriage, or adoption pursuant to N.J.A.C. 6A:23A-1.2.

For the purposes of this Policy, “immediate family member” means the person’s spouse, partner in a civil union as defined at ~~in~~ N.J.S.A. 37:1-2833 et seq., domestic partner as defined at ~~in~~ N.J.S.A. 26:8A-3, or dependent child, residing in the same household.

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

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

1. A person employed by the district on or before October 1, 2008 or on or before the date an employee’s relative becomes a Board member or Superintendent shall not be prohibited from continuing to be employed or to be promoted in the district in accordance with the effective date as outlined in the initial version of N.J.A.C. 6A:32A-6.2 adopted on July 1, 2008. However, this shall not pertain to extending an employment contract to allow for an increase in annual pay directly related to an extension of the work year; and
2. The district may employ a relative of a Board member or the Superintendent provided the district has obtained approval from the Executive County Superintendent. Such approval shall be granted only upon demonstration by the district that it conducted a thorough search for candidates and the proposed candidate is the only qualified and available person for the position.



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The Superintendent ~~of Schools~~ shall not recommend to the Board, ~~of Education~~ pursuant to N.J.S.A. 18A:27-4.1, the any relative of ~~a Board member or~~ the Superintendent or a Board member, unless the relative is subject to an exception as outlined at N.J.A.C. 6A:23A-6.2(a)2. and at 1. and 2. above. ~~[Optional— However, in accordance with N.J.A.C. 6A:23A-6.2(a)2, the district may employ a relative of a Board member or Superintendent of Schools provided the district obtains the approval from the Executive County Superintendent of Schools. Such approval shall be granted only upon demonstration by the school district that it conducted a thorough search for candidates and that the proposed candidate is the only qualified and available person for the position.]~~

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

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

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

A ~~school~~ district administrator or Board member who has an immediate family member who is a member of the same Statewide union in another school district shall not participate ~~be prohibited from participating~~ in any way in negotiations, including, but not limited to, being a member of the negotiating team or being present with the Board ~~of Education~~ in closed sessions when negotiation strategies are being discussed, prior to the Board ~~of Education~~ attaining a ~~t~~ Tentative ~~m~~ Memorandum of ~~a~~ Agreement with the bargaining unit that includes a salary guide and total compensation package. Once the ~~t~~ Tentative ~~m~~ Memorandum of ~~a~~ Agreement is established, a ~~school~~ district administrator with an immediate family member who is a member of the same Statewide union in another school district may fully participate in the process, absent other conflicts. However ~~Notwithstanding these provisions~~, a district administrator



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who has an immediate family member who is a member of the same Statewide union in another district may serve as a technical resource to the negotiating team and may provide technical information necessary to the collective bargaining process when no one else in the district can provide the information.

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

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

Adopted: 14 October 2013

Revised: TBD



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SEXUAL HARASSMENT – STAFF (M)

1552 SEXUAL HARASSMENT – STAFF (M)

The Board of Education (employer) recognizes that an employee's right to freedom from employment discrimination includes the opportunity to work in an environment untainted by sexual harassment. Sexually offensive speech and conduct are wholly inappropriate to the harmonious employment relationships necessary to the operation of the school district and intolerable in a workplace to which the children of the district are exposed.

A. Title VII of the Civil Rights Act of 1964 – 29 CFR 1604

1. Sexual Harassment – 29 CFR 1604.11

a. Definition of Sexual Harassment – Title VII

(1) Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- (a) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
- (b) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
- (c) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

b. With respect to conduct between fellow employees, an employer is responsible for acts of sexual harassment in the workplace where the employer (or its agents or supervisory employees) knows or should have known of the conduct, unless the employer can show that it took immediate and appropriate corrective action.



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- c. The employer may also be responsible for the acts of non-employees, with respect to sexual harassment of employees in the workplace, where the employer (or its agents or supervisory employees) knows or should have known of the conduct and fails to take immediate and appropriate corrective action.
- d. The employer should take all steps necessary to prevent sexual harassment from occurring, such as affirmatively raising the subject, expressing strong disapproval, developing appropriate sanctions, informing employees of their right to raise and how to raise the issue of harassment under Title VII, and developing methods to sensitize all concerned.
- (1) The employee may submit a complaint, under 29 CFR 1604 to the Affirmative Action Officer.
- (2) Upon receipt of the complaint the employer shall initiate the grievance procedure in accordance with Regulation 1552.
- e. Where employment opportunities or benefits are granted because of an individual's submission to the employer's sexual advances or requests for sexual favors, the employer may be held liable for unlawful sex discrimination against other individuals who were qualified for but denied that employment opportunity or benefit.
2. Job Opportunities Advertising – 29 CFR 1604.5
- It is a violation of Title VII for a help-wanted advertisement to indicate a preference, limitation, specification, or discrimination based on sex unless sex is a bona fide occupational qualification for the particular job involved. The placement of an advertisement in columns classified by publishers on the basis of sex, such as columns headed "Male" or "Female," will be considered an expression of a preference, limitation, specification, or discrimination based on sex.
3. Pre-Employment Inquiries as to Sex – 29 CFR 1604.7
- A pre-employment inquiry may ask "Male....., Female....."; or "Mr. Mrs. Miss," provided that the inquiry is made in good faith for a nondiscriminatory purpose. Any



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pre-employment inquiry in connection with prospective employment which expresses directly or indirectly any limitation, specification, or discrimination as to sex shall be unlawful unless based upon a bona fide occupational qualification.

4. Fringe Benefits – 29 CFR 1604.9

- a. “Fringe benefits,” as used in 29 CFR 1604.9, Regulation 1552, and this Policy, includes medical, hospital, accident, life insurance and retirement benefits; profit-sharing and bonus plans; leave; and other terms, conditions, and privileges of employment.
- b. It shall be an unlawful employment practice for the employer to discriminate between men and women with regard to fringe benefits.
- c. Where the employer conditions benefits available to employees and their spouses and families on whether the employee is the “head of the household” or “principal wage earner” in the family unit, the benefits tend to be available only to male employees and their families. Due to the fact that such conditioning discriminatorily affects the rights of women employees, and that “head of household” or “principal wage earner” status bears no relationship to job performance, benefits which are so conditioned will be found a prima facie violation of the prohibitions against sex discrimination contained in Title VII of the Civil Rights Act of 1964 (Act).
- d. It shall be an unlawful employment practice for the employer to make available benefits for the wives and families of male employees where the same benefits are not made available for the husbands and families of female employees; or to make available benefits for the wives of male employees which are not made available for female employees; or to make available benefits to the husbands of female employees which are not made available for male employees. An example of such an unlawful employment practice is a situation in which wives of male employees receive maternity benefits while female employees receive no such benefits.
- e. It shall not be a defense under Title VII to a charge of sex discrimination in benefits that the cost of such benefits is greater with respect to one sex than the other.



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- f. It shall be an unlawful employment practice for the employer to have a pension or retirement plan which establishes different optional or compulsory retirement ages based on sex, or which differentiates in benefits on the basis of sex.

5. Employment Policies Relating to Pregnancy and Childbirth – 29 CFR 1604.10

- a. A written or unwritten employment policy or practice which excludes from employment applicants or employees because of pregnancy, childbirth or related medical conditions is in prima facie violation of Title VII.
- b. Disabilities caused or contributed to by pregnancy, childbirth, or related medical conditions, for all job-related purposes, shall be treated the same as disabilities caused or contributed to by other medical conditions, under any health or disability insurance or sick leave plan available in connection with employment. Written or unwritten employment policies and practices involving matters such as the commencement and duration of leave, the availability of extensions, the accrual of seniority and other benefits and privileges, reinstatement, and payment under any health or disability insurance or sick leave plan, formal or informal, shall be applied to disability due to pregnancy, childbirth or related medical conditions on the same terms and conditions as they are applied to other disabilities.
- c. Where the termination of an employee who is temporarily disabled is caused by an employment policy under which insufficient or no leave is available, such a termination violates the Act if it has a disparate impact on employees of one sex and is not justified by business necessity.
- d. Any fringe benefit program implemented after October 31, 1978, must comply with the provisions of 29 CFR 1604.10(b) upon implementation.

B. Title IX of the Education Amendments of 1972 – 34 CFR 106

1. Definitions – Title IX – 34 CFR 106.2 and 34 CFR 106.30



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- a. “Sexual harassment” means conduct on the basis of sex that satisfies one or more of the following:
 - (1) An employee of the employer conditioning the provision of an aid, benefit, or service of the employer on an individual’s participation in unwelcome sexual conduct;
 - (2) Unwelcome conduct determined by a reasonable individual to be so severe, pervasive, and objectively offensive that it effectively denies an individual equal access to the employer’s education program or activity; or
 - (3) “Sexual assault” as defined in 20 USC 1092(f)(6)(A)(v), “dating violence” as defined in 34 USC 12291(a)(10), “domestic violence” as defined in 34 USC 12291(a)(8), or “stalking” as defined in 34 USC 12291(a)(30).
 - b. “Program or activity” and “program” means all of the operations of a local educational agency (as defined in 20 USC 8801), system of vocational education, or other school system.
 - c. “Title IX” means Title IX of the Education Amendments of 1972, Pub. L. 92-318, as amended by section 3 of Pub. L. 93-568, 88 Stat. 1855, except sections 904 and 906 thereof; 20 USC 1681, 1682, 1683, 1685, 1686.
2. Effect of Employment Opportunities – 34 CFR 106.7

The employer’s obligation to comply with 34 CFR 106, Regulation 1552, and this Policy is not obviated or alleviated because employment opportunities in any occupation or profession are or may be more limited for members of one sex than for members of the other sex.
 3. Designation of Title IX Coordinator and Notice to Employees – 34 CFR 106.8
 - a. The employer must designate and authorize at least one employee to coordinate its efforts to comply with its responsibilities under 34 CFR 106, which employee must be referred to as the “Title IX Coordinator.”



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- b. The employer must notify applicants for employment, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the employer, of the name or title, office address, electronic mail address, and telephone number of the employee or employees designated as the Title IX Coordinator.
- (1) Any individual may report sex discrimination, including sexual harassment (whether or not the individual reporting is the individual alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the individual's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.
- (2) Sexual harassment may take place electronically or on an online platform used by the school, including, but not limited to, computer and internet networks; digital platforms; and computer hardware or software owned or operated by, or used in the operations of the school.
- c. Dissemination of Policy
- (1) Notification of Policy
- (a) The employer must notify applicants for employment, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the employer, that the employer does not discriminate on the basis of sex in the education program or activity that it operates, and that it is required by Title IX and 34 CFR 106 not to discriminate in such a manner. Such notification must state that the requirement not to discriminate in the education program or activity extends to employment, and that inquiries about the application of Title IX and 34 CFR 106 to such employer may



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be referred to the employer's Title IX Coordinator, to the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

(2) Publications

(a) Each employer must prominently display the contact information required to be listed for the Title IX Coordinator and this Policy on its website, if any, and in each handbook or catalog that it makes available to applicants for employment, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the employer.

(b) The employer must not use or distribute a publication stating that the employer treats applicants for employment or employees differently on the basis of sex except as such treatment is permitted by Title IX or 34 CFR 106.

4. Discrimination on the Basis of Sex and Employment in Education Programs or Activities Prohibited – 34 CFR 106 Subpart E

a. Employment – 34 CFR 106.51

(1) General

(a) No individual shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in employment, or recruitment, consideration, or selection therefor, whether full-time or part-time, under any education program or activity operated by the employer which receives Federal financial assistance.

(b) The employer shall make all employment decisions in any education program or activity operated by such employer in a nondiscriminatory manner and shall not limit, segregate, or classify applicants or employees in any way which could



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adversely affect any applicant's or employee's employment opportunities or status because of sex.

(c) The employer shall not enter into any contractual or other relationship which directly or indirectly has the effect of subjecting employees or students to discrimination prohibited by 34 CFR 106 Subpart E, including relationships with employment and referral agencies, with labor unions, and with organizations providing or administering fringe benefits to employees of the employer.

(d) The employer shall not grant preferences to applicants for employment on the basis of attendance at any educational institution or entity which admits as students only or predominantly members of one sex, if the giving of such preferences has the effect of discriminating on the basis of sex in violation of 34 CFR 106.

(2) 34 CFR 106 Subpart E applies to:

(a) Recruitment, advertising, and the process of application for employment;

(b) Hiring, upgrading, promotion, consideration for and award of tenure, demotion, transfer, layoff, termination, application of nepotism policies, right of return from layoff, and rehiring;

(c) Rates of pay or any other form of compensation, and changes in compensation;

(d) Job assignments, classifications and structure, including position descriptions, lines of progression, and seniority lists;

(e) The terms of any collective bargaining agreement;

(f) Granting and return from leaves of absence, leave for pregnancy, childbirth, false pregnancy, termination of



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pregnancy, leave for individuals of either sex to care for children or dependents, or any other leave;

(g) Fringe benefits available by virtue of employment, whether or not administered by the employer;

(h) Selection and financial support for training, including apprenticeship, professional meetings, conferences, and other related activities, selection for tuition assistance, selection for sabbaticals and leaves of absence to pursue training;

(i) Employer-sponsored activities, including those that are social or recreational; and

(i) Any other term, condition, or privilege of employment.

b. Employment Criteria – 34 CFR 106.52

(1) The employer shall not administer or operate any test or other criterion for any employment opportunity which has a disproportionately adverse effect on individuals on the basis of sex unless:

(a) Use of such test or other criterion is shown to predict validly successful performance in the position in question; and

(b) Alternative tests or criteria for such purpose, which do not have such disproportionately adverse effect, are shown to be unavailable.

c. Recruitment – 34 CFR 106.53

(1) Nondiscriminatory Recruitment and Hiring

The employer shall not discriminate on the basis of sex in the recruitment and hiring of employees. Where the employer has been found to be presently discriminating on the basis of sex in the recruitment or hiring of employees, or has been found to have in the



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past so discriminated, the employer shall recruit members of the sex so discriminated against so as to overcome the effects of such past or present discrimination.

(2) Recruitment Patterns

The employer shall not recruit primarily or exclusively at entities which furnish as applicants only or predominantly members of one sex if such actions have the effect of discriminating on the basis of sex in violation of 34 CFR 106.53.

d. Compensation – 34 CFR 106.54

(1) The employer shall not make or enforce any policy or practice which, on the basis of sex:

(a) Makes distinctions in rates of pay or other compensation;

(b) Results in the payment of wages to employees of one sex at a rate less than that paid to employees of the opposite sex for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions.

e. Job Classification and Structure – 34 CFR 106.55

(1) The employer shall not:

(a) Classify a job as being for males or for females;

(b) Maintain or establish separate lines of progression, seniority lists, career ladders, or tenure systems based on sex; or

(c) Maintain or establish separate lines of progression, seniority systems, career ladders, or tenure systems for similar jobs, position descriptions, or job requirements which classify individuals on the basis of sex, unless sex is a bona-fide



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occupational qualification for the positions in question as set forth in 34 CFR 106.61.

f. Fringe Benefits – 34 CFR 106.56

- (1) For the purpose of 34 CFR 106, “fringe benefits” means: Any medical, hospital, accident, life insurance or retirement benefit, service, policy or plan, any profit-sharing or bonus plan, leave, and any other benefit or service of employment not subject to the provision of 34 CFR 106.54.
- (2) The employer shall not:
 - (a) Discriminate on the basis of sex with regard to making fringe benefits available to employees or make fringe benefits available to spouses, families, or dependents of employees differently upon the basis of the employee’s sex;
 - (b) Administer, operate, offer, or participate in a fringe benefit plan which does not provide either for equal periodic benefits for members of each sex, or for equal contributions to the plan by the employer for members of each sex; or
 - (c) Administer, operate, offer, or participate in a pension or retirement plan which establishes different optional or compulsory retirement ages based on sex or which otherwise discriminates in benefits on the basis of sex.

g. Marital or Parental Status – 34 CFR 106.57

- (1) The employer shall not apply any policy or take any employment action:
 - (a) Concerning the potential marital, parental, or family status of an employee or applicant for employment which treats individuals differently on the basis of sex; or



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- (b) Which is based upon whether an employee or applicant for employment is the head of household or principal wage earner in such employee's or applicant's family unit.
- (2) The employer shall not discriminate against or exclude from employment any employee or applicant for employment on the basis of pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom.
- (3) The employer shall treat pregnancy, childbirth, false pregnancy, termination of pregnancy, and recovery therefrom and any temporary disability resulting therefrom as any other temporary disability for all job-related purposes, including commencement, duration and extensions of leave, payment of disability income, accrual of seniority and any other benefit or service, and reinstatement, and under any fringe benefit offered to employees by virtue of employment.
- (4) In the case of the employer which does not maintain a leave policy for its employees, or in the case of an employee with insufficient leave or accrued employment time to qualify for leave under such a policy, the employer shall treat pregnancy, childbirth, false pregnancy, termination of pregnancy, and recovery therefrom as a justification for a leave of absence without pay for a reasonable period of time, at the conclusion of which the employee shall be reinstated to the status which the employee held when the leave began or to a comparable position, without decrease in rate of compensation or loss of promotional opportunities, or any other right or privilege of employment.
- h. Effect of State or Local Law or Other Requirements – 34 CFR 106.58
- (1) The obligation to comply with 34 CFR 106.58 is not obviated or alleviated by the existence of any State or local law or other requirement which imposes prohibitions or limits upon employment of members of one sex which are not imposed upon members of the other sex.



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(2) The employer which provides any compensation, service, or benefit to members of one sex pursuant to a State or local law or other requirement shall provide the same compensation, service, or benefit to members of the other sex.

i. Advertising – 34 CFR 106.59

The employer shall not in any advertising related to employment indicate preference, limitation, specification, or discrimination based on sex unless sex is a bona-fide occupational qualification for the particular job in question.

i. Pre-Employment Inquiries – 34 CFR 106.60

(1) The employer shall not make pre-employment inquiry as to the marital status of an applicant for employment, including whether such applicant is “Miss or Mrs.”

(2) The employer may make pre-employment inquiry as to the sex of an applicant for employment, but only if such inquiry is made equally of such applicants of both sexes and if the results of such inquiry are not used in connection with discrimination prohibited by 34 CFR 106.

k. Sex as a Bona-Fide Occupational Qualification –34 CFR 106.61

The employer may take action otherwise prohibited by 34 CFR 106 Subpart E provided it is shown that sex is a bona-fide occupational qualification for that action, such that consideration of sex with regard to such action is essential to successful operation of the employment function concerned. The employer shall not take action pursuant to 34 CFR 106.61 which is based upon alleged comparative employment characteristics or stereotyped characterizations of one or the other sex, or upon preference based on sex of the employer, employees, students, or other individuals, but nothing contained in 34 CFR 106.61 shall prevent the employer from considering an employee’s sex in relation to employment in a locker room or toilet facility used only by members of one sex.

5. Effect of Other Federal Provisions – 34 CFR 106.6(a)



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- a. The obligations imposed by 34 CFR 106 are independent of, and do not alter, obligations not to discriminate on the basis of sex imposed by Executive Order 11246, as amended; sections 704 and 855 of the Public Health Service Act (42 USC 292d and 298b-2); Title VII of the Civil Rights Act of 1964 (42 USC 2000e et seq.); the Equal Pay Act (29 USC 206 and 206(d)); and any other Act of Congress or Federal regulation.
- b. Nothing in 34 CFR 106 may be read in derogation of any individual's rights under Title VII of the Civil Rights Act of 1964, 42 USC 2000e et seq. or any regulations promulgated thereunder.

C. Grievance Procedures

1. Upon receiving a complaint alleging sexual harassment, the employer shall review the alleged conduct to determine whether to apply the grievance procedure for Title VII or Title IX outlined in Regulation 1552. When making this determination, the Superintendent or designee should consult with the Board Attorney to determine which definition of sexual harassment (Title VII, Title IX, or both), applies to the alleged conduct. If the alleged conduct is addressed by both definitions, the employer shall proceed with the grievance procedure outlined for Title IX in Section B. of Regulation 1552.
 - a. Title VII of the Civil Rights Act of 1964 – 29 CFR 1604
 - (1) Upon receipt of a complaint of sexual harassment under Title VII, the employer shall follow the grievance procedure outlined in Section A. of Regulation 1552.
 - b. Title IX of the Education Amendments of 1972 – 34 CFR 106
 - (1) Upon receipt of a complaint of sexual harassment under Title IX, the employer shall follow the grievance procedure outlined in Section B. of Regulation 1552.
 - (2) The employer must provide to applicants for employment, employees, and all unions or professional organizations holding collective



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bargaining or professional agreements with the employer notice of the employer's Title IX grievance procedures and grievance process, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how the employer will respond.

29 CFR 1604

34 CFR 106

Adopted: TBD



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The Board of Education will not tolerate sexual harassment of employees by other school employees or third parties. The employer shall investigate and resolve allegations of sexual harassment pursuant to Title VII of the Civil Rights Act of 1964 (29 CFR 1604); Title IX of the of the Education Amendments of 1972 (34 CFR 106); Policy 1552; and this Regulation.

A. Title VII of the Civil Rights Act of 1964 – 29 CFR 1604

1. Sexual Harassment – 29 CFR 1604.11

a. Definition of Sexual Harassment – Title VII

(1) Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

(a) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,

(b) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or

(c) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

b. With respect to conduct between fellow employees, an employer is responsible for acts of sexual harassment in the workplace where the employer (or its agents or supervisory employees) knows or should have known of the conduct, unless it can show that it took immediate and appropriate corrective action.

c. The employer may also be responsible for the acts of non-employees, with respect to sexual harassment of employees in the workplace, where the employer (or its agents or supervisory employees) knows or should have



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known of the conduct and fails to take immediate and appropriate corrective action.

d. The employer should take all steps necessary to prevent sexual harassment from occurring, such as affirmatively raising the subject, expressing strong disapproval, developing appropriate sanctions, informing employees of their right to raise and how to raise the issue of harassment under Title VII, and developing methods to sensitize all concerned.

(1) The employee may submit a complaint, under 29 CFR 1604 to the Affirmative Action Officer.

(2) Upon receipt of the complaint the employer shall initiate the grievance procedure in accordance with Regulation 1552.

e. Where employment opportunities or benefits are granted because of an individual's submission to the employer's sexual advances or requests for sexual favors, the employer may be held liable for unlawful sex discrimination against other individuals who were qualified for but denied that employment opportunity or benefit.

2. Grievance Procedure for Title VII Complaints

The following grievance procedure shall be used for an allegation(s) of sexual harassment:

a. Reporting of Sexual Harassment Conduct

(1) Any individual with any information regarding actual and/or potential sexual harassment of an employee must report the information to the Principal, their immediate supervisor, the Title IX Coordinator, or the Affirmative Action Officer. The employer's Title IX Coordinator and the Affirmative Action Officer may be the same individual.

(2) The employer can learn of sexual harassment through other means such as from a witness to an incident, an anonymous letter, or a telephone call.



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- (3) The report may be made: in person; in writing; verbally by telephone; by mail to the office address; or by electronic mail. The report may be reported during business or non-business hours.
- (4) A report to the Principal or an immediate supervisor will be forwarded to the Superintendent or designee and Affirmative Action Officer within one working day, even if the Principal or immediate supervisor feels sexual harassment conduct was not present.
- (5) In the event the report alleges conduct by the Principal or the Affirmative Action Officer, the report shall be submitted to the Superintendent who will designate a school official to assume the Principal's or Affirmative Action Officer's responsibilities.

b. Affirmative Action Officer's Investigation

- (1) Upon receipt of any report of potential sexual harassment conduct, the Affirmative Action Officer will begin an immediate investigation. The Affirmative Action Officer will promptly investigate all alleged complaints of sexual harassment, whether or not a formal grievance is filed, and steps will be taken to resolve the situation, if needed. This investigation will be prompt, thorough, and impartial. The investigation will be completed no more than ten working days after receiving notice.
- (2) When an employee provides information about possible sexual harassment, the Affirmative Action Officer will initially discuss what actions the employee seeks in response to the sexual harassment.
- (3) The investigation may include, but is not limited to, interviews with all individuals with potential knowledge of the alleged conduct, interviews with any employee(s) who may have been sexually harassed in the past by the employee, and any other reasonable methods to determine if sexual harassment conduct existed.



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- (4) The Affirmative Action Officer may request an employee involved in the investigation to assist in the investigation.
- (5) The Affirmative Action Officer will provide a copy of Policy 1552 and this Regulation to all individuals who are interviewed with potential knowledge, upon request, and to any other individual the Affirmative Action Officer feels would be served by a copy of such documents.
- (6) Any individual interviewed by the Affirmative Action Officer may be provided an opportunity to present witnesses and other evidence.
- (7) The Affirmative Action Officer and/or Superintendent will contact law enforcement agencies if the conduct could potentially be criminal in nature.
- (8) The employer may take interim measures during an investigation of a complaint.
- (9) The Affirmative Action Officer will consider particular issues of welcomeness based on the allegations.

c. Investigation Results

- (1) Upon the conclusion of the investigation, but not later than ten working days after reported to the Affirmative Action Officer, the Affirmative Action Officer will prepare a summary of findings to the parties. At a minimum, this summary shall include the individual(s) providing notice to the employer and the employee(s) who was alleged to be sexually harassed.
- (2) The Affirmative Action Officer shall make a determination whether sexual harassment conduct was present.
- (3) If the Affirmative Action Officer concludes sexual harassment conduct was not, or is not present, the investigation is concluded.



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- (4) If the Affirmative Action Officer determines that sexual harassment has occurred, the employer shall take reasonable and effective corrective action, including steps tailored to the specific situation. Appropriate steps will be taken to end the harassment such as counseling, warning, and/or disciplinary action. The steps will be based on the severity of the harassment or any record of prior incidents or both. A series of escalating consequences may be necessary if the initial steps are ineffective in stopping the harassment.
- (5) In the event the Affirmative Action Officer determines a hostile environment exists, the Superintendent shall take steps to eliminate the hostile environment. The employer may need to deliver special training or other interventions to repair the educational environment. Other measures may include directing the harasser to apologize to the employee that was sexually harassed, dissemination of information, distribution of new policy statements or other steps to communicate the message that the employer does not tolerate sexual harassment and will be responsive to any employee that reports such conduct.
- (6) In some situations, the employer may need to provide other services to the employee that was sexually harassed, if necessary, to address the effects of the sexual harassment on that employee. Depending on the type of sexual harassment found, these additional services may include an independent reassessment of the work performance of the employee that was sexually harassed, counseling, and/or other measures that are appropriate to the situation.
- (7) The Superintendent will take steps to avoid any further sexual harassment and to prevent any retaliation against the employee who made the complaint, was the subject of the sexual harassment, or against those who provided the information or were witnesses.
- (a) The Affirmative Action Officer will inform the employee that was sexually harassed to report any subsequent problems and will make follow-up inquiries to see if there have been any new incidents or retaliation.



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(8) All sexual harassment grievances and accompanied investigation notes will be maintained in a confidential file by the Affirmative Action Officer.

d. Affirmative Action Officer's Investigation Appeal Process

(1) Any individual found by the Affirmative Action Officer's investigation to be guilty of sexual harassment conduct, or any individual who believes they were sexually harassed but not supported by the Affirmative Action Officer's investigation, may appeal to the Superintendent.

(a) The Superintendent will make their determination within ten working days of receiving the appeal.

(2) Any individual who is not satisfied with the Superintendent's determination may appeal in writing to the Board.

(a) The Board will make its determination within forty-five calendar days of receiving an appeal from the Superintendent's determination.

3. United States Equal Employment Opportunity Commission (EEOC) Case Resolution

Individuals not satisfied with the resolution of a Title VII allegation of sexual harassment by the employer may request the EEOC to investigate the allegations.

a. Any alleged victim of sexual harassment may appeal a decision of the Affirmative Action Officer, Superintendent, or the employer to the EEOC.

b. Any individual may report an allegation of sexual harassment to the EEOC at any time. If the EEOC is asked to investigate or otherwise resolve incidents of sexual harassment of employees, the EEOC will consider whether:

(1) The employer has a policy prohibiting sexual harassment and a grievance procedure;



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- (2) The employer has appropriately investigated or otherwise responded to allegations of sexual harassment; and
- (3) The employer has taken immediate and appropriate corrective action responsive to quid pro quo or hostile environment sexual harassment.

B. Title IX of the of the Education Amendments of 1972 – 34 CFR 106

1. Definitions – 34 CFR 106.30

a. For the purpose of Section B. of this Regulation and in accordance with 34 CFR 106:

- (1) “Sexual harassment” means conduct on the basis of sex that satisfies one or more of the following:
 - (a) An employee of the employer conditioning the provision of an aid, benefit, or service of the employer on an employee’s participation in unwelcome sexual conduct;
 - (b) Unwelcome conduct determined by a reasonable individual to be so severe, pervasive, and objectively offensive that it effectively denies an individual equal access to the employer’s education program or activity; or
 - (c) “Sexual assault” as defined in 20 USC 1092(f)(6)(A)(v), “dating violence” as defined in 34 USC 12291(a)(10), “domestic violence” as defined in 34 USC 12291(a)(8), or “stalking” as defined in 34 USC 12291(a)(30).
- (2) “Complainant” means an employee currently employed by the employer who is alleged to be the victim of conduct that could constitute sexual harassment.
- (3) “Decision-maker” (34 CFR 106.45(b)(7)) means an employee(s) who is not the Title IX Coordinator or the employee who conducted the investigation, designated by the Superintendent, to objectively evaluate the relative evidence and reach conclusions about whether the



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respondent is responsible for the alleged sexual harassment in accordance with the provisions of 34 CFR 106.

- (4) “Formal complaint” means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the employer investigate the allegation of sexual harassment. The phrase “document filed by a complainant” means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the employer) that contains the complainant’s physical or digital signature, or otherwise indicates that the complainant is the individual filing the formal complaint.
- (5) “Investigator” (34 CFR 106.45(b)(5)) means an employee(s) who may be the Title IX Coordinator and who is not a decision-maker designated by the Superintendent to investigate alleged sexual harassment in accordance with 34 CFR 106. The investigator may be the employer’s Affirmative Action Officer only if the Affirmative Action Officer is not the Title IX decision-maker.
- (6) “Program or activity” and “program” (34 CFR 106.2(h)(2)(ii)) means all of the operations of a local educational agency (as defined in 20 USC 8801), system of vocational education, or other school system.
- (a) “Education program or activity” (34 CFR 106.44(a)) includes locations, events, or circumstances over which the employer exercised substantial control over both the respondent and the context in which the sexual harassment occurs.
- (7) “Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.
- (8) “Title IX Coordinator” (34 CFR 106.8(a)) means an individual designated and approved by the employer to coordinate its efforts to comply with its responsibilities under 34 CFR 106, Policy 1552, and this Regulation. The individual must be referred to as the “Title IX Coordinator” and may also be the investigator but cannot be the decision-maker.



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2. Employer's Response to Sexual Harassment – 34 CFR 106.44

a. The employer with actual knowledge of sexual harassment in an education program or activity of the employer against an individual in the United States, must respond promptly in a manner that is not deliberately indifferent.

(1) The employer has “actual knowledge” when an employee receives a complaint of sexual harassment or an employee is aware of behavior that could constitute sexual harassment.

(a) Any school employee who receives a complaint of sexual harassment or is aware of behavior that could constitute sexual harassment is required to report that information to the Title IX Coordinator.

(2) The employer is deliberately indifferent only if the employer's response to sexual harassment is clearly unreasonable in light of the known circumstances, pursuant to 34 CFR 106.44(a).

The United States Department of Education Office of Civil Rights may not deem the employer to have satisfied the employer's duty to not be deliberately indifferent under 34 CFR 106 based on the employer's restriction of rights protected under the United States Constitution, including the First Amendment, Fifth Amendment, and Fourteenth Amendment.

b. Informal Resolution – 34 CFR 106.45

(1) The employer may not require as a condition of employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment. Similarly, the employer may not require the parties to participate in an informal resolution process and may not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility, the employer may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the employer:



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- (a) Provides to the parties a written notice disclosing: the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided; however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared; and
- (b) Obtains the parties' voluntary, written consent to the informal resolution process.

3. Grievance Process - 34 CFR 106.45

- a. The employer will use the grievance process outlined in 34 CFR §106.45 and this Regulation to address formal complaints of sexual harassment.
- b. Parents, students, unions and associations, and staff members shall receive notice of the grievance procedures and the Title IX Coordinator's name or title, office, address, email address, and telephone number in accordance with 34 CFR 106.8(a).
- c. The employer's grievance process may, but need not, provide for a hearing pursuant to 34 CFR 106.45(b)(6)(ii).
- d. The Title IX Coordinator must promptly contact the complainant in accordance with 34 CFR 106.44(a).
- e. In response to a formal complaint, the employer will follow a grievance process that complies with 34 CFR 106.45.



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- (1) Upon receipt of a formal complaint, the Title IX Coordinator shall provide written notice to the parties who are known in accordance with 34 CFR 106.45(b)(2)(i).
 - (2) The Title IX Coordinator shall provide the investigator with a copy of the formal complaint if the Title IX Coordinator is not the investigator.
 - (3) The investigator shall investigate the allegations contained in a formal complaint pursuant to 34 CFR 106.45(b).
- f. The investigator shall create an investigative report in accordance with the provisions of 34 CFR 106.45(b)(5)(vii).
- (1) The investigator will attempt to collect all relevant information and evidence.
 - (2) While the investigator will have the burden of gathering evidence, it is crucial that the parties present evidence and identify witnesses to the investigator so that they may be considered during the investigation.
 - (3) While all evidence gathered during the investigative process and obtained through the exchange of written questions will be considered, the decision-maker may in their discretion grant lesser weight to last minute information or evidence introduced through the exchange of written questions that was not previously presented for investigation by the investigator.
 - (4) To the greatest extent possible, and subject to Title IX, the employer will make reasonable accommodations in an investigation to avoid potential re-traumatization of a complainant.
 - (5) The investigative report shall be provided to the decision-maker in accordance with the provisions of 34 CFR 106.45(b)(6)(ii).
- g. The decision-maker, who cannot be the same person as the Title IX Coordinator or the investigator, shall issue a written determination regarding responsibility pursuant to 34 CFR 106.45(b)(7).



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- (1) To reach this determination, the decision-maker will apply

[Select One Option Below

_____ the preponderance of the evidence standard,

_____ clear and convincing evidence standard,]

which shall be the same standard of evidence for formal complaints against students as for formal complaints against employees, including faculty, and apply the same standard of evidence to all formal complaints of sexual harassment pursuant to 34 CFR 106.45(b)(1)(vii).

- (2) The decision-maker will facilitate a written question and answer period between the parties.

(a) Each party may submit their written questions for the other party and witnesses to the decision-maker for review.

(b) The questions must be relevant to the case and the decision-maker will determine if the questions submitted are relevant and will then forward the relevant questions to the other party or witnesses for a response.

(c) The decision-maker shall then review all the responses, determine what is relevant or not relevant, and issue a decision as to whether the respondent is responsible for the alleged sexual harassment.

(d) The decision-maker will issue a written determination following the review of evidence. The written determination will include:

(i) Identification of allegations potentially constituting sexual harassment as defined in Policy and Regulation 1552 and 34 CFR 106.30;



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- (ii) A description of the procedural steps taken from the receipt of the complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather evidence;
- (iii) Findings of fact supporting the determination, conclusions regarding the application of this formal grievance process to the facts; and
- (iv) A statement of and rationale for the result as to each allegation, including any determination regarding responsibility, any disciplinary sanctions the decision-maker imposed on the respondent that directly relate to the complainant, and whether remedies designed to restore or preserve equal access to the employer's education program or activity will be provided to the complainant; and procedures and permissible bases for the parties to appeal the determination.
- (e) The written determination will be provided to the parties simultaneously.
- (f) Notwithstanding a temporary delay of the grievance procedure or the limited extension of the grievance procedure time frames with good cause, the written determination shall be provided within sixty calendar days from receipt of the complaint.
- (i) The sixty calendar day time frame does not include the appeal process.

4. Appeals – 34 CFR 106.45(b)(8)

- a. The employer will offer both parties an appeal from a determination regarding responsibility, and from the Title IX Coordinator's dismissal of a formal complaint or any allegations therein in accordance with 34 CFR 106.45(b)(8)(i).



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- b. As to all appeals, the employer will comply with the requirements of 34 CFR 106.45(b)(8).
- c. The Superintendent shall designate an appeal officer for each appeal filed.

 - (1) The appeal officer shall not be the same individual as the decision-maker that reached the determination regarding responsibility or dismissal, the investigator, or the Title IX Coordinator in accordance with 34 CFR 106.45(b)(8)(iii)(B).
 - (2) Ensure that the appeal officer complies with the standards set forth in 34 CFR 106.45(b)(1)(iii).
- d. The employer shall give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.
- e. The employer shall administer the appeal process, but is not a party and will not advocate for or against any appeal.
- f. A party may appeal only on the following grounds and the appeal shall identify the reason(s) why the party is appealing:

 - (1) There was a procedural error in the hearing process that materially affected the outcome;

 - (a) Procedural error refers to alleged deviations from employer policy, and not challenges to policies or procedures themselves;
 - (2) There is new evidence that was not reasonably available at the time of the hearing and that could have affected the outcome;
 - (3) The decision-maker had a conflict of interest or bias that affected the outcome;
 - (4) The determination regarding the policy violation was unreasonable based on the evidence before the decision-maker;



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- (a) Appealing on this basis is available only to a party who participated in the hearing; and
 - (5) The sanctions were disproportionate to the hearing officer's findings.
 - (6) The employer may offer an appeal equally to both parties on additional bases.
 - g. The appeal must be submitted in writing to the Title IX Coordinator within ten calendar days following the issuance of the notice of determination.
 - h. The appeal must identify the ground(s) for appeal and contain specific arguments supporting each ground for appeal.
 - i. The Title IX Coordinator shall notify the other party of the appeal, and that other party shall have an opportunity to submit a written statement in response to the appeal, within ten calendar days.
 - j. The Title IX Coordinator shall inform the parties that they have an opportunity to meet with the appeal officer separately to discuss the proportionality of the sanction.
 - k. The appeal officer shall decide the appeal considering the evidence presented at the hearing, the investigation file, and the appeal statements of both parties.
 - l. In disproportionate sanction appeals, input the parties provided during the meeting may also be considered.
 - m. The appeal officer shall summarize their decision in a written report that will be sent to the complainant and respondent within twenty calendar days of receiving the appeal.
- 5. Supportive Measures – 34 CFR 106.30**
- a. "Supportive measures" mean non-disciplinary, non-punitive, individualized services offered as appropriate, as reasonably available, and without fee or



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charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed pursuant to 34 CFR 106.30(a).

- b. The employer's response must treat complainants and respondents equitably by offering supportive measures as defined in 34 CFR 106.30 to a complainant, and by following a grievance process that complies with 34 CFR 106.45 before the imposition of any disciplinary sanctions or other actions that are not supportive measures as defined in 34 CFR 106.30, against a respondent.
- c. The Title IX Coordinator must promptly contact the complainant to discuss the availability of supportive measures as defined in 34 CFR 106.30, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

 - (1) Supportive measures shall be available to the complainant, respondent, and as appropriate, witnesses or other impacted individuals.
- d. The Title IX Coordinator shall maintain consistent contact with the parties to ensure that safety, emotional well-being and physical well-being are being addressed.
- e. Generally, supportive measures are meant to be short-term in nature and will be re-evaluated on a periodic basis.

 - (1) To the extent there is a continuing need for supportive measures after the conclusion of the resolution process, the Title IX Coordinator will work with appropriate employer resources to provide continued assistance to the parties.
- f. The employer is required to offer supportive measures to the complainant even if the respondent ceased being employed by the employer prior to the filing of a formal complaint.



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- (1) If the respondent ceases to be employed by the employer after a formal complaint is filed, the employer may dismiss the complaint, but must still offer supportive measures to the complainant pursuant to 34 CFR 106.45(b)(3)(ii).

6. Remedies - 34 CFR 106.45

- a. The Title IX Coordinator shall be responsible for effective implementation of any remedies in accordance with 34 CFR 106.45(b)(7)(iv).
- b. Following receipt of the written determination from the decision-maker, the Title IX Coordinator will facilitate the imposition of sanctions, if any, the provision of remedies, if any, and to otherwise complete the formal resolution process.

(1) Emergency Removal

Nothing in 34 CFR 106 precludes the employer from removing a respondent from the employer's education program or activity on an emergency basis, provided that the employer undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

(2) Administrative Leave

Nothing in 34 CFR 106 Subpart D precludes the employer from placing an employee on administrative leave during the pendency of a grievance process that complies with 34 CFR 106.45. This provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.



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- c. The Superintendent or designee, after consultation with the Title IX Coordinator, will determine the sanctions imposed and remedies provided, if any.
 - (1) The imposition of sanctions or provisions of remedies will be revisited by the Title IX Coordinator following the appeal officer's decision, as appropriate.
 - d. The Title IX Coordinator must provide written notice to the parties simultaneously.
 - e. The employer must disclose to the complainant the sanctions imposed on the respondent that directly relate to the complainant when such disclosure is necessary to ensure equal access to the employer's education program or activity.
 - (1) Remedies and supportive measures that do not impact the respondent should not be disclosed in the written determination; rather the determination should simply state that remedies will be provided to the complainant.
 - f. It is important to note that conduct that does not meet the criteria under Title IX may violate other Federal or State laws or employer policies regarding employee misconduct or may be inappropriate and require an immediate response in the form of supportive measures and remedies to prevent its recurrence and address its effects.
7. Recordkeeping – 34 CFR 106.45(b)(10)
- a. The employer must maintain for a period of seven years records of:
 - (1) Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under 34 CFR 106.45(b)(6)(i), any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the employer's education program or activity;



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- (2) Any appeal and the result therefrom;
- (3) Any informal resolution and the result therefrom; and
- (4) All materials used to train Title IX Coordinators, investigators, decision-makers, and any individual who facilitates an informal resolution process. The employer must make these training materials publicly available on its website, or if the employer does not maintain a website the employer must make these materials available upon request for inspection by members of the public.

- b. For each response required under 34 CFR 106.44, the employer must create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the employer must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the employer's education program or activity. If the employer does not provide a complainant with supportive measures, then the employer must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the employer in the future from providing additional explanations or detailing additional measures taken.

8. Compliance

The Superintendent or designee shall consult with the Board Attorney to ensure the employer's response to any allegations of sexual harassment and the employer's grievance process are in accordance with 34 CFR 106.44 and 34 CFR 106.45.

9. Training

- a. The Superintendent or designee shall ensure that Title IX Coordinators, investigators, decision-makers, appeal officers, and any person who facilitates an informal resolution process, receive training in accordance with 34 CFR 106.45(b)(1)(iii).



REGULATION

SECTION: ADMINISTRATION

#: R 1552

SEXUAL HARASSMENT – STAFF (M)

- (1) The employer must ensure that decision-makers receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, as set forth in 34 CFR 106.45(b)(6).
- (2) The employer also must ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence, as set forth in 34 CFR 106.45 (b)(5)(vii). Any materials used to train Title IX Coordinators, investigators, decision-makers, and any individual who facilitates an informal resolution process, must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

Adopted: TBD



POLICY

SECTION: TEACHING STAFF MEMBERS

#: P-3362

SEXUAL HARASSMENT (M)

3362 SEXUAL HARASSMENT (M)

~~The Board of Education recognizes that an employee's right to freedom from employment discrimination includes the opportunity to work in an environment untainted by sexual harassment. Sexually offensive speech and conduct are wholly inappropriate to the harmonious employment relationships necessary to the operation of the school district and intolerable in a workplace to which the children of this district are exposed.~~

~~Sexual harassment includes all unwelcome sexual advances, requests for sexual favors, and verbal or physical contacts of a sexual nature that would not have happened but for the employee's gender. Whenever submission to such conduct is made a condition of employment or a basis for an employment decision, or when such conduct is severe and pervasive and has the purpose or effect of unreasonably altering or interfering with work performance or creating an intimidating, hostile, or offensive working environment, the employee shall have cause for complaint.~~

~~The sexual harassment of any employee of this district is strictly forbidden. Any employee or agent of this Board who is found to have sexually harassed an employee of this district will be subject to discipline which may include termination of employment. Any employee who has been exposed to sexual harassment by any employee or agent of this Board is encouraged to report the harassment to an appropriate supervisor. An employee may complain of any failure of the Board to take corrective action by recourse to the procedure by which a discrimination complaint is processed. The employee may appeal the Board's action or inaction to the United States Equal Employment Opportunity Commission or the New Jersey Division of Civil Rights. Complaints regarding sexual harassment shall be submitted following the procedures outlined in Regulation No. 1530, Equal Employment Opportunity.~~

~~The Affirmative Action Officer shall instruct all employees and agents of this Board to recognize and correct speech and behavior patterns that may be sexually offensive with or without the intent to offend.~~

~~29 C.F.R. 1604.11~~

~~Cross reference: Policy Guide No. 3211~~

~~Adopted: 14 October 2013~~



~~REGULATION~~

SECTION: TEACHING STAFF MEMBERS

R-3362

SEXUAL HARASSMENT OF TEACHING
STAFF MEMBERS COMPLAINT
PROCEDURE (M)

R 3362 SEXUAL HARASSMENT OF TEACHING STAFF MEMBERS COMPLAINT PROCEDURE (M)

Sexual harassment of school staff members is prohibited by the Board of Education. The Superintendent and school district staff will use the following methods to investigate and resolve allegations of sexual harassment of school staff members.

A. ~~Definitions~~

1. ~~Gender based Harassment~~ Gender based harassment that includes acts of verbal, nonverbal, physical aggression, intimidation, or hostility based on gender, but not involving conduct of a sexual nature, may be a form of sex discrimination if it is sufficiently severe, persistent, or pervasive and directed at individuals because of their gender.
2. ~~Hostile Environment Sexual Harassment~~ Sexual harassing conduct (which can include unwelcomed sexual advances, requests for sexual favors or other favors, or other verbal, nonverbal or physical conduct of a sexual nature) by a school staff member that is sufficiently severe, persistent, or pervasive to limit another staff member's ability to participate in a workplace environment or activity, or to create a hostile or abusive workplace environment.
3. ~~Quid Pro Quo Harassment~~ When a school staff member explicitly or implicitly conditions another school staff member's conditions of employment on the staff member's submission to unwelcomed sexual advances, requests for sexual favors, or other favors, or other verbal, nonverbal or physical conduct of a sexual nature. Quid Pro Quo Harassment is equally unlawful whether the staff member resists and suffers the threatened harm or submits and thus avoids the threatened harm.

B. ~~Grievance Procedure~~

The following Grievance Procedure shall be used for an allegation(s) of harassment of school staff members by other school staff members:

1. ~~Reporting of Sexual Harassment Conduct~~



REGULATION

SECTION: TEACHING STAFF MEMBERS

R-3362

SEXUAL HARASSMENT OF TEACHING STAFF MEMBERS COMPLAINT PROCEDURE (M)

- a. Any person with any information regarding actual and/or potential sexual harassment of a staff member must report the information to the school Building Principal, their immediate supervisor or the Affirmative Action Officer.
 - b. The school district can learn of sexual harassment through other means such as from a witness to an incident, an anonymous letter, or telephone call.
 - c. A report to the school Building Principal or an immediate supervisor will be forwarded to the school district Affirmative Action Officer within one working day, even if the school Building Principal or immediate supervisor feels sexual harassment conduct was not present.
 - d. In the event the report alleges conduct by the Building Principal or the Affirmative Action Officer, the Superintendent will designate a school official to assume the Building Principal's or Affirmative Action Officer's responsibilities as outlined in Policy No. 3362 and this Regulation.
2. Affirmative Action Officer's Investigation
- a. Upon receipt of any report of potential sexual harassment conduct, the Affirmative Action Officer will begin an immediate investigation. The Affirmative Action Officer will promptly investigate all alleged complaints of sexual harassment, whether or not a formal grievance is filed and steps will be taken to resolve the situation, if needed. This investigation will be prompt, thorough, and impartial. The investigation will be completed no more than ten working days after receiving notice.
 - b. When a school staff member provides information or complains about sexual harassment, the Affirmative Action Officer will initially discuss what actions the staff member is seeking in response to the harassment.
 - c. The Affirmative Action Officer's investigation may include, but is not limited to, interviews with all persons with potential knowledge of the alleged conduct, interviews with any staff member(s) who may have been sexually harassed in the past by the school staff member and any other reasonable methods to determine if sexual harassment conduct existed.



~~REGULATION~~

~~SECTION: TEACHING STAFF MEMBERS~~

~~#: R-3362~~

~~SEXUAL HARASSMENT OF TEACHING STAFF MEMBERS COMPLAINT PROCEDURE (M)~~

- ~~d. The Affirmative Action Officer may request a staff member involved in the investigation to assist in the investigation.~~
- ~~e. The Affirmative Action Officer will provide a copy of Board Policy and Regulation No. 3362 to all persons who are interviewed with potential knowledge, upon request, and to any other person the Affirmative Action Officer feels would be served by a copy of such documents.~~
- ~~f. Any person interviewed by the Affirmative Action Officer may be provided an opportunity to present witnesses and other evidence.~~
- ~~g. The Affirmative Action Officer and/or Superintendent will contact law enforcement agencies if there is potential criminal conduct by any party.~~
- ~~h. The school district administration may take interim measures during an Affirmative Action Officer's investigation of a complaint.~~
- ~~i. The Affirmative Action Officer will consider particular issues of welcomeness based on the allegations.~~

~~3. Investigation Results~~

- ~~a. Upon the conclusion of the investigation, but not later than ten working days after reported to the Affirmative Action Officer, the Affirmative Action Officer will prepare a summary of findings to the parties. At a minimum, this summary shall include the person(s) providing notice to the school district and the staff member(s) who was alleged to be sexually harassed.~~
- ~~b. The Affirmative Action Officer shall make a determination whether sexual harassment conduct was present.~~
- ~~c. If the Affirmative Action Officer concludes sexual harassment conduct was not, or is not present, the investigation is concluded.~~



REGULATION

SECTION: TEACHING STAFF MEMBERS

R-3362

SEXUAL HARASSMENT OF TEACHING STAFF MEMBERS COMPLAINT PROCEDURE (M)

- d. ~~If the Affirmative Action Officer determines that sexual harassment has occurred, the school district administration shall take reasonable and effective corrective action, including steps tailored to the specific situation. Appropriate steps will be taken to end the harassment such as counseling, warning, and/or disciplinary action. The steps will be based on the severity of the harassment or any record of prior incidents or both. A series of escalating consequences may be necessary if the initial steps are ineffective in stopping the harassment.~~
- e. ~~In the event the Affirmative Action Officer determines a hostile environment exists, the Superintendent shall take steps to eliminate the hostile environment. The school district may need to deliver special training or other interventions to repair the educational environment. Other measures may include directing the harasser to apologize to the harassed staff member, dissemination of information, distribution of new policy statements or other steps to communicate the message that the Board does not tolerate harassment and will be responsive to any school staff member that reports such conduct.~~
- f. ~~In some situations, the school district may need to provide other services to the staff member that was harassed, if necessary, to address the effects of the harassment on that staff member. Depending on the type of harassment found, these additional services may include an independent re-assessment of the harassed staff member's work performance, counseling and/or other measures that are appropriate to the situation.~~
- g. ~~The Superintendent will take steps to avoid any further sexual harassment and to prevent any retaliation against the staff member who made the complaint, was the subject of the harassment, or against those who provided the information or were witnesses. The Affirmative Action Officer will inform the sexually harassed staff member to report any subsequent problems and will make follow-up inquiries to see if there has been any new incidents or retaliation.~~
- h. ~~All sexual harassment grievances and accompanied investigation notes will be maintained in a confidential file by the Affirmative Action Officer.~~
4. ~~Affirmative Action Officer's Investigation Appeal Process~~



~~REGULATION~~

~~SECTION: TEACHING STAFF MEMBERS~~

~~#: R-3362~~

~~SEXUAL HARASSMENT OF TEACHING STAFF MEMBERS COMPLAINT PROCEDURE (M)~~

~~a. Any person found by the Affirmative Action Officer's investigation to be guilty of sexual harassment conduct, or any person who believes they were sexually harassed but not supported by the Affirmative Action Officer's investigation, may appeal to the Superintendent. The Superintendent will make his/her determination within ten working days of receiving the appeal.~~

~~b. Any person who is not satisfied with the Superintendent's determination may appeal to the Board. The Board will make its determination within forty-five calendar days of receiving an appeal from the Superintendent's determination.~~

~~C. Office Of Civil Rights (OCR) Case Resolution~~

~~Persons not satisfied with the resolution of an allegation of sexual harassment by school district officials or the Board may request the Office of Civil Rights (OCR) of the United States Department of Education to investigate the allegations.~~

~~1. Any alleged victim of sexual harassment may appeal a decision of the Affirmative Action Officer, Superintendent, or the Board to the Office of Civil Rights (OCR).~~

~~2. Any person may report an allegation of sexual harassment to the OCR at any time. If the OCR is asked to investigate or otherwise resolve incidents of sexual harassment of school staff members, OCR will consider whether:~~

~~a. The school district has a policy prohibiting sexual harassment and a grievance procedure;~~

~~b. The school district appropriately investigated or otherwise responded to allegations of sexual harassment; and~~

~~c. The school district has taken immediate and appropriate corrective action responsive to Quid Pro Quo or Hostile Environment Harassment.~~

~~Issued: 14 October 2013~~



POLICY

SECTION: SUPPORT STAFF

#: P-4352

SEXUAL HARASSMENT (M)

4352 SEXUAL HARASSMENT (M)

~~The Board of Education recognizes that an employee's right to freedom from employment discrimination includes the opportunity to work in an environment untainted by sexual harassment. Sexually offensive speech and conduct are wholly inappropriate to the harmonious employment relationships necessary to the operation of the school district and intolerable in a workplace to which the children of this district are exposed.~~

~~Sexual harassment includes all unwelcome sexual advances, requests for sexual favors, and verbal or physical contacts of a sexual nature that would not have happened but for the employee's gender. Whenever submission to such conduct is made a condition of employment or a basis for an employment decision, or when such conduct is severe and pervasive and has the purpose or effect of unreasonably altering or interfering with work performance or creating an intimidating, hostile, or offensive working environment, the employee shall have cause for complaint.~~

~~The sexual harassment of any employee of this district is strictly forbidden. Any employee or agent of this Board who is found to have sexually harassed an employee of this district will be subject to discipline, which may include termination of employment. Any employee who has been exposed to sexual harassment by any employee or agent of this Board is encouraged to report the harassment to an appropriate supervisor. An employee may complain of any failure of the Board to take corrective action by recourse to the procedure by which a discrimination complaint is processed. The employee may appeal the Board's action or inaction to the New Jersey Division on Civil Rights or to the United States Equal Employment Opportunity Commission. Complaints regarding sexual harassment shall be submitted following the procedures outlined in Regulation 1530, Equal Employment Opportunity.~~

~~The Affirmative Action Officer shall instruct all employees of this Board to recognize and correct speech and behavior patterns that may be sexually offensive with or without the intent to offend.~~

~~29 C.F.R. 1604.11~~

~~Adopted: 14 October 2013~~



~~REGULATION~~

SECTION: SUPPORT STAFF

R-4352

~~SEXUAL HARASSMENT OF SUPPORT
STAFF MEMBERS COMPLAINT
PROCEDURE (M)~~

R-4352 ~~SEXUAL HARASSMENT OF SUPPORT STAFF MEMBERS~~ ~~COMPLAINT PROCEDURE (M)~~

~~Sexual harassment of school staff members is prohibited by the Board of Education. The Superintendent and school district staff will use the following methods to investigate and resolve allegations of sexual harassment of school staff members.~~

~~A. Definitions~~

- ~~1. Gender-based Harassment — Gender-based harassment that includes acts of verbal, nonverbal, physical aggression, intimidation, or hostility based on gender, but not involving conduct of a sexual nature, may be a form of sex discrimination if it is sufficiently severe, persistent, or pervasive and directed at individuals because of their gender.~~
- ~~2. Hostile Environment Sexual Harassment — Sexual harassing conduct (which can include unwelcomed sexual advances, requests for sexual favors or other favors, or other verbal, nonverbal or physical conduct of a sexual nature) by a school staff member that is sufficiently severe, persistent, or pervasive to limit another staff member's ability to participate in a workplace environment or activity, or to create a hostile or abusive workplace environment.~~
- ~~3. Quid Pro Quo Harassment — When a school staff member explicitly or implicitly conditions another school staff member's conditions of employment on the staff member's submission to unwelcomed sexual advances, requests for sexual favors, or other favors, or other verbal, nonverbal or physical conduct of a sexual nature. Quid Pro Quo Harassment is equally unlawful whether the staff member resists and suffers the threatened harm or submits and thus avoids the threatened harm.~~

~~B. Grievance Procedure~~

~~The following Grievance Procedure shall be used for an allegation(s) of harassment of school staff members by other school staff members:~~

- ~~1. Reporting of Sexual Harassment Conduct~~



REGULATION

SECTION: SUPPORT STAFF

R 4352

**SEXUAL HARASSMENT OF SUPPORT
STAFF MEMBERS COMPLAINT
PROCEDURE (M)**

- a. ~~Any person with any information regarding actual and/or potential sexual harassment of a staff member must report the information to the school Building Principal, their immediate supervisor or the Affirmative Action Officer.~~
 - b. ~~The school district can learn of sexual harassment through other means such as from a witness to an incident, an anonymous letter, or telephone call.~~
 - c. ~~A report to the school Building Principal or an immediate supervisor will be forwarded to the school district Affirmative Action Officer within one working day, even if the school Building Principal or immediate supervisor feels sexual harassment conduct was not present.~~
 - d. ~~In the event the report alleges conduct by the Building Principal or the Affirmative Action Officer, the Superintendent will designate a school official to assume the Building Principal's or Affirmative Action Officer's responsibilities, as outlined in Policy No. 4352 and this Regulation.~~
2. ~~Affirmative Action Officer's Investigation~~
- a. ~~Upon receipt of any report of potential sexual harassment conduct, the Affirmative Action Officer will begin an immediate investigation. The Affirmative Action Officer will promptly investigate all alleged complaints of sexual harassment, whether or not a formal grievance is filed and steps will be taken to resolve the situation, if needed. This investigation will be prompt, thorough, and impartial. The investigation will be completed no more than ten working days after receiving notice.~~
 - b. ~~When a school staff member provides information or complains about sexual harassment, the Affirmative Action Officer will initially discuss what actions the staff member is seeking in response to the harassment.~~
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REGULATION

SECTION: SUPPORT STAFF
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PROCEDURE (M)

past by the school staff member and any other reasonable methods to determine if sexual harassment conduct existed.

- d. The Affirmative Action Officer may request a staff member involved in the investigation to assist in the investigation.
- e. The Affirmative Action Officer will provide a copy of Board Policy and Regulation No. 4352 to all persons who are interviewed with potential knowledge, upon request, and to any other person the Affirmative Action Officer feels would be served by a copy of such documents.
- f. Any person interviewed by the Affirmative Action Officer may be provided an opportunity to present witnesses and other evidence.
- g. The Affirmative Action Officer and/or Superintendent will contact law enforcement agencies if there is potential criminal conduct by any party.
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~~REGULATION~~

~~SECTION: SUPPORT STAFF~~

~~#: R 4352~~

~~SEXUAL HARASSMENT OF SUPPORT STAFF MEMBERS COMPLAINT PROCEDURE (M)~~

- d. ~~If the Affirmative Action Officer determines that sexual harassment has occurred, the school district administration shall take reasonable and effective corrective action, including steps tailored to the specific situation. Appropriate steps will be taken to end the harassment such as counseling, warning, and/or disciplinary action. The steps will be based on the severity of the harassment or any record of prior incidents or both. A series of escalating consequences may be necessary if the initial steps are ineffective in stopping the harassment.~~
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- f. ~~In some situations, the school district may need to provide other services to the staff member that was harassed, if necessary, to address the effects of the harassment on that staff member. Depending on the type of harassment found, these additional services may include an independent re-assessment of the harassed staff member's work performance, counseling and/or other measures that are appropriate to the situation.~~
- g. ~~The Superintendent will take steps to avoid any further sexual harassment and to prevent any retaliation against the staff member who made the complaint, was the subject of the harassment, or against those who provided the information or were witnesses. The Affirmative Action Officer will inform the sexually harassed staff member to report any subsequent problems and will make follow-up inquiries to see if there has been any new incidents or retaliation.~~
- h. ~~All sexual harassment grievances and accompanied investigation notes will be maintained in a confidential file by the Affirmative Action Officer.~~

~~4. Affirmative Action Officer's Investigation Appeal Process~~



REGULATION

SECTION: SUPPORT STAFF

R 4352

SEXUAL HARASSMENT OF SUPPORT
STAFF MEMBERS COMPLAINT
PROCEDURE (M)

a. Any person found by the Affirmative Action Officer's investigation to be guilty of sexual harassment conduct, or any person who believes they were sexually harassed but not supported by the Affirmative Action Officer's investigation, may appeal to the Superintendent. The Superintendent will make his/her determination within ten working days of receiving the appeal.

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C. Office Of Civil Rights (OCR) Case Resolution

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a. The school district has a policy prohibiting sexual harassment and a grievance procedure;

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Issued: 14 October 2013

