1000 ADMINISTRATION

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1100 DISTRICT ORGANIZATION

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

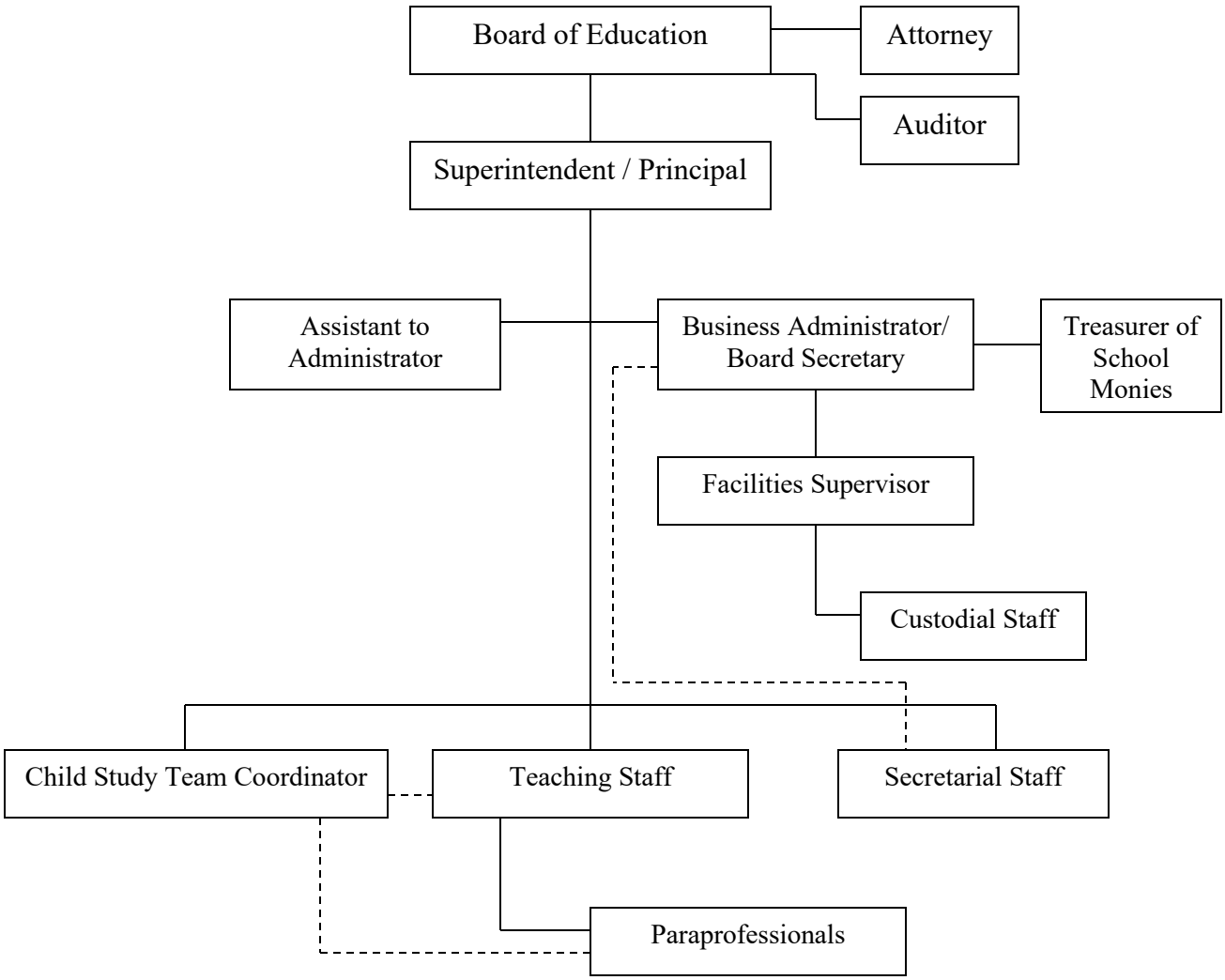
All members and employees of this Board are directed to observe faithfully the chain of communications established by the district organizational plan. In general, a problem should be identified and its resolution attempted at the level most immediate to the problem's origin. When a resolution cannot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

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

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

Adopted: 19 October 2011

1110 ORGANIZATIONAL CHART



Adopted: 19 October 2011

1130 STAFF LIAISON COMMITTEES

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

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

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

Adopted: 19 October 2011

1140 AFFIRMATIVE ACTION PROGRAM

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

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

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

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

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

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

conduct the annual district internal monitoring to ensure continuing compliance with State and Federal statutes governing educational equity, pursuant to N.J.A.C. 6A:7-1.4(d).

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

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

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

Adopted: 20 March 2024

1210 BOARD-SUPERINTENDENT RELATIONS

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

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

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

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

Adopted: 19 October 2011

1220 EMPLOYMENT OF CHIEF SCHOOL ADMINISTRATOR

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

The Superintendent shall devote themselves exclusively to the duties of the office.

Recruitment Procedures

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

1. The preparation of a new or a review of an existing written job description;

2. The preparation of informative material describing the district and its educational goals and objectives;

3. The opportunity for applicants to visit the district, where feasible;

4. An interview process that encourages the candidate and the Board members to have a meaningful discussion of the district's needs and expectations. The Board members shall review and discuss the candidate's credentials, qualifications, educational philosophy, and other qualities and expertise the candidate can offer to the district;

5. Solicitation of applications from a wide geographical area; and

6. Strict compliance with law and Policy 1530 on equal employment opportunity.

Qualifications

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

The candidate shall meet criteria established by the Board.

Employment Contract

A person appointed Superintendent must enter into an employment contract with the Board.

An employment contract for the Superintendent shall be reviewed and approved by the Executive County Superintendent in accordance with the provisions of N.J.A.C. 6A:23A-3.1 and Policy 1620. Any action(s) by the Executive County Superintendent undertaken pursuant to N.J.A.C. 6A:23A-3.1 may be appealed to the Commissioner pursuant to the procedures set forth in N.J.A.C. 6A:3 pursuant to N.J.A.C. 6A:23A-3.1(f).

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

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

In the event there is a Superintendent vacancy prior to the expiration of the existing contract, the Board seated at the time the position becomes vacant may appoint and approve an employment contract for the next Superintendent.

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

During the term of the contract, the Superintendent shall not be dismissed or reduced in compensation except for inefficiency, incapacity, or conduct unbecoming a Superintendent

or other just cause and then only in the manner prescribed by N.J.S.A. 18A:6 Article 2 Subarticle B pursuant to N.J.S.A. 18A:17-20.2.

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

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

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

Disqualification

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

Certificate Revocation

All Superintendent contracts shall include, pursuant to N.J.S.A. 18A:17-15.1, the required provision that states that the contract is null and void in the event the Superintendent's certificate is revoked in accordance with N.J.A.C. 6A:23A-3.1(e)13.

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

Adopted: 25 February 2026

1230 SUPERINTENDENT'S DUTIES

Function

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

Authority

The Superintendent shall be the Chief School Administrator of the school district and principal advisor to the Board. The Superintendent may delegate to an appropriate school official any duty not reserved to the Superintendent by law.

Work Relationships

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

Duties and Responsibilities

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

   1. Ensure all aspects of school district operations comply with Board policy and regulation, Federal and State law, and school district contracts;

   2. Report to the Board on the needs of the school district;

   3. Advise the Board of any revisions or additions that should be made to its policies and regulations;

   4. Provide the Board with information as may be needed to ensure informed decisions are made by the Board; and

   5. Perform other duties as may be assigned by the Board.

B. In the discharge of their responsibility for the implementation of the operational action plan of the school district, the Superintendent shall:

1. Prepare, promulgate, and maintain a manual of Board policies and regulations;

2. Evaluate the future needs of the school district and recommend a school district action plan including goals, objectives, and priorities to the Board; and

3. Report to the United States Department of Education and the New Jersey Department of Education, the New Jersey Commissioner of Education, and the Executive County Superintendent as required.

C. In the discharge of their responsibility as the administrator of the instructional program, the Superintendent shall:

1. Establish and maintain a written instructional plan for the schools of the school district consistent with the educational goals adopted by the Board;

2. Coordinate the proper implementation of the instructional plan as it applies to each school in the school district;

3. Evaluate at least annually the effectiveness of the program of studies and recommend changes and additions to improve its effectiveness;

4. Evaluate the performance of students in relation to other public school districts, as well as in relation to State and national standards;

5. Report periodically to the Board, as directed by the Board, on the condition of the educational program and facilities in the school district; and

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

D. In the discharge of their responsibility for the direction and welfare of students, the Superintendent shall:

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

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

3. Recommend any changes in the program of student management and support to respond to school district needs.

E. In the discharge of their responsibility for the supervision of school district employees, the Superintendent shall:

1. Recommend to the Board all properly certified candidates for employment, assignment, or transfer;

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

3. Train staff to implement approved changes in the curriculum or instructional methods of the school district;

4. Evaluate the effectiveness of staff in the performance of their assigned tasks;

5. Recommend changes in staffing patterns based on the evaluation of staff and program effectiveness; and

6. Discipline staff and report to the Board any suspension of a staff member.

F. In the discharge of their responsibility for the maintenance of the school buildings and grounds, the Superintendent shall:

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

2. Assign support staff to achieve maximum effectiveness from the school buildings and grounds of the school district;

3. Train support staff to maintain the school buildings and grounds and to avoid safety and environmental hazards; and

4. Evaluate the effectiveness of the school district's school buildings and grounds in housing the instructional program and recommend to the Board changes and improvements.

G. In the discharge of their responsibility for the management of the school district business affairs, the Superintendent shall:

1. Supervise the preparation of the annual budget and recommend its adoption to the Board;

2. Implement the budget adopted by the Board;

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

4. Report to the Board at its next meeting any expenditure in excess of a budgeted line item.

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

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

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

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

4. Cooperate with news media; and

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

Evaluation Criteria

The Superintendent will be evaluated in accordance with Policy 1240 and the Board-approved job description.

N.J.S.A. 18A:7A-11.; 18A:17-17.; 18A:17-18.; 18A:17-20.; 18A:17-21.;
18A:22-8.1.; 18A:27-4.1.; 18A:37-4.
N.J.A.C. 6A:8-3.1; 6A:32-4.1

Adopted: 16 September 2026

1240 EVALUATION OF SUPERINTENDENT

The purpose of the annual evaluation is to promote professional excellence and improve the skills of the Superintendent, improve the quality of the education received by the students in the schools, and provide a basis for the review of the Superintendent's performance.

This Policy and Regulation 1240 shall be developed by the Board of Education after consultation with the Superintendent and shall include, but not be limited to:

1. Determination of roles and responsibilities for the implementation of the annual evaluation policy and procedures;

2. Development of a job description and evaluation criteria based upon the Board of Education's local goals, program objectives, policies, instructional priorities, State goals, statutory requirements, and the functions, duties, and responsibilities of the Superintendent;

3. Specification of data collection and reporting methods appropriate to the job description;

4. Provisions for the preparation of an individual professional growth and development plan based in part upon any need(s) identified in the evaluation. The plan shall be mutually developed by the Board of Education and the Superintendent; and

5. Preparation of an annual performance report by a majority of the full membership of the Board of Education and an annual summary conference between a majority of the total membership of the Board of Education and the Superintendent.

There shall be an annual summary conference between the Board of Education, with a majority of its total membership present, and the Superintendent which shall be held before the annual performance report is filed. The conference shall be held in executive session, unless the Superintendent requests that it be held in public. The conference shall include, but not be limited to, review of the following:

1. Performance of the Superintendent based upon the Board approved job description;

2. Progress of the Superintendent in achieving and/or implementing the school district's goals, program objectives, policies, instructional priorities, State goals, and statutory requirements; and

3. Indicators of student progress and growth toward program objectives.

The annual performance report shall be prepared by July 1 by a majority of the Board of Education's total membership and shall include, but not be limited to:

1. Performance area(s) of strength;

2. Performance area(s) needing improvement based upon the job description and evaluation criteria set forth in N.J.A.C. 6A:10-8.1(c)2;

3. Recommendations for professional growth and development;

4. A summary of indicators of student progress and growth, and a statement of how the indicators relate to the effectiveness of the overall program and the Superintendent's performance; and

5. Provision for performance data not included in the report to be entered into the record by the Superintendent within ten teaching staff member working days after the report's completion.

The evaluation procedure for a nontenured Superintendent shall be completed by July 1 each year.

Each newly appointed or elected Board of Education member shall complete a New Jersey School Boards Association training program on the evaluation of the Superintendent within six months of the commencement of his or her term of office pursuant to N.J.S.A. 18A:17-20.3.b.

The rules in N.J.A.C. 6A:10-1.1 et seq. shall not override any conflicting provision(s) of a collective bargaining agreement or other employment contracts entered into by a school district in effect on July 1, 2013. No collective bargaining agreement entered into after July 1, 2013 shall conflict with the educator evaluation system established pursuant to N.J.A.C. 6A:10-1.1 et seq. or any other specific statute or regulation, nor shall topics

subject to collective bargaining involve matters of educational policy or managerial prerogatives.

The Board of Education shall add to the Superintendent's personnel file all annual performance reports and supporting data, including, but not limited to, indicators of student progress and growth. All information contained the annual performance reports and all information collected, compiled, and/or maintained by employees of the Board of Education for the purposes of conducting the educator evaluation process pursuant to N.J.A.C. 6A:10-1.1 et seq. shall be confidential. Such information shall not be subject to public inspection or copying pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq. Nothing contained in N.J.A.C. 6A:10-1.1 et seq. shall be construed to prohibit the New Jersey Department of Education from, at its discretion, collecting evaluation data pursuant to N.J.S.A. 18A:6-123.e or distributing aggregate statistics regarding evaluation data.

The Board President, or the Board President's designee, shall oversee the annual evaluation of the Superintendent. The Board of Education may hire a qualified consultant to assist or advise in the evaluation process; however, the evaluation itself shall be the responsibility of the Board of Education.

Policy and Regulation 1240 shall be distributed to the Superintendent upon adoption by the Board. Amendments to this Policy and Regulation shall be distributed within ten working days after adoption.

The provisions of this Policy, Regulation, and N.J.A.C. 6A:10-8.1 et seq. are the minimum requirements for the evaluation of a Superintendent.

N.J.S.A. 18A:17-20.3; 18A:6-117 through 18A:6-129
N.J.A.C. 6A:10-1.1 et seq.; 6A:10-8.1 et seq.

Adopted: 4 October 2017

1260 INCAPACITY OF SUPERINTENDENT

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

The Superintendent will be deemed to be incapacitated when:

1. The Superintendent is absent on disability leave of a projected duration of one hundred eighty days or more; or

2. The Superintendent is certified incapacitated by a physician in accordance with Board Policy No. 3161; or

3. The Superintendent has been suspended with pay; or

4. The Superintendent has been suspended without pay pending the resolution of tenure charges.

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

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

Adopted: 19 October 2011

1310 EMPLOYMENT OF SCHOOL BUSINESS ADMINISTRATOR/ BOARD SECRETARY

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

All candidates for the position of School Business Administrator/Board Secretary must produce evidence of their training and/or experience in the fields of: economics; law; accounting; organizational theory; management or administration; finance; and other responsibilities as outlined in the job description or required by the Board.

A candidate for the position of School Business Administrator/Board Secretary shall be recommended to the Board by the Superintendent. The Board of Education will appoint a suitable person who holds the appropriate certificate as prescribed by the State Board of Education. The appointment of the School Business Administrator/Board Secretary shall be made by the Board, which shall also fix the compensation to be paid to the School Business Administrator/Board Secretary.

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

N.J.S.A. 18A:16-1; 18A:17-5; 18A:17-14.1 et seq.
N.J.A.C. 6A:9B-12.7

Adopted: 19 October 2016

1320 DUTIES OF SCHOOL BUSINESS ADMINISTRATOR/ BOARD SECRETARY

Qualifications

1. Valid New Jersey School Business Administrator Certificate or eligibility*;
2. Minimum experience as determined by the Board;
3. Understanding of the principles and practices of financial accounting and reporting procedures consistent with statute, code and GAAP requirements;
4. Knowledge of accepted business practices in school districts related to budget preparation and administration, risk management, purchasing, transportation, food services, school plant operations and facility planning;
5. Demonstrated organizational, communication and interpersonal skills; and
6. Required criminal history background check and proof of U.S. citizenship or legal resident alien status.

*Effective September, 1991 a School Board Secretary who performs regulated functions as described in New Jersey administrative code must be certified as a School Business Administrator. In accordance with administrative code, a Board Secretary who lacks certification but was assigned prior to September 1, 1991 to perform business administration functions shall be permitted to retain his/her position in the district but will be required to meet requirements for the provisional certificate in order to seek employment in a new position in another district.

Reports to: Superintendent/Board of Education

Supervises: All custodial, maintenance, and business operations staff

Job Goal: To supervise, manage and coordinate the business affairs of the district efficiently and effectively to ensure that educational support services help to achieve the educational goals of the district with the available financial resources.

Performance Responsibilities

1. Assists the Superintendent in the preparation of the annual school budget and is responsible for the administration of all phases of the budget throughout the year.

2. Serves as general accountant for the Board. Keeps accurate and detailed accounts of all financial transactions as prescribed by statute, administrative code and Board policy.

3. Assumes responsibility for the audit of all claims, invoices and demands against the Board, presents them for Board approval and submits them to the Treasurer of School Moneys for payment.

4. Collects tuition fees and other moneys due to the Board.

5. Serves as the official purchasing agent of the Board and is responsible for establishing procedures for the acquisition of supplies and equipment for the district in accordance with law and Board policies.

6. Oversees the operation and maintenance of all school facilities and supervises custodial, grounds and maintenance services. Ensures that all local, State/Federal standards for the health and safety of pupils and staff are maintained and that required reports are maintained.

7. Assists the Superintendent in the development and implementation of a multi-year (three to five years) comprehensive maintenance plan and the district's long-range facilities master plan.

8. Administers the district's insurance/risk management program.

9. Is responsible for the safe, efficient operation of the pupil transportation program.

10. Assists the Superintendent in projection of facility needs and oversees all construction programs. Helps develop educational standards for sites, buildings and equipment; prepares cost data; and cooperates with architect and construction supervisor during construction programs.

11. Acts as the agent of the Board in site acquisitions and sale/lease of property and is responsible for scheduling the use of school buildings and grounds by authorized groups in accordance with Board policies.

12. Oversees the preparation of the district payroll and ensures proper maintenance of records related to auditing requirements, tax laws, and employee benefits. Is responsible for implementing hospitalization, major medical and other types of Board-approved employee benefit plans.

13. Is responsible for investment of Board funds in accordance with statute and Board policy.

14. Assists the Superintendent and the Board in developing and updating policies for all aspects of the school business operation.

15. Safeguards and maintains all records and papers of the Board, and devises a system of acceptable recording and filing to guarantee the safety and availability of all reports, minutes of meetings, contracts, communications and publications, and such other documents as the Board may place in the Secretary's custody.

16. Is responsible for the retention and destruction of public documents in accordance with State law and retention schedules and serves as the district's records management officer.

17. Notifies all Board members of regular and special meetings. Calls special meetings whenever requested by the Board President or by a petition signed by a majority of the Board. Attends all Board meetings.

18. Records all proceedings of Board meetings, prepares the official meeting minutes and handles all correspondence of the Board.

19. Performs duties related to school elections as required by law and works cooperatively with the County Board of Elections, the county clerk and district Board of Elections in facilitating all regular and special school elections.

20. Presides at the annual reorganization meeting of the Board until such time as a President is elected.

21. Administers the oath of office to newly elected Board members.

22. Annually develops and transmits to the County Superintendent of Schools, on or before February 1, a list of names of the school officials, by office and position, whose responsibilities require the filing of the Financial and Personal/Relative Disclosure Statements.

23. Notifies the County Superintendent of the names of newly elected or appointed Board members to obtain the State-required Financial and Personal/Relative Disclosure Statements and informs the County Superintendent of new administrators or supervisors appointed after the April 30 filing date.

24. Prior to the annual submission to the County Superintendent, checks that the completed disclosure forms have been reviewed to assure that both required forms have been filed; that all questions have been answered or indicated as not being applicable; and that each copy is signed by an original signature.

25. Provides to the County Superintendent the names of all persons on the February 1 list of school officials and all newly elected or appointed persons who have failed to file as required under the law.

26. Notifies the New Jersey School Boards Association of the names of newly-elected or appointed school Board members in a timely manner to ensure the fulfillment of training required by the School Ethics Act.

27. Performs such other duties as may be prescribed by law or assigned by the Superintendent or the Board.

Terms of Employment: Twelve months. Contract terms and salary to be determined by the Board.

Evaluation: Performance of this job will be evaluated annually in accordance with provisions of State law, administrative code, and the Board's policy on evaluation of the School Business Administrator/Board Secretary.

Adopted: 19 October 2011

1330 EVALUATION OF THE SCHOOL BUSINESS ADMINISTRATOR

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

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

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

Adopted: 19 October 2011



1331 EVALUATION OF THE BOARD SECRETARY

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

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

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

Adopted: 19 October 2011



1350 INCAPACITY OF SCHOOL BUSINESS ADMINISTRATOR/ BOARD SECRETARY

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

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

1. The School Business Administrator/Board Secretary is absent on disability leave of a projected duration of one hundred eighty days or more; or

2. The School Business Administrator/Board Secretary is certified incapacitated by a physician in accordance with Board Policy No. 3161; or

3. The School Business Administrator/Board Secretary has been suspended with pay; or

4. The School Business Administrator/Board Secretary has been suspended without pay pending the resolution of tenure charges.

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

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

Adopted: 19 October 2011

1400 JOB DESCRIPTIONS

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

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

1. The qualifications and specific certificate and endorsement required for the position;

2. The function, duties, and responsibilities of the position;

3. The extent and the limits of the position holder's authority;

4. The work relationships between the position holder and other employees of the district; and

5. Any background experiences, personal qualities, and individual achievements that the Board prefers in a person appointed to the position.

Job descriptions will be reviewed periodically.

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

Adopted: 19 October 2011

1510 AMERICANS WITH DISABILITIES ACT

It is the policy of the Board of Education that no qualified individual with a disability will, on the basis of disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in employment or under any program, activity, or services sponsored by this Board. The Board will comply with the Americans with Disabilities Act of 1990, as amended by the Americans with Disabilities Amendments Act of 2008 (hereafter referred to as the Act).

Notice of Board Policy 1530 – Equal Employment Opportunities and Board Policy 5750 – Equal Educational Opportunity will be included in the Board policy manual, posted throughout the district, and referenced in any district statement regarding the availability of employment positions or educational services.

Employment

No employee or candidate for employment will be discriminated against in recruitment, hiring, advancement, discharge, compensation, job training, transfer, or any other term, condition, or privilege of employment solely on the basis of a disability, provided the employee or candidate can, with or without reasonable accommodation, perform the essential functions of the position sought or held.

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

Reasonable accommodations, not directly affecting the educational and/or instructional program, will be made to accommodate employment conditions to the needs of qualified individuals with disabilities, such accommodations may include, but are not limited to: making existing facilities used by employees readily assessable to and usable by individuals with disabilities, job restructuring, part-time modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.

The district will furnish appropriate auxiliary aids and services where necessary to afford individuals with disabilities an equal opportunity to participate in and enjoy the benefits of a service, program, or activity conducted by the district.

Facilities Maintenance and Accessibility

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

The district will maintain facilities and equipment required by the Act to be readily accessible to and usable by persons with disabilities.

Service, Program, and Activity Access

The district will make reasonable accommodations so that services, programs, and activities are readily accessible and usable by qualified individuals with disabilities. The district is not required to provide personal devices or services of a personal nature to qualified individuals with disabilities.

Evaluation and Compliance

The Superintendent or designee will evaluate district programs and practices on nondiscrimination, in accordance with law, and will report to the Board accordingly. Assurances of compliance will be submitted as required by law.

The district, with the assistance of interested persons, who may include individuals with disabilities or members of organizations representing individuals with disabilities, or other interested community members and staff, will evaluate its current services, policies, practices, and the effects thereof with regard to the requirements of the Act and make necessary modifications to meet the Act requirements. If such modifications would result in a fundamental alteration of the nature of the affected program or activity, or undue financial or administration burden, the district will provide access through means which would not result in a fundamental alteration or undue financial or administrative burden. CFR §35.150(a)

For a period of at least three years following completion of the self-evaluation, the district will maintain on file, available for public inspection, a list of those interested persons consulted, a description of the areas examined and problems identified, and modifications made.

Enforcement - 28 CFR §35.107

The Board will designate the Superintendent as district coordinator for matters dealing with ADA compliance. The district coordinator can be contacted at the following address or telephone number:

Office Address: 102 Hawthorne Road, Essex Fells, NJ 07021
Telephone Number: 973-226-0505

Grievance procedures are outlined in Regulation 1510.

Guarantee of Rights

The Board will not interfere, directly or indirectly, with any person's exercise or enjoyment of the rights protected by the Act.

The Board will not discriminate against any person for that person's opposition to any act or practice made unlawful by law or this Policy or for that person's participation in any manner in an investigation or proceeding arising under the Act.

The district is not required to permit an individual to participate in or benefit from the district's services, programs, or activities when that individual poses a direct threat to the health or safety of others.

Notice

Policy and Regulation 1510 will be available to any member of the public in the district's Policy and Regulation Manual.

42 U.S.C. 12101 (Americans with Disabilities Act of 1990, as amended)
N.J.S.A. 10:5-1 et seq.
N.J.S.A. 18A:18A-17
N.J.A.C. 6A:14-1 et seq.
34 CFR Part 104

Adopted: 15 February 2017

1511 BOARD OF EDUCATION WEBSITE ACCESSIBILITY

It is the goal of the Board of Education that the information on the school district's internet websites are accessible to individuals with disabilities in compliance with the requirements of Federal law (Section 504 of the Rehabilitation Act of 1973 and that statute's implementing regulations at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 and that statute's implementing regulations at 28 C.F.R. Part 35) and New Jersey law (N.J.S.A. 18A:36-35.1).

A. Federal Law – American with Disabilities Act (ADA)

1. For the purpose of the Federal law - Section 504 of the Rehabilitation Act of 1973 and that statute's implementing regulations at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 and that statute's implementing regulations at 28 C.F.R. Part 35 and this Policy, "school district website" includes, but is not limited to, the internet home page, all subordinate pages, school or school district department pages, intranet pages and sites, and includes online content and functionality, developed by, maintained by, or offered through a third-party vendor or by using open sources.

2. The accessibility of online content and functionality will be measured according to the most up-to-date version of the World Wide Web Consortium's (W3C) Web Content Accessibility Guidelines (WCAG) and the Web Accessibility Initiative Accessible Rich Internet Application Suite (WAI-ARIA) 1.0 for web content (benchmarks for measuring accessibility).

3. By conforming to the benchmarks for measuring accessibility set forth above, the Board of Education will ensure that people with disabilities have an opportunity equal to that of their nondisabled peers to access the information on the district's website.

4. To ensure the district's website conforms with the above benchmarks for measuring accessibility, the Superintendent of Schools will designate a school staff member to act as the Website Accessibility Coordinator. The Coordinator will:

   a. Ensure that in-house staff and contractors responsible for webpages and webpage content development are properly trained on the Board of Education's website accessibility policy and procedures;

b. Ensure that all new, newly added, and modified online content and functionality is accessible to people with disabilities as measured by conformance to the above benchmarks by, among other things:

(1) Checking the hypertext markup language (HTML) of all new webpages on the website to make sure that accessible elements are used, including "alt" tags, long descriptions, and captions, as needed;

(2) Ensuring that webpages are designed in a manner that allows them to be displayed using a visitor's own settings for color and fonts, and can be navigated with a keyboard;

(3) If images are used, including photos, graphics, scanned images, or image maps, making sure to include text equivalents for them, using "alt" tags and/or long descriptions for each and ensuring the text equivalents convey the meaningful information presented visually by the image;

(4) If online forms and tables are used, making those elements accessible;

(5) Ensuring that videos appearing on the website include appropriately synchronized audio description and captions;

(6) Ensuring when posting new documents on the website, the documents shall be provided in HTML or another text-based format (even if they are provided in another format, such as portable document format (PDF)). If documents are provided in both formats, provide both formats at the same time so people with disabilities have the same degree of access as others;

(7) Periodically enlisting people with a variety of disabilities to test the Board of Education's webpages for accessibility and ease of use and use this information to increase the Board's website accessibility;

(8) Periodically coordinating the audit of existing content and functionality of the website to identify online content or

functionality that is inaccessible to persons with disabilities; and

(9) Developing and carrying out a corrective action plan, when necessary, for making the district's existing web content accessible.

c. Ensure that alternative means are available for people with disabilities to access information, programs, and services that are normally provided on the Board's website.

B. New Jersey Law – N.J.S.A. 18A:36-35.1

1. For the purpose of New Jersey law – N.J.S.A. 18A:36-35.1 and this Policy, "internet website or web service" includes any webpage, website, web service, online curriculum, or online third party or open educational resource product that is made available to enrolled students or the public by the school district.

2. Pursuant to N.J.S.A. 18A:36-35.1, no school district shall make available to the enrolled students of the district or school or to the public an Internet website or web service unless the Internet website or web service complies with the most up-to-date version of the World Wide Web Consortium's (W3C) Web Content Accessibility Guidelines (WCAG) if the Guidelines are approved by the Commissioner of Education, or any other applicable guidelines or requirements as may be designed or approved by the Commissioner of Education.

3. In accordance with N.J.S.A. 18A:36-35.1.a. and b., the school district is required to submit a statement of assurance attesting to compliance with N.J.S.A. 18A:36-35.1 as required by the Commissioner of Education.

This Policy establishes minimum standards for the accessibility of web-based information and services considered necessary to meet the district's goals and ensure compliance with applicable Federal and State laws.

Section 504 of the Rehabilitation Act of 1973
Title II of the Americans with Disabilities Act of 1990
34 C.F.R. Part 104; 28 C.F.R. Part 35
N.J.S.A. 18A:36-35.1
Adopted: 21 September 2022



1523 COMPREHENSIVE EQUITY PLAN

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

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

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

1. Prior to developing the CEP, the district shall assess its needs for achieving equity in educational activities and programs pursuant to N.J.A.C. 6A:7-1.4(c)1. The needs assessment shall identify discriminatory practices and other barriers to achieving equity in educational activities and programs, if applicable.

2. The CEP shall address:

    a. Professional development, pursuant to N.J.A.C. 6A:7-1.6; and

    b. Equity in school and classroom practices, educational activities, and programs pursuant to N.J.A.C. 6A:7-1.7.

3. The CEP shall include measurable and actionable goals, objectives, timelines, and benchmarks for measuring progress.

4. The Board shall submit the CEP to the Executive County Superintendent for confirmation of completion.

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

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

1. An assessment of the school district's needs for achieving equity in educational activities and programs. The assessment shall include staffing practices; quality-of-program data; stakeholder-satisfaction data; and student assessment data disaggregated by gender; race; ethnicity; multilingual learner status; homeless status; special education; migrant; date of enrollment; student suspension; expulsion; Child Study Team referrals; preschool through grade twelve promotion/retention data; preschool through grade twelve completion rates; attendance data; and re-examination and re-evaluation of classification and placement process of students in special education programs if there is disproportionality within certain groups;

2. A description of how other Federal, State, and district policies, programs, and practices are aligned to the CEP;

3. Progress targets for closing the achievement and opportunity gaps;

4. Professional development targets regarding the knowledge and skills needed to provide a thorough and efficient education as defined by the New Jersey Student Learning Standards (NJSLS), differentiated instruction and formative assessments aligned to the NJSLS, and professional standards for teachers and school leaders; and

5. Annual targets that address district needs in equity in school and classroom practices and are aligned to professional development targets.

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

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

N.J.A.C. 6A:7-1.1; 6A:7-1.3; 6A:7-1.4; 6A:7-1.7; 6A:7-1.8

Adopted: 20 March 2024

1530 EQUAL EMPLOYMENT OPPORTUNITIES

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

The Board shall ensure all persons shall have equal and bias-free access to all categories of employment and equal pay for equal work in this district without discriminating on the basis of any of the protected categories listed at N.J.A.C. 6A:7-1.1(a).

The school district's employment applications and pre-employment inquiries will conform to the guidelines of the New Jersey Division of Civil Rights.

The Board will use equitable hiring practices that correct imbalance and isolation based on any of the protected categories listed at N.J.A.C. 6A:7-1.1(a) among the district's staff and within every category of employment, including administration. Promotions and transfers will be monitored to ensure non-discrimination.

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

The Board will target underutilized groups in every category of employment. The Board will provide among the faculty of each school role models of diverse backgrounds.

The Board shall not enter into or maintain contracts with persons, agencies, or organizations that discriminate in employment or in the provision of benefits or services, on the basis of any of the protected categories listed at N.J.A.C. 6A:7-1.1(a), either in employment practices or in the provision of benefits or services to students or employees.

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

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

N.J.S.A. 10:5-4; 10:5-12;
N.J.S.A. 18A:6-5; 18A:6-6; 18A:28-10; 18A:29-2
N.J.A.C. 6A:7-1.1; 6A:7-1.3

Adopted: 20 March 2024

1540 ADMINISTRATOR'S CODE OF ETHICS

Definitions

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

1. Requires certification with the endorsement of School Administrator, Principal, or School Business Administrator;

2. Does not require certification but is responsible for making recommendations regarding hiring or the purchase or acquisition of any property or services by the local school district; or

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

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

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

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

Code of Ethics

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

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

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

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

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

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

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

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

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

Each administrator shall annually, in accordance with N.J.S.A. 18A:12-25 and 18A:12-26, law, file with the Commissioner a disclosure statement report regarding potential conflicts of interest and with the School Ethics Commission a financial disclosure statement.

N.J.S.A. 18A:12-21 through 18A:12-34; 18A:12-22;
18A:12-23; 18A:12-24; 18A:12-25; 18A:12-26;
18A:12-27; 18A:12-28; 18A:12-29;
18A:12-30; 18A:12-31; 18A:12-32; 18A:12-33; 18A:12-34
School Ethics Policy Guideline 1

Adopted: 19 October 2011

1550 EQUAL EMPLOYMENT/ANTI-DISCRIMINATION PRACTICES

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

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

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

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

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

N.J.S.A. 10:5-4; 10:5-12
N.J.A.C. 6A:7-1.1; 6A:7-1.3

Adopted: 20 March 2024



1552 SEXUAL HARASSMENT – STAFF

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.

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 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.

   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

   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."

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 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 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 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

(j) 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 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 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

(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.

(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.

j. 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)

   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 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: 25 February 2026

1570 INTERNAL CONTROLS

As a condition of receiving State aid, the school district shall establish specific policies and procedures on internal controls designed to provide management with reasonable assurance that the district's goals and objectives will be met and meet the requirements at N.J.A.C. 6A:23A-6.5 through N.J.A.C. 6A:23A-6.13. Internal controls shall promote operational efficiency and effectiveness, provide reliable financial information, safeguard assets and records, encourage adherence to prescribed policies, and comply with law and regulation in accordance with N.J.A.C. 6A:23A-6.4(a).

The specific internal controls contained in N.J.A.C. 6A:23A-6 shall be established together with other internal controls contained in N.J.A.C. 6A and other law and regulations, required by professional standards, and as deemed necessary and appropriate by district management. The district may submit to the Commissioner of Education a written request to approve an alternative system, approach, or process for implementing the internal controls required in N.J.A.C. 6A:23A-6. The application shall include documented evidence, including, but not limited to, an independent, third-party written assessment that the alternative system, approach, or process will achieve the same safeguards, efficiency, and other purposes as the specified internal control requirement(s) in accordance with N.J.A.C. 6A:23A-6.4(b).

The district shall evaluate business processes annually and allocate available resources appropriately in an effort to establish a strong control environment pursuant to N.J.A.C. 6A:23A-6.5. In accordance with the provisions of N.J.A.C. 6A:23A-6.5(b), the School Business Administrator/Board Secretary shall identify processes that are a violation of sound segregation of duties when performed by the same individuals. The School Business Administrator/Board Secretary shall segregate the duties of all such processes among Business Office staff based on available district resources, assessed vulnerability, and the associated cost-benefit, except as required at N.J.A.C. 6A:23A-6.5(b)1. and 2. The district shall include in the Annual Comprehensive Financial Report (ACFR) detailed organizational charts for the Central Office that tie to the district's position control logs, including, but not limited to, the business, human resources, and information management functions.

The district shall establish Standard Operating Procedures (SOP) for each task or function of the business operations of the district. The SOP manual shall include sections on each routine task or function as outlined in N.J.A.C. 6A:23A-6.6(b). The district shall establish a SOP that ensures office supplies are ordered in appropriate quantities, maintained in

appropriate storage facilities, and monitored to keep track of inventory in accordance with N.J.A.C. 6A:23A-6.6(c).

If the district has a budget in excess of $25,000,000 or more than three hundred employees, the district shall maintain an Enterprise Resource Planning (ERP) System that integrates all data and processes of the district into a unified system. An ERP system uses multiple components of computer software and hardware and a unified database to store data for the various system modules to achieve the integration. Whenever considering financial systems or the automation of other services or functions, the Superintendent or School Business Administrator/Board Secretary shall notify the Executive County Superintendent in writing to see if opportunities for a shared service system exist. Access controls shall be established for key elements of financial systems to ensure a single person does not have the ability to make system edits that would violate segregation of duties controls in accordance with N.J.A.C. 6A:23A-6.7(c).

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

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

Adopted: 17 September 2025

1581 DOMESTIC VIOLENCE (M)

Policy and Regulation 1581- Section A. sets forth the New Jersey Civil Service Commission's Uniform Domestic Violence Policy that all public employers shall adopt and distribute to all their employees in accordance with the requirements of N.J.S.A. 11A:2-6a. The purpose of the Uniform Domestic Violence Policy is to encourage public employees who are victims of domestic violence, and those impacted by domestic violence, to seek assistance from their public employer's human resources officer(s) and to provide a standard for a public employer's human resources officer(s) to follow when responding to employees.

Policy and Regulation 1581 – Section B. provides employment protection for employees of those employers as defined in N.J.S.A. 34:11C-2, who are victims of domestic violence or sexual violence in accordance with the provisions of the New Jersey Security and Financial Empowerment Act (NJ SAFE Act) - N.J.S.A. 34:11C-1 et seq.

A. Uniform Domestic Violence Policy (N.J.S.A. 11A:2-6a)

All New Jersey public employees are covered under N.J.S.A. 11A:2-6a and Policy and Regulation 1581 – Section A. All public employers shall designate a Human Resources Officer (HRO) or equivalent to assist employees who are victims of domestic violence. The name and contact information of the designated HRO must be provided to all employees. Managers and supervisors are required to refer any employee who is experiencing domestic violence or who report witnessing domestic violence to the designated HRO.

Employees who are victims of domestic violence are encouraged to seek immediate assistance from their HRO. Employees who have information about or witness an act of domestic violence against an employee are encouraged to report that information to the designated HRO, unless the employee is required to report the domestic violence pursuant to applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General directives and guidelines that impose a duty to report, in which case the employee must report to the appropriate authority in addition to reporting to the designated HRO.

Nothing in the Uniform Domestic Violence Policy and Policy and Regulation 1581 – Section A. shall preclude an employee from contacting 911 in emergency situations. HROs shall remind employees to contact 911 if they feel they are in immediate danger.

Each designated HRO shall comply with the requirements outlined in Regulation 1581 – Section A.4.d. In responding to reports of domestic violence, the HRO shall seek to maintain confidentiality to protect an employee making a report of, witnessing, or experiencing domestic violence, to the extent practical and appropriate under the circumstances and allowed by law.

To ensure confidentiality and accuracy of information, the Uniform Domestic Violence Policy 1581 and Regulation 1581 – Section A.6. require the HRO to keep all documents and reports of domestic violence in a confidential personnel file separate from the employee's other personnel records.

Public employers in the State of New Jersey shall develop an action plan to identify, respond to, and correct employee performance issues that are caused by domestic violence, pursuant to N.J.S.A. 11A:2-6a, and in accordance with the guidelines outlined in Regulation 1581 - Section A.7.

Resources and program information will be readily available to assist victims of domestic violence.

A public employer may seek to modify Policy and Regulation 1581 to create additional protocols to protect victims of domestic violence, but may not modify in a way that reduces or compromises the safeguards and processes set in the Uniform Domestic Violence Policy.

B. The New Jersey Security and Financial Empowerment Act – (N.J.S.A. 34:11C-1 et seq. - NJ SAFE Act)

The New Jersey Security and Financial Empowerment Act, N.J.S.A. 34:11C-1 et seq. (NJ SAFE Act), is a law that provides employment protection for victims of domestic or sexual violence. Any employee of an employer in the State of New Jersey as defined in N.J.S.A. 34:11C-2, who was a victim of an incident of domestic violence as defined in N.J.S.A. 2C:25-19, or a sexually violent offense as defined in N.J.S.A. 30:4-27.26, or whose parent-in-law, sibling, grandparent, grandchild, child, parent, spouse, domestic partner, or civil union partner individual, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship, was a victim shall be entitled to unpaid leave of no more than twenty days in one twelve-month period, to be used in the twelve-month period next following any incident of domestic violence or any sexually violent offense as provided in N.J.S.A. 34:11C-3.



The unpaid leave may be taken intermittently in intervals of no less than one day, as needed for the purpose of engaging in the activities outlined in N.J.S.A. 34:11C-3 and Regulation 1581 - Section B.3.a.(1)-(6) as they relate to the incident of domestic violence or sexually violent offense as outlined in Regulation 1581 - Section B.3.b.

An eligible employee may elect to use any accrued paid vacation leave, personal leave, or medical or sick leave of the employee, or any family temporary disability leave benefits provided pursuant to N.J.S.A. 43:21-27 during any part of the twenty-day period of unpaid leave provided under N.J.S.A. 34:11C-3.a.

Prior to taking the leave provided for in N.J.S.A. 34:11C-3 and Regulation 1581 - Section B., an employee shall, if the necessity for the leave is foreseeable, provide the employer with written notice of the need for the leave, unless an emergency or other unforeseen circumstance precludes prior notice. The notice shall be provided to the employer as far in advance as is reasonable and practical under the circumstances.

Nothing contained in the NJ SAFE Act (N.J.S.A. 34:11C-1 et seq.) and Regulation 1581 - Section B., shall be construed to prohibit an employer from requiring that a period of leave provided pursuant to N.J.S.A. 34:11C-3 and Regulation 1581 - Section B. be supported by the employee with documentation of the domestic violence or sexually violent offense which is the basis for the leave. If the employer requires documentation, the employee shall be regarded as having provided sufficient documentation if the employee provides supporting documentation outlined in N.J.S.A. 34:11C-3.c and Regulation 1581 – Section B.3.d.

An employer shall display conspicuous notice of its employees' rights and obligations pursuant to the provisions of the NJ SAFE Act.

An employer shall not discharge, harass, or otherwise discriminate, retaliate, or threaten to discharge, harass, or otherwise discriminate or retaliate against an employee with respect to the compensation, terms, conditions, or privileges of employment on the basis that the employee took or requested any leave to which the employee was entitled pursuant to N.J.S.A. 34:11C-3 of the NJ SAFE Act or on the basis that the employee refused to authorize the release of information deemed confidential pursuant to N.J.S.A. 34:11C-3.f of the NJ SAFE Act.

Upon a violation of any of the provisions N.J.S.A. 34:11C-3 or N.J.S.A. 34:11C-4, an employee or former employee may institute a civil action in the Superior Court for relief. All remedies available in common law tort actions shall be available to a prevailing plaintiff. The Court may also order any or all of the relief outlined in N.J.S.A. 34:11C-5. An action brought under N.J.S.A. 34:11C-5 shall be commenced within one year of the date of the alleged violation. A private cause of action provided for in N.J.S.A. 34:11C-5 shall be the sole remedy for a violation of the NJ SAFE Act.

N.J.S.A. 11A:2-6a
N.J.S.A. 34:11C-1 et seq.
New Jersey Civil Service Commission's Uniform Domestic Violence Policy

Adopted: 19 August 2020

1613- DISCLOSURE AND REVIEW OF APPLICANT'S EMPLOYMENT HISTORY (M)

A school district, charter school, nonpublic school, or contracted service provider holding a contract with a school district, charter school, or nonpublic school (hiring entity) shall not employ for pay or contract for the paid services of any person serving in a position which involves regular contact with students unless the hiring entity complies with the requirements of N.J.S.A. 18A:6-7.6 et seq. and as outlined in Policy and Regulation 1613.

An applicant the hiring entity seeks to offer employment to and will fill a position which involves regular contact with students shall be required to provide their employment history pursuant to N.J.S.A. 18A:6-7.7.a.(1). The applicant shall also provide written authorization that consents to and authorizes the disclosure of information regarding the applicant's employment history and the release of related records by the applicant's current or former employer(s) regarding child abuse and/or sexual misconduct pursuant to N.J.S.A. 18A:6-7.7.a.(2). The applicant shall also provide a written statement as to whether the applicant has any employment history regarding child abuse or sexual misconduct pursuant to N.J.S.A. 18A:6-7.7.a.(3).

A hiring entity shall review an applicant's employment history as required in N.J.S.A. 18A:6-7.7.b. and if the hiring entity determines to continue the applicant's employment application process, the hiring entity shall contact those employers listed by the applicant and request confirmation of the information provided by the applicant pursuant to N.J.S.A. 18A:6-7.7.a.

Upon the hiring entity receiving and reviewing the information disclosed by the applicant's current and/or former employer(s), and finding an affirmative response to any of the inquiries required in N.J.S.A. 18A:7.7.b.(2), and if the hiring entity determines to continue with the applicant's job application process, the hiring entity shall make further inquiries of the applicant's current or former employer(s) to ascertain additional details regarding the information disclosed.

The failure of an employer to provide the information requested by the hiring entity pursuant to N.J.S.A. 18A:6-7.7.b. within a twenty-day timeframe may be grounds for the automatic disqualification of an applicant from employment with a hiring entity in accordance with N.J.S.A. 18A:6-7.9.c.

In accordance with the provisions of N.J.S.A. 18A:6-7.9.c., a hiring entity shall not be liable for any claims brought by an applicant who is not offered employment or whose employment is terminated because of any information received or due to the inability to conduct a full review of the applicant's employment history pursuant to N.J.S.A. 18A:6-7.7.

In accordance with the provisions of N.J.S.A. 18A:6-7.9.d., a hiring entity shall have the right to immediately terminate an individual's employment or rescind an offer of employment if the applicant is offered employment or commences employment following June 1, 2018 and information regarding the applicant's history of sexual misconduct or child abuse is subsequently discovered or obtained by the employer that the employer determines disqualifies the applicant or employee from employment under N.J.S.A. 18A:6-7.6 et seq. The termination of employment pursuant to N.J.S.A. 18A:6-7.9 shall not be subject to any grievance or appeals procedures or tenure proceedings pursuant to any collectively bargained or negotiated agreement or any law, rule, or regulation.

A hiring entity may employ or contract with an applicant on a provisional basis for a period not to exceed ninety days pending review of information received pursuant to N.J.S.A. 18A:6-7.7.b. provided the conditions outlined in N.J.S.A. 18A:6-7.10.b. are satisfied.

All requests for information sent to this school district, charter school, or nonpublic school from a hiring entity regarding a current or former employee in accordance N.J.S.A. 18A:6-7.6 et seq. shall be directed to the Superintendent or designee. The Superintendent or designee shall review the request for information and confirm the applicant's employment relationship and ensure the written authorization is in compliance with N.J.S.A. 18A:6-7.7.a.(2) prior to the release of information requested and the release of related records in accordance with N.J.S.A. 18A:6-7.6 et seq.

On or after June 1, 2018, a hiring entity may not enter into a collectively bargained or negotiated agreement, an employment contract, an agreement for resignation or termination, a severance agreement, or any other contract or agreement or take any action that is prohibited as outlined in N.J.S.A. 18A:6-7.12. Any provision of an employment contract or agreement for resignation or termination or a severance agreement that is executed, amended, or entered into after June 1, 2018 and that is contrary to N.J.S.A. 18A:6-7.6 et seq. shall be void and unenforceable.



Pursuant to N.J.S.A. 18A:6-7.11, information received by a school district, charter school, or nonpublic school under Policy and Regulation 1613 and N.J.SA. 18A:6-7.6 et seq. shall not be deemed a public record under N.J.S.A. 47:1A-1 et seq. or the common law concerning access to public records. A school district, charter school, or nonpublic school that provides information or records about a current or former employee or applicant shall be immune from criminal and civil liability for the disclosure of the information, unless the information or records provided were knowingly false.

N.J.S.A. 18A:6-7.6; 18A:6-7.7; 18A:6-7.8; 18A:6-7.9;
18A:6-7.10; 18A:6-7.11; 18A:6-7.12; 18A:6-7.13
New Jersey Department of Education Guidance and Resources to Assist with Pre-Employment Requirements of P.L. 2018, c.5. - June 25, 2018

Adopted: 3 October 2018

1620 ADMINISTRATIVE EMPLOYMENT CONTRACTS

The Executive County Superintendent shall review and approve, for all Superintendents of Schools, Superintendents of Schools reappointed pursuant to N.J.S.A. 18A:17-20.1, Deputy Superintendents of Schools, Assistant Superintendents of Schools, and School Business Administrators, including any interim, acting, or person otherwise serving in these positions, in school districts, county vocational school districts, county special services school districts and other districts, except charter schools, within the county under the supervision of the Executive County Superintendent:

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

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

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

In counties where there is no Executive County Superintendent, an Executive County Superintendent from another county shall be designated by the Commissioner of Education to review and approve all contracts in accordance with N.J.A.C. 6A:23A:3-1(a) and 1., 2., and 3. above.

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

In accordance with the provisions of N.J.A.C. 6A:23A-3.1(c)1, the public notice and public hearing required pursuant to N.J.S.A. 18A:11-11 shall be applicable to a Board that renegotiates, extends, amends, or otherwise alters the terms of an existing contract with a Superintendent of Schools, Deputy Superintendent of Schools, Assistant Superintendent of Schools, or School Business Administrator. In accordance with N.J.S.A. 18A:11-11, notice must be provided to the public at least thirty days prior to the scheduled action by the Board. The Board shall also hold a public hearing and shall not take any action on the matter until the hearing has been held. The Board shall provide the public with at least ten days' notice of the public hearing.

In accordance with N.J.A.C. 6A:23A-3.1(c)1, the public notice and public hearing required pursuant to N.J.S.A. 18A:11-11 shall not apply to new contracts, including contracts that replace expired contracts for existing employees in one of the positions listed at N.J.A.C. 6A:23A-3.1(a), whether tenured or not tenured. Nothing shall preclude a Board from issuing a public notice and/or holding a public hearing on new contracts, including new contracts that replace expired contracts for existing tenured and non-tenured employees.

The public notice and public hearing required pursuant to N.J.S.A. 18A:11-11 is also required in the event an existing contract for a Superintendent of Schools, Deputy Superintendent of Schools, Assistant Superintendent of Schools, or School Business Administrator is rescinded or terminated by the Board before it is due to expire and the parties agree to new employment terms.

In connection with the Executive County Superintendent's review of the contract, the Board shall provide the Executive County Superintendent with a detailed statement setting forth the total cost of the contract for each applicable year, including salary, longevity (if applicable), benefits, and all other emoluments in accordance with N.J.A.C. 6A:23A-3.1(d).

The review and approval of the employment contracts of Superintendents of Schools, Deputy Superintendents of Schools, Assistant Superintendents of Schools, and School Business Administrators conducted by the Executive County Superintendent shall be consistent with the following additional standards outlined in N.J.S.A. 18A:7-8.1 and N.J.A.C. 6A:23A-3.1(e):

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

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

3. No contract shall include provisions for the reimbursement or payment of employee contributions that are either required by law or by a contract in effect in the district with other teaching staff members, such as payment of the employee's State or Federal taxes, or of the employee's contributions to

FICA, Medicare, State pensions and annuities (TPAF), life insurance, disability insurance (if offered), and health benefit costs.

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

5. No contract shall include benefits that supplement or duplicate benefits that are otherwise available to the employee by operation of law, an existing group plan, or other means; for example, an annuity or life insurance plan that supplements or duplicates a plan already made available to the employee. Notwithstanding the provisions of N.J.A.C. 6A:23A-3.1, a contract may contain an annuity where benefits are already contained in the existing contract between that employee and the district.

6. Contractual provisions regarding accumulation of sick leave and supplemental compensation for accumulated sick leave shall be consistent with N.J.S.A. 18A:30-3.5 and 18A:30-3.6. Supplemental payment for accumulated sick leave shall be payable only at the time of retirement and shall not be paid to the individual's estate or beneficiaries in the event of the individual's death prior to retirement. Pursuant to N.J.S.A. 18A:30-3.2, a new Board contract may include credit of unused sick leave days in accordance with the new Board's policy on sick leave credit for all employees.

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

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

9. No provision for a merit bonus shall be made except where payment is contingent upon achievement of quantitative merit criterion and/or qualitative merit criterion:

   a. A contract may include no more than three quantitative merit criteria and/or two qualitative merit criteria per contract year.

   b. The Executive County Superintendent shall approve or disapprove the selection of quantitative merit and/or qualitative merit criteria and the data that forms the basis of measuring the achievement of quantitative merit and/or qualitative merit criteria.

   c. A contract may provide for merit bonuses in an amount not exceeding 3.33 percent of annual salary for each quantitative merit criterion achieved and 2.5 percent of annual salary for each qualitative merit criterion achieved. Any such merit bonus shall be considered "extra compensation" for purpose of N.J.A.C. 17:3-4.1 and shall not be cumulative.

   d. The Board shall submit to the Executive County Superintendent a resolution certifying that a quantitative merit criterion or a qualitative merit criterion has been satisfied and shall await confirmation of the satisfaction of that criterion from the Executive County Superintendent prior to payment of any merit bonus.

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

11. No provision for payment at the time of separation or retirement shall be made for work not performed except as otherwise authorized in N.J.A.C. 6A:23A-3.1 and N.J.S.A. 18A:7-8.1.

12. No contract shall include a provision for a monthly allowance except for a reasonable car allowance. A reasonable car allowance shall not exceed the

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

13. All Superintendent contracts shall include, pursuant to N.J.S.A. 18A:17-15.1, the required provision that states that the contract is null and void in the event the Superintendent's certificate is revoked.

14. No contract shall include a provision for additional compensation upon the acquisition of a graduate degree unless the graduate degree is conferred by an accredited college or university. No contract shall include a provision for assistance, tuition reimbursement, or additional compensation for graduate school coursework unless the coursework culminates in the acquisition of a graduate degree conferred by an accredited institution, college, or university.

The review and approval of an employment contract for the Superintendent shall not include maximum salary amounts pursuant to N.J.S.A. 18A:7-8.j.

Any action(s) by the Executive County Superintendent undertaken pursuant to N.J.S.A. 18A:7-8.1, N.J.A.C. 6A:23A-3.1, and this Policy may be appealed to the Commissioner pursuant to the procedures set forth at N.J.A.C. 6A:3, Controversies and Disputes.

N.J.S.A. 18A:7-8; 18A:7-8.1; 18A:11-11
N.J.A.C. 6A:23A-3.1; 6A:23A-7 et seq.

Adopted: 17 September 2025

1631 RESIDENCY REQUIREMENT FOR PERSON HOLDING SCHOOL DISTRICT OFFICE, EMPLOYMENT, OR POSITION

Every person holding an office, employment, or position in a school district shall have his or her principal residence in New Jersey in accordance with the provisions of N.J.S.A. 52:14-7.

For the purpose of this Policy, "school district" means any local or regional school district established pursuant to Chapter 8 or Chapter 13 of Title 18A of the New Jersey Statutes and any jointure commission, county vocational school, county special services district, educational services commission, educational research and demonstration center, environmental education center, and educational information and resource center.

For the purpose of this Policy, a person may have at most one principal residence and the State of a person's principal residence means the State where the person spends the majority of his or her nonworking time, which is most clearly the center of his or her domestic life, and which is designated as his or her legal address and legal residence for voting. Having a home in New Jersey is not significant enough by itself to meet the principal residence requirement of the law. The fact that a person is domiciled in New Jersey shall not by itself satisfy the requirement of principal residency.

A person, regardless of the office, employment, or position, who holds an office, employment, or position in the school district on September 1, 2011, but does not have his or her principal residence in New Jersey on September 1, 2011, shall not be subject to this residency requirement of N.J.S.A. 52:14-7 while the person continues to hold office, employment, or position without a break in public service of greater than seven days.

A person may request an exemption from the provisions of N.J.S.A. 52:14-7 on the basis of critical need or hardship. The request shall be made to a five-member committee established in accordance with the provisions of N.J.S.A. 52:14-7 to consider applications for such exemptions. The decision on whether to approve an application from any person shall be made by a majority vote of the members of the committee, and those voting in the affirmative shall so sign the approved application. If the committee fails to act on an application within thirty days after the receipt thereof, no exemption shall be granted and the residency requirement of N.J.S.A. 52:14-7 shall be operative.

Any person holding or attempting to hold an office, employment, or position in violation of N.J.S.A. 52:14-7 shall be considered as illegally holding or attempting to hold the office, employment, or position; however, the person shall have one year from the time of taking the office, employment, or position to satisfy the requirement of principal residency. If such person fails to satisfy the requirement of principal residency as defined in N.J.S.A. 52:14-7 after the 365-day period, that person shall be deemed unqualified for holding the office, employment, or position. The Superior Court shall, in a civil action in lieu of prerogative writ, give judgment of ouster against such person, upon the complaint of any officer or citizen of the State, provided that any such complaint shall be brought within one year of the alleged 365-day period of failure to have his or her principal residence in this State.

Notice of the residency requirements as outlined in N.J.S.A. 52:14-7 and this **Policy** should be provided to all existing persons holding office, employment, or a position in the school district and to candidates seeking to hold office, employment, or a position in the school district.

N.J.S.A. 52:14-7

Adopted: 16 May 2012

1636.01 NOTIFICATION OF PROMOTION, NEW JOB, AND TRANSFER OPPORTUNITIES

The Board of Education shall make reasonable efforts to announce, post, or otherwise make known opportunities for promotion that are advertised internally within the district or externally on internet-based advertisements, postings, printed flyers, or other similar advertisements to all current employees in the affected department or departments of the district prior to making a promotion decision in accordance with N.J.S.A. 34:6B-23.

For the purpose of N.J.S.A. 34:6B-23 and this Policy, "promotion" means a change in job title and an increase in compensation.

Any promotion for a current employee that is awarded on the basis of years of experience or performance shall not be subject to the notification requirements established in N.J.S.A. 34:6B-23 and this Policy. Nothing in N.J.S.A. 34:6B-23 and this Policy shall be construed to prohibit the Board from making a promotion on an emergent basis due to an unforeseen event.

The Board shall disclose in each posting for new jobs and transfer opportunities that are advertised by the Board either externally or internally the hourly wage or salary, or a range of the hourly wage or salary, and a general description of benefits and other compensation programs for which the staff member would be eligible. Nothing in N.J.S.A. 34:6B-23 and this Policy shall be construed to prohibit the Board from increasing the wages, benefits, and compensation identified in the job opening posting at the time of making an offer for employment to an applicant.

N.J.S.A. 34:6B-23

Adopted: 17 September 2025

1642 EARNED SICK LEAVE LAW

All persons holding any office, position, or employment in local school districts, regional school districts, or county vocational schools of the State who are steadily employed by the Board of Education or who are protected by tenure in their office, position, or employment under the provisions of N.J.S.A. 18A:30-2 or any other law, except persons in the classified service of the civil service under Title 11, Civil Service, of the Revised Statutes, shall be allowed sick leave with full pay for a minimum of ten school days in any school year in accordance with the provisions of N.J.S.A. 18A:30-2.

However, a Board of Education may determine some persons holding an office, position, or employment are not eligible for sick leave in accordance with N.J.S.A. 18A:30-2. These persons shall be covered under the provisions of the New Jersey Earned Sick Leave Law (Act), N.J.S.A. 34:11D-1 through 34:11D-11. Policy and Regulation 1642outline the provisions of the Act for those persons the Board of Education determines are not eligible for sick leave in accordance with the provisions of N.J.S.A. 18A:30-2 or any rule or law of New Jersey other than the Act.

For the purposes of Policy and Regulation 1642, "employer" means a local school district, regional school district, county vocational school, or charter school of the State who does not provide sick leave with full pay to an employee pursuant to N.J.S.A. 18A:30-2 or any other law, rule, or regulation of New Jersey and is required to comply with the requirements of the Act.

For the purposes of Policy and Regulation 1642, "employee" means an individual engaged in service for compensation to a local school district, regional school district, county vocational school, or charter school of the State who is not provided sick leave with full pay pursuant to N.J.S.A. 18A:30-2 or any other law, rule, or regulation of New Jersey and is eligible to accrue earned sick leave in accordance with the requirements of the Act.

In accordance with the provisions of N.J.S.A. 34:11D-2, for every thirty hours worked, an employee eligible to accrue earned sick leave under the Act shall accrue one hour of earned sick leave commencing no later than October 29, 2018.

The employer will provide an employee with the full complement of earned sick leave for a benefit year as required under N.J.S.A. 34:11D-2 on the first day of each benefit year in accordance with the provisions of N.J.S.A. 34:11D-2.a.

The employer will not permit the employee to accrue or use in any benefit year, or carry forward from one benefit year to the next, more than forty hours of earned sick leave. In the event there is a catastrophic illness, the Board reserves the right to determine additional sick time on a case by case basis.

Unless the employee has accrued earned sick leave prior to October 29, 2018, the earned sick leave shall begin to accrue on October 29, 2018 for any employee who is hired and commences employment before October 29, 2018 and the employee shall be eligible to use the earned sick leave beginning February 26, 2019 after the employee commences employment.

If the employee's employment commences after October 29, 2018, the earned sick leave shall begin to accrue upon the date that employment commences. The employee shall be eligible to use the earned sick leave beginning on the 120th calendar day after the employee commences employment.

The employer shall be in compliance with N.J.S.A. 34:11D-2 if the employer offers paid time off to an employee, which is fully paid and shall include, but is not limited to personal days, vacation days, and sick days, and may be used for the purposes of N.J.S.A. 34:11D-3 in the manner provided by the Act, and is accrued at a rate equal to or greater than the rate described in N.J.S.A. 34:11D-2.

The employer shall pay the employee for earned sick leave at the same rate of pay with the same benefits as the employee normally earns, except that the pay rate shall not be less than the minimum wage required for the employee pursuant to N.J.S.A. 34:11-56a4.

The employer shall permit an employee to use the earned sick leave accrued pursuant to the Act for any of the reasons outlined in N.J.S.A. 34:11D-3.a.

No employer shall take retaliatory personnel action or discriminate against an employee who accrues sick leave under the Act because the employee requests or uses earned sick leave either in accordance with the Act or the employer's own earned sick leave policy for employees covered under the Act. Any complaints alleging a violation of the Act shall be filed in accordance with the provisions of N.J.S.A. 34:11D-4.

In accordance with N.J.S.A. 34:11D-5, failure of the employer to comply with the provisions of the Act shall be regarded as a failure to meet the wage payment requirements of the "New Jersey State Wage and Hour Law."

The employer shall retain records documenting hours worked and earned sick leave taken by employees covered under the Act in accordance with the provisions of N.J.S.A. 34:11D-6.

The employer shall provide notification, in a form issued by the Commissioner of Labor and Workforce Development, to employees of their rights under the Act; post the notification; and provide a copy of the notification to employees eligible to accrue earned sick leave under the Act in accordance with the provisions of N.J.S.A. 34:11D-7.

N.J.S.A. 34:11D-1 through 34:11D-11

Adopted: 20 November 2019

1642.01 SICK LEAVE

The Board of Education shall grant sick leave in accordance with N.J.S.A. 18A:30-2. All persons holding any office, position, or employment in the school district, who are steadily employed by the Board or who are protected by tenure in their office, position, or employment under the provisions of this or any other law, except persons in the classified service of the civil service under Title 11, Civil Service, of the Revised Statutes shall be allowed sick leave in accordance with N.J.S.A. 18A:30-2.

Pursuant to N.J.S.A. 18A:30-1.a., sick leave is defined as the absence from an employee's post of duty, for any of the following reasons:

1. The employee is personally ill or injured;

2. For diagnosis, care, or treatment of, or recovery from, an employee's mental or physical illness, injury or other adverse health condition, or for preventive medical care for the employee;

3. For the employee to aid or care for a family member of the employee during diagnosis, care, or treatment of, or recovery from, the family member's mental or physical illness, injury or other adverse health condition, or during preventive medical care for the family member;

4. Absence necessary due to circumstances resulting from the employee, or a family member of the employee, being a victim of domestic or sexual violence, if the leave is to allow the employee to obtain for the employee or the family member:

    a. Medical attention needed to recover from physical or psychological injury or disability caused by domestic or sexual violence;

    b. Services from a designated domestic violence agency or other victim services organization;

    c. Psychological or other counseling;

    d. Relocation; or

    e. Legal services, including obtaining a restraining order or preparing for, or participating in, any civil or criminal legal proceeding related to the domestic or sexual violence;

5. The death of a family member for up to seven days;

6. To attend a child's school-related conference, meeting, function or other event requested or required by a school administrator, teacher, or other professional staff member responsible for the child's education, or to attend a meeting regarding care provided to the child in connection with the child's health conditions or disability;

7. The school or place of care of a child of the employee is closed by order of a public official or because of a state of emergency declared by the Governor due to an epidemic or other public health emergency;

8. The employee has been exposed to a contagious disease or is quarantined for the disease in the employee's immediate household.

N.J.S.A. 18A:30-1, this Policy, and Regulation 1642.01 shall not supersede any law providing collective bargaining rights for school district employees, and shall not reduce, diminish, or adversely affect an employee's collective bargaining rights pursuant to N.J.S.A. 18A:30-1.b.

The Board reserves the right to require of any employee who claims sick leave sufficient proof in accordance with N.J.S.A. 18A:30-4 and Section C. of Regulation 1642.01.

The Superintendent or designee will prepare rules for the administration of N.J.S.A. 18A:30-1, N.J.S.A. 18A:30-4, this Policy, and Regulation 1642.01, which shall be binding on all employees.

The Superintendent or designee will submit to the Board the names of those employees absent for non-compensable cause or whose claim for sick leave pay cannot be justified. The willful misuse of sick leave may be subject to discipline.

29 U.S.C. 2601 et seq.
N.J.S.A. 18A:30-1; 18A:30-2; 18A:30-4

Adopted: 16 August 2023

1643 FAMILY LEAVE

The Board of Education will provide family leave to staff members in accordance with the New Jersey Family Leave Act (NJFLA) and the Federal Family and Medical Leave Act (FMLA). These laws have similar and different provisions that provide different rights and obligations for a staff member and the Board.

If a staff member is eligible for leave for reasons recognized under both the FMLA and NJFLA, then the time taken shall run concurrently and be applied to both laws. The NJFLA provides twelve weeks leave in a twenty-four month period and the FMLA provides twelve weeks leave in a twelve month period.

A. New Jersey Family Leave Act

1. Definitions Relative to New Jersey Family Leave Act

"Base Hours" means the hours of work for which a staff member receives compensation. Base hours shall include overtime hours for which a staff member is paid additional or overtime compensation, and hours for which a staff member receives workers' compensation benefits. Base hours shall also include hours a staff member would have worked except for having been in military service. Base hours do not include hours for when a staff member receives other types of compensation, such as administrative, personal leave, vacation, or sick leave.

"Child" means a biological, adopted, foster child, or resource family child, stepchild, legal ward, or child of a parent, including a child who becomes the child of a parent pursuant to a valid written agreement between the parent and a gestational carrier.

"Eligible employee" means any individual employed by the same employer for three months or more, who has worked 250 or more base hours during the preceding twelve month period.

"Employer" includes the State, any political subdivision thereof, and all public offices, agencies, boards, or bodies.

"Family member" means a child, parent, parent-in-law, sibling, grandparent, grandchild, spouse, domestic partner, or one partner in a civil union couple, or any other individual related by blood to a staff member, and any other

individual that a staff member shows to have a close association with a staff member which is the equivalent of a family relationship.

"Health care provider" means a duly licensed health care provider or other health care provider deemed appropriate by the Director of the Division on Civil Rights in the New Jersey Department of Law and Public Safety.

"Parent" means a person who is the biological parent, adoptive parent, foster parent, resource family parent, step-parent, parent-in-law, or legal guardian, having a "parent-child relationship" with a child as defined by law, or having sole or joint legal or physical custody, care, guardianship, or visitation with a child, or who became the parent of the child pursuant to a valid written agreement between the parent and a gestational carrier.

"Serious health condition" means an illness, injury, impairment, or physical or mental condition which requires:

a. Inpatient care in a hospital, hospice, or residential medical care facility; or

b. Continuing medical treatment or continuing supervision by a health care provider.

As used in the definition of a serious health condition, "continuing medical treatment or continuing supervision by a health care provider" means:

a. A period of incapacity (that is, inability to work, attend school, or perform regular daily activities due to a serious health condition, treatment therefore, and recovery therefrom) of more than three consecutive days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:

   (1) Treatment two or more times by a health care provider; or

   (2) Treatment by a health care provider on one occasion which results in a regimen of continuing treatment under the supervision of a health care provider;

b. Any period of incapacity due to pregnancy, or for prenatal care;

c. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition;

d. A period of incapacity, which is permanent or long-term, due to a condition for which treatment may not be effective (such as Alzheimer's disease, a severe stroke, or the terminal stages of a disease) where the individual is under continuing supervision of, but need not be receiving active treatment by, a health care provider; or

e. Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), or kidney disease (dialysis).

"Spouse" means a person to whom a staff member is lawfully married as defined by New Jersey law.

"State of emergency" means a natural or man-made disaster or emergency for which a state of emergency has been declared by the President of the United States or the Governor, or for which a state of emergency has been declared by a municipal emergency management coordinator.

2. Reasons for NJFLA Leave

a. A staff member may take NJFLA leave to provide care made necessary by reason of:

(1) The birth of a child of the staff member, including a child born pursuant to a valid written agreement between the staff member and the gestational carrier;

(2) The placement of a child into foster care with the staff member or in connection with adoption of such child by a staff member;

(3) The serious health condition of a family member of the staff member; or

(4) A state of emergency declared by the Governor of New Jersey, or when indicated to be needed by the Commissioner of Health – New Jersey Department of Health or other public health authority, an epidemic or communicable disease, a known or suspected exposure to the communicable disease, or efforts to prevent spread of a communicable disease which:

(a) Requires in-home care or treatment of a child due to the closure of the school or place of care of the child of a staff member, by order of a public official due to the epidemic or other public health emergency;

(b) Prompts the issuance by a public health authority of a determination, including by mandatory quarantine, requiring or imposing responsive or prophylactic measures as a result of illness caused by an epidemic of a communicable disease or known or suspected exposure to the communicable disease because the presence in the community of a family member in need of care by a staff member would jeopardize the health of others; or

(c) Results in the recommendation of a health care provider or public health authority, that a family member in need of care by a staff member voluntarily undergo self-quarantine as a result of suspected exposure to a communicable disease because the presence in the community of that family member in need of care by a staff member, would jeopardize the health of others.

3. Staff Member Eligibility

a. NJFLA leave may be taken for up to twelve weeks within any twenty-four month period. The NJFLA leave shall be unpaid with

benefits subject to contributions required to be made by the staff member.

b. A staff member is eligible for NJFLA leave if a staff member is employed by the same Board for three months or more, and has worked 250 or more base hours during the preceding twelve month period.

c. The method to determine the twenty-four month period in which the twelve weeks of NJFLA leave entitlement occurs shall be a "rolling" twenty-four month period measured backward from the date a staff member uses any leave under NJFLA.

d. This Policy shall serve as notice to all staff members of the method chosen in A.3.c. above. This method shall be applied consistently and uniformly to all staff members.

(1) If the Board transitions to another method, the Board is required to give at least sixty days' notice to all staff members and the transition must take place in such a way that staff members retain their full benefit of twelve weeks of NJFLA leave under whichever method affords the greatest benefit to a staff member.

e. The Board shall grant NJFLA leave to more than one staff member from the same family (for example, a husband and a wife, or a brother and a sister) at the same time, provided such staff members are otherwise eligible for NJFLA leave.

f. The fact that a holiday may occur within the week taken by a staff member as NJFLA leave has no effect and the week is counted as a week of NJFLA leave.

(1) However, if a staff member is out on NJFLA leave and the staff member is not regularly scheduled to work for one or more weeks, the weeks the staff member is not regularly scheduled to work do not count against their NJFLA leave entitlement.

4. Types of NJFLA Leave

a. Staff members are required to provide notice in writing for any NJFLA leave requested. In emergent circumstances, a staff member may provide the Board with oral notice when written notice is impracticable.

(1) Staff members must provide the Board written notice after submitting oral notice in emergent circumstances.

b. Consecutive NJFLA leave is NJFLA leave that is taken without interruption based upon a staff member's regular work schedule and does not include breaks in employment in which a staff member is not regularly scheduled to work.

(1) A staff member must provide the Board with notice of consecutive NJFLA leave no later than thirty days prior to the commencement of consecutive NJFLA leave, except where emergent circumstances warrant shorter notice.

(2) A staff member shall provide the Board with certification pursuant to A.5. below.

c. Intermittent NJFLA leave is NJFLA leave due to a single qualifying reason, taken in separate periods of time, broken up by periods in which the staff member returns to work.

(1) A staff member is entitled to take NJFLA leave intermittently for the birth of a child of the staff member, including a child

born pursuant to a valid written agreement between the staff member and a gestational carrier or the placement of a child into foster care with the staff member or in connection with adoption of such child by the staff member.

(a) The staff member shall provide the Board with prior notice of not less than fifteen calendar days before the first day on which NJFLI benefits are paid for the

intermittent NJFLA leave, unless an emergency or other unforeseen circumstance precludes prior notice.

(b) The staff member shall make a reasonable effort to schedule the intermittent NJFLA leave so as not to unduly disrupt the operations of the Board and, if possible, provide the Board, prior to the commencement of intermittent NJFLA leave, with a regular schedule of the days or days of the week on which the intermittent NJFLA leave will be taken.

(c) A staff member shall provide the Board with certification for intermittent NJFLA leave pursuant to A.5.b. below.

(2) The staff member is entitled to take intermittent NJFLA leave for the serious health condition of a family member of the staff member when medically necessary if:

(a) The total time which the intermittent NJFLA leave is taken does not exceed twelve months if taken in connection with a single serious health condition. If the intermittent NJFLA leave is taken in connection with more than one serious health condition, the intermittent NJFLA leave must be taken within a consecutive twenty-four month period or until such time the twelve week NJFLA leave is exhausted, whichever is shorter;

(b) The staff member provides the Board with prior notice of not less than fifteen calendar days before the

first day on which benefits are paid for the intermittent NJFLA leave.

(i) The staff member may provide notice less than fifteen days prior to the intermittent NJFLA leave if an emergency or other unforeseen circumstance precludes prior notice;

(c) The staff member makes a reasonable effort to schedule the intermittent NJFLA leave so as not to unduly disrupt the operations of the school district and, if possible, provide the school district, prior to the commencement of intermittent NJFLA leave, with a regular schedule of the days or days of the week on which the intermittent NJFLA leave will be taken; and

(d) The staff member provides the Board with a copy of the certification outlined in A.5.c. below.

(3) In the case of NJFLA leave taken due to an epidemic of a communicable disease, a known or suspected exposure to the communicable disease, or efforts to prevent spread of the communicable disease, the NJFLA leave may only be taken intermittently if:

(a) The staff member provides the Board with prior notice of the intermittent NJFLA leave as soon as practicable;

(b) The staff member makes a reasonable effort to schedule the NJFLA leave so as not to unduly disrupt the operations of the school district and, if possible, provide the school district prior to the commencement of the intermittent NJFLA leave, with a regular schedule of the day or days of the week on which the intermittent NJFLA leave will be taken; and

(c) A staff member provides the Board with a copy of the certification outlined in A.5.d. below.

(4) Intermittent leave taken on a reduced leave schedule is NJFLA leave due to a single qualifying reason, that is scheduled for fewer than a staff member's usual number of hours worked per workweek, but not for fewer than a staff member's usual number of hours worked per workday and may only be taken to care for the serious health condition of

a family member of a staff member when medically necessary, except that:

(a) A staff member shall not be entitled to intermittent NJFLA leave on a reduced leave schedule for a period exceeding twelve consecutive months for any one period of NJFLA leave;

(b) The staff member must provide the Board with prior notice of the intermittent NJFLA leave on a reduced leave schedule as soon as practicable;

(c) A staff member shall make a reasonable effort to schedule intermittent NJFLA leave on a reduced leave schedule so as not to disrupt unduly the operations of the school district. A staff member shall provide the school district with prior notice of the care, medical treatment, or continuing supervision by a health care provider necessary due to a serious health condition of a family member, in a manner which is reasonable and practicable; and

(d) A staff member must provide the Board with a copy of the certification outlined in A.5.c. below.

d. NJFLA leave taken because of the birth or placement for adoption of a child of the staff member may commence at any time within a year after the date of the foster care placement, birth, or placement for adoption.

e. A staff member shall not, during any period of NJFLA leave, perform services on a full-time basis for any person for whom a staff member did not provide those services immediately prior to commencement of the NJFLA leave.

(1) A staff member on NJFLA leave may not engage in other full-time employment during the term of the NJFLA leave, unless such employment commenced prior to the NJFLA leave and is not otherwise prohibited by law.

(2) During the term of NJFLA leave a staff member may commence part-time employment which shall not exceed half the regularly scheduled hours worked for the Board from whom a staff member requested NJFLA leave. A staff member may continue part-time employment which commenced prior to a staff member's NJFLA leave, at the same number of hours that a staff member was regularly scheduled prior to such NJFLA leave.

(3) The Board may not maintain a policy or practice which prohibits part-time employment during the course of a NJFLA leave.

5. Certification

a. The Board shall require a staff member who requests NJFLA leave to sign a form of certification established by the Board attesting that such staff member is taking NJFLA leave in accordance with the law.

(1) The Board may not require a staff member to sign or otherwise submit a form of certification attesting to additional facts, including a staff member's eligibility for NJFLA leave.

(2) The Board may subject a staff member to reasonable disciplinary measures, depending on the circumstances, when a staff member intentionally misrepresents the reason that such staff member is taking NJFLA leave.

(3) The form of certification established by the Board shall contain a statement warning a staff member of the consequences of refusing to sign the certification or falsely certifying. Any staff member who refuses to sign the certification established by the Board may be denied the requested NJFLA leave.

(4) The Board requires that any period of NJFLA leave be supported by certification issued by a health care provider.

b. Where the certification, issued by the health care provider, is for the birth of a child of a staff member, including a child born pursuant to a valid written agreement between the staff member and a gestational carrier or the placement of a child into foster care with the staff member or in connection with adoption of such child by the staff member, the certification need only state the date of birth or date of placement, whichever is appropriate.

c. Any period of NJFLA leave for the serious health condition of a family member of a staff member shall be supported by certification provided by a health care provider. The certification shall be sufficient if it states:

(1) The date, if known, on which the serious health condition commenced;

(2) The probable duration of the condition;

(3) The medical facts within the knowledge of the provider of the certification regarding the condition;

(4) The serious health condition warrants the participation of the staff member in providing health care to the family member, as provided in the "Family Leave Act," P.L. 1989, c.261 (C.34:11B-1 et seq.) and regulations adopted pursuant to the NJFLA;

(5) An estimate of the amount of time the staff member is needed for participation in the care of the family member;

(6) If the NJFLA leave is intermittent, a statement of the medical necessity for the intermittent NJFLA leave and the expected duration of the intermittent NJFLA leave; and

(7) If NJFLA leave is intermittent and for planned medical treatment, the dates of the treatment.

d. In any case in which the Board has reason to doubt the validity of the certification provided pursuant to A.5.c. above, the Board may require, at its own expense, that a staff member obtain an opinion

regarding the serious health condition from a second health care provider designated or approved, but not employed on a regular basis, by the Board. If the second opinion differs from the certification provided pursuant to A.5.c. above, the Board may require, at its own expense, that a staff member obtain the opinion of a third health care provider designated or approved jointly by the Board and a staff member concerning the serious health condition. The opinion of the third health care provider shall be considered to be final and shall be binding on the Board and a staff member.

e. Where the certification is for an epidemic of a communicable disease, a known or suspected exposure to the communicable disease, or efforts to prevent the spread of the communicable disease, the certification shall be sufficient if it includes:

(1) For NJFLA leave taken to provide in-home care or treatment of a child due to the closure of the school or place of care of the child of a staff member, by order of a public official due to the epidemic or other public health emergency, the date on which the closure of the school or place of care of the child of a staff member commenced and the reason for such closure;

(2) For NJFLA leave taken due to a public health authority's issuance of a determination requiring or imposing responsive or prophylactic measures as a result of illness caused by an epidemic of a communicable disease or known or suspected exposure to the communicable disease because the presence in the community of a family member in need of care by a staff member would jeopardize the health of others, the date of issuance of the determination, and the probable duration of the determination; or

(3) For NJFLA leave taken because a health care provider or public health authority recommends that a family member in need of care by a staff member voluntarily undergo self-quarantine as a result of suspected exposure to a communicable disease because the presence in the community of that family member in need of care by a staff

member would jeopardize the health of others, the date of the recommendation, the probable duration of the condition, and the medical or other facts within the health care provider or public health authority's knowledge regarding the condition.

f. The Board shall not use the certification requirements as outlined in A.5. to intimidate, harass, or otherwise discourage a staff member from requesting or taking NJFLA leave or asserting any of a staff member's rights to NJFLA leave.

6. Denial or Exemption of NJFLA Leave

a. Denial of NJFLA Leave

(1) The Board may deny NJFLA leave to a staff member if:

(a) A staff member is a salaried staff member who is among the highest paid 5% of the Board's staff members or the seven highest paid staff members of the Board, whichever is greater;

(b) The denial is necessary to prevent substantial and grievous economic injury to the Board's operations; and

(c) The Board notifies a staff member of its intent to deny the NJFLA leave at the time the Board determines that the denial is necessary.

(2) The provisions of A.6.a.(1) above shall not apply when, in the event of a state of emergency declared by the Governor of

New Jersey or when indicated to be needed by the Commissioner of Health – New Jersey Department of Health or other public health authority, the NJFLA leave is for an epidemic of a communicable disease, a known or suspected exposure to a communicable disease, or efforts to prevent spread of a communicable disease.

(3) In any case in which NJFLA leave has already commenced at the time of the notification pursuant to A.6.a.(1)(c) above, a staff member shall return to work within ten working days of the date of notification.

7. Reinstatement from NJFLA Leave

a. Upon the expiration of a NJFLA leave, a staff member shall be restored to the position such staff member held immediately prior to the commencement of the NJFLA leave. If such position has been filled, the Board shall reinstate such staff member to an equivalent position of like seniority, status, employment benefits, pay, and other terms and conditions of employment.

b. If, during NJFLA leave, the Board experiences a reduction in force or layoff and a staff member would have lost their position had a staff member not been on NJFLA leave, as a result of the reduction in force or pursuant to the good faith operation of a bona fide layoff and recall system including a system under a collective bargaining agreement where applicable, a staff member shall not be entitled to reinstatement to the former or an equivalent position. A staff member shall retain all rights under any applicable layoff and recall system, including a system under a collective bargaining agreement, as if a staff member had not taken the NJFLA leave.

8. Notice to Staff Members

a. The Board shall display the official Family Leave Act poster of the Division on Civil Rights in the New Jersey Department of Law and Public Safety (Division) in accordance with N.J.A.C. 13:8-2.2. The poster is available for printing from the Division's website.

b. Access to and/or distribution of this Policy shall serve as school district notice to staff members of their rights pursuant to N.J.A.C. 13:14-1.14.

9. Local Board of Education Practices

a. Accrued Paid NJFLA Leave

(1) Whether a staff member is required to use any other accrued leave time concurrent with NJFLA leave time will depend upon either the school district's practice or a provision in a collective bargaining agreement, if applicable.

(a) Sick leave may only be used concurrently with the NJFLA leave in accordance with the provisions of N.J.S.A. 18A:30-1 and N.J.S.A. 34:11B-3.

b. Multiple Leaves of Absence

(1) Where a Board maintains leaves of absence which provide benefits, other than health benefits, that differ depending upon the type of leave taken, the Board shall provide those benefits to a staff member on NJFLA leave in the same manner as it provides benefits to staff members who are granted other leaves of absence which most closely resemble NJFLA leave.

10. New Jersey Family Leave Insurance Program (NJFLI)

a. Board of Education staff members are eligible to apply for benefits under the NJFLI Program administered by the State of New Jersey Department of Labor and Workforce Development.

b. All applications for benefits under the NJFLI Program must be filed directly with the State of New Jersey Department of Labor and Workforce Development. The eligibility requirements, wage requirements, benefit duration and amounts, and benefit limitations shall be in accordance with the provisions of the NJFLI Program as administered by the State of New Jersey Department of Labor and Workforce Development. A formal appeal may be submitted to the State of New Jersey Department of Labor and Workforce Development if an employee or the Board disagrees with a determination on a claim.

c. The NJFLI Program provides eligible individuals a monetary benefit and not a leave benefit. The school district administrative and related staff will comply with the State of New Jersey Department of

Labor and Workforce Development requests for information in accordance with the provisions of N.J.A.C. 12:21-3.9.

d. A printed notification of staff members' rights relative to the receipt of benefits under the NJFLI Program will be posted in each of the school district worksites and in a place or places accessible to all employees at the worksite.

e. Each staff member shall receive a copy of this notification in writing at the time of the staff member's hiring, whenever the staff member provides written notice to the Superintendent of their intention to apply for benefits under the NJFLI Program, or at any time upon the first request of the staff member.

(1) The written notification may be transmitted to the staff member in electronic form.

(2) Access to and/or distribution of this Policy shall serve as school district notice to staff members of their rights under the NJFLI Program.

B. Federal Family and Medical Leave Act

1. Definitions Relative to Federal Family and Medical Leave Act

"Covered Employer" means any public or private elementary or secondary school(s) regardless of the number of employees employed.

"Employee" means a staff member eligible for family and medical leave in accordance with the Federal Family and Medical Leave Act (FMLA).

"Hours of Service" means hours actually worked by the employee. It does not mean hours paid. Thus, non-working time – such as vacations, holidays, furloughs, sick leave, or other time-off (paid or otherwise) – does not count for purposes of calculating FMLA eligibility for the employee.

"Parent" means a biological, adoptive, step, or foster father or mother, or any other individual who stood in loco parentis to a staff member when a staff member has a son or daughter as defined below. This term does not include parents "in law."

"Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical facility or continuing treatment by a health care provider. "Serious health condition" may include treatment of substance abuse pursuant to 29 CFR §825.119.

"Son" or "daughter" means a biological, adopted, or foster child, stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age eighteen or age eighteen or older and incapable of self-care because of a mental or physical disability at the time that FMLA leave is to commence.

"Spouse" means a husband or wife. For purposes of this definition, husband or wife refers to the other person with whom an individual entered into marriage as defined or recognized under State law in the State in which the marriage was entered into or, in the case of a marriage entered into outside of any State, if the marriage is valid in the place where entered into and could have been entered into in at least one State. This definition includes an individual in a same-sex marriage or common law marriage.

"Week" or "Workweek" means the number of days a staff member normally works each calendar week.

2. Qualifying Reasons for FMLA Leave

   a. A staff member may take FMLA leave to provide care made necessary:

      (1) For the birth of a son or daughter of a staff member and in order to care for such son or daughter;

      (2) For the placement of a son or daughter with a staff member for adoption or foster care;

      (3) In order to care for the spouse, son, daughter, or parent of a staff member if such spouse, son, daughter, or parent has a serious health condition;

(4) For a serious health condition that makes a staff member unable to perform the functions of the position of such staff member.

b. FMLA leave taken in relation to military service shall be in accordance with 29 CFR §825.112.

c. Entitlement to FMLA leave taken for the birth of a son or daughter or placement of a son or daughter with a staff member for adoption or foster care shall expire at the end of the twelve month period beginning on the date of such birth or placement.

3. Staff Member Eligibility

a. A staff member is eligible for up to twelve weeks of FMLA leave in a twelve month period.

b. A staff member shall become eligible for FMLA leave after the staff member has been employed at least twelve months by the Board and employed for at least 1,250 hours of service during the twelve month period immediately preceding the commencement of the FMLA leave.

(1) The twelve months a staff member must have been employed need not be consecutive months pursuant to 29 CFR §825.110(b).

(2) The minimum 1,250 hours of service shall be determined according to the principles established under the Fair Labor Standards Act (FLSA) for determining compensable hours of work pursuant to 29 CFR §785.

(3) The Board shall not provide pay for FMLA leave.

c. The method to determine the twelve month period in which the twelve weeks of FMLA leave entitlement occurs will be a “rolling” twelve month period measured backward from the date a staff member uses any FMLA leave.

d. Pursuant to 29 CFR §825.201, a husband and wife both employed by the Board are limited to a combined total of twelve weeks of FMLA leave during the twelve month period if the FMLA leave is taken for the birth of a son or daughter of a staff member or to care for such son or daughter after birth; for placement of a son or daughter with a staff member for adoption or foster care or in order to care for the son or daughter after placement; or to care for a staff member's parent with a serious health condition.

4. Types of FMLA leave

a. Continuous FMLA leave is taken by staff members for a continuous period of time. Such FMLA leave is not broken up by a period of work and is continuous when a staff member is absent for three consecutive working days or more. Continuous FMLA leave may be taken for any qualifying reason.

b. Intermittent FMLA leave is FMLA leave taken in separate blocks of time due to a single qualifying reason. A reduced FMLA leave schedule is a FMLA leave schedule that reduces a staff member's usual number of working hours per workweek, or hours per workday. A reduced FMLA leave schedule is a change in a staff member's schedule for a period of time, normally from full-time to part-time.

(1) Intermittent or reduced FMLA leave may be taken for the following qualifying reasons:

(a) For the serious health condition of the staff member or to care for a parent, son, or daughter with a serious health condition.

(i) For intermittent FMLA leave or FMLA leave on a reduced FMLA leave schedule taken for the reason outlined in B.4.b.(1)(a) above there must be a medical need for FMLA leave and it must be that such medical need can be best accommodated through an intermittent or reduced FMLA leave schedule.

(ii) The treatment regimen and other information described in the certification of a serious health condition and in the certification of a serious injury or illness, shall address the medical necessity of intermittent FMLA leave or FMLA leave on a reduced FMLA leave schedule.

(iii) Intermittent FMLA leave may be taken for a serious health condition of a parent, son, or daughter, for a staff member's own serious health condition, which requires treatment by a health care provider periodically, rather than for one continuous period of time, and may include FMLA leave of periods from an hour or more to several weeks.

(b) For planned and/or unanticipated medical treatment of a serious health condition when medically necessary.

(c) To provide care or psychological comfort to a covered family member with a serious health condition when medically necessary.

(d) For absences where a staff member or family member is incapacitated or unable to perform the essential functions of the position because of a chronic serious health condition even if he or she does not receive treatment by a health care provider.

(e) For FMLA leave taken after the birth of a healthy child or placement of a healthy child for adoption or foster care, only if the Board agrees.

(i) The Board's agreement is not required; however, for FMLA leave during which the mother has a serious health condition in connection with the birth of her child or if the newborn child has a serious health condition.

(2) If a staff member needs FMLA leave intermittently or on a reduced FMLA leave schedule for planned medical treatment, then a staff member must make a reasonable effort to schedule the treatment so as not to disrupt unduly the Board's operations.

(3) When a staff member takes FMLA leave on an intermittent or reduced FMLA leave schedule basis, the Board must account for the FMLA leave using an increment no greater than the shortest period of time that the Board uses to account for use of other forms of leave provided that it is not greater than one hour and provided further that a staff member's FMLA leave entitlement may not be reduced by more than the amount of FMLA leave actually taken.

(a) If the Board accounts for use of leave in varying increments at different times of the day or shift, the Board may not account for FMLA leave in a larger increment than the shortest period used to account for other leave during the period in which the FMLA leave is taken.

(b) If the Board accounts for other forms of leave use in increments greater than one hour, the Board must account for FMLA leave use in increments no greater than one hour.

5. Staff Member Notice Requirements

a. A staff member eligible for FMLA leave must give at least a thirty day written advance notice to the Superintendent or designee if the need for the FMLA leave is foreseeable based on an expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition of a staff member or a family member.

(1) If thirty days is not practical, a staff member must provide notice "as soon as practicable" which means as soon as both possible and practical, taking into account all the facts and circumstances in the individual case.

(2) Where it is not possible to give as much as thirty days' notice, "as soon as practical" ordinarily would mean at least verbal notification to the Superintendent or designee within one or two business days or when the need for FMLA leave becomes known to a staff member.

(3) The written notice shall include the reasons for the FMLA leave, the anticipated duration of the FMLA leave, and the anticipated start of the FMLA leave.

(4) When planning medical treatment, a staff member must consult with the Superintendent or designee and make a reasonable effort to schedule the FMLA leave so as not to unduly disrupt the educational program, subject to the approval of the health care provider.

(a) Staff members are ordinarily expected to consult with the Superintendent or designee prior to scheduling of treatment that would require FMLA leave for a schedule that best suits the needs of the Board and a staff member.

(5) Intermittent FMLA leave or FMLA leave on a reduced FMLA leave schedule must be medically necessary due to a serious health condition or a serious injury or illness. A staff member shall advise the Board of the reasons why the intermittent/reduced FMLA leave schedule is necessary and of the schedule for treatment, if applicable.

(a) A staff member and the Board shall attempt to work out a schedule for such FMLA leave that meets a staff member's needs without unduly disrupting the Board's operations, subject to the approval of the health care provider.

(6) Where a staff member does not comply with the Board's usual notice and procedural requirements, and no unusual circumstances justify the failure to comply, FMLA-protected leave may be delayed or denied.



b. When the approximate timing of the need for FMLA leave is not foreseeable, a staff member should give notice to the Superintendent or designee for FMLA leave as soon as practicable under the facts and circumstances of the particular case.

(1) It is expected a staff member will give notice to the Superintendent or designee within no more than one or two business days of learning of the need for FMLA leave, except in extraordinary circumstances where such notice is not foreseeable.

(2) A staff member should provide notice to the Board either in person, by telephone, telegraph, fax machine, email, or other electronic means.

6. Outside Employment During FMLA Leave

a. A staff member during any period of FMLA leave is prohibited from performing any services on a full-time basis for any person for whom a staff member did not provide services immediately prior to commencement of the FMLA leave.

(1) A staff member using FMLA leave may commence part-time employment that shall not exceed half the regularly scheduled hours worked for the Board.

(2) A staff member may continue the part-time employment that commenced prior to the FMLA leave at the same number of hours that a staff member was regularly scheduled prior to such FMLA leave.

7. "Instructional Employees" Exceptions for FMLA Leave

a. "Instructional Employees" are those staff members whose principal function is to teach and instruct students in class, a small group, or in an individual setting. This term includes teachers, athletic coaches, driving instructors, and special education assistants, such as signers for the hearing impaired.

(1) Teacher assistants or aides who do not have as their principal job actual teaching or instructing, guidance counselors, child study team members, curriculum specialists, cafeteria workers, maintenance workers, and/or bus drivers are not considered instructional staff members for the purposes of this Policy.

(2) For purposes of this Policy "Instructional Employees" shall be referred to as "Instructional Staff Members".

b. "Semester" means the school semester that typically ends near the end of the calendar year and the end of the spring each school year. The Board can have no more than two semesters in a school year.

c. FMLA leave taken at the end of the school year and continues into the beginning of the next school year is considered consecutive FMLA leave.

d. Eligible instructional staff members that need intermittent or reduced FMLA leave to care for a family member or for a staff member's own serious health condition which is foreseeable based on planned medical treatment and would be on FMLA leave more than twenty percent of the total number of working days over the period the FMLA leave would extend, the Board may:

(1) Require a staff member to take the FMLA leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or

(2) Transfer a staff member temporarily to an available alternative position for which a staff member is qualified, which has equivalent pay and benefits and which better accommodates recurring periods of FMLA leave than does a staff member's regular position.

e. If the instructional staff member does not give the required notice for FMLA leave that is foreseeable and desires the FMLA leave to be taken intermittently or on a reduced FMLA leave schedule, the Board may require a staff member to take FMLA leave of a particular duration, or to transfer temporarily to an alternative

position. Alternatively, the Board may require a staff member to delay taking the FMLA leave until the notice provision is met.

f. If an instructional staff member begins FMLA leave more than five weeks before the end of the school year, the Board may require a staff member to continue taking FMLA leave until the end of the semester if:

(1) The FMLA leave will last three weeks; and

(2) A staff member would return to work during the three-week period before the end of the semester.

g. If an instructional staff member begins FMLA leave for a purpose other than a staff member's own serious health condition during the five week period before the end of the semester, the Board may require a staff member to continue taking FMLA leave until the end of the semester if:

(1) The FMLA leave will last more than two weeks; and

(2) The staff member would return to work during the two week period before the end of the semester.

h. If an instructional staff member begins FMLA leave for a purpose other than a staff member's own serious health condition during the three week period before the end of a semester, the Board may require a staff member to continue taking FMLA leave until the end of the semester if the FMLA leave will last more than five working days.

i. An example of FMLA leave falling within the situations outlined in B.7.f., B.7.g., and B.7.h. above:

(1) If a staff member plans two weeks of FMLA leave to care for a family member which will begin three weeks before the end of the term, the Board could require a staff member to stay out on FMLA leave until the end of the term.

j. In the case of a staff member who is required to take FMLA leave until the end of an academic term, only the period of FMLA leave until a staff member is ready and able to return to work shall be charged against a staff member's FMLA leave entitlement.

k. The Board may require a staff member to stay on FMLA leave until the end of the school term. Any additional leave required by the Board to the end of the school term is not counted as FMLA leave; however:

(1) The Board shall be required to maintain a staff member's group health insurance; and

(2) The Board shall be required to restore a staff member to the same or equivalent job including other benefits at the conclusion of the leave.

8. FMLA Leave Related to Military Service

a. Definitions for FMLA related to military service shall be in accordance with 29 CFR §§825.122; .126; .127; and .310.

b. The foreign deployment of the staff member's spouse, child, or parent in accordance with 29 CFR §§825.122 and .126:

(1) The district must grant an eligible staff member up to twelve work weeks of unpaid, job-protected FMLA leave during any twelve month period for qualifying exigencies that arise when the staff member's spouse, child, or parent is on covered active duty, or has been notified of an impending call or order to covered active duty.

c. Military caregiver FMLA leave provides care for a covered servicemember with a serious injury or illness in accordance with 29 CFR §§825.122 and .127:

(1) The district must grant up to a total of twenty-six workweeks of unpaid, job-protected FMLA leave during a "single twelve month period" to care for a covered servicemember with a serious injury or illness.

9. Verification

a. The Board shall require that a staff member's FMLA leave to care for a staff member's covered family member with a serious health condition, or due to a staff member's own serious health condition that makes a staff member unable to perform one or more of the essential functions of a staff member's position, be supported by a certification issued by the health care provider of a staff member or a staff member's family member.

(1) The Board must give written notice of a requirement for certification each time a certification is required. The Board's oral request to a staff member to furnish any subsequent certification is sufficient.

b. The Board shall require a staff member furnish certification at the time a staff member gives notice of the need for FMLA leave or within five business days thereafter, or, in the case of unforeseen FMLA leave, within five business days after the FMLA leave commences.

(1) The Board may request certification at some later date if the Board later has reason to question the appropriateness of the FMLA leave or its duration.

(2) A staff member must provide the requested certification to the Board within fifteen calendar days after the Board's request, unless it is not practicable under the particular circumstances to do so despite a staff member's diligent, good faith efforts or the Board provides more than fifteen calendar days to return the requested certification.

c. When FMLA leave is taken because of a staff member's own serious health condition, or the serious health condition of a family member, the Board shall require a staff member to obtain a medical certification from a health care provider that sets forth the following information:

(1) The name, address, telephone number, and fax number of the health care provider and type of medical practice/specialization;

(2) The approximate date on which the serious health condition commenced, and its probable duration;

(3) A statement or description of appropriate medical facts regarding the patient's health condition for which FMLA leave is requested. The medical facts must be sufficient to support the need for FMLA leave.

(a) Such medical facts may include information on symptoms, diagnosis, hospitalization, doctor visits, whether medication has been prescribed, any referrals for evaluation or treatment (physical therapy, for example), or any other regimen of continuing treatment;

(4) If a staff member is the patient, information sufficient to establish that a staff member cannot perform the essential functions of a staff member's job as well as the nature of any other work restrictions, and the likely duration of such inability;

(5) If the patient is a covered family member with a serious health condition, information sufficient to establish that the family member is in need of care, and an estimate of the frequency and duration of the FMLA leave required to care for the family member;

(6) If a staff member requests FMLA leave on an intermittent or reduced schedule basis for planned medical treatment of a staff member's or a covered family member's serious health condition, information sufficient to establish the medical necessity for such intermittent or reduced schedule FMLA leave and an estimate of the dates and duration of such treatments and any periods of recovery;

(7) If a staff member requests FMLA leave on an intermittent or reduced schedule basis for a staff member's serious health condition, including pregnancy, that may result in unforeseeable episodes of incapacity, information sufficient to establish the medical necessity for such intermittent or

reduced schedule FMLA leave and an estimate of the frequency and duration of the episodes of incapacity; and

(8) If a staff member requests FMLA leave on an intermittent or reduced schedule basis to care for a covered family member with a serious health condition, a statement that such FMLA leave is medically necessary to care for the family member, which can include assisting in the family member's recovery, and an estimate of the frequency and duration of the required FMLA leave.

d. A staff member may choose to comply with the certification requirement by providing the Board with an authorization, release, or waiver allowing the Board to communicate directly with the health care provider of a staff member or his or her covered family member.

(1) It is a staff member's responsibility to provide the Board with complete and sufficient certification and failure to do so may result in the denial of FMLA leave.

e. If the Board has reason to doubt the validity of a medical certification, the Board may require a staff member to obtain a second opinion at the Board's expense.

(1) The Board may designate the health care provider to furnish the second opinion, but the selected health care provider may not be employed on a regular basis by the Board.

f. If the opinions of a staff member's and the Board's designated health care providers differ, the Board may require a staff member to obtain certification from a third health care provider, again at the Board's expense. This third opinion shall be final and binding. The third health care provider must be designated or approved jointly by the Board and the staff member.

10. Reinstatement Following FMLA Leave

a. On return from FMLA leave a staff member is entitled to be returned to the same position a staff member held when FMLA leave commenced, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment.

(1) A staff member is entitled to such reinstatement even if a staff member has been replaced or his or her position has been restructured to accommodate for a staff member's absence.

(2) The requirement that a staff member be restored to the same or equivalent job with the same or equivalent pay, benefits, and terms and conditions of employment does not extend to de minimis, intangible, or unmeasurable aspects of the job.

b. Denial of Reinstatement

(1) A staff member has no greater right to reinstatement or to other benefits and conditions of employment that if a staff member had been continuously employed during the FMLA leave period.

(a) The Board must be able to show that a staff member would not otherwise have been employed at the time reinstatement is requested in order to deny restoration to employment.

(2) The Board may deny job restoration to "key employees", if such denial is necessary to prevent substantial and grievous economic injury to the operations of the Board.

(a) A "key employee" is a salaried FMLA-eligible staff member who is among the highest paid ten percent of all staff members employed by the Board within seventy-five miles of a staff member's worksite.

(3) If a staff member is unable to perform an essential function of the position because of a physical or mental condition,

including the continuation of a serious health condition or an injury or illness also covered by workers' compensation, a staff member has no right to restoration to another position under the FMLA.

(a) The Board's obligation may; however, be governed by the Americans with Disabilities Act, State leave law, or workers' compensation laws.

(4) A staff member who fraudulently obtains FMLA leave from the Board is not protected by FMLA's job restoration or maintenance of health benefits provisions.

c. Intent to Return to Work

(1) The Board may require a staff member on FMLA leave to report periodically on a staff member's status and intent to return to work.

d. Fitness for Duty Certification

(1) As a condition of restoring a staff member whose FMLA leave was a result of a staff member's own serious health condition that made a staff member unable to perform a staff

member's job, the Board shall require all similarly-situated staff members (i.e., same occupation, same serious health condition) who take FMLA leave for such conditions to obtain and present certification from a staff member's health care provider that a staff member is able to resume work.

(2) A staff member has the same obligations to participate and cooperate in the fitness-for-duty certification process as in the initial certification process.

11. The Board of Education Notice

a. Notice of Staff Member Rights Under FMLA

(1) The Board shall post and keep posted on its premises, in conspicuous places where staff members are employed, a notice explaining the FMLA's provisions and providing information concerning the procedures for filing complaints of violations of the FMLA with the Wage and Hour Division.

(a) The notice will be posted prominently where it can be readily seen by staff members and applicants for employment.

(b) The poster and the text will be large enough to be easily read and contain fully legible text.

(c) Electronic posting is sufficient to meet this posting requirement as long as it otherwise meets the requirements of B.11.

(2) The Board shall also provide this general notice to each staff member by including the notice in staff members' handbooks or other written guidance to staff members concerning staff member benefits or FMLA leave rights, if such written materials exist, or by distributing a copy of the general notice to each new staff member upon hiring. In either case, distribution may be accomplished electronically.

(3) Access to and/or distribution of this Policy shall serve as school district notice to staff members of their rights pursuant to 29 CFR §825 et seq.

b. Eligibility Notice

(1) When a staff member requests FMLA leave, or when the Board acquires knowledge that a staff member's FMLA leave may be for an FMLA-qualifying reason, the Board must notify the staff member of the staff member's eligibility to take FMLA leave within five business days, absent extenuating circumstances.

c. Designation Notice

(1) The Board is responsible in all circumstances for designating leave as FMLA-qualifying, and for giving notice of the designation to a staff member. The Board must notify a staff member whether the leave will be designated and will be counted as FMLA leave within five business days absent extenuating circumstances.

(2) If the Board requires paid leave to be substituted for unpaid FMLA leave, or that paid leave taken under an existing leave plan be counted as FMLA leave, the Board must inform a staff member of this designation at the time of designating the FMLA leave.

12. Local Board of Education Practices

a. Substitution of Paid Leave

(1) Whether a staff member is required to use sick time or any other accrued leave time concurrent with FMLA leave time will depend upon either the district's practice or a provision in the district's collective bargaining agreement, if applicable.

b. Maintenance of Staff Member Benefits

(1) The Board must maintain a staff member's coverage under any group health plan on the same conditions as coverage would have been provided if a staff member had been continuously employed during the entire FMLA leave period.

C. Shared Provisions

1. Interference with Family Leave Rights

The NJFLA and the FMLA prohibit interference with a staff member's rights under the law, and with legal proceedings or inquiries relating to a staff member's rights. Unless permitted by the law, no staff member shall be required to take family leave or to extend family leave beyond the time

requested. A staff member shall not be discriminated against for having exercised his/her rights under the NJFLA and the FMLA nor discouraged from the use of family leave.

2. Non-Tenured Teaching Staff

Family leave granted to a nontenured staff member cannot extend a staff member's employment beyond the expiration of his/her employment contract.

3. Record Keeping

The Superintendent or designee shall ensure the keeping of accurate attendance records that distinguish family leave from other kinds of leave so a staff member's entitlement to NJFLA leave and FMLA leave can be properly determined.

4. Processing of Complaints

a. New Jersey Family Leave Act

(1) Any complaint alleging a violation of the NJFLA shall be processed in the same manner as a complaint filed under the terms of N.J.S.A. 10:5-1 et seq. and N.J.A.C. 13:4 through the New Jersey Department of Law and Public Safety, Division on Civil Rights.

b. Federal Family and Medical Leave Act (FMLA)

(1) If there is a dispute between the Board and a staff member as to whether leave qualifies as FMLA leave, it should be resolved through discussion between the staff member and the Superintendent or designee. Such discussions and the decision shall be documented by the Superintendent or designee.

(2) A staff member also may file, or have another person file on his/her behalf, a complaint with the United States Secretary of Labor. A complaint may be filed in person, by mail, or by

telephone with the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, at any local office of the Wage and Hour Division.

(3) This Policy 1643 shall be posted on the school district website, in a manner accessible to all staff members and a hard copy shall be provided to all staff members annually prior to the beginning of the school year and upon initial employment in the school district during the school year.

29 CFR §825 et seq.
29 CFR §785
N.J.S.A. 10:5-1;
N.J.S.A. 34:11B et seq.
N.J.A.C. 13:14-1 et seq.

Adopted: 21 October 2026

1648.05 REMOTE LEARNING POLICY

The Board of Education adopts this Policy to implement rules and decorum guidelines for students and parents during virtual learning live lessons throughout the COVID-19 pandemic. It is important for students and parents to follow the rules and decorum guidelines of this Policy in order to make virtual learning an effective and successful experience for parents, students, and school staff members.

Remote learning live lessons will be conducted by teachers utilizing a school district approved video conferencing platform. Students and parents shall adhere to the following decorum guidelines during the virtual learning time period:

1. Student attendance and participation is required during all remote live lessons that are conducted utilizing a school district approved video conference platform.

2. Cameras on the student's computer shall be on and shall remain on for the duration of the lesson in order for the student to earn credit for the class.

3. Students shall be seated in a chair at a table or a desk with no distractions such as television, radios, cell phones, pets, etc.

4. Students shall be dressed in clothing which is appropriate for school and in accordance with the school dress code as per Policy 5511 and the Student/Parent Handbook.

5. Students may not eat or drink during their remote learning live lessons.

6. Students may not participate in any alternative activities during remote learning live lessons such as watching television, listening to music, using a cell phone, etc.

7. Parents shall not participate in any remote learning live lesson unless the teacher has requested them to do so. Parents shall remain outside of the virtual screen of the student's computer and shall not be heard at any time.

8. If a parent has a reason to speak to their child's teacher, the parent may contact the teacher outside of the instructional period in accordance with Policy 9205.

Any inappropriate actions or a violation of any of the above rules and decorum guidelines will result in appropriate disciplinary action.

Adopted: 16 December 2020

1649 – FEDERAL FAMILIES FIRST CORONAVIRUS (COVID-19) RESPONSE ACT

The Federal Families First Coronavirus (COVID-19) Response Act (FFCRA) includes the Emergency Family and Medical Leave Expansion Act (EFMLEA) and the Emergency Paid Sick Leave Act (EPSLA). The EFMLEA expands the Federal Family and Medical Leave Act (FMLA) and the EPSLA provides employees with paid sick leave for specified reasons related to COVID-19.

The provisions of the FFCRA shall apply from April 1, 2020 through December 31, 2020.

A. Emergency Family and Medical Leave Expansion Act (EFMLEA)

1. Definitions - For the purposes of the EFMLEA:

a. "Eligible employee" means an employee who has been employed for at least thirty calendar days by the employer with respect to whom leave is requested.

b. "Employer" means any employer with fewer than five hundred employees.

c. "Qualifying need related to a public health emergency" means with respect to leave, the employee is unable to work (or telework) due to a need for leave to care for the son or daughter under eighteen years of age of such employee if the school or place of care has been closed, or the child care provider of such son or daughter is unavailable, due to a public health emergency.

d. "Public Health Emergency" means an emergency with respect to COVID–19 declared by a Federal, State, or local authority.

e. "Child care provider" means a provider who receives compensation for providing child care services on a regular basis, including an 'eligible child care provider' (as defined in section 658P of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858n)).

f. "School" means an 'elementary school' or 'secondary school' as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

2. Relationship to Paid EFMLEA Leave

The FFCRA includes the Emergency Family and Medical Leave Expansion Act (EFMLEA) that amended the Federal Family and Medical Leave Act of 1993 (29 U.S.C. 2611 et seq. to provide leave to an eligible employee because of a qualifying need related to a public health emergency with respect to COVID-19 - (U.S.C. 2612(a)(1)(F)).

a. Leave for Initial Ten Days

(1) The first ten days of this FMLA leave for an eligible employee shall be unpaid.

(2) If the first ten days of this FMLA leave are unpaid, an employee may elect to substitute any accrued vacation leave, personal leave, or emergency paid sick leave provided by the EPSLA for the initial ten days under the EFMLEA in accordance with 29 U.S.C. 2612(d)(2)(B).

(3) An employee may not use sick leave under N.J.S.A. 18A:30-1 for a qualifying need related to a public health emergency. However, an employee receiving sick leave under the provisions of N.J.S.A. 18A:30-1 may only use sick leave because of personal disability due to illness or injury, or because the employee has been excluded from school by the school district's medical authorities on account of contagious disease or of being quarantined for such a disease in his or her immediate household.

b. Paid Leave for Subsequent Days

(1) An employer shall provide paid leave for each day of leave under the EFMLEA that an employee takes after taking such leave for ten days.

(2) The paid leave for an employee shall be calculated based on:

(a) An amount that is not less than two-thirds of an employee's regular rate of pay (as determined under section 7(e) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207(e)); and

(b) The number of hours the employee would otherwise be normally scheduled to work (or the number of hours calculated under A.2.(b)(4) below).

(3) In no event shall such paid leave exceed $200.00 per day and $10,000.00 in the aggregate.

(4) Varying Schedule Hours Calculation – In the case of an employee whose schedule varies from week to week to such an extent that an employer is unable to determine with certainty the number of hours the employee would have worked if such employee had not taken leave under the EFMLEA, the employer shall use the following in place of such number:

(a) Subject to A.2.b.(4)(b) below, a number equal to the average number of hours that the employee was scheduled per day over the six-month period ending on the date on which the employee takes such leave, including hours for which the employee took leave of any type.

(b) If the employee did not work over such period, the reasonable expectation of the employee at the time of hiring of the average number of hours per day that the employee would normally be scheduled to work.

c. Employee Notice to Employer

(1) n any case where the necessity for leave under the EFMLEA for the purpose of a qualifying need related to a public health emergency is foreseeable, an employee shall provide the employer with such notice of leave as is practicable.

(a) A request for such leave that is foreseeable shall be submitted to the Superintendent prior to commencing the leave.

(b) A need for such leave that is not foreseeable shall be submitted to the Superintendent within one business day of the first day of the leave being taken by the employee.

(c) The employee shall provide to the Superintendent the name of the employee's child, the name of the school, place of care, or child care provider that has closed or become unavailable, and a statement that no other suitable person is available to care for the child.

d. Restoration to Position

(1) The employee shall be restored to the same or equivalent position held by the employee when the leave commenced pursuant to 29 CFR 825.214. The requirement to restore the employee to the same or equivalent position held when the leave commenced does not apply to an employer who employs fewer than twenty-five employees if all four of the following conditions are met:

(a) The employee takes leave under the EFMLEA.

(b) The position held by the employee when the leave commenced does not exist due to economic conditions or other changes in operating conditions of the employer:

i. That affect employment; and

ii. Are caused by a public health emergency during the period of leave.

(c) The employer makes reasonable efforts to restore the employee to a position equivalent to the position the employee held when the leave commenced with equivalent employment benefits, pay, and other terms and conditions of employment.

(d) If the reasonable efforts of the employer under A.2.d.(1)(c) above fail, the employer makes reasonable efforts during the period described in A.2.d.(2) below to contact the employee if an equivalent position described in A.2.d.(1)(c) above becomes available.

(2) Contact Period

(a) The period described under A.2.d. above is the one-year period beginning on the earlier of:

i. The date on which the qualifying need related to a public health emergency concludes; or

ii. The date that is twelve weeks after the date on which the employee's leave under the EFMLEA commences.

B. Emergency Paid Sick Leave Act (EPSLA)

The FFCRA includes the EPSLA, which provides paid sick time to an employee to the extent the employee is unable to work or (telework) due to a need related to COVID-19. The paid sick time provided by the EPSLA and outlined in B.1. below cannot be taken with any other paid leave time provided by the employer.

1. Definitions

a. For purposes of the EPSLA and this Policy:

(1) "Employee" means an individual who is employed by a private employer with fewer than five hundred employees and public employers with at least one employee.

(2) "Employer" means a private person or entity that employs fewer than five hundred employees and public employers that employ at least one employee.

(a) "Covered employer" includes any person engaged in commerce or in any industry or activity affecting commerce that:

i. In the case of a private entity or individual, employs fewer than five hundred employees; and

ii. In the case of a public agency or any other entity that is not a private entity or individual, employs one or more employees.

(b) "Covered employer" also includes:

i. Any person acting directly or indirectly in the interest of an employer in relation to an employee (within the meaning of such phrase in section 3(d) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(d)); and

ii. Any successor in interest of an employer; and any "public agency", as defined in section 3(x) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(x)).

(c) "Covered employer" also includes any "public agency "as defined in section 3(x) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(x)).

(3) "Employ" and "State" have the meanings given such terms in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203).

(4) "Health care provider" and "son or daughter" have the meanings given such terms in section 101 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611).

(5) "Paid sick time" means an increment of compensated leave that:

(a) Is provided by an employer for use during an absence from employment for a reason described in any paragraph of B.2.a. below; and

(b) Is calculated based on the employee's required compensation under B.1.a.(6) below and the number of hours the employee would otherwise be normally scheduled to work (or the number of hours calculated under (B.1.a.(7) below), except that in no event shall such paid sick time exceed:

i. $511.00 per day and $5,110.00 in the aggregate for a use described in B.2.a.(1), (2), or (3) below; and

ii. $200.00 per day and $2,000.00 in the aggregate for a use described in B.2.a.(4), (5), or (6) below.

(6) "Required Compensation" subject to B.1.a.(5)(b) above, the employee's "required compensation" shall be not less than the greater of the following:

(a) The employee's regular rate of pay (as determined under section 7(e) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207(e)).

(b) The minimum wage rate in effect under section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)).

(c) The minimum wage rate in effect for such employee in the applicable State or locality, whichever is greater, in which the employee is employed.

Subject to B.1.a.(5)(b) above, with respect to any paid sick time provided for any use described in B.2.a.(4), (5), or (6) below, the employee's required compensation shall be two-thirds of the amount described in B.1.a.(6) above.

(7) "Varying Schedule Hours Calculation" means in the case of a part-time employee described in B.3.b.(2) below whose schedule varies from week to week to such an extent that an employer is unable to determine with certainty the number of hours the employee would have worked if such employee had not taken paid sick time under B.2.a. below, the employer shall use the following in place of such number:

(a) Subject to clause B.1.a.(7)(b) below, a number equal to the average number of hours that the employee was scheduled per day over the six-month period ending on the date on which the employee takes the paid sick time, including hours for which the employee took leave of any type.

(b) If the employee did not work over such period, the reasonable expectation of the employee at the time of hiring of the average number of hours per day that the employee would normally be scheduled to work.

2. Paid Sick Leave Requirement

a. An employer shall provide to each employee employed by the employer paid sick time to the extent that the employee is unable to work (or telework) due to a need for leave because:

(1) The employee is subject to a Federal, State, or local quarantine or isolation order related to COVID–19.

(2) The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID–19.

(3) The employee is experiencing symptoms of COVID–19 and seeking a medical diagnosis.

(4) The employee is caring for an individual who is subject to an order as described in B.2.a.(1) above or has been advised as described in B.2.a.(2) above.

(5) The employee is caring for a son or daughter of such employee if the school or place of care of the son or daughter has been closed, or the child care provider of such son or daughter is unavailable, due to COVID–19 precautions.

(6) The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.

3. Duration of Paid Sick Time

a. An employee shall be entitled to paid sick time for an amount of hours determined under B.3.b. below.

b. The amount of hours of paid sick time to which an employee is entitled shall be as follows:

(1) For full-time employees, eighty hours.

(2) For part-time employees, a number of hours equal to the number of hours that such employee works, on average, over a two-week period.

c. Paid sick time under the EPSLA shall not carry over from one year to the next.

4. Employer's Termination of Paid Sick Time

a. Paid sick time provided to an employee under the EPSLA shall cease beginning with the employee's next scheduled work shift immediately following the termination of the need for paid sick time under B.2.a. above.

5. Prohibition

a. An employer may not require, as a condition of providing paid sick time under the EPSLA, that the employee involved search for or find a replacement employee to cover the hours during which the employee is using paid sick time.

6. Use of Paid Sick Time

a. The paid sick time under B.2.a. above shall be available for immediate use by the employee for the purposes described in the EPSLA, regardless of how long the employee has been employed by an employer.

b. Sequencing Leave Time

(1) An employee may first use the paid sick time under B.2.a. above for the purposes described in the EPSLA.

(2) An employer may not require an employee to use other paid leave provided by the employer to the employee before the employee uses the paid sick time under B.2.a. above.

7. Notice

a. Each employer shall post and keep posted, in conspicuous places on the premises of the employer where notices to employees are customarily posted, a notice, to be prepared or approved by the Secretary of Labor, of the requirements described in the EPSLA.

b. Not later than seven days after the date of enactment of this Act, the Secretary of Labor shall make publicly available a model of a notice that meets the requirements of B.7.a. above.

8. Prohibited Acts

a. It shall be unlawful for any employer to discharge, discipline, or in any other manner discriminate against any employee who:

(1) Takes leave in accordance with the EPSLA; and

(2) Has filed any complaint or instituted or caused to be instituted any proceeding under or related to the EPSLA (including a proceeding that seeks enforcement of the EPSLA), or has testified or is about to testify in any such proceeding.

9. Enforcement

a. Unpaid Sick Leave - An employer who violates B.2. through B.6. of this Policy shall:

(1) Be considered to have failed to pay minimum wages in violation of section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206); and

(2) Be subject to the penalties described in sections 16 and 17 of the Fair Labor Standards Act of 1938 (29 U.S.C. 216; 217) with respect to such violation.

b. Unlawful Termination - An employer who willfully violates B.8. above shall:

(1) Be considered to be in violation of section 15(a)(3) of the Fair Labor Standards Act of 1938 (29 U.S.C. 215(a)(3)); and

(2) Be subject to the penalties described in sections 16 and 17 of the Fair Labor Standards Act of 1938 (29 U.S.C. 216; 217) with respect to such violation.

10. Rules of Construction

a. Nothing in the EPSLA shall be construed:

(1) To in any way diminish the rights or benefits that an employee is entitled to under any:

(a) Other Federal, State, or local law;

(b) Collective bargaining agreement; or

(c) Existing employer policy; or

(2) To require financial or other reimbursement to an employee from an employer upon the employee's termination, resignation, retirement, or other separation from employment for paid sick time under the EPSLA that has not been used by such employee.

11. Guidelines

a. Not later than fifteen days after the date of the enactment of the EPSLA, the Secretary of Labor shall issue guidelines to assist employers in calculating the amount of paid sick time under the EPSLA.

12. Reasonable Notice

a. After the first workday (or portion thereof) an employee receives paid sick time under the EPSLA, an employer may require the employee to follow reasonable notice procedures in order to continue receiving such paid sick time.

b. The request for such leave shall be submitted to the Superintendent, who may request documentation from the employee in support of the emergency paid sick leave.

c. The documentation shall include a signed statement containing the following information: the employee's name; the date(s) for which leave is requested; the COVID-19 qualifying reason for leave; and a statement representing that the employee is unable to work or telework because of the COVID-19 qualifying reason.

d. An employee requesting to take emergency paid sick leave under the EPSLA or the EFMLEA to care for his or her child must provide the following information: the name of the child being care for; the name of the school; place of care; or child care provider that closed or became unavailable due to COVID-19 reasons; and a statement representing that no other suitable person is available to care for the child during the period of requested leave.

13. Regulatory Authorities

a. The Secretary of Labor shall have the authority to issue regulations for good cause under sections 553(b)(B) and 553(d)(A) of Title 5, United States Code:

(1) To exempt small businesses with fewer than fifty employees from the requirements of B.2.a.5. when the imposition of such requirements would jeopardize the viability of the business as a going concern; and

(2) As necessary, to carry out the purposes of the EPSLA, including to ensure consistency between the EPSLA and Division C and Division G of the FFCRA.

H.R. 6201: Families First Coronavirus (COVID-19) Response Act
N.J.S.A. 18A:30-1

Adopted: 19 August 2020

2000 PROGRAM

Number	Title
2110	Philosophy of Education/District Mission Statement (M)
2132	School District Goals and Objectives
2200	Curriculum Content (M)
2210	Curriculum Development (M)
2220	Adoption of Courses (M)
2230	Curriculum Guides (M)
2240	Controversial Issues
2260	Affirmative Action Program for School and Classroom Practices (M)
2270	Religion in the Schools
2310	Pupil Grouping
2312	Class Size
2330	Homework
2340	Field Trips
2360	Use of Technology
2361	Acceptable Use of Computer Network/Computers and Resources (M)
2363	Pupil Use of Privately-Owned Technology
2365	Acceptable Use of Generative Artificial Intelligence (AI)
2412	Home Instruction Due to Health Condition (M)
2415.02	Title I – Fiscal Responsibilities (M)
2415.05	Student Surveys, Analysis, Evaluations, Examinations, Testing, or Treatment (M)
2415.20	Every Student Succeeds Act Complaints (M)
2417	Student Intervention and Referral Services (M)
2418	Section 504 of the Rehabilitation Act of 1973 – Students (M)
2419	School Threat Assessment Teams
2422	Comprehensive Health and Physical Education (M)
2423	Bilingual and ESL Education (M)
2425	Emergency Virtual or Remote Instruction Program
2428.1	Standards-Based Instructional Priorities
2430	Co-Curricular Activities (M)
2431.4	Prevention and Treatment of Sports-Related Concussions and Head Injuries
2460	Special Education (M)
2464	Gifted and Talented Pupils (M)
2466	Needless Public Labeling of Pupils with Disabilities (M)
2467	Surrogate Parents and Resource Family Parents (M)
2468	Independent Educational Evaluations
2481	Home or Out-of-School Instruction for a General Education Student for Reasons Other Than a Temporary or Chronic Health Condition (M)

Number	Title
2510	Adoption of Textbooks
2520	Instructional Supplies (M)
2530	Resource Materials
2531	Use of Copyrighted Materials
2535	Library Material
2551	Musical Instruments
2560	Live Animals in School
2610	Educational Program Evaluation (M)
2622	Student Assessment (M)
2624	Grading System
2631	New Jersey Quality Single Accountability Continuum
2700	Services to Nonpublic School Students (M)



2110 PHILOSOPHY OF EDUCATION/DISTRICT MISSION STATEMENT

The Essex Fells School is a very special public elementary school enrolling boys and girls in preschool through the sixth grades. Pupils enjoy small classes and a total school population of approximately two hundred and fifty.

The size of the school is a wonderful asset as it allows a strong sense of community and offers teachers and pupils many opportunities to form bonds of collegiality, identification and support. It also supports the concept that every adult in the school is responsible for every child.

The comparatively small faculty is also a benefit. The faculty as a whole are the decision making body on all questions of teaching and learning. Teachers find it easy to share experiences and act consistently across pupils' entire academic program. The combined efforts of the staff work to support a pupil centered approach to education.

Essex Fells teachers are encouraged to try new ideas, to work collaboratively with colleagues, and to participate fully in all aspects of schooling.

The mission of the school is etched in the mortar of the original schoolhouse with the words Studies Pass Into Character.

The primary goals of an Essex Fells education include:

1. Developing in all pupils the capacity to think critically and communicate effectively through a mastery of written and spoken English.

2. Motivating all pupils to recognize and develop their academic abilities in order to build character and to achieve their full potential.

3. Teaching children to value themselves, their peers and their teachers.

4. Establishing a respect for and a strong sense of responsibility to the physical, social, and aesthetic world around them.

5. Nurturing a love of country and a pride in our American heritage and citizenship.

6. Communicating a love of scholarship and continued interest in life-long learning.

7. Insuring all pupils will achieve the New Jersey Core Curriculum Content Standards at all levels.

To secure these common goals, the Essex Fells staff of professional educators recognizes that the collaborative engagement of the children in the learning process is the key to intellectual development. Dedicated teachers create classrooms that are alive with cooperative learning activities and child-centered problem solving routines. Children are encouraged to explore, to question, to make decisions, and to express opinions in a supportive learning environment. Teachers also model their own commitment to learning by continuing to earn advanced degrees. On-going professional development is acknowledged as the foundation for promoting outstanding pupil achievement.

Adopted: 19 October 2011

2132 SCHOOL DISTRICT GOALS AND OBJECTIVES

The Board accepts the responsibility for coordinating the available resources of home, school and community in a mutual effort to guide every pupil's growth towards becoming a self-respecting individual who can effectively function in a democratic society.

The Board believes every pupil should be helped:

A. To develop an understanding of his/her own worth, abilities, potentialities and limitations;

B. To acquire basic skills in obtaining information, solving problems, thinking critically and communicating effectively;

C. To acquire a stock of basic information concerning the principles of the physical, biological and social sciences, the historical record of human achievements and failures, and current social issues;

D. To acquire an understanding of ethical principles and values and the ability to apply them to his/her own life;

E. To acquire the knowledge, skills and understanding that permit him/her to play a satisfying and responsible role as both producer and consumer;

F. To become an effective and responsible contributor to the decision-making processes of the political and other institutions of the community, State, country and world;

G. To acquire the ability and the desire to express himself/herself creatively, and to appreciate the aesthetic expressions of other people;

H. To acquire knowledge necessary for further education;

I. To acquire an understanding of and the ability to form responsible relations with a wide range of people, including but not limited to those with social and cultural characteristics different from his/her own;

J. To acquire the knowledge, habits and attitudes that promote personal and public health, both physical and mental;

K. To acquire the capacities for playing satisfying and responsible roles in family life; and

L. To learn to enjoy the process of learning and to acquire the skills necessary for a lifetime of continuous learning and adaptation to change.

In order to achieve these broad educational goals, the Board will endeavor to provide:

A. Instruction in study skills necessary to achieve mastery of subject matter;

B. Specialized and individualized kinds of educational experiences to meet the needs of each pupil;

C. Instruction which bears a meaningful relationship to the present and future needs and/or interests of pupils;

D. Teaching staff members of high quality;

E. Resources for education, to be used with maximum efficiency;

F. Guidance services provided for the pupils;

G. An environment in which any competition among pupils is positive;

H. Opportunities for teaching staff members and pupils to make recommendations concerning the operation of the school;

I. Significant opportunities, suited to the age of the pupil, for helping the pupil to determine the nature of his/her educational experiences; and

J. Diverse forms of constructive cooperation with parent(s) or legal guardian(s) and community groups.

The Board shall develop, in consultation with the Superintendent and teaching staff members, a written educational plan for the district. This plan shall be reviewed and adopted annually and shall include:

A. Written educational goals;



B. An assessment of pupil needs;

C. Specific annual objectives based on identified needs and action plans to implement them;

D. Standards for assessing and evaluating the achievement of objectives;

E. The establishment of reasonable pupil minimum proficiency levels in the basic reading, writing and mathematics skills;

F. An educational program consistent with these goals, objectives, standards and needs; and

G. An evaluation of pupil progress.

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

Adopted: 19 October 2011

2200 CURRICULUM CONTENT

In accordance with N.J.A.C. 6A:8-3.1, the Board of Education shall ensure curriculum and instruction are designed and delivered in such a way that all students are able to demonstrate the knowledge and skills specified by the New Jersey Student Learning Standards (NJSLS). The Board also shall ensure that appropriate instructional adaptations are designed and delivered for students with disabilities, for multilingual learners (ML), for students enrolled in alternative education programs, and for students identified as gifted and talented.

The words and terms used in this Policy shall have the meanings as defined in N.J.A.C. 6A:8-1.3.

The Board shall encourage the active involvement of representatives from the community, including representatives from the local workforce and higher education, in the development of educational programs aligned with the NJSLS. The Board shall make all approved curriculum pacing guides and citations for core instructional materials publicly available pursuant to N.J.A.C. 6A:8-3.1(a)3.

The Board shall be responsible for the progress of all students in developing the knowledge and skills specified by the NJSLS, including all content areas not currently included in the Statewide assessment program.

The Board shall be responsible for the delivery of educational programs at all grade levels in the district using a coherent sequence of activities to prepare all students for college, careers, and civic life upon their graduation. Examples of such programs include, but are not limited to, academic programs; career and technical education programs; two-way bilingual immersion; heritage language education; and/or magnet programs. The Board shall implement educational programs that prepare all students for success in college, careers, and civic life, including, if applicable, the Kindergarten through grade eight development of academic skills integral to success in high school courses. When applicable, the Board shall provide students with access to advanced coursework. The Board shall develop, implement, and regularly evaluate strategies that identify, support, and encourage all student groups to enroll in and succeed in advanced coursework.

In accordance with N.J.A.C. 6A:8-3.2, the Board shall provide all students enrolled in the district with the opportunity to attain the goals of an NJSLS-based curriculum in an educational environment that is designed to meet their needs. The Board shall create curriculum, customize instructional adaptations, allocate resources to provide equitable access to courses, programs, and experiences, and build student-centered learning

environments that meet the NJSLS. The Board shall provide all students with disabilities an educational program aligned with the NJSLS, as well as the required individualized accommodations, instructional adaptations, and/or modifications as specified in a student's IEP or 504 plan. The Board shall be responsible for identifying students as gifted and talented and shall provide them with appropriate instructional adaptations and services as defined at N.J.S.A. 18A:35-35. The Board shall provide language instruction educational programs in accordance with N.J.A.C. 6A:15.

In accordance with N.J.A.C. 6A:8-3.3, the Board shall actively assist and support professional learning for teachers, educational services staff, and school leaders, including the district's plan and additional professional learning requirements at N.J.A.C. 6A:9C-3.

The Board shall provide to teachers, educational services staff, and school leaders professional learning on the following, when applicable:

1. The use of student and school performance data to provide insights into the strengths and areas for growth to improve the quality of instruction that students receive;

2. Evidence-based literacy instruction in accordance with N.J.S.A. 18A:6-142. through 18A:6-150.;

3. The content knowledge, instructional strategies, and collaborative skills needed to meet the needs of students with disabilities required at N.J.A.C. 6A:14;

4. The needs and educational development of students identified as gifted and talented; and

5. All additional statutory and regulatory requirements.

In accordance with N.J.A.C. 6A:8-2, the Board shall be responsible for the review and continuous improvement of curriculum and instruction based upon changes in knowledge, technology, assessment results, and modifications to the NJSLS pursuant to N.J.A.C. 6A:8-3.4(a). The Board shall design curriculum that is comprehensive and meets the developmental needs of students at each grade level through complete alignment with the NJSLS. The curriculum shall be designed to prepare students for success in higher education, careers, and civic life by addressing essential academic subjects, fostering critical thinking, promoting social and emotional growth, and providing opportunities for

creativity and contextual learning. The Board shall include interdisciplinary connections throughout the curriculum at every grade level in the district.

The Board shall annually approve a list of all programs and courses that comprise the district's curriculum and shall approve any subsequent changes in the curriculum in accordance with Policy 2220. The Superintendent or designee shall develop a procedure to address and eliminate any possible bias in the curriculum as programs, courses of study, and instructional materials that comprise the district's curriculum shall be designed to eliminate discrimination on the basis of any of the protected categories listed at N.J.A.C. 6A:7-1.1(a) and promote understanding and mutual respect between children.

In accordance with N.J.A.C. 6A:8-3.4(d), the Board shall provide educators with the time and resources to develop, review, and enhance contextual learning, supportive curricula, and instructional tools for helping students develop required knowledge and skills. The tools shall include, but are not limited to:

1. Curriculum designed and implemented to meet grade or grade-level expectations and graduation requirements;

2. List of core instructional and supplemental materials, including grade level-appropriate texts and decodable texts for emergent readers;

3. Integrated accommodations and modifications for students with disabilities; MLs; students identified as gifted and talented; students not at grade-level proficiency; and students with 504 plans;

4. Assessments, including, formative; summative; benchmark; and alternative assessments;

5. Universal literacy screeners and related instructional materials, as appropriate and as defined at, and required pursuant to, N.J.S.A. 18A:6-142. through 18A:6-150.;

6. Pacing guides; and

7. Opportunities for interdisciplinary connections and contextual learning.

The Superintendent shall establish an in-district team to develop a corrective action plan if the district is found to be in noncompliance with N.J.A.C. 6A:8-3. The in-district team shall consist, at a minimum, of district administrators, curriculum supervisor(s), and educators certified in one or more of the identified areas of noncompliance.



The corrective action plan shall include, but not be limited to, the following:

1. The curricular, policy, or programmatic changes to be implemented, including, but not limited to, changes to curriculum frameworks and other required course revisions;

2. The individual(s) responsible for addressing each change identified at N.J.A.C. 6A:8-3.5(e)1. and 1. above;

3. Specific timelines for the completion of each change identified at N.J.A.C. 6A:8-3.5(e)1. and 1. above; and

4. Alignment with, and incorporation of or references to, the relevant provisions of all applicable State and Federal plans.

Within sixty days of the district's receipt of the Commissioner's written notification pursuant to N.J.A.C. 6A:8-3.5(c), the Superintendent shall present the corrective action plan to the Board for approval.

1. The Board shall review and approve the corrective action plan.

2. The Superintendent shall submit to the Commissioner, or the Commissioner's designee, the corrective action plan approved by the Board.

The Commissioner, or the Commissioner's designee, shall review the corrective action plan and notify the Superintendent if the plan is acceptable. The Superintendent shall implement the corrective action plan within thirty days of the Commissioner's written notification pursuant to N.J.A.C. 6A:8-3.5(g). The Commissioner, or the Commissioner's designee, shall review and verify the district's implementation of the corrective action plan.

When a corrective action plan is not submitted, it is determined by the Commissioner, or the Commissioner's designee, to be unacceptable, or it is not implemented, the Commissioner shall notify the Superintendent of the action(s) that the Commissioner intends to take pursuant to State law, rules, and regulations.

N.J.S.A. 18A:6-142. through 18A:6-150.;
18A:35-35.
N.J.A.C. 6A:8-3.1; 6A:8-3.2; 6A:8-3.3; 6A:8-3.4; 6A:8-3.5

Adopted: 16 September 2026



2210 CURRICULUM DEVELOPMENT

The Board of Education is committed to the continuing improvement of the educational program of the district. To this end, the curriculum shall be evaluated and modified in accordance with a plan for curriculum development.

As educational leader of the district, the Superintendent shall be responsible to the Board for the development of curriculum and shall establish procedures for curriculum development that ensure the effective participation of teaching staff members, pupils, the community, and members of the Board.

The Superintendent may conduct experimental programs that are not part of the duly adopted curriculum and are deemed to be necessary to the continuing growth of the instructional program; he/she shall report to the Board any such pilot program conducted, along with its objectives, evaluative criteria, and costs, before each such program is initiated.

The Superintendent shall report to the Board periodically on all progress in curriculum development.

Adopted: 19 October 2011

2220 ADOPTION OF COURSES

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

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

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

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

1. The specific objective of the course of study and the relationship of the course to the educational goals adopted by the Board;

2. The applicability of the course to pupils and an enumeration of those groups of pupils to be affected by it;

3. A description of course content, including any instructional method that departs significantly from the ordinary and is an integral part of the course of study;

4. A rationale for the course in terms of the goals of this district and a justification of the course, especially when it is proposed to take the place of an existing course of study;

5. The resources that implementation of the course will require, including textbooks, material, equipment, and specially trained personnel;

6. The course proficiencies to be mastered by pupils;

7. The methods and standards by which the efficacy of the course will be monitored and evaluated; and

8. A developmental history of the course and, where available, information on its use elsewhere.

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

N.J.S.A. 18A:4-25; 18A:4-28; 18A:33-1; 18A:35-1 et seq.
N.J.A.C. 6A:7-1.1 et seq.; 6A:8-4.1; 6A:8-4.4

Adopted: 19 October 2011



2230 CURRICULUM GUIDES

The Board of Education directs the preparation of a guide for each approved course of study in order to direct and assist teaching staff members toward the attainment of goals addressed by that course.

Each curriculum guide will contain, as appropriate to the course of study, content standards; objectives, concepts, and skills to be taught; attitudes and appreciations to be developed; suggested activities designed to achieve the objectives; suggested methods of instruction; performance indicators; evaluation criteria intended to test the extent to which learning objectives have been achieved; and a reading list of supplemental titles for the guidance of teachers.

The curriculum guides will be the basic instructional tool for each course of study.

Each teacher shall conduct the course of study as required by the curriculum guide. Any deviation from the content of the guide must be approved by the Superintendent in advance of its implementation.

The Superintendent shall be responsible for the preparation of curriculum guides, and shall develop a plan for such preparation that includes the participation of appropriate staff members and resource personnel; the participation of members of the community; the participation of pupils at appropriate grade levels; continuing research in instructional methods, materials, and activities; systematic review of all curriculum guides to ensure their continuing usefulness in achieving goals set by the Board; and a system of administrative review to ensure that curriculum guides are being followed by teaching staff members to the degree of conformity desired by the Board.

All new curriculum guides and revisions of existing guides shall be submitted to the Board for approval before they are implemented.

Copies of all current curriculum guides shall be kept on file in the office of the Superintendent.

N.J.S.A. 18A:33-1

Adopted: 19 October 2011

2240 CONTROVERSIAL ISSUES

Free discussion of controversial issues - political, economic, social - shall be encouraged in the classroom whenever appropriate for the level of the group.

Issues may be considered controversial which arouse strong reactions, based either on personal conviction or allegiance to a group. School treatment of controversial issues shall be designed to instruct pupils in fair and objective study techniques. The decision on whether a particular controversial issue shall become a matter for school study shall be based on the timeliness of the question, the maturity and needs of the pupils and the purposes of the school. Classroom discussions on controversial questions which arise unexpectedly shall be the responsibility of the teacher, who shall provide relevant information on both sides of the question. Such discussions shall be kept free from the assumption that there is one correct answer which should emerge from a discussion and be taught authoritatively to the pupils.

Pupils shall be taught to recognize each other's right to form an opinion on controversial issues, and shall be assured of their own right to do so without jeopardizing their relationship with the teacher or the school.

The administration shall have the authority to limit or suspend discussion of controversial issues pending a review of the issue/materials. Instructional materials not previously approved must be reviewed by the administration before being introduced into the classroom.

Adopted: 19 October 2011



2260 AFFIRMATIVE ACTION PROGRAM FOR SCHOOL AND CLASSROOM PRACTICES

In accordance with N.J.A.C. 6A:7-1.7(a), the Board of Education shall provide all students with equitable and bias-free access to all school facilities, courses, programs, activities, and services, regardless of the protected categories listed at N.J.A.C. 6A:7-1.1(a), by:

1. Ensuring barrier-free access to all school and classroom facilities;

2. Attaining, within each school, minority representation that approximates the district's overall minority representation. Exact apportionment is not required; the ultimate goal is a reasonable plan achieving the greatest degree of a representative balance that is feasible and consistent with sound educational values and procedures;

3. Utilizing, on an annual basis, a State-approved English language proficiency assessment that evaluates a student's English language proficiency on the four domains of listening, speaking, writing, and reading for determining the eligibility and placement of students who may be identified as multilingual learners, pursuant to N.J.A.C. 6A:15-1.3(a)3.;

4. Utilizing bias-free multiple measures for determining the special needs of students with disabilities, pursuant to N.J.A.C. 6A:14-3.4;

5. Ensuring support services, including intervention and referral services and school health services, pursuant to N.J.A.C. 6A:16, are available to all students; and

6. Ensuring a student is not discriminated against because of a medical condition. A student shall not be excluded from any education program or activity because of a long-term medical condition unless a physician certifies such exclusion is necessary.

    a. If excluded, the student shall be provided with equivalent and timely instruction that may include home instruction, without prejudice or penalty.

Pursuant to N.J.A.C. 6A:7-1.7(b), the Board shall ensure the district's curriculum and instruction are aligned to the New Jersey Student Learning Standards (NJSLS). The Board



also shall ensure its curriculum and instruction address the elimination of discrimination by narrowing the achievement and opportunity gaps, by providing equity in educational activities and programs, and by providing opportunities for students to interact positively with others regardless of the protected categories listed at N.J.A.C. 6A:7-1.1(a), by:

1. Ensuring there are no differential requirements for completion of course offerings or programs of study solely on the basis of the protected categories listed at N.J.A.C. 6A:7-1.1(a);

2. Ensuring courses shall not be offered separately on the basis of the protected categories listed at N.J.A.C. 6A:7-1.1(a):

    a. Portions of classes that deal exclusively with human sexuality may be conducted in separate developmentally appropriate sessions based on gender identity, provided the course content for such separately conducted sessions is the same;

3. Increasing and promoting equitable representation of all students in all classes and programs;

4. Ensuring schools demonstrate the inclusion of a multicultural curriculum in its instructional content, materials and methods, and ensuring students understand the basic tenet of multiculturalism;

5. Ensuring the Amistad Commission Curriculum is infused into the curriculum and is taught;

6. Ensuring the Commission on Holocaust Education curriculum is included in the curriculum of all elementary and secondary schools, as developmentally appropriate, pursuant to N.J.S.A. 18A:35-28.; and

7. Ensuring all curricular requirements pursuant to N.J.A.C. 6A:8 and the NJSLS are taught, including any curriculum developed concerning any of the protected categories listed at N.J.A.C. 6A:7-1.1(a) or curriculum developed by any commissions constituted for the development of curriculum concerning any of the protected categories listed at N.J.A.C. 6A:7-1.1(a).

Pursuant to N.J.A.C. 6A:7-1.7(c), the Board shall ensure all students have access to adequate and appropriate counseling services.

1. When informing students about possible careers or professional or vocational opportunities, the Board shall not restrict or limit the options presented to students on the basis of the protected categories listed at N.J.A.C. 6A:7-1.1(a).

2. The Board shall not use tests or guidance or counseling materials that are biased or stereotyped on the basis of the protected categories listed at N.J.A.C. 6A:7-1.1(a).

Pursuant to N.J.A.C. 6A:7-1.7(d), the Board shall ensure the district's physical education is in a co-educational setting that is developmentally appropriate and does not discriminate on the basis of the protected categories listed at N.J.A.C. 6A:7-1.1(a), as follows:

1. The district shall provide separate restroom, locker room, and shower facilities on the basis of gender, but such facilities provided for students of each gender shall be comparable;

2. The district may choose to operate separate teams based on sex in one or more sports or single teams open competitively to members of all sexes, as long as the athletic program as a whole provides equal opportunities for students of all sexes to participate in sports at comparable levels of difficulty and competency; and

3. The activities comprising such athletic programs shall receive equitable treatment, including, but not limited to, staff salaries, purchase and maintenance of equipment, quality and availability of facilities, scheduling of practice and game time, length of season, and all other related areas or matters.

N.J.S.A. 18A:35-28.; 18A:36-20.
N.J.A.C. 6A:7-1.1; 6A:7-1.3; 6A:7-1.7

Adopted: 16 September 2026

2270 RELIGION IN THE SCHOOLS

The Board of Education recognizes that religious belief and disbelief are matters of personal conviction rather than governmental authority and the students of this district are protected by the First Amendment of the United States Constitution and by Article I, Paragraph 4 of the New Jersey State Constitution from the establishment of religion in the schools. The First Amendment requires public school officials to show neither favoritism toward nor hostility against religious expression such as prayer.

As a condition of receiving Elementary and Secondary Education Act of 1965 (ESEA) funds, the Board of Education must annually certify in writing to the New Jersey Department of Education that no Board policy prevents, or otherwise denies participation in, constitutionally protected prayer in public elementary and secondary schools, as detailed in the United States Department of Education's Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools (USDOE Guidance). The Board must provide this certification to the New Jersey Department of Education by October 1 of each year during which the Board participates in an ESEA program. The USDOE Guidance provides information on the current state of the law concerning constitutionally protected prayer and religious expression in public elementary and secondary schools.

The following activities as outlined in the USDOE Guidance will be permitted upon applying the governing constitutional principles in particular public school contexts related to prayer: prayer and religious exercise during non-instructional time; organized prayer groups and activities; teachers, administrators, and other school employees; moments of silence; accommodation of prayer and religious exercise during instructional time; student assemblies and noncurricular events; prayer at graduation; and/or baccalaureate ceremonies.

The following activities as outlined in the USDOE Guidance will be permitted upon applying constitutional principles regarding religious expression other than prayer in particular public school contexts: religious literature; teaching about religion; student dress codes and policies; religious expression in class assignments and homework; and/or excusals for religious activities.

In addition to the constitutional principles outlined in this Policy and the USDOE Guidance, public schools may also be subject to requirements under Federal and State laws relevant to prayer and religious expression. Such Federal and State laws may not; however, obviate or conflict with a public school's Federal constitutional obligations described in the USDOE Guidance. The Equal Access Act, 20 U.S.C. Section 4071, is

designed to ensure that student religious activities are accorded the same access to Federally funded public secondary school facilities as are student secular activities.

The United States Department of Justice has developed guidance for interpreting the Equal Access Act's requirements outlined in the USDOE Guidance in the area of general provisions, prayer service and worship exercises, means of publicized meetings, lunch-time and recess, and leadership of religious student groups.

Any issues regarding prayer and religious expression in the schools, the USDOE Guidance, and the provisions of this Policy shall be referred to the Superintendent of Schools who may consult with the Board Attorney.

U.S. Const. Amend. 1
The Equal Access Act, 20 U.S.C. Section 4071
U.S. Department of Education - Guidance on Constitutionally Protected
Prayer and Religious Expression in Public Elementary and Secondary Schools – May 15, 2023
N.J. Const. (1947) Art. 1, para. 4
N.J.S.A. 18A:35-4.6 et seq.; 18A:36-16

Adopted: 13 December 2023



2310 PUPIL GROUPING

The Board of Education believes that each pupil should be provided with the instruction that will best suit his/her intellectual, physical, emotional, and social capabilities. The Board authorizes the Superintendent to develop a schedule and class organization that will provide for the placement of pupils in instructional groups that will offer them the greatest educational benefit.

The grouping of pupils should be flexible and should take into consideration the age, mental ability, past academic record, emotional needs, physical maturity, and interests of each pupil.

Adopted: 19 October 2011

2312 CLASS SIZE

The Board of Education directs that the number of pupils assigned to any one class be governed by considerations of instructional quality and economy of operation.

A desired range for the minimum and maximum number of pupils that shall be assigned to regular classes shall be established by the Superintendent.

The Superintendent shall prepare guidelines for class size. Maximum limits shall take into account the subject matter, type of instruction, ability of pupils, and use of special facilities and equipment and may be waived to accommodate the demands of a temporary increase in enrollment.

Adopted: 19 October 2011

2330 HOMEWORK

The Board of Education acknowledges the educational validity of work assigned to pupils for completion outside the classroom as an adjunct to and extension of the instructional program of the school.

The Superintendent shall develop regulations for the assignment of homework according to these guidelines:

1. Homework should be a properly planned part of the curriculum, extending and reinforcing the learning experience of the school;

2. Homework should help children learn by providing practice in the mastery of skills, experience in data gathering and integration of knowledge, and an opportunity to remediate learning problems;

3. Homework should help develop the pupil's responsibility and provide an opportunity for the exercise of independent work and judgment;

4. The number, frequency, and degree of difficulty of homework assignments should be based on the ability and needs of the pupil and take into account other activities that make a legitimate claim on the pupil's time;

5 As a valid educational tool, homework should be clearly assigned and its product carefully evaluated and that evaluation should be reported to the pupil;

6. The school should recognize the role of parent(s) or legal guardian(s) by suggesting ways in which parent(s) or legal guardian(s) may assist the school in helping a child carry out assigned responsibilities;

7. Homework should always serve a valid learning purpose; it should never be used as a punitive measure.

Adopted: 19 October 2011

2340 FIELD TRIPS

The Board of Education recognizes that field trips properly planned and integrated with the curriculum are an educationally sound and important part of the program of the school that can supplement and enrich classroom instruction by providing learning experiences in an environment outside the school.

For purposes of this policy, a field trip means any journey by a group of pupils away from the school premises, under the supervision of a teacher, and integrally related to an approved course of study.

The Board of Education shall approve all proposed field trips.

The Board may authorize field trips for which all or part of the costs are borne by the pupils' parent(s) or legal guardian(s), except that no pupil in a special education class or pupil unable to pay the cost assessed shall be prohibited from attending a field trip. (N.J.S.A. 18A:36-21)

The determination of a pupil's inability to pay will be based upon the pupil's eligibility for free and reduced meals in accordance with Board Policy No. 8540.

Pupils on field trips remain under the supervision of this Board and are subject to its rules and regulations.

A pupil who violates rules or disregards the authority of supervisors on a field trip significantly endangers the safety of other pupils and may be summarily dismissed from the trip. The teaching staff member in charge will make arrangements for the dismissed pupil's transportation to home or school as appropriate. The cost of any such transportation will be borne by the parent(s) or legal guardian(s) of the pupil. The Board reserves the right to take further disciplinary measures in accordance with Policy No. 5600.

The Superintendent shall prepare regulations for the operation of field trips that ensure that the safety and well-being of pupils shall be protected at all times; that parental permission is sought and obtained before any pupil may be removed from the school for a field trip; that each field trip is properly planned, integrated with the curriculum, and followed up by appropriate activities that enhance its usefulness; that the effectiveness of field trip activities are monitored and continually evaluated; that teachers are allowed a considerable degree of flexibility and innovation in planning field trips; that no field trip will be approved unless it contributes to the achievement of specified instructional objectives; and that teachers are not permitted to make on-site alterations to a trip itinerary, except where the health, safety or welfare of pupils is imperiled or where changes or substitutions beyond the control of the teacher have frustrated the purpose of the trip.

N.J.S.A. 18A:36-21 et seq.; 18A:53-2

Adopted: 19 October 2011

2360 USE OF TECHNOLOGY

The Board of Education recognizes the use of technology in the educational process is an essential part of the schooling experience. Technology is to be viewed as a resource to enhance the learning process among other resources available to teachers and pupils. In addition, technology can be used to enhance the administration of the school. In order to provide direction and meaning to the use of technology as an instructional resource, the Board encourages and supports staff use of technology as a component of the learning process.

For purposes of this policy "technology" includes, but is not limited to, the use of computers and computer peripherals, communications networks, access to databases and libraries of information and the integration of audio, video, multimedia devices and media for purposes of teaching and learning.

The Superintendent, in consultation with teaching and support staff, shall recommend to the Board the acquisition of appropriate technology to best implement the curricular, instructional, and administrative program of the school district. The Superintendent shall prepare a technology plan for the school district to encompass the following:

Curricular, Instructional and Administrative Need

The technology plan shall define the curricular, instructional and administrative need for technological equipment and media for the district.

In-service Education

The Board shall provide opportunities for school staff to participate in in-service programs on hardware or software programs to be used in the execution of educational and administrative tasks. In-service programs may be provided in or out of the district.

Standards, Codes and References

All technology installations shall conform to the industry standards and applicable federal, State and local statutes and codes.

Facilities Planning

In all facilities projects involving new constructions, additions, and renovations the Superintendent or designee shall ensure the plans include provisions for current and future technology needs in terms of the structural, electric/electronic, mechanical, acoustical and visual systems of the building(s). All educational specifications shall include features required for the use of instructional technology.

Computers

The school district will provide support or maintenance agreements for specified brands of computers. All other computers purchased or donated will be subject to repair only when non-allocated funding is available and therefore may remain unrepaired until funding is available.

Computer Software Acquisition and Upgrading

The school district will only support the specified upgrades and training. Staff members shall not purchase software that has not been included on a list of specified software or has been approved by the Superintendent and/or Technology Coordinator.

The Superintendent will recommend the purchase of upgrades to software as needed. An evaluation of upgrades shall be made by appropriate personnel and no upgrade shall be purchased without the express approval of the Superintendent.

Site Licenses

In the case where more than one copy of a software program is required, the Technology Coordinator shall attempt to acquire or negotiate a site license with the software developers. In the event a site license is not possible, vendors shall be sought who will provide multiple copies at a discounted cost.

Software Copyright

All employees shall strictly adhere to the copyright laws of the United States. No software shall be copied and/or distributed except in accordance with these laws. All software placed on media workstations or any network with public access shall be copy protected by the Technology Coordinator, who shall assure that individuals who have access to such programs shall not copy them without authorization.

Internal Communication (District)

The school district shall provide communication by a variety of means.

External Communications

The Board encourages the use of external communications so the school may utilize the vast resources of external databases and communicate with other schools, external agencies, and businesses throughout the world. Gateways to such communications will be supported by the school district. The use of particular gateways shall be approved by the Superintendent. The Technology Coordinator shall be responsible for the installation of software in district owned computers and/or computer systems that prevents access to gateways and Internet sites that have material considered by the Superintendent to be inappropriate for use by pupils.

Computer Laboratories and Distributed Computing

In order to provide teacher, staff, and pupil access to computers, the Board directs that provisions be made to provide computer access in computer laboratories, classrooms, and school libraries/media centers.

Audio/Video

All audio and/or video materials shall be used in accordance with the copyright laws of the United States. Teachers, pupils, or staff who create audio or video materials containing the voices or images of the individuals involved shall obtain proper releases from those individuals, their parent(s) or legal guardian(s) for instructional use within the school.

Informing Parents, Legal Guardians and Interested Parties

Upon request, the Building Principal shall make available to parent/legal guardians the computer hardware and software used in the district in order that a computer purchased privately for home use may be compatible with the computer and software the pupil uses in the school setting.

Technology Coordination

The Board shall appoint a Technology Coordinator to assure the technology needs of the district are met in the most efficient manner possible at the lowest costs available to meet specified needs.

Broadcast Rights and Copyrights

The Board specifically retains the Broadcast rights and copyrights to all materials created by employees of the Board as part of their responsibilities to the Board. Any financial remuneration for the use of such materials shall be retained by the Board.

Computer Security

The Technology Coordinator shall develop security procedures to include, but not be limited to, the following areas:

1. Physical Security of Equipment

   All computer equipment shall be maintained in a secure manner appropriate to its location.

2. Data Security

   a. Back-up procedures for system files, libraries, and data shall be practiced in a timely fashion.

   b. Disaster recovery plans shall be kept up-to-date at all times.

   c. Password protection shall be in place and updated periodically.

   d. Resource security shall be in place to prevent unauthorized access to system files, libraries, and data.

3. Employee Training

   All new employees having, as part of their job responsibilities, access to computers and information systems will be trained in the proper security procedures outlined above.

   All employees having, as part of their job responsibilities, access to computers and information systems will be kept up-to-date on current security procedures for equipment and data.

4. Transaction Audit Trail

   Appropriate procedures will be maintained in order to monitor system activity and users, as necessary.

5. Security Officer

   The Superintendent shall designate the Technology Coordinator as the district's Computer Security Officer to monitor system security procedures.

Use of Facsimile (FAX) Machines

Fax machines provide a useful means of communicating and shall be subject to the same rules that apply to the use of telephones. All incoming faxes shall be considered confidential mail. No disclosure of the contents of any fax shall be made except to the individual for whom the fax is intended. Any individual violating this confidentiality shall be subject to discipline as provided by the policies and regulations of the Board.

N.J.A.C. 6A:26-6.1 et seq.
17 U.S.C. 101 et seq.

Adopted: 19 October 2011

2361 ACCEPTABLE USE OF COMPUTER NETWORK/ COMPUTERS AND RESOURCES

The Board of Education recognizes as new technologies shift the manner in which information is accessed, communicated, and transferred; these changes will alter the nature of teaching and learning. Access to technology will allow pupils to explore databases, libraries, Internet sites, and bulletin boards while exchanging information with individuals throughout the world. The Board supports access by pupils to these information sources but reserves the right to limit in-school use to materials appropriate for educational purposes. The Board directs the Superintendent to effect training of teaching staff members in skills appropriate to analyzing and evaluating such resources as to appropriateness for educational purposes.

The Board also recognizes technology allows pupils access to information sources that have not been pre-screened by educators using Board approved standards. The Board therefore adopts the following standards of conduct for the use of computer networks and declares unethical, unacceptable, or illegal behavior as just cause for taking disciplinary action, limiting or revoking network access privileges, and/or instituting legal action.

The Board provides access to computer networks/computers for educational purposes only. The Board retains the right to restrict or terminate pupil access to computer networks/computers at any time, for any reason. School district personnel will monitor networks and online activity to maintain the integrity of the networks, ensure their proper use, and ensure compliance with Federal and State laws that regulate Internet safety.

Standards for Use of Computer Networks

Any individual engaging in the following actions when using computer networks/computers shall be subject to discipline or legal action:

A. Using the computer networks/computers for illegal, inappropriate or obscene purposes, or in support of such activities. Illegal activities are defined as activities that violate Federal, State, local laws and regulations. Inappropriate activities are defined as those that violate the intended use of the networks. Obscene activities shall be defined as a violation of generally accepted social standards for use of publicly owned and operated communication vehicles.



B. Using the computer networks/computers to violate copyrights, institutional or third party copyrights, license agreements or other contracts.

C. Using the computer networks in a manner that:

1. Intentionally disrupts network traffic or crashes the network;

2. Degrades or disrupts equipment or system performance;

3. Uses the computing resources of the school district for commercial purposes, financial gain, or fraud;

4. Steals data or other intellectual property;

5. Gains or seeks unauthorized access to the files of others or vandalizes the data of another person;

6. Gains or seeks unauthorized access to resources or entities;

7. Forges electronic mail messages or uses an account owned by others;

8. Invades privacy of others;

9. Posts anonymous messages;

10. Possesses any data which is a violation of this Policy; and/or

11. Engages in other activities that do not advance the educational purpose for which computer networks/computers are provided.

Internet Safety Protection

As a condition for receipt of certain Federal funding, the school district shall be in compliance with the Children's Internet Protection Act, the Neighborhood Children's Internet Protection Act, and has installed technology protection measures for all computers in the school district, including computers in media centers/libraries. The technology protection must block and/or filter material and visual depictions that are obscene as defined in Section 1460 of Title 18, United States Code; child pornography, as defined in Section 2256 of Title 18, United States Code; are harmful to minors including



any pictures, images, graphic image file or other material or visual depiction that taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or depicts, describes, or represents in a patently offensive way, with respect to what is suitable for minors, sexual acts or conduct; or taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

This Policy also establishes Internet safety policy and procedures in the district as required in the Neighborhood Children's Internet Protection Act. Policy 2361 addresses access by minors to inappropriate matter on the Internet and World Wide Web; the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications; unauthorized access, including "hacking" and other unlawful activities by minors online; unauthorized disclosures, use, and dissemination of personal identification information regarding minors; and measures designed to restrict minors' access to materials harmful to minors.

Notwithstanding blocking and/or filtering the material and visual depictions prohibited in the Children's Internet Protection Act and the Neighborhood Children's Internet Protection Act, the Board shall determine other Internet material that is inappropriate for minors.

In accordance with the provisions of the Children's Internet Protection Act, the Superintendent of Schools or designee will develop and ensure education is provided to every pupil regarding appropriate online behavior, including pupils interacting with other individuals on social networking sites and/or chat rooms, and cyberbullying awareness and response.

The Board will provide reasonable public notice and will hold one annual public hearing during a regular monthly Board meeting or during a designated special Board meeting to address and receive public community input on the Internet safety policy - Policy and Regulation 2361. Any changes in Policy and Regulation 2361 since the previous year's annual public hearing will also be discussed at a meeting following the annual public hearing.

The school district will certify on an annual basis, that the schools, including media centers/libraries in the district, are in compliance with the Children's Internet Protection Act and the Neighborhood Children's Internet Protection Act and the school district enforces the requirements of these Acts and this Policy.



Consent Requirement

No pupil shall be allowed to use the school districts' computer networks/computers and the Internet unless they have filed with the Technology Coordinator a consent form signed by the pupil and his/her parent(s) or legal guardian(s).

Violations

Individuals violating this Policy shall be subject to the consequences as indicated in Regulation 2361 and other appropriate discipline, which includes but are not limited to:

1. Use of the network only under direct supervision;
2. Suspension of network privileges;
3. Revocation of network privileges;
4. Suspension of computer privileges;
5. Revocation of computer privileges;
6. Suspension from school;
7. Expulsion from school; and/or
8. Legal action and prosecution by the authorities.

N.J.S.A. 2A:38A-3
Federal Communications Commission: Children's Internet Protection Act
Federal Communications Commission: Neighborhood Children's Internet Protection Act

Adopted: 20 September 2012

2363- PUPIL USE OF PRIVATELY-OWNED TECHNOLOGY

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

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

Teaching staff members must get prior approval from their immediate supervisor or Principal before allowing pupils to use privately-owned technology during instructional time.

Pupils who use privately-owned technology in school will not be given access to the school district's computer server(s) or network(s). In the event the teaching staff member 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 pupil to use their privately-owned technology to access the Internet during instructional time will provide the pupil with a list of approved Internet sites the pupil is permitted to access. A pupil 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 pupil shall be in strict accordance with the teaching staff member's specific approval(s) and Board policies and regulations. Any violation will subject the pupil to appropriate discipline and/or grading consequences.

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

The school district assumes no responsibility for any privately-owned technology brought to school by a pupil. The pupil 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 pupil. Pupils are encouraged to purchase private insurance for loss, damage, or theft of any privately-owned technology the pupil brings to school.

Adopted: 20 September 2012

2365 ACCEPTABLE USE OF GENERATIVE ARTIFICIAL INTELLIGENCE (AI)

The Board of Education recognizes the use of artificial intelligence (AI) may result in increased and enhanced learning opportunities for students in the school district. The Board adopts this Policy to provide guidelines and expectations for student use of generative AI.

For the purpose of this Policy, "AI" means all types of generative AI technologies that create new content or outputs from a prompt to produce text, images, videos, or music.

For the purpose of this Policy, "AI tools" means software applications and platforms that utilize AI technologies to perform specific tasks and solve problems that typically require human intelligence.

For the purpose of this Policy, "assignment" means any task or work required of a student as part of a student's educational and co-curriculum program in the district.

The Board recognizes the potential of AI tools to enhance and transform a student's educational and co-curricular experience in the district. However, AI tools are not inherently knowledgeable and are trained from large amounts of data collected from various sources. Outputs generated by an AI tool may be inaccurate, inappropriate, or incomplete. Therefore, to ensure the responsible use of AI and to maintain academic integrity, students shall be required to comply with the district's Acceptable Use of Generative Artificial Intelligence Plan (AI Plan) that will include proper citation and/or documentation methods to support the content provided by an AI tool in a student assignment.

The Superintendent or designee may designate an AI Coordinator to oversee the use of all AI tools in the district and may designate additional AI Coordinators and/or committees to monitor the use of all AI tools within the district.

The Superintendent or designee, in consultation with district staff and AI Coordinator(s), shall develop the district's AI Plan.

The district's AI Plan will include details addressing the following issues:

1. A list of the schools, departments, and/or grade level(s) in the district where a staff member is authorized to permit student use of AI in assignments;

2. An explanation on when, how, and to what extent a staff member may permit a student to use AI in assignments;



3. A procedure that requires each staff member authorized to permit students to use AI in assignments to inform the students at the time of the assignment the conditions in which AI may be used;

4. A procedure for the Superintendent or designee and the AI Coordinator(s) in the district to approve and review the use of AI tools and a process to ensure strategies will be implemented in the district to address any issues regarding student use of AI in assignments. This may include, but not be limited to, areas such as academic integrity, bias, inaccuracy/misinformation, copyright/licensing unknowns, privacy violations, and equity of access;

5. A procedure to inform parents and receive parental consent in the beginning of each school year for the student to be permitted to use AI for assignments in accordance with this Policy and the district's AI Plan;

6. A list of prohibited uses of AI that violate this Policy or the district's Code of Student Conduct, which may include any use of AI which does not align with the conditions set when the assignment was provided to the student; using AI to complete an assignment in a way that falsely represents the assignment as the student's own; using AI to purposefully create misinformation or to misrepresent others with the intent of harming, bullying, or intimidating an individual(s); using AI with confidential student or staff personal information; and other prohibited behaviors and/or conduct listed in Policy and Regulation 2361 – Acceptable Use of Computer Networks/ Computers and Resources;

7. A list of consequences if a student violates any provision of this Policy or AI Plan which may include, but not be limited to, the consequences listed in Policy and Regulation 2361 – Acceptable Use of Computer Networks/Computers and Resources or Policy and Regulation 5600 – Student Discipline/Code of Conduct;

8. A procedure where the AI Coordinator(s) in the district, supervisors, administrative staff members, and other staff members review the procedures used in determining the activities where AI may be permitted to be used by students to ensure staff members are implementing AI procedures in accordance with this Policy and the district's AI Plan;

9. An approved list of AI platforms that may be used by students in assignments;

10. A procedure to be used by a staff member to address suspected plagiarism or academic dishonesty using AI in a student's assignment in accordance with the provisions of Policy 5701;

11. A procedure to ensure a student accused of any alleged violation of the provisions of this Policy or the district's AI Plan is provided appropriate due process before making a final determination on the student's conduct in accordance with the provisions of Policy and Regulation 5600 – Student Discipline/Code of Conduct;

12. The method(s) or format(s) to be used by students on how to cite or document content generated from any AI platform that is used in an assignment.

The district's AI Plan will be reviewed and/or revised as needed.

In the event the Superintendent determines a provision(s) of this Policy or the district's AI Plan becomes inapplicable, inappropriate, undesirable, and/or irrelevant for any reason in the school setting, the Superintendent may revise or suspend a provision(s) of this Policy or the district's AI Plan. In such case, the Superintendent will report to the Board the reason for the revision or suspension and recommend the Board ratify the Superintendent's actions.

Adopted: 19 March 2025



2412 HOME INSTRUCTION DUE TO HEALTH CONDITION

The Board of Education shall provide instructional services to an enrolled student whether a general education student in Kindergarten through grade six or special education student age three to twenty-one, when the student is confined to the home or another out-of-school setting due to a temporary or chronic health condition or a need for treatment that precludes participation in their usual education setting, whether general or special education.

A parent's request for home instruction shall include a written determination from the student's physician documenting the projected need for confinement at the student's residence or other treatment setting for more than ten consecutive school days or twenty cumulative school days during the school year. The written determination from the student's physician shall be forwarded to the school physician, who shall either verify the need for home instruction or provide reasons for denial. The parent shall be notified concerning the school physician's verification or reasons for denial within five school days after receipt of the written determination by the student's physician.

The school district shall be responsible for the costs of providing instruction in the home or out-of-school setting either directly, or through online services, including any needed equipment, or through contract with another district Board of Education, Educational Services Commission, Jointure Commission, or approved clinic or agency. The school district shall provide instructional services within five school days after receipt of the school physician's verification or, if verification is made prior to the student's confinement, during the first week of the student's confinement to the home or out-of-school setting.

The home or out-of-school instruction shall meet the minimum standards as required in N.J.A.C. 6A:16-10.1(c). The school district shall establish a written plan for delivery of instruction and maintain a record of delivery of instructional services and student progress. The teacher providing instruction shall be a certified teacher. The teacher shall provide instruction for the number of days and length of time sufficient to continue the student's academic progress and dependent upon the student's ability to participate.

For a student with disabilities, the home instruction shall be consistent with the student's Individualized Education Plan (IEP) to the extent appropriate and shall meet the Core Curriculum Content Standards. When the provision for home instruction for a student with disabilities will exceed thirty consecutive school days in a school year, the IEP team shall convene a meeting to review and, if appropriate, revise the student's IEP.

For a student without disability, the home instruction shall meet the Core Curriculum Content Standards, and the requirements of the Board for promotion to the next grade level. When the provision for home instruction for a student without disability will exceed sixty calendar days, the school physician shall refer the student to the Child Study Team for evaluation pursuant to N.J.A.C. 6A:14.

The Board reserves the right to withhold home instruction when the reason for the student's confinement is such as to expose a teacher to a health hazard or dangerous home situation; when a parent or other adult twenty-one years of age or older, who has been designated by the parent, is not present during the hours of instruction; or when the condition of the student is such as to preclude benefit from such instruction.

Students on home instruction will be accounted for on the attendance register as required by the Department of Education. The name of a student on home instruction will not be released at a public Board meeting or placed in a public record.

N.J.S.A. 18A:38-1 through 18A:38-25
N.J.A.C. 6A:14-4.8; 6A:14-4.9; 6A:16-10.1

Adopted: 17 September 2014



2415 EVERY STUDENT SUCCEEDS PROGRAMS

The Every Student Succeeds Act (ESSA) is a reauthorization of the Elementary and Secondary Education Act (ESEA) of 1965 that provides Federal funds to help all New Jersey's school children achieve. The purpose of the ESSA is to ensure all students have equitable access to high-quality educational resources and opportunities and to close educational achievement gaps. The Board of Education elects to augment the instructional program of students by projects supported by Federal funds allocated under the ESSA and the district will comply with the requirements of all the programs authorized by the ESSA.

The district may be eligible for several grant programs funded through the ESSA, including, but not limited to, Title I through Title VII. Many of the Titles of the ESSA have several parts and subparts that provide a funding source for specific purposes.

Application Procedure

The district will submit an annual ESSA Consolidated Formula Subgrant Application to the New Jersey Department of Education (NJDOE). The school district's application shall include all information required by the NJDOE and the ESSA for the district to be considered for funding under the ESSA.

Covered Programs

Formula grants under the ESSA are non-competitive grants that school districts are eligible for based on the make-up of their student bodies. These formula grants for each Title are committed to different purposes and may be used to support different activities and programs.

Title I

The largest Federal program supporting elementary and secondary education is Title I. The ESSA strengthens Title I requirements for the State's assessments, accountability system, and support for school improvement. The law also requires minimum qualifications for teachers and paraprofessionals in Title I programs.

The school district must use the best available measure for identifying children from low-income families to: identify eligible school attendance areas, determine the ranking of each area, and determine allocations as identified in the Title I guidelines and regulations.

The school district will offer Title I services to eligible children enrolled in private elementary and secondary schools. The services and benefits will be equitable in comparison to services and benefits for participating public school children.

The school district will provide the New Jersey Department of Education assurances it will provide the maximum coordination between the Title I program, the regular school program, and services provided by other programs for specialized populations. The Title I program will consider the special needs of homeless children, migrant children, children with disabilities and limited English Language Learner (ELL) children. Title I funds will be reserved so that migrant children who are otherwise eligible to receive Title I services, even if they arrive during the school year, are served.

Type of Title I Program

The school district will offer a TBD Title I program.

School-wide Program

High-poverty schools (a school with at least 40% poverty or any school below 40% poverty with a waiver issued by the New Jersey Department of Education) are eligible to adopt school-wide programs to raise the achievement of low-achieving students by improving instruction throughout the entire school, thus using Title I funds to serve all children in the school. A school-wide program must be established in accordance with the Title I guidelines and regulations and the New Jersey Department of Education.

__ Target Assistance Program

Schools that are not eligible for (or do not choose to operate) school-wide Title I programs must use Title I funds to provide targeted services to low-achieving students. A Target Assistance program must be established in accordance with the Title I guidelines and regulations and the New Jersey Department of Education.**]**

New Jersey Department of Education Accountability System

The district will comply with the accountability system established by the New Jersey Department of Education and outlined in the New Jersey State Plan and approved by the United States Department of Education.

Fiscal Responsibility

The district will comply with the requirements as outlined in Policy 2415.02 Title I – Fiscal Responsibilities in accordance with the NJDOE and the ESSA.

Staff

The district will comply with the staff certification requirements of the ESSA and the NJDOE. In addition, the district will ensure all paraprofessionals meet the requirements as established by the ESSA and as outlined in Policy 4125 – Employment of Support Staff Members.

Parent and Family Engagement

The district will comply with the requirements as outlined in Policy 2415.04 – Title I – District-Wide Parent and Family Engagement and Policy 2415.50 – Title I – School Parent and Family Engagement as applicable in accordance with the NJDOE and the ESSA.

Student Surveys, Analysis, and/or Evaluations

The Protection of Pupil Rights Amendment (PPRA) applies to school districts that receive Federal funding from the United States Department of Education. The district will comply with the requirements as outlined in Policy 2415.05 - Student Surveys, Analysis, and/or Evaluations in accordance with the PPRA.

Unsafe School Choice Option

In the event there is a school in the district designated as Persistently Dangerous in accordance with the Victims of Violent Criminal Offenses as outlined in the ESSA, the district will comply with the requirements of Policy 2415.06 – Unsafe School Choice Option in accordance with the NJDOE and the ESSA.

Property

Property acquired through Title I funds for use in public or private schools will be acquired in accordance with the Public School Contracts Law, will be held in title by the Board of Education, and will not be used for other purposes so long as it is required in the Title I program. Property no longer required for Title I purposes will be used for other, similarly funded projects or disposed of in accordance with State and Federal guidelines.

Capital Expenses

The Superintendent will assure the district abides by New Jersey's Public Contracts Law; consults appropriate private school officials prior to making any decisions regarding capital expenses; ensure funds that are received to cover capital expenses provide equitable Title I services to private school students; ensure accounts for any capital funding is separately maintained; and assure lease purchase agreements are consistent with applicable statute and administrative code.

Post-Award Requirements

The school district will maintain all project records for five years following the completion of the activity for which the funds were used. The school district will prepare and submit all reports as required by the State Department of Education in a timely manner.

Supplement, Not Supplant

Grant funds provided under Federal programs, including the ESEA of 1965 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 of 1965 as amended by the ESSA.

Evaluation

The Superintendent or designee will evaluate the ESSA programs as required by the United States and the New Jersey Departments of Education.

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

Adopted: 21 September 2022



2415.02 TITLE I – FISCAL RESPONSIBILITIES

The 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).

Maintenance of Effort

To be in compliance with the requirements of the ESEA as amended by the ESSA, the 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 ESEA as amended by the ESSA, the 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 ESEA as amended by the ESSA, the 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

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.

Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) as amended by the Every Student Succeeds Act.
Adopted: 17 March 2021

2415.05 STUDENT SURVEYS, ANALYSIS, EVALUATIONS, EXAMINATIONS, TESTING, OR TREATMENT

The Protection of Pupil Rights Amendment (PPRA) (20 USC §1232h; 34 CFR Part 98) applies to school districts that receive funding from the United States Department of Education (USDOE). The PPRA requires written consent from parents or the emancipated student the opportunity to opt out of participation in a survey, analysis, evaluation, examination, testing, or treatment funded in whole or in part by a program of the United States Department of Education that concerns one or more of the areas outlined in this Policy.

A. Definitions

"Instructional material" means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audiovisual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments. 20 USC §1232h(c)(6)(A).

"Invasive physical examination" means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening. 20 USC §1232h(c)(6)(B).

"Prior consent" means prior consent of the student, if the student is an adult or emancipated minor or prior written consent of the parent, if the student is an unemancipated minor. 34 CFR §98.4(b).

"Psychiatric or psychological examination or test" means a method of obtaining information, including a group activity, that is not directly related to academic instruction and that is designed to elicit information about attitudes, habits, traits, opinions, beliefs, or feelings.34 CFR §98.4(c)(1).

"Psychiatric or psychological treatment" means an activity involving the planned, systematic use of methods or techniques that are not directly related to academic instruction and that is designed to affect behavioral, emotional, or attitudinal characteristics of an individual or group. 34 CFR §98.4(c)(2).

"Research or experimentation program or project" means any program or project in any program that is funded in whole or in part by the Federal Government and is designed to explore or develop new or unproven teaching methods or techniques. 34 CFR §98.3(b).

B. Parents' or Emancipated Students' Right to Inspection of Materials - 34 CFR §98.3 and 20 USC §1232(c)

1. All instructional material, including teachers' manuals, films, tapes, or other supplementary instructional material which will be used in connection with any survey, analysis, or evaluation as part of any applicable program or any research or experimentation program or project shall be available for inspection by the parents of the children engaged in such program or project in accordance with 20 USC §1232h(a) and 34 CFR §98.3(a).

    a. The district shall provide reasonable access to instructional material within a reasonable period of time after the request is received in accordance with 20 USC §1232h(c)(1)(C)(ii).

2. The parent shall have the right, upon request, to inspect a survey created by a third party before the survey is administered or distributed to their student pursuant to 20 USC §1232h(c)(1)(A)(i).

    a. The district shall provide reasonable access to such survey within a reasonable period of time after the request is received in accordance with 20 USC §1232h(c)(1)(A)(ii).

3. The parent shall have the right, upon request, to inspect any instrument used in the collection of personal information from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose), before the instrument is administered or distributed to their student pursuant to 20 USC §1232h(c)(1)(F)(i).

    a. The district shall provide reasonable access to such instrument within a reasonable period of time after the request is received in accordance with 20 USC §1232h(c)(1)(F)(ii).



C. Protection of Students' Privacy in Examination, Testing, or Treatment with Prior Consent - 34 CFR §98.4

1. In accordance with 34 CFR §98.4(a) no student shall be required, as part of any program funded in whole or in part by a program of the USDOE, to submit without prior consent to psychiatric examination, testing, or treatment, or psychological examination, testing, or treatment, in which the primary purpose is to reveal information concerning one or more of the following:

a. Political affiliations;

b. Mental and psychological problems potentially embarrassing to the student or the student's family;

c. Sex behavior and attitudes;

d. Illegal, anti-social, self-incriminating, and demeaning behavior;

e. Critical appraisals of other individuals with whom the student has close family relationships;

f. Legally recognized privileged and analogous relationships, such as those of lawyers, physicians, and ministers; or

g. Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under a program.

D. Protections of Students' Rights for Surveys, Analysis, or Evaluation - 20 USC §1232h

1. In accordance with 20 USC §1232h(b) no student shall be required, as part of any applicable program, to submit to a survey, analysis, or evaluation, without prior consent, that reveals information concerning:

a. Political affiliations or beliefs of the student or the student's parent;



b. Mental and psychological problems of the student or the student's family;

c. Sex behavior or attitudes;

d. Illegal, anti-social, self-incriminating, or demeaning behavior;

e. Critical appraisals of other individuals with whom the student has close family relationships;

f. Legally recognized privileged and analogous relationships, such as those of lawyers, physicians, and ministers;

g. Religious practices, affiliations, or beliefs of the student or student's parent; or

h. Income, (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under a program).

2. Parents' or Emancipated Students' Right to Opt Out - 20 USC §1232h(c)(2)

a. The district shall provide notice and offer an opportunity for parents to opt their student out or for emancipated students to opt out of participation in the following activities:

(1) Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose).

(2) The administration of any survey containing one or more of the items listed in D.1. above.

(3) Any nonemergency, invasive physical examination or screening that is:

(a) Required as a condition of attendance;

(b) Administered by the school and scheduled by the school in advance; and

(c) Not necessary to protect the immediate health and safety of the student, or of other students.

b. The district shall directly notify parents at least annually at the beginning of the school year of the specific or approximate dates during the school year when activities described in D.2.a. above are scheduled or expected to be scheduled in accordance with 20 USC §1232h(c)(2)(B).

3. Exceptions – 20 USC §1232h(c)(4)

a. The provisions of 20 USC §1232h do not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

(1) College or other postsecondary education recruitment, or military recruitment in accordance with Policy 9713;

(2) Book clubs, magazines, and programs providing access to low-cost literary products;

(3) Curriculum and instructional materials used by schools in the district;

(4) Tests and assessments used by schools in the district to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;

(5) The sale by students of products or services to raise funds for school-related or education-related activities; and



(6) Student recognition programs.

b. The provisions of this Policy:

(1) Shall not be construed to preempt applicable provisions of New Jersey law that require parental notification; and

(2) Do not apply to any physical examination or screening that is permitted or required by an applicable New Jersey law, including physical examinations or screenings permitted without parental notification.

4. Policy Adoption or Revision – 20 USC §1232h(c)(2)(A)(i)

The district shall provide this Policy to parents and students at least annually at the beginning of the school year, and provide notice within a reasonable period of time after any substantive change is made to this Policy.

E. Student Privacy – 20 USC §1232h and 34 CFR §98

The district shall ensure a student's privacy is protected regarding any information collected in accordance with this Policy.

F. Violations of the PPRA – 20 USC §1232h and 34 CFR §98

Parents or students who believe their rights under PPRA may have been violated may file a complaint with the USDOE.

In addition to the provisions of 20 USC §1232h, 34 CFR §98, and this Policy, the Superintendent or designee shall ensure compliance with the provisions of N.J.S.A. 18A:36-34 and Policy 9560 – Administration of School Surveys before students are required to participate in any academic or nonacademic survey, assessment, analysis, or evaluation.

The Protection of Pupil Rights Amendment (PPRA)
20 USC §1232h
34 CFR Part 98
Elementary and Secondary Education Act of 1965 (20 USC 2701 et seq.) as amended by the Every Student Succeeds Act
N.J.S.A 18A:36-34

Adopted: 2 March 2022

2415.20 EVERY STUDENT SUCCEEDS ACT COMPLAINTS

The Every Student Succeeds Act (ESSA) reauthorized the Elementary and Secondary Education Act of 1965 (ESEA). A Board of Education shall adopt a policy and written procedures for resolving a written complaint presented by an individual or organization that alleges violations in the administration of the ESSA programs as identified by the New Jersey Department of Education (NJDOE).

Policy and Regulation 2415.20 set forth the requirements for resolving complaints presented by any individual or organization that:

1. A school, school district, other agency authorized by the school district, or by the NJDOE violated the administration of education programs authorized by the ESEA as amended by the ESSA; and/or

2. The NJDOE violated the administration of education programs required by the ESEA as amended by the ESSA.

Complaints regarding nonpublic school officials alleging school district noncompliance must pertain to at least one of the following three specific reasons:

1. The school district did not engage in consultation that was meaningful and timely;

2. The school district did not give due consideration to the views of the nonpublic school officials; or

3. The school district did not make a decision that treats the nonpublic school or its students equitable and in accordance with ESEA Section 1117 or Section 8501.

A complaint shall be ~~a~~ written and must identify, at a minimum, the alleged ESEA violation; a description of previous steps taken to resolve the matter; the facts supporting the alleged violation as understood by the complainant at the time of submission; and any supporting documentation.

A complaint alleging a school in the district, school district, or other agency authorized by the school district, or the NJDOE violated the administration of a program must be submitted to the Superintendent (district administrator responsible for ESSA compliance). The Superintendent (district administrator responsible for ESSA compliance) shall be responsible to coordinate the investigation of the complaint. The Superintendent (district administrator responsible for ESSA compliance) shall submit a written report regarding the outcome of the investigation to the complainant.

If the complainant is not satisfied with the outcome of the investigation by the school district, the complainant must submit a written complaint the Executive County Superintendent for the county where the school district is located. This process does not apply to alleged violations concerning participation of nonpublic school children.

The Executive County Superintendent will coordinate the investigation of a complaint. When the investigation is complete, the Executive County Superintendent will notify the complainant in writing regarding the outcome of the investigation. If it is determined a violation has occurred, the Executive County Superintendent will identify and impose the appropriate consequences or corrective action in accordance with statute and/or regulation to resolve the complaint. If the complainant is not satisfied with the determination that is made by the Executive County Superintendent the complainant may submit a written request for review of that determination to the Assistant Commissioner.

A complaint alleging the NJDOE violated the administration of a program must be submitted to the designated New Jersey Department of Education Assistant Commissioner The appropriate NJDOE Office assigned by the Assistant Commissioner will coordinate the investigation of a complaint. When the investigation is complete, the Assistant Commissioner will notify the complainant in writing regarding the outcome of the investigation. If it is determined a violation has occurred, the Assistant Commissioner will identify and impose the appropriate consequences or corrective actions as required by statute and/or regulation to resolve the complaint.

If a complainant does not agree with the NJDOE's decision, the complainant may appeal to the Secretary of the United States Department of Education ~~Secretary~~.

To initiate a complaint regarding participation of nonpublic school children, a complainant must submit a written complaint to the NJDOE Nonpublic Ombudsman in accordance with NJDOE procedures.

New Jersey Department of Education Elementary and Secondary Education Act (ESEA) Complaint Policy and Procedure

Adopted: 17 March 2021

2416 PROGRAMS FOR PREGNANT PUPILS

No pupil, married or unmarried, who is otherwise eligible for enrollment in this district will be denied an educational program because of pregnancy, childbirth, pregnancy-related disabilities, or actual or potential parenthood.

The Board of Education reserves the right to require as a prerequisite for participation in the regular instructional program and in the co-curricular program that a pregnant pupil present to the school Principal her physician's written statement that such participation will not be injurious to her health or jeopardize her pregnancy.

The Superintendent shall develop a program of special instruction in health and nutrition and shall direct appropriate teaching staff members to counsel the pregnant pupil, to assist her in securing necessary medical services, to cooperate with community resources on her behalf, and to encourage her toward the completion of an appropriate educational program.

A pregnant pupil who does not wish to attend regular classes or is physically unable to do so during her pregnancy may, with her consent, be assigned to an alternate instructional program which may include home instruction or a program offered by another school district or institution.

The parent(s) or legal guardian(s) of a pregnant pupil under eighteen years of age shall be notified of any change in the pupil's regular educational program.

A pupil who has received an alternate instructional program for reasons associated with pregnancy shall be readmitted to the regular program upon her request and the written statement of her physician that she is physically fit for attendance.

N.J.A.C. 6A:7-1.7

Adopted: 19 October 2011

2417 STUDENT INTERVENTION AND REFERRAL SERVICES

The Board of Education directs the establishment and implementation in each school building in which general education students are served, a coordinated system for planning and delivering intervention and referral services designed to assist students who are experiencing learning, behavior, or health difficulties, and to assist staff who have difficulties in addressing students' learning, behavior, or health needs in accordance with the requirements of N.J.A.C. 6A:16-8.1 and 6A:16-8.2. The Board of Education shall choose the adopts this appropriate multidisciplinary team approach, such as the Response to Intervention (RTI) or a Multi-Tiered System of Support (MTSS) model for planning and delivering the services required under N.J.A.C. 6A:16-8.

Students who are experiencing learning, behavior, or health difficulties shall be referred to the school's Intervention and Referral Services (I&RS) Team.

The intervention and referral services shall be provided to support aid students in the general education program and may be provided for students who have been determined to need special education programs and services pursuant to N.J.A.C. 6A:16-8.1(a). The intervention and referral services provided for students who have been determined to need special education programs and services shall be coordinated with the student's Individualized Education Program Team, as appropriate. Child Study Team members and, to the extent appropriate, specialists in the area of disability may participate on intervention and referral services teams, pursuant to N.J.A.C. 6A:14-3.1(d)6.

The functions of the system of intervention and referral services in each school building which general education students are served shall be pursuant to N.J.A.C. 6A:16-8.2(a) and as outlined in Regulation 2417.

Records of all requests for assistance, all intervention and referral services action plans, and all related student information shall be maintained in accordance with Federal and State laws and regulations and New Jersey administrative code pursuant to N.J.A.C. 6A:16-8.2(a)9.

The I&RS Team in each school building shall review and assess the effectiveness of each intervention and referral services action plan in achieving the identified outcomes, and modify each action plan to achieve the outcomes, as appropriate.

At a minimum, the I&RS Team shall annually review the intervention and referral services action plans and the actions taken as a result of the building's system of intervention and referral services, and make recommendations to the Principal for improving school programs and services, as appropriate.

At the end of the school year, the Principal shall, in consultation with the I&RS Team, develop a report on the concerns and issues identified by the I&RS Team and the effectiveness of the services provided in achieving the outcomes identified in the intervention and referral services action plans. This report shall be provided to the Superintendent of Schools.

N.J.A.C. 6A:14; 6A:16-8.1; 6A:16-8.2

Adopted: 21 September 2022

2418 SECTION 504 OF THE REHABILITATION ACT OF 1973 –STUDENTS

The Board will comply with Section 504 of the Rehabilitation Act of 1973, the purpose of which is to eliminate discrimination on the basis of disability in any program or activity receiving Federal financial assistance.

Guarantee of Rights

The Board will provide a free appropriate public education to each student with a disability regardless of the nature or severity of the disability.

The Board will make reasonable accommodations to ensure that no student with a disability, solely on the basis of the disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity sponsored by this Board, including participation in non-academic and extracurricular services and activities.

The administration will undertake to identify and locate all students with disabilities between the ages of three and twenty-two, who are residing within the district, but not receiving a public school education. The administration will take steps to notify such students and their parents of the district's duty to provide accommodations for students with disabilities as well as procedures to determine eligibility for such accommodations.

Educational Setting

The Board will ensure that a student with a disability participates with nondisabled students in activities and services to the maximum extent appropriate to the needs of the student with a disability.

The school administration will place a student with a disability in the regular educational environment within the district unless the district demonstrates that the education of the student with a disability in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily.

Evaluation and Placement

The Board will establish standards and procedures for initial evaluations and periodic re-evaluations of students who need or are believed to need accommodations, special education, and/or related services because of a disability. Evaluations may include, but

are not limited to, a review of work samples, direct observation, interviews, and/or administration of assessment measures.

Enforcement

The Superintendent is designated by the Board as the District 504 Coordinator for matters dealing with Section 504 of the Rehabilitation Act of 1973 and can be contacted at the following address or telephone number:

Office Address: 102 Hawthorne Road, Essex Fells, NJ 07021
Telephone: 973-226-505

Procedural Safeguards

The district will establish and implement a system of procedural safeguards with respect to the identification, evaluation, or provision of services under Section 504. This system includes notice, an opportunity for the parent to examine relevant records, an impartial hearing with the opportunity for participation by the parent and representation by counsel, and a review procedure. These procedural safeguards shall be in accordance with N.J.A.C. 6A:14 et seq., Policy 2460, Regulation 2460.8, and/or the grievance procedures outlined in Regulation 2418.

Notice

The Board will notify members of the community that the Board does not discriminate on the basis of a disability in violation of Section 504 of the Rehabilitation Act of 1973. Policy and Regulation 2418 may be reprinted in part or in full and distributed to serve as adequate notice.

State or Local Law

The obligation to comply with the Rehabilitation Act of 1973 is not obviated or alleviated by the existence of any State or local law or other requirement that, on the basis of disability, imposes prohibitions or limits upon the eligibility of a student with a disability to receive services.

29 U.S.C. 794 (Section 504 Rehabilitation Act of 1973)
20 U.S.C. 1401 et seq. (Individuals with Disabilities Education Act)
42 U.S.C. 12101 (Americans with Disabilities Act of 1990, as amended)

Adopted: 15 February 2017

2419 SCHOOL THREAT ASSESSMENT TEAMS

The Board of Education shall establish a threat assessment team at each school in the district pursuant to N.J.S.A. 18A:17-43.4. The purpose of a threat assessment team shall be to provide school teachers, administrators, and other staff with assistance in identifying students of concern, assessing those students' risk for engaging in violence or other harmful activities, and delivering intervention strategies to manage the risk of harm for students who pose a potential safety risk, to prevent targeted violence in the school, and ensure a safe and secure school environment that enhances the learning experience for all members of the school community.

Threat assessment teams established pursuant to N.J.S.A. 18A:17-43.4.a., this Policy, and Regulation 2419 must be multidisciplinary in membership and, to the extent possible, must include the following individuals:

1. A school psychologist, school counselor, school social worker, or other school employee with expertise in student counseling;

2. A teaching staff member;

3. A Principal or other senior school administrator;

4. A safe schools resource officer or school employee who serves as a school liaison to law enforcement; and

5. The school safety specialist designated pursuant to N.J.S.A. 18A:17-43.3. and Policy 7440, in the event that the school safety specialist is not already a school administrator or school employee required to be a part of the threat assessment team pursuant to N.J.S.A. 18A:17-43.4.

Additional school employees may serve as regular members of the threat assessment team or may be consulted during the threat assessment process, as determined to be appropriate by the team.

Nothing contained in N.J.S.A. 18A:17-43.4 shall be construed as affecting the provisions of any collective bargaining agreement or individual contract of employment in effect on the effective date pursuant to N.J.S.A. 18A:17-43.3 (August 1, 2022).

This Policy and Regulation 2419, pursuant to N.J.S.A. 18A:17-43.5, are aligned with the Guidance on the Establishment of Behavioral Threat Assessment and Management Teams

(BTAM) 2023 (Guidance) developed by the New Jersey Department of Education (NJDOE) pursuant to N.J.S.A. 18A:17-43.6.

The school district shall structure the threat assessment teams to best meet the needs and resources available, which may include school-based teams and/or district-level teams.

The Superintendent or designee will build a behavioral threat assessment and management program that will: establish a multi-disciplinary team; define prohibited and concerning behaviors; create a central reporting mechanism; define a threshold for law enforcement intervention; establish threat assessment procedures; develop risk management options; create and promote safe school climates; and conduct training for all stakeholders.

The threat assessment and management process will include: the threat assessment team's actions when first learning of a new report or threat; screening the case; gathering information; organizing and analyzing information; making the assessment; developing and implementing a case management/intervention plan; re-assessing and case monitoring; and documenting and closing the case.

When assessing a student whose behavior may pose a threat to the safety of the school community, in the case of a student with an Individualized Education Program (IEP) or 504 Plan, the threat assessment team shall consult with the IEP team or 504 team to determine whether the aberrant behavior is a threat to school safety and is being properly addressed in a manner that is required by N.J.A.C. 6A:14 and all Federal and State special education laws.

Each member of the threat assessment team must attend training in accordance with N.J.S.A. 18A:17-43.4, this Policy, and Regulation 7440 that is consistent with the Guidance developed by the NJDOE pursuant to N.J.S.A. 18A:17-43.6. Training must be coordinated with the New Jersey Department of Education, Office of School Preparedness and Emergency Planning (OSPEP). The training shall ensure the threat assessment team is able to accurately assess student behavior and to ensure that threat assessment teams do not have a disparate impact on students based on their race, ethnicity, homelessness status, religious belief, gender, gender identity, sexual orientation, or socioeconomic status. The training shall, at a minimum, include training on adverse childhood experiences, childhood trauma, cultural competency, and implicit bias.

Should a threat assessment team become aware of an allegation of HIB when considering or conducting assessments, they must follow Policy 5512 – Harassment, Intimidation, or

Bullying for addressing allegations of HIB in alignment with the Anti-Bullying Bill of Rights Act.

Should a threat assessment team become aware of a bias-related act, the team should implement Policy and Regulation 8465 – Bias Crimes and Bias-Related Acts on reporting bias-related acts to law enforcement in accordance with the Memorandum of Agreement Between Education and Law Enforcement Officials and Policy and Regulation 9320 – Cooperation With Law Enforcement Agencies.

Questions and concerns about Family Educational Rights and Privacy Act (FERPA) and the Health Insurance Portability and Accountability Act (HIPAA) protections often arise as part of the threat assessment planning process. The threat assessment teams must understand how to balance the safety of the school with the privacy of individual students. These laws should not be an impediment to threat assessment and management.

N.J.S.A. 18A:17-43.3; 18A:17-43.4; 18A:17-43.5; 18A:17-43.6
Guidance on the Establishment of Behavioral Threat Assessment and Management Teams (BTAM) 2023

Adopted: 16 August 2023



2422 STATUTORY CURRICULAR REQUIREMENTS

The New Jersey Student Learning Standards (NJSLS) provide clear and consistent learning goals across distinct content areas to help prepare students for postsecondary success. The NJSLS demonstrate what students are expected to learn at specific grade levels and bands, so that every parent and teacher can understand and support learning. The NJSLS offer the foundation on which school districts build coherent curriculum and plan instruction to prepare each student with the knowledge and skills needed to succeed.

The New Jersey State Board of Education adopts the NJSLS and the New Jersey statutes require instruction to be part of the school district's implementation of the NJSLS. The following statutes that require instruction to be part of the school district's implementation of the NJSLS include:

1. Accident and Fire Prevention (N.J.S.A. 18A:6-2) requires regular courses of instruction in accident and fire prevention.

2. Breast Self-Examination (N.J.S.A. 18A:35-5.4) requires offering instruction on breast self-examination for students in grades seven through twelve.

3. Bullying Prevention Programs (N.J.S.A. 18A:37-17) requires the establishment of bullying prevention programs.

4. Cancer Awareness (N.J.S.A. 18A:40-33) requires the development of a school program on cancer awareness by the Commissioner of Education.

5. Dating Violence Education (N.J.S.A. 18A:35-4.23a) requires instruction regarding dating violence in grades seven through twelve.

6. Domestic Violence Education (N.J.S.A. 18A:35-4.23) allows instruction on problems related to domestic violence and child abuse.

7. Gang Violence Prevention (N.J.S.A. 18A:35-4.26) requires instruction in gang violence prevention for elementary school students.

8. Health, Safety, and Physical Education (N.J.S.A. 18A:35-5) requires that all students in grades one through twelve participate in at least two and one-half hours of health, safety, and physical education each school week.

9. Drugs, Alcohol, Tobacco, Controlled Dangerous Substances, and Anabolic Steroids (N.J.S.A. 18A:40A-1) requires instructional programs on drugs, alcohol, anabolic steroids, tobacco, and controlled dangerous substances and the development of curriculum guidelines for each grade Kindergarten through twelve.

10. Lyme Disease Prevention (N.J.S.A. 18A:35-5.1 through 18A:35-5.3) requires the development of Lyme disease curriculum guidelines for the teaching of information on the prevention of Lyme disease and other tick-borne diseases.

11. Organ Donation (N.J.S.A. 18A:7F-4.3) requires information relative to organ donation to be given to students in grades nine through twelve.

12. Sexual Assault Prevention (N.J.S.A. 18A:35-4.3) requires the development of a sexual assault prevention education program by the Commissioner of Education for utilization by school districts.

13. Stress Abstinence (N.J.S.A. 18A:35-4.19 through 18A:35-4.22), also known as the "AIDS Prevention Act of 1999," requires sex education programs to stress abstinence.

14. Suicide Prevention (N.J.S.A. 18A:6-111 through 18A:6-113) requires instruction in suicide prevention in public schools.

15. Cardiopulmonary Resuscitation (CPR)/Automated External Defibrillator (AED) (N.J.S.A. 18A:35-4.28 and 18A:35-4.29) requires public high schools and charter schools to provide instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator to each student prior to graduation.

16. Sexually Explicit Images through Electronic Means (N.J.S.A. 18A:35-4.32 and 18A:35-4.33) requires instruction, once during middle school, on the social, emotional, and legal consequences of distributing and soliciting sexually explicit images through electronic means.

17. History of Disabled and LGBT Persons (N.J.S.A. 18A:35-4.35 and 18A:35-4.36) requires instruction on the political, economic, and social contributions of persons with disabilities and lesbian, gay, bisexual, and transgender people for middle and high school students.



18. Financial Literacy (N.J.S.A. 18A:35-4.34) requires instruction with basic financial literacy necessary for sound financial decision-making in each of the grades six through eight.

19. Sexual Abuse and Assault Awareness and Prevention Education (N.J.S.A. 18A:35-4.5a) requires age-appropriate sexual abuse and assault awareness and prevention education in grades preschool through twelve.

20. Curriculum to Include Instruction on Diversity and Inclusion (N.J.S.A. 18A:35-4.36a) requires instruction on diversity and inclusion in an appropriate place in the curriculum for students in grades Kindergarten through twelve.

21. Incorporation of Age-Appropriate Instruction Relative to Consent for Physical Contact and Sexual Activity (N.J.S.A. 18A:35-4.38) requires age-appropriate instruction in grades six through twelve on the law and meaning of consent for physical contact and sexual activity.

22. Health Curriculum to Include Instruction on Mental Health (N.J.S.A. 18A:35-4.39) requires health education programs to include instruction on mental health and the relation of physical and mental health for students in grades Kindergarten through twelve.

23. Information About "New Jersey Safe Haven Infant Protection Act" Included in Public School Curriculum (N.J.S.A. 18A:35-4.40) requires information on the provisions of the "New Jersey Safe Haven Infant Protection Act" shall be included in curriculum for public school students in grades nine through twelve.

24. Infusion of African American Accomplishments into School Curricula (N.J.S.A. 18A:35-4.43) requires in the curriculum for all elementary and secondary students instruction that infuses into all courses on the United States the centuries of accomplishments by African Americans in the building and development of America.

25. Asian American, Pacific Islander History, Contributions; Instruction Included in Curriculum (N.J.S.A. 18A:35-4.44) requires instruction on the history and contributions of Asian Americans and Pacific Islanders in an appropriate place in the curriculum of students in grades Kindergarten through twelve as part of the district's implementation of the NJSLS in Social Studies.

26. Any other statutory or administrative codes requiring instruction to be part of the district's implementation of the NJSLS.

In accordance with the provisions of N.J.S.A. 18A:35-4.7, any student whose parent presents to the Principal a signed statement that any part of the instruction in health, family life education, or sex education is in conflict with their conscience or sincerely held moral or religious beliefs shall be excused from that portion of the course where such instruction is being given and no penalties as to credit or graduation shall result.

The Board must provide two and one-half hours of health, safety, and physical education courses in each school week, or proportionately less when holidays fall within the week. Recess period(s) shall not be used to meet the requirements of N.J.S.A. 18A:35-5, 7, and 8.

In accordance with N.J.S.A. 18A:35-4.31, the Board shall provide a daily recess period of at least twenty minutes for students in grades Kindergarten through five. A recess period is not required on a school day in which the day is substantially shortened due to a delayed opening or early dismissal. The recess period shall be outdoors, if feasible. A student shall not be denied recess for any reason, except as a consequence of a violation of the school district's Code of Student Conduct, including a harassment, intimidation, or bullying (HIB) investigation pursuant to N.J.S.A. 18A:37-13 et seq. Students may not be denied recess more than twice per week for a violation of the Code of Student Conduct or HIB investigation and these students shall be provided restorative justice activities during the recess period.

Restorative justice activities are defined as activities designed to improve the socioemotional and behavioral responses of students through the use of more appropriate and less punitive interventions thereby establishing a more supportive and inclusive school culture. The student's recess period should be scheduled in a manner that does not interfere with the implementation of a student's Individualized Education Program (IEP). School staff may deny recess for a student on the advice of a medical professional, school nurse, or the provisions of a student's IEP and/or 504 Plan.

A copy of the NJSLS and all related curriculum/course guides and instructional material shall be available for public inspection.

Adopted: 17 September 2025



2423 BILINGUAL AND ESL EDUCATION

The Board of Education will provide programs of bilingual education, English as a second language (ESL), and culturally and linguistically responsive, researched-based, and effective language instruction educational programs (LIEP) to all multilingual learners (ML) as required by law and rules of the New Jersey State Board of Education. MLs are those students whose primary language is not English and who have varying degrees of English language proficiency in any one of the domains of speaking, reading, writing, or listening and is synonymous with limited English-speaking ability pursuant to N.J.S.A. 18A:35-15 through 18A:35-26.1 and N.J.A.C. 6A:15-1.1 et seq.

The school district shall use, at the time of enrollment, the multi-step process to identify MLs enrolled in the district in accordance with N.J.A.C. 6A:15-1.3. The district shall administer to each student enrolled in the district the Statewide home-language survey (HLS) to determine which students in preschool to twelfth-grade have a primary language(s) other than English and, therefore, may be a ML.

The district shall then determine the English language proficiency of all Kindergarten to twelfth-grade students who are found eligible through N.J.A.C. 6A:15-1.3(a)1 or (a)2 and whose primary language is other than English by administering an English language proficiency (ELP) assessment. Students who do not meet the New Jersey Department of Education (Department)-established cut score standard on the ELP assessment shall be considered MLs and shall be offered entry into the district's LIEP. Preschool students who are identified as having a primary language other than English shall be identified as MLs. Prior to the start of their Kindergarten year, the district shall administer an ELP assessment to preschool MLs as part of the screener process to determine the ML's English language proficiency level. The district shall also use age-appropriate methodologies to identify preschool MLs to determine their individual language development needs.

The district shall provide to all preschool to twelfth-grade MLs enrolled in the district pursuant to N.J.S.A. 18A:7F-46 and N.J.S.A. 18A:7F-54 with equal educational opportunities and all educational activities and programs in accordance with the provisions of N.J.A.C. 6A:15-1.4.

The school district providing a LIEP shall submit a plan every three years to the Department in accordance with the provisions of N.J.A.C. 6A:15-1.5.

Students enrolled in a LIEP shall have equal educational opportunities, including full access to educational opportunities and services available to other students in the school district pursuant to N.J.A.C. 6A:15-1.6.

As part of the district- and school-level plans for professional development requirements pursuant to N.J.A.C. 6A:9C-4.2, the Board shall describe professional learning for bilingual, ESL, and academic content teaching staff members whose classroom instruction is in English; administrators who supervise bilingual/ESL programs; and administrators and any personnel who observe and evaluate teaching staff members of MLs in accordance with the provisions of N.J.A.C. 6A:15-1.7.

All teachers of bilingual programs shall hold a valid New Jersey instructional certificate with an endorsement for the appropriate grade level and/or academic content area and a standard certificate with a bilingual/bicultural education endorsement, pursuant to N.J.S.A. 18A:6-38 et seq., N.J.S.A. 18A:35-15 to 26, and N.J.A.C. 6A:9B-11.5 in accordance with the provisions of N.J.A.C. 6A:15-1.8.

Students identified as MLs shall be assessed annually using English Language Placement (ELP) assessments to measure the progress toward English language proficiency and to determine readiness for exiting the LIEP in accordance with the provisions of N.J.A.C. 6A:15-1.9. Students who meet the criteria for Statewide alternate assessments, pursuant to N.J.A.C. 6A:14-4.10(a)2., shall be assessed annually using an alternate ELP assessment. Every student participating in a bilingual, ESL, or English language services program established pursuant to N.J.S.A. 18A:35-15 et seq. shall be entitled to continue such participation for a period of three years pursuant to N.J.S.A. 18A:35-19.

MLs enrolled in the LIEP shall be placed in a classroom(s) where the primary language of instruction is English when the ML has demonstrated readiness to exit a LIEP first by achieving the Department-established cut score on an ELP or alternate ELP assessment. The student's readiness shall be further assessed by the use of a Department-established English language observation form that considers, at a minimum: classroom performance; the student's reading level in English; the observations of the teaching staff members responsible for the educational program of the student; and performance on achievement tests in English.

In accordance with the provisions of N.J.S.A. 18A:35-22.1, a parent may remove a student who is enrolled in a bilingual education program at any time; except that during the first three years of a student's participation in a bilingual education program, a parent may only remove the student at the end of each school year.

If a parent wishes to remove the student prior to the end of each school year, the removal shall be approved by the Executive County Superintendent. If the Executive County Superintendent determines the student should remain in the bilingual education program until the end of the school year, the parent may appeal the Executive County

Superintendent's decision to the Commissioner of Education or designee pursuant to the provisions of N.J.S.A. 18A:35-19.2.

Newly exited students who are not academically progressing in classes where English is the primary language of instruction may be considered for reentry to a LIEP in accordance with the provisions of N.J.A.C. 6A:15-1.9(g)1 through (g)5.

All MLs shall satisfy requirements for high school graduation pursuant to N.J.A.C. 6A:8-5.1(a) and Policy 5460 in accordance with the provisions of N.J.A.C. 6A:15-1.10.

All Kindergarten through twelfth-grade LIEPs shall be conducted within classrooms within the school district pursuant to N.J.S.A. 18A:35-20 in accordance with the provisions of N.J.A.C. 6A:15-1.11.

The parent of a ML shall be notified in accordance with the provisions of N.J.A.C. 6A:15-1.12 that their child has been identified as eligible for placement in a LIEP. Notice shall be in writing and in the language in which the parent possesses a primary speaking ability, and in English. The notice must also include the provisions detailed at N.J.A.C. 6A:15-1.12(b). Progress reports shall be written in English and in the primary language spoken by the parent of students enrolled in the LIEP.

Pursuant to N.J.A.C. 6A:15-1.13, with approval of the Executive County Superintendent on a case-by-case basis, the Board may join with another district Board to provide a LIEP and an individualized learning opportunity, pursuant to N.J.A.C. 6A:8-5.1(a)2, to a ML who chooses to utilize it to meet the 120-credit graduation requirement, in whole or in part.

The Superintendent or designee shall provide for the maximum practicable engagement of the parent of MLs in the development and review of program objectives and dissemination of information to and from the Boards and communities served by the LIEP in accordance with the provisions of N.J.A.C. 6A:15-1.14. With the exception of a Board implementing an English language services or ESL program, each Board implementing a LIEP shall establish a parent advisory committee on bilingual education of which the majority membership shall be the parents of MLs.

N.J.S.A. 18A:35-15 through 18A:35-26.1
N.J.A.C. 6A:14-4.10; 6A:15-1.1 et seq.

Adopted: 20 March 2024

2425 EMERGENCY VIRTUAL OR REMOTE INSTRUCTION PROGRAM

The Board of Education is committed to providing a high quality educational program, virtually or remotely, in the event the State or local health department determines that it is advisable to close, or mandates closure of, the schools of a school district due to a declared state of emergency, declared public health emergency, or a directive by the appropriate health agency or officer to institute a public health-related closure for more than three consecutive school days, the Superintendent shall have the authority to implement the school district's program of virtual or remote instruction, pursuant to N.J.S.A. 18A:7F-9. In addition, pursuant to N.J.S.A. 18A:7F-9.b. the Commissioner of Education shall allow the district to apply to the 180-day requirement established pursuant to N.J.S.A. 18A:7F-9.a., one or more days of virtual or remote instruction provided to students on the day or days the schools of the district were closed if the program of virtual or remote instruction meets such criteria as may be established by the Commissioner.

The school district's program of virtual or remote instruction shall be in accordance with the provisions of N.J.S.A. 18A:7F-9; N.J.A.C. 6A:32-13.1.; this Policy; and Regulation 2425.

"Remote instruction" means the provision of instruction occurring when the student and the instructor are in different locations due to the closure of the facility(ies) of the Board of Education, charter school, renaissance school project, or approved private school for students with disabilities. The closure of the facility(ies) shall be pursuant to N.J.S.A. 18A:7F-9 or 18A:46-21.1 and for more than three consecutive school days due to a declared state of emergency, a declared public health emergency, or a directive by the appropriate health agency or officer to institute a public health-related closure.

"Virtual instruction" means the provision of active instruction when the student and the instructor are in different locations and instruction is facilitated through the internet and computer technologies due to the closure of the facility(ies) of the Board of Education, charter school, renaissance school project, or approved private school for students with disabilities. The closure of the facility(ies) shall be pursuant to N.J.S.A. 18A:7F-9 or 18A:46-21.1 and for more than three consecutive school days due to a declared state of emergency, a declared public health emergency, or a directive by the appropriate health agency or officer to institute a public health-related closure.

The Superintendent of Schools shall submit, with Board approval, the school district's program of virtual or remote instruction to the Commissioner of Education annually. If the Board is unable to complete and submit a proposed program of virtual or remote instruction to the Commissioner in accordance with the timeline established by the Commissioner and the school district is required to close its schools for a declared state of emergency,

declared public-health emergency, or a directive by the appropriate health agency or officer to institute a public health-related closure, the Commissioner of Education may retroactively approve the program.

If provided under the district's program of virtual or remote instruction that has been approved by the Commissioner, student attendance for a day of virtual or remote instruction shall be accounted for in accordance with N.J.A.C. 6A:32-8.4 for the purposes of meeting State and local graduation requirements, the awarding of course credit, and other matters as determined by the Commissioner of Education in accordance with the provisions of N.J.A.C. 6A:32-13.1.(d).

Pursuant to N.J.A.C. 6A:32-13.1(b), if implemented by the Superintendent, the school district's program of virtual or remote instruction shall be provided to an enrolled student, whether a general education student in preschool through grade twelve or a student with a disability aged three to twenty-one. The school district shall provide students with a disability with the same educational opportunities provided to general education students to the extent appropriate and practicable. Related services may be delivered to general education students and students with a disability through the use of electronic communication or a virtual or online platform, as appropriate.

In the event the State or local health department determines it is advisable to close or mandates closure of the schools of the district due to a declared state of emergency, declared public-health emergency, or a directive by the appropriate health agency or officer to institute a public health-related closure, the Superintendent shall have the authority to implement the school district's program of virtual or remote instruction. The Superintendent shall consult with the Board prior to such decision, if practicable. The Superintendent shall ensure that students, parents, staff, and the Board are informed promptly of the Superintendent's decision.

Nothing in N.J.S.A. 18A:7F-9.b., c., or d.; this Policy; and Regulation 2425 shall be construed to limit, supersede or preempt rights, privileges, compensation, remedies, and procedures afforded to public employees or a collective bargaining unit under Federal or State law or any provision of a collective bargaining agreement entered into by the school district.

In the event of the closure of a school or the schools of the district due to a declared state of emergency, declared public-health emergency, or a directive by the appropriate health agency or officer to institute a public health-related closure for a period longer than three consecutive school days:

1. District employees shall be entitled to compensation, benefits, and emoluments pursuant to the provisions of N.J.S.A. 18A:7F-9.e.(1) and (2).

2. The district shall continue to make payments of benefits, compensation, and emoluments pursuant to the terms of a contract with a contracted service provider in effect on the date of the closure as if the services for such benefits, compensation, and emoluments had been provided, and as if the school facilities had remained open pursuant to the provisions of N.J.S.A. 18A:7F-9.e.(3).

3. The district shall be obligated to make payments for benefits, compensation, and emoluments and all payments required pursuant to N.J.S.A. 18A:6-51 et seq., to an educational services commission, county special services school district, and a jointure commission, and under any shared services agreement and cooperative contract entered into with any other public entity pursuant to the provisions of N.J.S.A. 18A:7F-9.e.(4).

4. An educational services commission, county special services school district, and a jointure commission shall continue to make payments of benefits, compensation, and emoluments pursuant to the terms of a contract with a contracted service provider or a shared services agreement in effect on the date of the closure as if the services for such benefits, compensation, and emoluments had been provided, and as if the school facilities had remained open pursuant to the provisions of N.J.S.A. 18A:7F-9.e.(4).

The provisions of N.J.S.A. 18A:7F-9.e.(1) through (4) and 1 through 4 above shall not apply to any employee whose weekly hours of work are reduced, and to whom unemployment benefits are provided, pursuant to a shared work program approved pursuant to the provisions of N.J.S.A. 43:21-20.3 et seq. A contracted service provider, educational services commission, county special services school district, or jointure commission shall notify the district with which it has entered into a contract to provide services of its intent to reduce the hours of work of its employees pursuant to a shared work program approved pursuant to the provisions of N.J.S.A. 43:21-20.3 et seq.

1. Notwithstanding the provisions of N.J.S.A. 18A:7F-9.e.(3) and 3. above, if a contracted service provider reduces the amount that it pays to its employees providing services to a school district, and that reduction is the result of a reduction of workhours of those employees made pursuant to a shared work program approved pursuant to the provisions of N.J.S.A. 43:21-20.3 et seq., then the amount paid by the district to the contracted service provider shall be reduced by the same amount.



2. Notwithstanding the provisions of N.J.S.A. 18A:7F-9.e.(4) and 4. above, if an educational services commission, county special services school district, or jointure commission reduces the amount that it pays to its employees providing services to a school district, and that reduction is the result of a reduction of workhours of those employees made pursuant to a shared work program approved pursuant to the provisions of N.J.S.A. 43:21-20.3 et seq., then the amount paid by the district to the educational services commission, county special services school district, or jointure commission shall be reduced by the same amount.

This Policy may be revised as necessary by the Superintendent in accordance with N.J.S.A. 18A:7F-9. The school district's emergency virtual or remote instruction program shall be posted prominently on the school district's website.

N.J.S.A. 18A:7F-9
N.J.A.C. 6A:32-2.1; 6A:32-8.4; 6A:32-13.1

Adopted: 1 March 2023

2428.1 STANDARDS-BASED INSTRUCTIONAL PRIORITIES

Standards-Based Instruction

The school district shall implement a coherent curriculum for all pupils, including English language learners (ELLs), gifted and talented pupils, and pupils with disabilities, that is content-rich and aligned to the Core Curriculum Content Standards (CCCS). The curriculum shall guide instruction to ensure every pupil masters the CCCS.

Instruction shall be designed to engage all pupils and modified based on pupil performance. The curriculum shall include: interdisciplinary connections throughout; integration of 21st century skills; a pacing guide; a list of instructional materials including various levels of text at each grade; benchmark assessments; and modifications for special education pupils, English language learners in accordance with N.J.A.C. 6A:15, and gifted pupils.

The school district shall collect and analyze pupil achievement data by subgroups (such as economically disadvantaged, race and ethnicity, pupils with disabilities, English language learners) and make educational decisions based on such data.

The school district shall:

1. Transmit required pupil, faculty, school, and school district data to New Jersey Standards Measurement and Resources for Teaching (NJ SMART), the New Jersey Department of Education's data warehouse, on a schedule and in a form specified by the Department of Education;

2. Use NJ SMART and its data query resources to track pupil progress year-to-year and school-to-school and to identify continuously enrolled pupils by school and school district;

3. Ensure teachers, school administrators, and central office supervisors receive training in NJ SMART and its data query resources;

4. Analyze assessments of pupil progress in relation to curricular benchmarks and the results of State and non-State year-end tests reported by subgroups (such as economically disadvantaged, race and ethnicity, pupils with disabilities, and English language learners).



The school district central office staff shall prepare data on comparative performance for the school and make them available to the school. This analysis shall include the following comparisons using State assessment data:

1. Each grade level across the school;

2. The school;

3. Comparable districts by district factor groups; and

4. Data with State averages.

The school district shall ensure a free appropriate public education is available to all pupils with disabilities according to the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 et seq., and N.J.A.C. 6A:14.

The school district shall provide English language learners with instructional services pursuant to N.J.A.C. 6A:15 and provide gifted and talented pupils with appropriate instructional services pursuant to N.J.A.C. 6A:8-3.1.

The school district shall provide library-media services that are connected to classroom studies in the school building, including access to computers, district-approved instructional software, appropriate books including novels, anthologies and other reference materials, and supplemental materials that motivate pupils to read in and out of school and to conduct research. The school district will provide these library-media services under the direction of a certified school library media specialist.

N.J.A.C. 6A:13-2.1; 6A:13-2.2

Adopted: 19 October 2011



2430 CO-CURRICULAR ACTIVITIES

The Board of Education believes that the goals and objectives of this district are best achieved by a diversity of learning experiences, some of which are more appropriately conducted outside the regular instructional program of the school. The purpose of such co-curricular activities shall be to develop leadership capacities and good organizational skills, to aid in the socialization of pupils, and to enable pupils to explore a wider range of individual interests than might be available in the regular curricular program.

The Board shall make school facilities, supplies, and equipment available and assign staff members for the support of a program of co-curricular activities for pupils in grades one through six. The Board shall maintain the program of co-curricular activities at no cost to participating pupils, except that pupils may be required to provide supplies in accordance with Board Policy No. 2520 on instructional supplies and pupils may be required to assume all or part of the costs of travel and attendance at co-curricular events and trips.

For purposes of this policy, co-curricular activities are those activities conducted on or off school premises by clubs, associations, and organizations of pupils sponsored by the Board and do not include athletic competitions and practices. Co-curricular activities must be related to the curriculum but are not offered for credit toward promotion or graduation and are ordinarily conducted wholly or partly outside the regular school day.

The Board will permit the use of school facilities by organizations of pupils during pupil activity periods. No group of pupils, regardless of the size of the group, will be denied an opportunity to meet on the basis of the religious, political, philosophical, or other content of the speech at their meeting.

No co-curricular activity shall be considered to be under the sponsorship of this Board unless it has been approved by the Superintendent.

Pupils shall be fully informed of the co-curricular activities available to them and of the eligibility standards established for participation in co-curricular activities. Co-curricular activities shall be available to all pupils who voluntarily elect to participate.

The Board will not permit the organization of a fraternity, sorority, or secret society.

The Superintendent shall prepare procedures to implement a co-curricular program and shall assess the needs and interests of the pupils of this district and provide for the continuing evaluation of the co-curricular program.

39 U.S.C.A. 1701 et seq.
N.J.S.A. 18A:11-3; 18A:42-2; 18A:42-5

Adopted: 19 October 2011

2431.4 PREVENTION AND TREATMENT OF SPORTS-RELATED CONCUSSIONS AND HEAD INJURIES (M)

A concussion is a traumatic brain injury caused by a blow or motion to the head or body that disrupts the normal functioning of the brain and can cause significant and sustained neuropsychological impairments including, but not limited to, problem solving, planning, memory, and behavioral problems. In order to ensure safety, it is imperative that student-athletes participating in a program of athletic competition, coaches, and parents are educated about the nature and treatment of sports-related concussions and other head injuries. Allowing a student-athlete to return to a program of athletic competition before recovering from a concussion increases the chance of a more serious brain injury.

This Policy and Regulation 2431.4 are consistent with the requirements of N.J.S.A. 18A:40-41.1 et seq., the New Jersey Department of Education Model Policy and Guidance for Districts on the Prevention and Treatment of Sports-Related Head Injuries and Concussions, and the recommendations developed by the Center for Disease Control and Prevention (CDC).

For the purpose this Policy and Regulation 2431.4, "program of athletic competition" shall include any competition or practice in high school interscholastic athletic programs, middle school interscholastic athletic programs where school teams or squads play teams or squads from other school districts, intramural athletic programs within a school or among schools in the district, and any cheerleading program or activity in the school district.

For the purpose of this Policy and Regulation 2431.4, "student-athlete" shall mean any student enrolled in a public or nonpublic school in New Jersey who is a participant in a program of athletic competition organized by the school district.

The staff member supervising the program of athletic competition shall take steps to prevent concussions and head injuries; ensure student-athletes have appropriate supervision and safety equipment; and ensure student-athletes avoid unsafe conditions.

School staff members supervising programs of athletic competition; licensed athletic trainers; nurses; and school/team physicians shall be trained on the possible signs or symptoms of a concussion. Any possible signs or symptoms of a concussion shall be reported by the student-athlete or an observer to the staff member supervising the program of athletic competition; athletic trainer; school/team physician; school nurse; and/or parent.

The district will adopt an Interscholastic Head Injury Training Program to be completed by the school/team physician, licensed athletic trainer, coaches, and other appropriate district personnel pursuant to N.J.S.A. 18A:40-41.2.

Pursuant to N.J.S.A. 18A:40-41.4, a student-athlete who participates in a program of athletic competition and who sustains or is suspected of having sustained a concussion or other head injury while engaged in a program of athletic competition shall be immediately removed from the program of athletic competition by the staff member supervising the program or athletic competition. A student-athlete who was removed from a program of athletic competition shall not participate in further programs of athletic competition until the student-athlete: is examined by a physician or other licensed healthcare provider trained in the evaluation and management of concussions; receives written medical clearance from a physician trained in the evaluation and management of concussions to return to a program of athletic competition; and progresses through the steps outlined in the CDC's Six-Step Return to Play Progression. The student-athlete's written medical clearance shall be reviewed and approved by the school physician.

School personnel shall contact the parent of a student-athlete to inform them of a suspected sports-related concussion or head injury as soon as possible after the incident. School personnel shall provide the parent with a checklist or copy of the return to play protocols outlined in this Policy and Regulation 2431.4.

The student-athlete may not begin the CDC's Six-Step Return to Play Progression until the student-athlete receives a medical examination, provides the required written medical clearance, and the medical clearance is approved by the school physician.

Some symptoms may require immediate medical treatment. Emergency medical responders (911) shall be called if the student-athlete is experiencing a deterioration of symptoms; loss of consciousness; direct neck pain associated with the injury; or any other symptom that may require immediate medical treatment.

The district will provide temporary supports to a student-athlete that has sustained a concussion or other head injury.

The Commissioner of Education and Commissioner of Health educational fact sheet that provides information concerning the use and misuse of opioid drugs in the event a student-athlete is prescribed an opioid for a sports-related injury shall be provided to the parents of



student-athletes. The district shall obtain a signed acknowledgement of receipt by the student-athlete and their parent in accordance with the provisions of N.J.S.A. 18A:40-41.10.

The Board shall review this Policy and Regulation 2431.4 annually and update as necessary to ensure it reflects the most current information available on the prevention, risk, and treatment of sports-related concussions and head injuries pursuant to N.J.S.A. 18A:40-41.3.

The district shall provide a copy of this Policy and Regulation 2431.4 to all youth sports team organizations that operate on school grounds. In accordance with the provisions of N.J.S.A. 18A:40-41.5, the district shall not be liable for the injury or death of a person due to the action or inaction of persons employed by, or under contract with, a youth sports team organization that operates on school grounds, if the youth sports team organization provides the school district proof of an insurance policy of an amount of not less than $50,000 per person, per occurrence insuring the youth sports team organization against liability for any bodily injury suffered by a person and a statement of compliance with this Policy and Regulation 2431.4.

Pursuant to N.J.S.A. 18A:40-41.5 and for the purpose of this Policy, a "youth sports team organization" means one or more sports teams organized pursuant to a nonprofit or similar charter or which are member teams in a league organized by or affiliated with a county or municipal recreation department.

New Jersey Department of Education Model Policy and Guidance for Districts on the Prevention and Treatment of Sports-Related Head Injuries and Concussions – August 2023

N.J.S.A. 18A:40-41.1; 18A:40-41.2; 18A:40-41.2a;
18A:40-41.3; 18A:40-41.3a; 18A:40-41.4;
18A:40-41.5

Adopted: 20 March 2024

2460 SPECIAL EDUCATION

The Essex Fells School Board of Education assures compliance with Part B of the Individuals with Disabilities Education Act (IDEA) and the New Jersey Administrative Code 6A:14-1 et seq. Furthermore, the Board will have programs and procedures in effect to ensure the following:

1. All students with disabilities, who are in need of special education and related services, including students with disabilities attending nonpublic schools, regardless of the severity of their disabilities, are located, identified, and evaluated according to N.J.A.C. 6A:14-3.3.

2. Homeless students are located, identified, and evaluated according to N.J.A.C. 6A:14-3.3, and are provided special education and related services in accordance with the IDEA, including the appointment of a surrogate parent for unaccompanied homeless youths as defined in 42 U.S.C. §§11431 et seq.

3. Students with disabilities are evaluated according to N.J.A.C. 6A:14-2.5 and 3.4.

4. An Individualized Education Program (IEP) is developed, reviewed and as appropriate, revised according to N.J.A.C. 6A:14-3.6 and 3.7.

5. To the maximum extent appropriate, students with disabilities are educated in the least restrictive environment according to N.J.A.C. 6A:14-4.2.

6. Students with disabilities are included in State-wide and district-wide assessment programs with appropriate accommodations, where necessary according to N.J.A.C. 6A:14-4.10. All students with disabilities will participate in State-wide assessments or the applicable Alternative Proficiency Assessment in grades three, four, five, and six in accordance with their assigned grade level.

7. Students with disabilities are afforded procedural safeguards required by N.J.A.C. 6A:14-2.1 et seq., including appointment of a surrogate parent as set forth in J.J.A.C. 6A:14-2.2 and Policy 2467, when appropriate.

8. The rules set forth in N.J.A.C. 6A:14 ensure a free appropriate public education is available to all students with disabilities between the grades of Pre-Kindergarten through six, including students with disabilities who have been suspended or expelled from school:



a. The obligation to make a free, appropriate public education available to each eligible pupil begins no later than the pupil's third birthday and that an individualized education program (IEP) is in effect for the pupil by that date;

b. If a child's third birthday occurs during the summer, the child's IEP Team shall determine the date when services under the IEP will begin;

c. A free appropriate public education is available to any pupil with a disability who is eligible for special education and related services, even though the pupil is advancing from grade to grade;

d. The services and placement needed by each pupil with a disability to receive a free, appropriate public education are based on the pupil's unique needs and not on the pupil's disability; and

e. The services and placement needed by each pupil with a disability to receive a free, appropriate public education are provided in appropriate educational settings as close to the pupil's home as possible and, when the IEP does not describe specific restrictions, the pupil is educated in the school he or she would attend if not a pupil with a disability.

9. Children with disabilities participating in early intervention programs assisted under IDEA Part C who will participate in preschool programs under N.J.A.C. 6A:14 will experience a smooth transition and have an IEP developed and implemented according to N.J.A.C. 6A:14-3.3(e) and N.J.A.C. 6A:14-3.7.

10. Full educational opportunity to all students with disabilities is provided.

11. The compilation, maintenance, access to, and confidentiality of pupil records are in accordance with N.J.A.C. 6A:32-7.

12. Provision is made for the participation of students with disabilities who are placed by their parent(s) in nonpublic schools according to N.J.A.C. 6A:14-6.1 and 6.2.

13. Students with disabilities who are placed in private schools by the district Board are provided special education and related services at no cost to their parent(s) according to N.J.A.C. 6A:14-1.1(d) and N.J.A.C. 6A:14-7.5(b)3.



14. All personnel serving students with disabilities are highly qualified and appropriately certified and licensed, where a license is required, in accordance with State and Federal law, pursuant to N.J.A.C. 6A:14-1.2(b)13.

15. Pursuant to N.J.A.C. 6A:14-1.2(b)4, the in-service training needs for professional and paraprofessional staff who provide special education, general education or related services are identified, and that appropriate in-service training is provided. The district Board shall maintain information to demonstrate its efforts to:

    a. Prepare general and special education personnel with content knowledge and collaborative skills needed to meet the needs of children with disabilities;

    b. Enhance the ability of teachers and others to use strategies, such as behavioral interventions, to address the conduct of students with disabilities that impedes the learning of students with disabilities and others;

    c. Acquire and disseminate to teachers, administrators, school Board members, and related services personnel, significant knowledge derived from educational research and other sources and how the district will, if appropriate, adopt promising practices, materials and technology;

    d. Ensure that the in-service training is integrated to the maximum extent possible with other professional development activities; and

    e. Provide for joint training activities of parent(s) and special education, related services and general education personnel.

16. Instructional materials will be provided to blind or print-disabled students in a timely manner, consistent with a plan developed by the district.

17. For students with disabilities who are potentially eligible to receive services from the Division of Developmental Disabilities in the Department of Human Services the district will provide, pursuant to the Developmentally Disabled Uniform Application Act, N.J.S.A. 30:4-25.10 et seq., and N.J.A.C. 6A:14-1.2(b)17, the necessary materials to the parent(s) to apply for such services.

18. The school district will not accept the use of electronic mail from the parent(s) to submit requests to a school official regarding referral, identification, evaluation, classification, and the provision of a free, appropriate public education.

19. The school district will provide teacher aides and the appropriate general or special education teaching staff time for consultation on a regular basis as specified in each pupil's IEP.

20. The school district has a plan in effect to establish stability in special education programming. The plan takes into account the consistency of the location, curriculum, and staffing in the provision of special education services as required by N.J.A.C. 6A:14-3.7 (c)4.

21. The school district screens students who have exhibited one or more potential indicators of dyslexia or other reading disabilities I accordance with N.J.S.A 18A:40-5.1 et seq. and Policy 5339.

The school district shall provide an Assurance Statement to the County Office of Education that the Board of Education has adopted the required special education policies and procedures/regulations and the district is complying with the mandated policies and procedures/regulations.

N.J.A.C. 6A:14-1 et seq.
20 USC §1400 et seq.
34 C.F.R. §300 et seq.

Adopted: 20 April 2017

2464 GIFTED AND TALENTED STUDENTS

The Board of Education recognizes its responsibility to identify gifted and talented students within the school district and to provide these students with appropriate instructional adaptations and services. To that end, the Board directs each such student in the school district be identified and offered an appropriate educational program and services.

For purposes of this Policy, "gifted and talented students" means students who possess or demonstrate high levels of ability in one or more content areas when compared to their chronological peers in the district and who require modification of their educational program if they are to achieve in accordance with their capabilities.

For the purpose of this Policy, "instructional adaptation" means an adjustment or modification to instruction enabling a student who is gifted and talented to participate in, benefit from, and demonstrate knowledge and application of the New Jersey Student Learning Standards in one or more content areas at the instructional level of the student, not just the student's grade level.

The Superintendent of Schools or designee shall ensure that the appropriate instructional adaptations are designed for students who are gifted and talented.

The Superintendent or designee will develop procedures for an ongoing Kindergarten through grade six identification process for gifted and talented students that includes multiple measures in order to identify student strengths in intellectual ability, creativity, or a specific academic area. The district shall ensure equal access to a continuum of gifted and talented education services. The identification process shall include consideration of all students, including those who are English language learners and those with Individualized Education Plans or 504 Plans.

The Superintendent or designee will develop and document appropriate curricular and instructional modifications used for gifted and talented students indicating content, process, products, and learning environments, and including, but not limited to, additional education activities such as academic competitions, guest speakers, and lessons with a specialist.

The Superintendent or designee will take into consideration the Gifted Programming Standards, Position Statements, and White Papers of the National Association for Gifted Children in identifying and serving gifted and talented students.

The district will provide the time and resources to develop, review, and enhance instructional tools with modifications for helping gifted and talented students acquire and demonstrate mastery of the required knowledge and skills specified by the standards at the instructional level of the student.

The district will actively assist and support professional development for teachers, educational services staff, and school leaders in the area of gifted and talented instruction.

The district shall file with the New Jersey Department of Education Coordinator for Gifted and Talented Services a report by October 1, 2020 and thereafter on a schedule that coincides with the school district's New Jersey Quality Single Accountability Continuum (QSAC) review pursuant to N.J.S.A. 18A:7A-11. The report shall include, but not be limited to, the gifted and talented continuum of services, policies, and procedures implemented in the school district; the total number of students receiving gifted and talented services in each grade level Kindergarten through grade six disaggregated by race, gender, special education designation, and English language learner designation; the professional development opportunities provided for teachers, educational services staff, and school leaders about gifted and talented students, their needs, and educational development; and the number of staff employed by the school district whose job responsibilities include identification of and providing services to gifted and talented students. Programs for gifted and talented students will be periodically evaluated for their continuing efficacy and adjusted accordingly.

The parent of any student identified as gifted or talented shall be consulted regarding any program designed to address the student's particular needs.

An individual who believes that the district has not complied with the provisions of N.J.S.A. 18A:35-34 et seq. may file a complaint with the Board of Education. This policy for filing a complaint shall be linked to the homepage of the Board's Internet website. The Board shall issue a decision, in writing, to affirm, reject, or modify the district's action in the matter. The individual may then file a petition of appeal of the Board's written decision to the Commissioner of Education through the Office of Controversies and Disputes in accordance with N.J.S.A. 18A:6-9 and the procedures set forth in State Board of Education regulations.

The district shall make detailed information available on its website regarding the policies and procedures used to identify students as gifted and talented and the continuum of services offered to gifted and talented students. The information shall include the criteria used for consideration for eligibility for the gifted and talented services, including



the multiple measures used in the identification process to match a student's needs with services, and any applicable timelines in the identification process.

N.J.S.A. 18A:61A-2; 18A:35-4.16; 18A:35-34 through 39
N.J.A.C. 6A:8-1.3; 6A:8-3.1(a)5
P.L. 108-382, Sec. 10201 et seq.

Adopted: 18 November 2020

2466 NEEDLESS PUBLIC LABELING OF STUDENTS WITH DISABILITIES

The Board of Education guarantees the privacy provided by law that no pupil with a disability be labeled publicly. Therefore, any reference to a pupil with a disability brought to the attention of the Board and/or any other potential public reference to a pupil with a disability will be through the use of a district-developed method of coding that would ensure a pupil's name or other labeling would not identify the pupil as a pupil with a disability. Examples where public labeling of students with disabilities shall be avoided include, but are not limited to, Board meeting agenda information, public address announcements, building/classroom signs, public school documents, and/or any other school publication identifying a pupil with a disability or class/program of students with disabilities.

Special education classes shall be referred to publicly by the name of the teacher. This applies to schedules, class lists, transportation lists, public address announcements, and any other form of communication that has any potential for any exposure other than for the use by appropriately authorized school staff.

Exceptions to the prohibition of public labeling of students with disabilities may be made upon consent of the pupil's parent(s) or legal guardian(s).

All pupil records shall be maintained strictly in accordance with N.J.A.C. 6A:32-7.1 et seq.

Adopted: 19 October 2011

2467 SURROGATE PARENTS AND RESOURCE FAMILY PARENTS

Federal and State laws require the Board ensure the rights of a student are protected through the provision of an individual to act as surrogate for the parent and assume all parental rights under N.J.A.C. 6A:14 when:

1. The parent cannot be identified;

2. The parent cannot be located after reasonable efforts;

3. An agency of the State of New Jersey has guardianship of the student or the student is determined a ward of the State and, if the student is placed with a resource family parent, the resource family parent declines to serve as the student's parent; or

4. The student is an unaccompanied youth as that term is defined in section 725(6) of the McKinney-Vento Homeless Assistance Act (42 USC §11434.(a)6) and N.J.A.C. 6A:17-1.2.

Qualifications and Selection

The district shall make reasonable efforts to appoint a surrogate parent within thirty days of the determination that a surrogate parent is needed for a student. If the district fails to appoint a surrogate parent for a ward of the State, a judge may appoint a surrogate parent if the judge determines a surrogate parent is necessary for such student.

The district shall establish a method for selecting and training surrogate parents.

The person serving as a surrogate parent shall:

1. Have no interest that conflicts with the interest of the student they represent;

2. Possess knowledge and skills that ensure adequate representation of the student;

3. Not be replaced without cause;

4. Be at least eighteen years of age; and

5. Complete a criminal history review pursuant to N.J.S.A. 18A:6-7.1 if the person serving as the surrogate parent is compensated.

The person(s) serving as a surrogate parent may not be an employee of the New Jersey Department of Education, this district, or a public or nonpublic agency that is involved in the education or care of the child.

The Superintendent shall serve as Surrogate Parent Coordinator and will: determine whether there is a need for a surrogate parent for a student; contact any State agency that is involved with the student to determine whether the State has a surrogate parent appointed for the student; and make reasonable efforts to appoint a surrogate parent for the student within thirty days of determining that there is a need for a surrogate parent for the student.

When a student who is or may be a student with a disability is in the care of a resource family parent, and the resource family parent is not the parent of the student, the district where the resource family parent resides shall contact the student's case manager at the Division of Child Protection and Permanency (DCP&P) in the Department of Children and Families to determine whether the parent retains the right to make educational decisions and determine the whereabouts of the parent.

If the parent retains the right to make educational decisions and the parent's whereabouts are known to the school district, the Superintendent or designee shall obtain all required consent from, and provide written notices to, the parent.

If the district cannot ascertain the whereabouts of the parent, the resource family parent shall serve as the parent unless that person is unwilling to do so. If there is no resource family parent, or if the resource family parent is unwilling to serve as the student's parent, the Surrogate Parent Coordinator shall consult with the student's case manager at DCP&P to assist in identifying an individual to serve as a surrogate parent, appointing a surrogate parent, and obtaining all required consent from, and providing written notices to, the surrogate parent.

Training

N.J.A.C 6A:14-2.2(d) requires the district train surrogate parents so they have the knowledge and skills that ensure adequate representation of the student. The Surrogate

Parent Coordinator shall coordinate the training for surrogate parents. The training may include, but not be limited to:

1. Providing the surrogate parent a copy of:

   a. Parental Rights in Special Education booklet;

   b. N.J.A.C. 6A:14;

   c. The Special Education Process;

   d. Administrative Code Training Materials from the Department of Education website; and

   e. Other relevant materials.

2. Providing the surrogate parent an opportunity to meet with the Surrogate Parent Coordinator to discuss the rights of the surrogate parent and the applicable statutes, administrative codes, and Federal laws. The Surrogate Parent Coordinator shall provide the surrogate parent the opportunity to review and to become familiar with the State and Federal requirements for assessment, individualized educational program development, and parental rights with respect to the referral and placement process, including their rights with respect to seeking a due process hearing if they disagree with the local procedure or decisions;

3. Providing the surrogate parent adequate time to become familiar with the student and the nature of the student's disability through a review of the student's record;

4. Providing the surrogate parent an opportunity to confer with the student's case manager to discuss the student; and

5. Other information and resources to provide the surrogate parent the knowledge and skills to ensure adequate representation of the student.

Rights of the Surrogate Parent

A surrogate parent appointed in accordance with N.J.A.C. 6A:14-2.2 shall assume all parental rights under N.J.A.C. 6A:14.

N.J.A.C. 6A:14-2.2

Adopted: 1 December 2021

2468- INDEPENDENT EDUCATIONAL EVALUATIONS

Special education law permits a parent to request an independent educational evaluation (IEE) for their child if there is disagreement with any evaluation provided by the Board of Education. An "independent educational evaluation" is an evaluation conducted by a qualified examiner who is not an employee of the public school district responsible for the education of the child in question. Such IEEs shall be provided at no cost to the parent unless the school district initiates a due process hearing in accordance with the provisions of N.J.A.C. 6A:14-2.7 et seq. to show that its evaluation is appropriate and a final determination to that effect is made following the hearing. If it is determined the school district's evaluation is appropriate, the parent still has the right to an IEE, but not at the school district's expense.

Upon receipt of a parental request for an IEE, the school district shall provide the parent with information about where an IEE may be obtained and the criteria for IEEs according to N.J.A.C. 6A:14-2.5(c)3 and (c)4 and the additional criteria outlined below in this Policy:

1. Any IEE paid for with public funds shall:

    a. Be conducted according to the provisions of N.J.A.C. 6A:14-3.4; and

    b. Be obtained from another public school district, educational services commission, jointure commission, a clinic or agency approved under N.J.A.C. 6A:14-5, or private practitioner, who is appropriately certified and/or licensed, where a license is required.

2. An independent medical evaluation may be obtained according to N.J.A.C. 6A:14-5.1(e).

Additional criteria for an IEE shall be as follows:

1. The Board will not pay for an IEE unless it complies with the following criteria unless the parent can show that unique circumstances warrant deviation from same:

    a. The independent evaluator must be appropriately certified and/or licensed in the State of New Jersey. In instances where no applicable certification/license exists, the evaluator must provide the Board with documentation of extensive and recent training and

experience related to the assessment of the known or suspected disability;

b. The independent evaluator may only charge fees for educational evaluation services that, in the judgment of the Board, are reasonable in accordance with 2. below;

c. The independent evaluator must be free from any conflict of interest;

d. The independent evaluator and members of the Child Study Team must be permitted to directly communicate and share information with each other. The independent evaluator must also agree to release the assessment information, results, and report(s) to the school district prior to receipt of payment for services;

e. For any independent evaluation, whether paid for with public or private funds, the school district shall permit the evaluator to observe the pupil in the classroom or other educational setting, as applicable; and

f. The independent evaluator shall make at least one contact with the pupil's case manager for the purpose of determining how the pupil is progressing in his/her current programming.

2. The maximum allowable cost for an independent evaluation will be limited to the reasonable and customary rate, as determined and approved by the Board annually. This rate shall be in the range of what it would cost the Board to provide the same type of assessment through either another public school district, educational services commission, jointure commission, a clinic or agency approved under N.J.A.C. 6A:14-5, or private practitioner, who is appropriately certified and/or licensed, where a license is required. This Board-approved rate shall be provided to the parent upon their request for an IEE. The Board shall not be responsible for any costs beyond the IEE, such as transportation, lodging, food, etc.

a. The parent may provide documentation to the Board demonstrating unique circumstances to justify an IEE that exceeds the maximum allowable cost established by the Board. If, in the Board's judgment, there is no justification for the excess cost, the Board may agree to fund the IEE up to the school district's maximum allowable cost with the parent responsible for any remaining costs. In the alternative, the Board may request a due process hearing to enforce its established maximum allowable cost.

Upon receipt of a parental request for an IEE, the school district shall take steps to ensure the IEE is provided without undue delay or not later than twenty calendar days after receipt of the parental request, the school district shall request a due process hearing in accordance with the provisions of N.J.A.C. 6A:14-2.7 et seq. to show that its evaluation is appropriate.

If a parent requests an IEE, the school district may ask the parent to explain why he or she objects to the school district's evaluation. However, the school district shall not require such an explanation and shall not delay either providing the IEE or initiating a due process hearing to defend the school district's evaluation.

Any IEE submitted to the district, including an IEE obtained by the parent at private expense, shall be considered in making decisions regarding special education and related services.

If an Administrative Law Judge orders that an IEE be conducted, the IEE shall be obtained by the district in accordance with the decision or Order of the Administrative Law Judge, and the Board of Education shall pay the cost of the IEE in accordance with the provisions of this Policy.

A parent is entitled to only one IEE paid for by the Board each time the school district conducts an evaluation with which the parent disagrees.

N.J.A.C. 6A:14-2.5; 6A:14-2.7
CFR Section 300.502

Adopted: 20 February 2013

2481- HOME OR OUT-OF-SCHOOL INSTRUCTION FOR A GENERAL EDUCATION STUDENT FOR REASONS OTHER THAN A TEMPORARY OR CHRONIC HEALTH CONDITION

The Board of Education shall provide instructional services to an enrolled general education student at the student's home or other suitable out-of-school setting under the following conditions:

A. The student is mandated by State law and rule for placement in an alternative education program, but placement is not immediately available;

B. The student is placed on short-term or long-term suspension from participation in the general education program; or

C. A court order requires the student receive instructional services in the home or other out-of-school setting.

The school district in which a student resides shall be responsible for the costs of providing instruction in the home or out-of-school setting either directly, or through online services, including any needed equipment, or through contract with another Board of Education, Educational Services Commission, Jointure Commission, or approved clinic or agency. The district shall provide services no later than five school days after the student has left the general education program.

The services to be provided shall meet the minimum standards as required in N.J.A.C. 6A:16-10.2(d).

The teacher(s) providing instruction shall be a certified teacher. The teacher shall provide one-on-one instruction for no fewer than ten hours per week on three separate days of the week and no fewer than ten hours per week of additional guided-learning experiences that may include the use of technology to provide audio and visual connections to the student's classroom.

The instruction shall meet the Core Curriculum Content Standards and the Board of Education's requirements for promotion and graduation.

If instruction is delivered in the student's home, a parent or other adult twenty-one years of age or older who has been designated by the parent shall be present during all periods of home instruction.

N.J.S.A. 18A:38-1 through 18A:38-25
N.J.A.C. 6A:16-10.2

Adopted: 17 September 2014

2510 ADOPTION OF TEXTBOOKS

The Board of Education believes that textbooks should support and enrich the curriculum and make possible the achievement of the district's instructional goals. The Superintendent shall develop procedures for continual review of new texts being offered and evaluation of those already in use to ensure that the textbooks used in this district are up to date in the factual matter they present and further the district's instructional goals. Textbooks and instructional materials should be judged by additional standards which shall include, but not be limited to:

A. Does the material reflect the district's affirmative action/equity policy, which prohibits the teaching or encouragement of bias based on any categories listed in law or Board policy?

B. Does it help students develop abilities in critical reading and thinking?

C. Does it provide effective basic or advanced education for the students for whom it is intended?

The review process shall:

A. Be conducted by teaching staff members, particularly those teachers who will be using the materials as an integral part of the instructional program;

B. Include a written review of the material which shall reflect the consensus of the teaching staff; and

C. Provide an opportunity for public inspection of the recommended text.

The Superintendent shall develop administrative rules outlining a procedure for the selection of instructional materials that meets the above criteria. Instructional materials used within the district should be sufficient in quantity and scope to meet the needs of every pupil in the district.

The Board, by law, makes the final textbook selection decision. However, prior to final adoption, the recommendations resulting from each review will be given thorough consideration.

Any citizen who objects to the final selections made by the Board should follow the procedures outlined in Policy 9130 Public Complaints and Grievances.

N.J.S.A. 18A:34-1; 18A:34-2

Adopted: 19 October 2011



2520 INSTRUCTIONAL SUPPLIES

The Board of Education shall provide staff members with the supplies and materials necessary for the successful implementation of the instructional program and provide students with the supplies and materials required for the successful completion of courses of study.

The Board expressly exempts from this Policy such clothing or personal equipment as may be required for reasons related to the safety and health of students or the protection of school property and are individualized or non-reusable, and any materials used in the manufacture or preparation of useful or decorative items that students are permitted to retain, except that no student will be denied participation in any course of study or school sponsored activity because of their financial inability to bear the cost of such clothing, equipment, or materials.

Supplies and materials will be distributed throughout the school district in a manner that ensures equal distribution to students; school facilities; courses; programs; and activities and services, regardless of the protected categories listed at N.J.A.C. 6A:7-1.7(a).

The Superintendent or designee shall develop procedures for the selection and utilization of instructional supplies that include effective consultation with teaching staff members at all appropriate levels.

N.J.A.C. 6A:7-1.7
N.J.S.A. 18A:34-1

Adopted: 16 August 2023

2530 RESOURCE MATERIALS

The Board of Education shall provide resource materials to implement the school district's educational goals and objectives to meet student needs as district resources permit. Resource materials include, but are not limited to, reference materials; fiction and nonfiction books; maps; audio and audio-visual materials; pamphlets; periodicals; pictures; online references; other supplementary titles; and other sources of information for use by students that are not designated as textbooks. Resource materials are not library material as defined in N.J.S.A. 18A:34A-3 and Policy and Regulation 2535.

The Superintendent will develop regulations for the selection of resource materials pursuant to Regulation 2530 that provide for the effective consultation of teaching staff members at all appropriate levels, ensure that the Board's budgetary allotment for resource materials is efficiently spent and appropriately distributed throughout the instructional program and the district, and ensure an inventory of resource materials that is well balanced.

The Superintendent will evaluate resource materials and recommend to the Board the removal of resource materials that no longer meet the standards set forth in Policy and Regulation 2530. Any request by an individual for the removal of resource materials will be governed by Policy and Regulation 9130.

Adopted: 25 February 2026

2531 USE OF COPYRIGHTED MATERIALS

The Board of Education encourages teaching staff members to make judicious use of appropriate printed materials, sound recording, televised programs, and computer software in the curriculum but recognizes that federal law, applicable to public school districts, protects the originators of those materials from the unauthorized use of their copyrighted works. The Board expressly forbids the use of school equipment for the illegal reproduction of copyrighted materials.

In order to define the fair and reasonable use that teaching staff members may make of copyrighted works for educational purposes without the permission of the copyright owner and to reduce the risk of copyright infringement, the Board directs the Superintendent to promulgate regulations regarding the copying and distribution of copyrighted materials for instructional purposes.

Computer software may be reproduced only for archival purposes or when copying is an essential step in the utilization of the program. Computer software should be purchased in sufficient quantity to permit its classroom use without simultaneous loading. Where appropriate, the Superintendent shall seek a licensing agreement with the software publisher that permits the reproduction of software, the simultaneous use of software, and the purchase of multiple copies of software at discount prices.

Students and staff members shall be instructed that copyright infringement is a form of theft. A pupil or staff member who reproduces or uses copyrighted material in violation of this policy will be subject to discipline.

17 U.S.C. 101 et seq.

Adopted: 19 October 2011

2535 LIBRARY MATERIAL

The Board of Education believes the freedom to read is a human right, constitutionally protected by the First Amendment of the United States Constitution, and individuals have the right to free inquiry and the right to form their own opinions. The freedom to read does not require an individual to agree with topics or themes within a material, but instead allows a reader to explore and engage with differing perspectives to form and inform their own views pursuant to the "Freedom to Read Act" N.J.S.A. 18A:34A-1 through N.J.S.A. 18A:34A-7.

In accordance with N.J.S.A. 18A:34A-4, the purpose of Regulation 2535 and this Policy is to: provide standards for the curation of library material, establish criteria for the removal of existing school library material or library material selected for inclusion in the school library, and provide protection against attempts to censor library material.

A. Definitions – N.J.S.A. 18A:34A-3

1. For the purpose of Policy and Regulation 2535:

a. "Board of Education" means a Board of Education as defined in N.J.S.A. 18A:18A-2, the Board of Directors of an educational services commission, a Board of Trustees of a charter school, a Board of Trustees of a renaissance school project, or any other local education agency.

b. "Censorship" means to block, suppress, or remove library material based on disagreement with a viewpoint, idea, or concept or solely because an individual finds certain content offensive, but does not include limiting or restricting access to any library material deemed developmentally inappropriate for certain students.

c. "Diverse and inclusive material" means any material that reflects any protected class as enumerated in the "Law Against Discrimination," N.J.S.A. 10:5-1 et seq.; material produced by an author who is a member of a protected class as enumerated in the "Law Against Discrimination," N.J.S.A. 10:5-1 et seq.; and material that contains the author's points of view concerning contemporary problems and issues, whether international, national, or local; but excludes content that is inappropriate for grades served by the school library.

d. "Individual with a vested interest" means any teaching staff member employed by the Board of Education, any parent of a student enrolled in the school district at the time the removal form required pursuant to N.J.S.A. 18A:34A-5 is filed, and any student enrolled in the district at the time the removal form required pursuant to N.J.S.A. 18A:34A-5 is filed.

e. "Library material" means any material including, but not limited to, nonfiction and fiction books, magazines, reference books, supplementary titles, multimedia and digital material, software and instructional material, and other material not required as part of classroom instruction belonging to, on loan to, or otherwise in the custody of a school library.

f. "School library staff member" means a school library media specialist, school librarian, any certificated or non-certificated staff member assigned to duties in a school library, or any individual carrying out or assisting with the functions of a school library media specialist or school librarian.

B. Library Material Curation – N.J.S.A. 18A:34A-4

1. The Board of Education shall have control over the content of this Policy, except this Policy shall at a minimum:

a. Recognize that library material should be provided for the interest, information, and enlightenment of all students and should present diverse points of view in the collection as a whole;

b. Acknowledge that library material shall not be removed from a school library because of the origin, background, or views of the library material or those contributing to its creation;

c. Recognize the importance of school libraries as centers for voluntary inquiry and the dissemination of information and ideas;

d. Promote the free expression and free access to ideas by students by prohibiting the censorship of library material;

e. Acknowledge that a school library media specialist is professionally trained to curate and develop the school library collection that

provides students with access to the widest array of developmentally appropriate library material available to schools; and

f. Establish a procedure for a school library staff member to review library material within a school library on an ongoing basis, which shall include, but not be limited to:

(1) The library material's relevance;

(2) The condition of the library material;

(3) The availability of duplicates;

(4) The availability of more recent developmentally appropriate library material; and

(5) The continued demand for the library material.

2. The Board of Education, in consultation with school library staff members, shall have discretion in selecting, purchasing, or acquiring library material for inclusion in the school library. Nothing in N.J.S.A. 18A:34A-4 or this Policy shall be construed to require the Board of Education to purchase, or otherwise acquire, library material for a school library.

3. Nothing in N.J.S.A. 18A:34A-4 and this Policy shall be construed to restrict the Board of Education's authority to select textbooks and school supplies related to the curriculum.

C. Library Material Recommendation and Selection Process

1. The school library staff member in each school building will accept the written requests of teaching staff members for new and revised library material. Each request should include:

a. The name and originator of the library material;

b. The publisher or distributor;

c. A brief description of the library material; and

2. The school library staff member shall review each recommendation against the standards for selection in B.1.f. above and the amount budgeted for library material in the current or succeeding school year, as appropriate.

3. The school library staff member shall present to the Superintendent or designee a list of recommended purchases of library material. The list will include multiple copies of library material when a high level of interest and need is anticipated.

4. Standards to be applied in the selection of library material shall relate to, support, and enrich the courses of study adopted by the Board of Education.

D. Censorship of School Library Material Prohibited, Right to Reserve, Check Out – N.J.S.A. 18A:34A-6

1. The Board of Education shall not remove library material from a school library in the district because of the origin, background, or views of the library material or those contributing to its creation, and shall not engage in censorship of library material.

2. The Board of Education shall allow a student to reserve or check out any developmentally appropriate library material, including diverse and inclusive material, regardless of the origin, background, or views of the library material or those contributing to its creation.

E. Removal Request Procedure

Any request by an individual with a vested interest to have library material removed from a school library in the district shall follow the grievance procedure outlined in Regulation 2535 in accordance with N.J.S.A. 18A:34A-5.

F. Immunity, School Library Staff – N.J.S.A. 18A:34A-7

A school library staff member who engages in activities as required by N.J.S.A. 18A:34A-4 through 18A:34A-6 and B. through E. above shall be immune from civil and criminal liability arising from good faith actions performed pursuant to the provisions of N.J.S.A. 18A:34A-4 through 18A:34A-6 and B. through E. above.

N.J.S.A. 18A:34A-1 through N.J.S.A. 18A:34A-7

Adopted: 25 February 2026

2551 MUSICAL INSTRUMENTS

The Board of Education will purchase and maintain a supply of musical instruments for students enrolled in the instrumental music program.

In general, students are encouraged to purchase their own musical instruments. District-owned instruments will be available to those students for whom the purchase of a musical instrument would impose a difficult financial burden.

District-owned instruments will be available to students, in the order in which requests are made, until the supply is exhausted. If necessary, instruments will be redistributed to satisfy the demand.

Instruments will be loaned only to those students whose parent(s) or legal guardian(s) has agreed in writing to assure the safe return of the instrument and to bear the cost of necessary repairs.

No fee will be charged for the loan of district-owned musical instruments.

Adopted: 19 October 2011

2560 LIVE ANIMALS IN SCHOOL

The Board of Education recognizes the appropriate use of live animals as instructional resources can enrich the educational program. The observation and nurture of live animals can help children learn specific biological and behavioral principles and gain respect for all living things.

A staff member who uses live animals shall observe proper precautions for the safety of students and the animals. The Principal or designee must approve a live animal being brought into the school building and the use of any animal in a course of instruction or the establishment of an animal habitat in a classroom.

Any animal used in school must have been lawfully acquired in accordance with applicable State law and local ordinance. An animal susceptible to rabies must have been vaccinated against rabies and proof of such vaccination must be included with the request to bring a live animal into the school submitted to the Principal or designee before a live animal is brought onto school grounds or into a school building. No animal shall be permitted in any area of the school where a pupil who is allergic to the animal might be exposed to the animal.

A teacher or other qualified adult must assume primary responsibility for the animal, its nourishment, and its sanitary living conditions. The staff member in charge must make proper arrangements for the animal's care and feeding over weekends, holidays, and school vacation periods.

No experiment that deprives a living animal of nourishment or exposes the animal to harm shall be conducted.

A pupil in Kindergarten through grade six may refuse to dissect, vivisect, incubate, capture, or otherwise harm or destroy animals or any parts thereof as part of a course of instruction. In the event the school program will require any such activities, the school will notify the pupil and parent(s) or legal guardian(s) at the beginning of each school year of the right to decline participation in such activities. Within two weeks of the receipt of the notice from the school, the parent(s) or legal guardian(s) shall notify the school if the right to decline participation in such activities will be exercised. Any pupil who chooses to refrain from participation in or observation of such activities shall be offered an alternative education project for the purpose of providing the pupil with the factual knowledge, information, or experience required by the course of study. A pupil may refuse to participate in an alternative education project which involves or necessitates any harmful use of an animal or animal part(s). A pupil shall not be discriminated against, in grading or in any other manner, based upon a decision to exercise the rights afforded pursuant to this act.

N.J.S.A. 18A:35-4.25

Adopted: 19 October 2011

2610 EDUCATIONAL PROGRAM EVALUATION

The Board of Education directs the Superintendent to develop and implement a systematic plan for the continuous evaluation of the educational program against the educational goals established by this Board. The Superintendent shall employ such tests and methods that will ensure decision making is data driven and a variety of sources of data are used to analyze and monitor student achievement and progress, as well as evaluate school programs. Wherever possible, the assessment program shall follow evaluation procedures set forth in the course guides.

The Superintendent shall maintain a calendar of assessment activities and shall make periodic evaluation reports to the Board that evaluate the progress of students and the effectiveness of staff members. The Superintendent shall use multiple (more than two) sources of data to monitor student achievement and the progress of students. The Superintendent shall also use multiple (more than two) sources of data to evaluate the effectiveness of programs, initiatives, and strategies.

The Board will annually make available to the public the collective progress of students toward the goals of the district. The Board will annually, prior to the end of the school year and in conjunction with appropriate members of the administrative staff, conduct a review of the educational progress of the district, assess district and pupil needs, and establish long range and short range objectives for the educational program. The Board's annual report will be submitted to the Commissioner of Education as required.

The Superintendent shall annually recommend improvements in the educational program based on the Board's evaluation of the district's program. The Board reserves the right to employ experts from outside the school district to serve in the evaluation process.

N.J.S.A. 18A:7A-11
N.J.A.C. 6A:8-4.1 et seq.

Adopted: 17 April 2019

2622 STUDENT ASSESSMENT

State assessments provide parents with important information about their child's progress; detailed diagnostic information about each individual student's performance that educators, parents, and students can utilize to enhance foundational knowledge and student achievement; and include item analysis which will clarify a student's level of knowledge and understanding of a particular subject or area of a subject. The data derived from State assessments are utilized by teachers and administrators to pinpoint areas of difficulty and customize instruction accordingly. Such data can be accessed and utilized as a student progresses to successive school levels.

The Commissioner of Education, in accordance with N.J.S.A. 18A:7C-1 et seq. and 18A:7E-2 and 3, may implement assessments of student achievement in any grade(s) and by such assessments as the Commissioner deems appropriate. The system and related schedule of Statewide assessments shall be approved by the New Jersey State Board of Education. The school district shall, according to a schedule prescribed by the Commissioner, administer the applicable Statewide assessments pursuant to N.J.A.C. 6A:8-4.1(c) and (d).

Pursuant to N.J.A.C. 6A:8-4.1(c), all students at grade levels three through twelve, and at any other grade(s) designated by the Commissioner pursuant to N.J.A.C. 6A:8-4.1(a), shall take all appropriate Statewide assessments as scheduled. The school district will provide accommodations or modifications to the Statewide assessment system in accordance with the provisions of N.J.A.C. 6A:8-4.1(d).

Students with disabilities as defined in N.J.A.C. 6A:14-1.3 shall participate in Statewide assessments in accordance with N.J.A.C. 6A:14-4.10. The school district shall administer the alternative State assessment for students with disabilities in accordance with the provisions of N.J.A.C. 6A:8-4.1(d)3.

The school district shall implement alternative ways for students to demonstrate graduation proficiency in accordance with N.J.A.C. 6A:8-5.1(a)6, (f), (g), (h), or (i), as applicable.

The school district shall maintain an accurate record of each student's performance on Statewide assessments and maintain for every student a ninth grade through graduation transcript in accordance with the provisions of N.J.A.C. 6A:8-4.2(d). The Superintendent shall report assessment results to the public and provide educators, parents, and students with assessment results in accordance with the provisions of N.J.A.C. 6A:8-4.3.



N.J.S.A. 18A:7C-1 et seq.; 18A:7E-2; 18A7E-3
N.J.A.C. 6A:8-4.1 et seq.; 6A:8-5.1; 6A:14-1.1 et seq.;
6A:14-3.7; 6A:14-4.10

PROCEDURE 2622 follows.

Adopted: 2 March 2022

PROCEDURE 2622 STUDENT ASSESSMENT

The New Jersey Department of Education, pursuant to State law and regulations, requires all students to take State assessments as scheduled. There is no provision for a student to opt-out of Statewide assessments. Therefore, the Board requires all students to take Statewide assessments and the Board cannot grant permission to a parent for their child to opt-out of required Statewide assessments. The procedures outlined below shall be followed in the event a parent refuses to have their child participate in a Statewide assessment.

A. Written Notice from Parent

1. A parent who refuses to have their child participate in a Statewide assessment shall submit a letter to the school Principal stating their child will not participate in a Statewide assessment.
2. The parent shall indicate in the letter the testing date(s) and the specific Statewide assessment(s) their child will not be taking
3. The letter shall be submitted to the Principal at least five school days before the scheduled testing date.
4. The letter shall be maintained with the student's academic records.

B. Testing Date

1. A student whose parent has provided prior written notice informing the Principal their child will not be participating in a Statewide assessment will be required to report to the testing location on the date of the assessment.

2. A student not participating in a Statewide assessment will not be provided an alternative educational activity during the testing time.

C. Attendance Recording

1. A student, whose parent has provided prior written notice informing the Principal their child will not participate in a Statewide assessment, who reports to school on the testing date shall be recorded as present in school.

2. A student, whose parent has provided prior written notice informing the Principal their child will not participate in a Statewide assessment, who does not report to school on the testing date shall be recorded as absent. This absence shall be recorded as an unexcused absence.

D. School District Response

1. There shall be no disciplinary consequence imposed upon a student who does not participate in a Statewide assessment in accordance with the provisions outlined in this Procedure.

2. A student who does not participate in a Statewide assessment(s) will not receive any credit for the Statewide assessment(s).

Adopted: 16 September 2015



2624 GRADING SYSTEM

The Board of Education recognizes that a system of measuring, recording, and reporting the achievements of individual students is important to the continuing process of learning. The Board, therefore, directs the instructional program of this school district include a system of grading that measures progress toward the New Jersey Student Learning Standards and the educational goals of the district.

Students shall be informed at the outset of any course of study of the behaviors and achievements that are expected of them and shall be kept informed of their progress during the course of study. As a rule, grading should reward students for positive efforts and minimize failure, and students should be encouraged to evaluate their own achievements.

The Superintendent shall develop and continually review in consultation with teaching staff members, parent(s) or legal guardian(s), and students, a grading program appropriate to the course of study and maturity of students.

The final decision on any contested grade will be the responsibility of the Principal. A meeting with the parents, teachers, and administration will occur to review any alterations made to grades and/or report cards.

A pupil classified as disabled will be graded in accordance with his/her Individualized Educational Program (IEP) or the Section 504 Plan.

Adopted: 6 September 2023

2631 NEW JERSEY QUALITY SINGLE ACCOUNTABILITY CONTINUUM (QSAC)

The Board of Education and Superintendent will work with the New Jersey Department of Education to comply with the requirements of the New Jersey Quality Single Accountability Continuum (QSAC) system in accordance with the provisions of N.J.A.C. 6A:30-1.1 et seq. QSAC is the New Jersey Department of Education monitoring and evaluating system for public school districts. Public school districts in New Jersey are evaluated in five key component areas of school effectiveness – instruction and program, personnel, fiscal management, operations, and governance – to determine the extent to which the school district is providing a thorough and efficient education.

Weighted quality performance indicators established by the Department of Education shall be used by the Commissioner of Education to assess school district performance and capacity during the comprehensive reviews pursuant to N.J.A.C. 6A:30-3.1 through 3.4, the in-depth evaluation pursuant to N.J.A.C. 6A:30-5.3, and monitoring of an approved QSAC district improvement plan pursuant to N.J.A.C. 6A:30-5.6. The weighted quality performance indicators shall also be used by the Commissioner in determining whether to initiate intervention activities pursuant to N.J.A.C. 6A:30-6.2, withdrawal from intervention pursuant to N.J.A.C. 6A:30-7.1, and initial placement of Level II, Level III, and State-Operated School Districts on the performance continuum pursuant to N.J.A.C. 6A:30-8.3.

The Commissioner shall conduct a comprehensive review of each public school district every three years. In the intervening years, the Commissioner shall assess the school district's performance to determine whether conditions exist in the school district that significantly and negatively impact the educational program or operations of the school district.

The Superintendent shall be responsible for completing the District Performance Review in accordance with the requirements as outlined in N.J.A.C. 6A:30-3.2. The District Performance Review and a Statement of Assurance prepared in accordance with N.J.A.C. 6A:30-3.2(e) shall be approved by the Board of Education by resolution and submitted to the County Superintendent of Schools in accordance with the provisions of N.J.A.C. 6A:30-3.2(f) and (g). The district's District Performance Review and the Statement of Assurance will be reviewed and evaluated in accordance with the requirements of N.J.A.C. 6A:30-3.3. The Commissioner shall issue a final determination of the school district's performance and initial placement on the performance continuum in accordance with N.J.A.C. 6A:30-4.1.

The district will be required to commence improvement activities as set forth in N.J.A.C. 6A:30-5.3 through 5.7 in the event it satisfies less than eighty percent of the weighted quality performance indicators in one or more key components of school district effectiveness. Where appropriate, pursuant to the factors as outlined in N.J.A.C. 6A:30-6.2, the Commissioner may seek forms of partial or full intervention in a school district as outlined in N.J.A.C. 6A:30-6.1 et seq. Withdrawal from partial or full State intervention shall be in accordance with the provisions of N.J.A.C. 6A:30-7 et seq.

No provision of N.J.A.C. 6A:30 – Evaluation of the Performance of School Districts, shall limit the ability of the Department to monitor public school districts' practices by, among other things, conducting on-site visits to observe instructional practices and school facilities or take other such action as in the judgment of the Commissioner or his/her designee that may be warranted to ensure the satisfaction of any statutory or constitutional obligation.

N.J.S.A. 18A:7A-3 et seq.
N.J.A.C. 6A:30-1.1 et seq.

Adopted: 19 October 2011



2700 SERVICES TO NONPUBLIC SCHOOL STUDENTS

The Board of Education shall provide, in accordance with law and to the limit of State aid available for such purposes, services to students enrolled in nonpublic schools located within this school district in which a child may legally fulfill compulsory school attendance requirements and which complies with Title VI of the Civil Rights Act of 1964.

For the purpose of this Policy, "district of attendance" shall mean the school district in which the nonpublic school is located.

A. Special Education and Related Services - N.J.S.A. 18A:46-19; N.J.S.A. 18A:46A-1; N.J.A.C. 6A:14-6

The Board of Education of the district of attendance, as required by Federal law and regulation under Part B of the Individuals with Disabilities Education Act (IDEA), shall provide a genuine opportunity for the equitable participation of students with disabilities who are enrolled in nonpublic schools or early childhood programs by their parents. The district of attendance shall make the final decisions with respect to the services to be provided to eligible students with disabilities enrolled in nonpublic schools or early childhood programs. Services shall be provided only upon the written consent of the parent and shall be provided in a location determined by the Board pursuant to N.J.S.A. 18A:46-19.5. The district of attendance shall spend an amount of money equal to a proportionate amount of Federal funds available under Part B of the IDEA for the provision of services to students with disabilities who are attending nonpublic schools.

The district of attendance, after timely and meaningful consultation with representatives of the nonpublic school, shall undertake a child find process in accordance with IDEA and its implementing regulations to determine the number of parentally placed children with disabilities attending nonpublic schools located within the district. As part of the child find process the district shall consult with private school representatives and representatives of parents of parentally placed nonpublic school children with disabilities in the design and development of special education and related services for such children in accordance with N.J.A.C. 6A:14-6.1(c)1. Furthermore, services may be provided by district personnel or through contracts with individuals, approved clinics, or agencies. In addition, services provided shall be secular, neutral, and non-ideological. Those

procedural safeguards available to nonpublic school students with disabilities and their parents as specified by Federal law and rules under Part B of the IDEA shall apply in accordance with N.J.A.C. 6A:14-6.1(e).

If a nonpublic school student with a disability will receive special education or related services from the district, the district shall initiate and conduct meetings according to N.J.A.C. 6A:14-2.3(k) to develop, review, and revise a service plan for the student and ensure a representative of the nonpublic school or early childhood program attends each meeting pursuant to N.J.A.C. 6A:14-6.1(f)2.

The Board shall provide for the services of a certified speech-language specialist for each child attending a nonpublic school located in the school district and classified pursuant to N.J.S.A. 18A:46-8 as requiring the services of a certified speech-language specialist. Services for children enrolled in nonpublic schools shall be provided only upon the consent of the parent or guardian and shall be provided in a location determined by the Board pursuant to rules and regulations of the State Board of Education. The Board shall provide for such transportation and maintenance and the cost shall be paid from State aid received by the district in accordance with N.J.S.A. 18A:46-19.6. Contracts for speech correction services shall be in accordance with N.J.S.A. 18A:46-19.7. Costs and provisions for speech correction services shall be managed in accordance with N.J.S.A. 18A:46-19.7 and N.J.S.A. 18A:46-19.8.

The Board shall provide for the receipt of auxiliary services by children between the ages of five and twenty residing in the State and enrolled full-time in a nonpublic school located in the district in accordance with N.J.S.A. 18A:46A-3. Auxiliary services shall mean compensatory education services for the improvement of students' communication skills; supportive services acquiring communication proficiency in the English language for children of limited English-speaking ability; and home instruction services. Services for children enrolled in nonpublic schools shall be provided only upon the consent of the parent and in a location determined by the Board pursuant to rules and regulations of the State Board of Education. The cost of transportation for auxiliary services shall be managed in accordance with N.J.S.A. 18A:46A-6. Contracts for auxiliary services shall be managed in accordance with N.J.S.A. 18A:46A-7. Cost limitations for auxiliary services shall be managed in accordance with N.J.S.A. 18A:46A-8. Calculation of the costs by the Commissioner shall be managed in accordance with N.J.S.A 18A:46A-9.



B. Health Services - N.J.S.A. 18A:40-23 through 31; N.J.A.C. 6A:16-2.5

The Board shall provide nursing services for students who are enrolled full-time in a nonpublic school located in their district pursuant to N.J.S.A. 18A:40-23. The services shall include assistance with medical examinations; including dental screening, conducting screening of hearing examinations, the maintenance of student health records, and notification of local or county health officials of any student who has not been properly immunized; and conducting examinations of students between the ages of ten and eighteen for the condition known as scoliosis. The Board shall adopt written policies and procedures extending the emergency care provided to public school students to those students who are enrolled full-time in the nonpublic school or are injured or become ill at school or during participation on a school team or squad in accordance with N.J.A.C. 6A:16-2.5(b).

Nursing services funded by the Board pursuant to N.J.S.A. 18A:40-23 et seq. shall be provided by a registered nurse licensed by the New Jersey State Board of Nursing who is an employee of the school district or a third-party contractor or is an independent contractor. The Board shall either employ a qualified independent contractor to provide nursing services or shall contract, pursuant to N.J.S.A. 18A:40-28, with other district Boards of Education or with a public or private agency approved by the Commissioner to provide nursing services, pursuant to N.J.A.C. 6A:14-5.2. Prior to any change in the provision of nursing services, the Board shall provide timely and meaningful consultation with appropriate nonpublic school representatives, including parents, pursuant to N.J.S.A. 18A:40-28.

The nursing services provided to nonpublic school students shall not include instructional services in accordance with N.J.A.C. 6A:16-2.5(f). A nonpublic school may decline nursing services required or permitted by submitting to the district of attendance notification in accordance with N.J.A.C. 6A:16-2.5(g). A student who is enrolled in a nonpublic school and whose parent objects to the student receiving any service provided under N.J.A.C. 6A:16-2.5 shall not be compelled to receive the service except for a physical or medical examination to determine whether the student is ill or infected with a communicable disease pursuant to N.J.S.A. 18A:40-30.



The Board of Education shall provide health services based upon the following: the funding for services shall be based upon the nonpublic school enrollment on the last school day prior to October 16 of the preceding school year; a report provided to the New Jersey Department of Education (NJDOE) by the district of attendance or nonpublic school that includes the nonpublic school enrollment on the last school day prior to October 16 of the preceding school year; and the funds expended by the district of attendance for administrative costs shall be limited to the actual costs or six percent of the funds allocated annually for each participating nonpublic school, whichever is less. Administrative costs shall include, but not be limited to, the costs related to the district of attendance annual consultation, bidding, program and contract management, and oversight and quality control.

The Superintendent or designee of the district of attendance in which a nonpublic school is located shall confer annually with the administrator of the nonpublic school for the following purposes: to advise the nonpublic school of the amount of funds allocated to it by the NJDOE for the provision of health services for full-time students enrolled in the nonpublic school; to agree on the basic health services that shall be provided; the additional medical services, equipment, or supplies that may be provided as set forth in N.J.S.A. 18A:40-23 et seq.; to discuss the criteria to be used in the selection of a nursing service provider by the district of attendance for the nonpublic school; and to ascertain the level of satisfaction of the nonpublic school with the current nursing service provider. If the Superintendent or designee and the nonpublic school administrator cannot reach agreement regarding the health services and additional medical services to be provided, the County Office of Education shall provide assistance; to assure that a description of the provision of nursing services is reflected in the nursing services plan of the district of attendance; and to ensure nonpublic school students in the district of attendance who are knowingly without medical coverage have access to the New Jersey FamilyCare program and to make information accessible regarding the program to the nonpublic school students, pursuant to N.J.S.A. 18A:40-34. The Superintendent or designee must submit a report to the Executive County Superintendent on or before October 1 annually in accordance with N.J.A.C. 6A:16-2.5(k).

C. Textbook Aid to Public and Nonpublic Schools - N.J.S.A. 18A:58-37 et seq.; N.J.A.C. 6A:23A-20 et seq.



N.J.S.A. 18A:58-37.3 requires the Board in which a nonpublic school is located to purchase and to loan, without charge, upon individual requests, textbooks to students in the nonpublic school or schools located within the district of attendance when such students are residents of the State. The Board shall not be required to expend funds for the purchase and loan of textbooks in excess of the amounts provided in State aid. Students who are enrolled in a nonpublic school whose parents do not maintain a residence in this State are not eligible to receive such textbooks. Students who are enrolled in a nonpublic school whose tuition is paid by the district of attendance are not eligible to receive such textbooks. The Board shall distribute to all students on an equitable basis existing book stocks and newly purchased textbooks purchased pursuant to N.J.S.A. 18A:58-37.1 et seq. The Board shall not discriminate against students in either public or nonpublic schools.

An individual written request for the loan of textbooks shall be signed by the parent(s) of nonpublic school students and shall be submitted directly to the Board of the district of attendance or may be forwarded collectively by the nonpublic school. Requests must be received by the Board by March 1 preceding the school year. All individual requests must be made in accordance with N.J.A.C. 6A:23A-20.3.

In accordance with N.J.A.C. 6A:23A-20.4, all textbooks purchased under the provisions of N.J.S.A. 18A:58-37.1 et seq. shall remain the property of the district which shall indicate such ownership in each book by a label. The Board shall be responsible for the receipt of the textbooks from the vendor and inventory of such textbooks. The Board may require that the textbooks be returned to the district at the end of the school year or may enter into agreements with the nonpublic schools to store such books. In the event of such an agreement, the Board shall not pay storage charges of any kind to a nonpublic school for this service.

The Board's accounting entries in relation to expenditures for the purchase of textbooks shall be managed in accordance with N.J.A.C. 23A-20.5.

N.J.S.A. 18A:40-23 through 31; 18A:46-19; 18A:46A-1;
18A:58-37 et seq.
N.J.A.C. 6A:14-6; 6A:16-2.5; 6A:23A-20 et seq.

Adopted: 15 November 2017

3000 TEACHING STAFF MEMBERS

Number	Title
3111	Creating Positions
3112	Abolishing Positions
3124	Employment Contract
3125	Employment of Teaching Staff Members (M)
3125.2	Employment of Substitute Teachers
3126	District Mentoring Program
3134	Assignment of Additional Duties
3141	Resignation
3142	Nonrenewal of Nontenured Teaching Staff Member
3143	Dismissal
3144	Certification of Tenure Charges
3144.12	Certification of Tenure Charges – Inefficiency
3144.3	Suspension Upon Certification of Tenure Charge
3146	Conduct of Reduction in Force
3150	Discipline
3152	Withholding an Increment
3159	Teaching Staff Member/School District Reporting Responsibilities
3160	Physical Examination (M)
3161	Examination for Cause
3211	Code of Ethics
3211.3	Consulting Outside the District
3212	Attendance (M)
3214	Conflict of Interest
3216	Dress and Grooming
3217	Use of Corporal Punishment
3218	Use, Possession, or Distribution of Substances (M)
3221	Evaluation of Teachers (M)
3222	Evaluation of Teaching Staff Members, Excluding Teachers and Administrators (M)
3230	Outside Activities
3231	Outside Employment as Athletic Coach
3232	Tutoring Services
3233	Political Activities
3240	Professional Development for Teachers and School Leaders (M)

Number	Title
3245	Research Projects by Staff Members
3270	Professional Responsibilities
3280	Liability for Pupil Welfare
3281	Inappropriate Staff Conduct
3282	Use of Social Networking Sites – Teaching Staff
3283	Electronic Communications Between Teaching Staff Members and Students
3310	Academic Freedom
3321	Acceptable Use of Computer Network(s)/Computers and Resources by Teaching Staff Members
3322	Staff Member's Use of Cellular Telephones
3324	Right of Privacy
3351	Healthy Workplace Environment
3370	Teaching Staff Member Tenure
3372	Teaching Staff Member Tenure Acquisition
3373	Tenure Upon Transferor Promotion
3381	Protection Against Retaliation
3410	Compensation
3420	Benefits
3421.13	Postnatal Accommodations
3425	Work Related Disability Pay
3425.1	Modified Duty Early Return To Work Program
3432	Sick Leave
3433	Vacations
3435	Anticipated Disability
3436	Personal Leave
3437	Military Leave
3439	Jury Duty



3111 CREATING POSITIONS

The Board of Education recognizes its authority to create and fill teaching staff member positions to implement a thorough and efficient system of a free public school.

The Board shall, upon the Superintendent's recommendation, create new positions as required, and approve job titles and job descriptions. The job description shall outline the background experiences and personal qualities, if any, to be required of candidates or preferred among applicants for a particular position.

The Superintendent shall recommend to the Board such new positions or additions to existing employment categories as may be required by the specific instructional needs of students of the district.

In accordance with the provisions of N.J.A.C. 6A:9B-5.5, titles assigned to teaching staff members shall be recognized by the New Jersey Department of Education. The Department of Education shall maintain and make available a list of approved job titles with corresponding authorized certificates. In the event the Board desires to use an unrecognized title, or if a previously established unrecognized title exists, the Board, prior to appointing a candidate, shall submit to the Executive County Superintendent a written request, including a detailed job description, for permission to use the proposed title. The Executive County Superintendent shall exercise discretion regarding approval of the request and shall determine the appropriate certification and title for the position.

The Executive County Superintendent shall review annually all previously approved unrecognized position titles and shall determine whether the titles will be continued for the next school year. Decisions rendered by the Executive County Superintendent regarding titles and certificates for unrecognized positions shall be binding upon future seniority determinations on a case-by-case basis.

N.J.S.A. 18A:16-1; 18A:28-1 et seq.
N.J.A.C. 6A:9B-5.1; 6A:9B-5.5

Adopted: 19 October 2016

3112 ABOLISHING POSITIONS

The Board of Education will provide the professional staff necessary for the economical and efficient implementation of the educational program of the district. The Board reserves the right to abolish positions and reduce district staff commensurately whenever reasons of economy, reorganization of the school district, reduction in the number of students, or other good cause so warrant. The Superintendent shall continually review the efficiency and effectiveness of the district organization and recommend to the Board the abolishment of positions and the reallocation of duties and positions.

N.J.S.A. 18A:28-1; 18A:28-9 et seq.

Adopted: 19 October 2011

3124 EMPLOYMENT CONTRACT

The Board of Education requires that every nontenured teaching staff member employed by this district annually sign an employment contract for a term of not more than one year.

The employment contract shall include the specific title of the position to which the teaching staff member is appointed; the term for which employment is contracted, including beginning and ending dates; a full description of the certification held by the teaching staff member and the date, if any, on which certification will expire, if applicable; the salary at which the teaching staff member will be employed; and the intervals at which the salary will be paid.

The employment contract will also include a provision for termination of the contract by either the teaching staff member or the Board of Education unless the teaching staff member is represented by a collective bargaining agreement and the agreement has termination provisions.

N.J.S.A. 18A:27-2 et seq.; 18A:28-8
N.J.A.C. 6A:9B-5.1; 6A:9B-5.2

Adopted: 19 October 2016

3125 EMPLOYMENT OF TEACHING STAFF MEMBERS

The Board of Education believes it is vital to the successful operation of the district that teaching staff member positions be filled with highly qualified and competent professionals.

In accordance with the provisions of N.J.S.A. 18A:27-4.1, the Board shall appoint, transfer, remove, or renew a certificated or non-certificated officer or employee only upon the recommendation of the Superintendent of Schools and by a recorded roll call majority vote of the full membership of the Board. The Board shall not withhold its approval for arbitrary and capricious reasons. The Board shall approve the employment, fix the compensation, and establish the term of employment for every teaching staff member employed by this district.

No teaching staff member shall be employed unless he/she is a holder of a valid certificate in accordance with the New Jersey Department of Education and applicable statutes and administrative codes. The Superintendent shall require proof of any candidate's certification or pending application for certification.

The Board will employ substitutes for absent teachers in order to ensure continuity in the instructional program and will annually approve a list of substitutes and rate of pay. The Superintendent or designee shall select substitutes from the list approved by the Board to serve in the place of an absent teaching staff member.

In accordance with the provisions of N.J.S.A. 18A:16-1.1, the Board of Education will provide written notice to a teaching staff member, other than a per diem substitute, of his/her designation as a replacement when the teaching staff member has been designated or appointed by the Board to act in place of any officer or employee during an absence, disability, or disqualification of any such officer or employee subject to the provisions of N.J.S.A. 18A:17-13. Per diem substitutes shall also be informed in their notice of approval that their employment is as a replacement staff member.

The Board may use a private contractor to secure a substitute teacher in accordance with N.J.A.C. 6A:9B-7.1(f).

The Board shall approve the employment, fix the compensation, and set the term of employment for each person employed in a summer school program. The Board will employ only those candidates recommended by the Superintendent. Service as a summer school teacher will not count toward the accrual of tenure or seniority.



The Superintendent shall recommend to the Board the employment of qualified coaches for the district's interscholastic and/or intramural athletic programs. The Board will employ as athletic coaches only those persons who have experience in and knowledge of the specific sport, are properly certified, and possess the personal characteristics that qualify them to serve as role models to students.

In accordance with the provisions of N.J.A.C. 6A:9B-5.16(a), any teaching staff member in the employ of the Board of Education shall be permitted to organize public school students for purposes of coaching or for conducting games, events, or contests in physical education or athletics. The Superintendent may recommend to the Board the employment of a qualified candidate for an interscholastic athletic coaching position who is a holder of either a New Jersey teaching certificate or a substitute credential, pursuant to N.J.A.C. 6A:9B-5.16(b), to work in the interscholastic athletic program provided the position has been advertised. The twenty day limitation noted in N.J.A.C. 6A:9B-7.4(a) shall not apply to coaching situations.

An athletic coach employed by this district who is not a regular employee of this district shall be employed only for the duration of the specific sport season. He/She shall be paid the stipend and no out-of-district athletic coach shall be eligible for tenure or for employment benefits.

An athletic trainer shall possess an educational services certificate issued by the State Board of Examiners pursuant to N.J.S.A. 18A:26-2.4 and 18A:26-2.5.

The Board of Education shall not employ for pay or contract for the paid services of any teaching staff member or any other person serving in a position which involves regular contact with students unless the Board has first determined, consistent with the requirements and standards of N.J.S.A. 18A:6-7.1 et seq., that no criminal history record information exists on file in the Federal Bureau of Investigation, Identification Division, or the State Bureau of Identification which would disqualify the individual from being employed or utilized in such capacity or position.

An individual employed by the Board in any substitute capacity or position shall be required to undergo a criminal history record check in accordance with the provisions of N.J.S.A. 18A:6-7.1b.

An individual, except as provided in N.J.S.A. 18A:6-7.1g, shall be permanently disqualified from employment or service in the school district if the criminal history record check reveals a record of conviction for any crime or offense as defined in N.J.S.A. 18A:6-7.1 et seq.



The Board or contracted service provider may employ an applicant on an emergent basis for a period not to exceed three months, pending completion of a criminal history record check if the Board or contracted service provider demonstrates to the Commissioner of Education that special circumstances exist which justify the emergent employment as prescribed in N.J.S.A. 18A:6-7.lc. In the event the criminal history record check is not completed for an emergent hired employee within three months, the Board or contracted service provider may petition the Commissioner for an extension of time, not to exceed two months, in order to retain the employee.

No criminal history record check shall be performed unless the applicant shall have furnished written consent to such a check. The applicant shall bear the cost for the criminal history record check, including all costs for administering and processing the check. The district will deny employment to an applicant if the applicant is required and refuses to submit to a criminal history record check.

The Board of Education prohibits any relative of a Board member or Superintendent of Schools from being employed in an office or position in the school district in accordance with the provisions of N.J.A.C. 6A:23A-6.2 and Board Policy 0142.1 – Nepotism.

A teaching staff member's misstatement of fact material to his/her qualifications for employment or the determination of his/her salary will be considered by the Board to constitute grounds for dismissal.

N.J.S.A. 18A:6-5; 18A:6-6; 18A:6-7.1; 18A:6-7.1b;
18A:6-7.1c; 18A:6-7.2;
18A:16-1 et seq.; 18A:26-1 et seq.;
18A:27.1 et seq.; 18A:27-4.1;18A:27-7;
18A:27-8
N.J.A.C. 6A:9B-5.16; 6A:9B-7.4

Adopted: 19 October 2016

3125.2 EMPLOYMENT OF SUBSTITUTE TEACHERS

The Board of Education will employ substitutes in order to ensure continuity in the instructional program and will approve a list of substitutes on an annual basis and additional approved substitutes will be added to the approved list throughout the school year. Substitute teachers will be employed from the substitute list recommended by the Superintendent and approved by the Board. The Board shall also approve the substitute rate of pay.

All substitute teachers must possess a substitute credential issued by the New Jersey State Board of Examiners in accordance with the provisions of N.J.A.C. 6A:9B-7.1 et seq. All substitute teachers are required to undergo a criminal history record check in accordance with the provisions of N.J.S.A. 18A:6-7.1 et seq. and New Jersey Department of Education regulations and procedures for criminal history record checks. In accordance with the provisions of N.J.S.A. 18A:6-7.1b., a substitute teacher who is rehired annually by the Board shall only be required to undergo a criminal history record check as required by N.J.S.A. 18A:6-7.1 et seq. upon initial employment, provided the substitute continues in the employ of at least one of the districts at which the substitute was employed within one year of the approval of the criminal history record check.

A substitute teacher shall follow the daily lesson plan provided by the regular teacher and, when that plan is exhausted or unavailable, the instructions of the Principal. A substitute teacher may not plan or direct an instructional program except as expressly permitted by the Superintendent.

In accordance with the provisions of N.J.S.A. 18A:16-1.1b. and N.J.A.C. 6A:9B-7.4(c), a vacant teaching position may only be filled by one or more individuals employed as substitute teachers and holding an instructional certificate of eligibility (CE), certificate of eligibility with advanced standing (CEAS), or standard certificate issued by the New Jersey State Board of Examiners with an endorsement within the scope of the subject being taught for no more than sixty instructional days in the same classroom per year. The sixty day limit may be extended if the Executive County Superintendent is notified of an extension by the school district which shall demonstrate:

1. The school district was unable to hire an appropriately certified teacher for the vacant position;

2. The school district is filling the position subject to the limitations in a local contract or N.J.A.C. 6A:9B-7.1; and



3. Holders of an instructional CE or CEAS with an endorsement within the scope of the subject being taught meet the following provisions:

   a. CE or CEAS holders obtain a provisional certificate;

   b. CE or CEAS holders are enrolled in a district mentoring program upon obtaining a provisional certificate;

   c. CE holders are accepted into a CE educator program and will begin coursework in the program's next available cohort.

In the event that one individual employed pursuant to the provisions of N.J.S.A. 18A:16-1.1b. is employed in the same position for more than sixty days, the substitute shall be compensated by the school district on a pro-rata basis consistent with the salary provided to a teacher with similar credentials in the school district.

In accordance with the provisions of N.J.S.A. 18A:16-1.1c. and N.J.A.C. 6A:9B-7.4(b), a vacant teaching position may only be filled by one or more individuals employed as substitute teachers and holding an instructional CE, or a CEAS, or a standard certificate issued by the New Jersey State Board of Examiners with an endorsement not within the scope of the subject being taught for no more than forty instructional days in the same classroom per year. The Executive County Superintendent of Schools shall be notified by the Superintendent or designee if a holder of an instructional CE or CEAS substitutes for more than twenty instructional days in the same classroom.

Holders of a career and technical education substitute credential pursuant to N.J.A.C. 6A:9B-7.5 shall be permitted to substitute for no more than forty instructional days in the same classroom per year in accordance with the provisions of N.J.A.C. 6A:9B-7.4(b)2.

In accordance with the provisions of N.J.S.A. 18A:16-1.1a. and N.J.A.C. 6A:9B-7.4(a), a vacant teaching position may only be filled by one or more individuals holding a substitute credential or holding an administrative or educational services certificate without an instructional CE, CEAS, or standard certificate issued by the New Jersey State Board of Education pursuant to the provisions of N.J.S.A. 18A:6-38 for no more than twenty instructional days in the same classroom per year. The Commissioner of Education may grant an extension of up to an additional twenty school days upon written application from the school district demonstrating the district's inability to hire an appropriately certified teacher for the vacant position within the original twenty-day time limit.



N.J.S.A. 18A:6-7.1 et seq.; 18A:16-1.1a.; 18A:16-1.1b.;
18A:16-1.1c.; 18A:16-1.1d.
N.J.A.C. 6A:9B-7.1; 6A:9B-7.2; 6A:9B-7.3; 6A:9B-7.4;
6A:9B-7.5

Adopted: 19 October 2016

3126 DISTRICT MENTORING PROGRAM

The Board of Education shall develop a district mentoring program to provide nontenured teachers, including novice professional teachers who hold a certificate of eligibility (CE) or certificate of eligibility with advanced standing (CEAS) with an induction to the teaching profession and to the school community through differentiated supports based on the teachers' individual needs and to help them become effective professionals.

The goals of the district mentoring program shall be to enhance teacher knowledge of, and strategies related to, the New Jersey Student Learning Standards to facilitate student achievement and growth; identify exemplary teaching skills and educational practices necessary to acquire and maintain excellence in teaching; and assist first-year teachers in performing their duties and adjusting to the challenges of teaching. The Board of Education shall determine how each nontenured teacher in his or her first year of employment shall be provided with supports as outlined in N.J.A.C. 6A:9C-5.1(c). The Board shall provide an individual mentor to work one-on-one with a novice provisional teacher in accordance with N.J.A.C. 6A:9C-5.1(d). The Superintendent shall oversee the mentor selection process and ensure the individual mentor meets the minimum requirements required in N.J.A.C. 6A:9C-5.2(a).

In accordance with the provisions of N.J.A.C. 6A:9C-5.4, an approved agency and its designated staff shall be authorized to provide the services, evaluations, and recommendations specified within N.J.A.C. 6A:9B-8.6, 8.7, and 8.9 for provisional Teachers of Supplemental Instruction in Reading and Mathematics, Grades K-8 in their employ.

The district's local mentoring plan shall be in accordance with the requirements as outlined in N.J.A.C. 6A:9C-5.1 et seq.

The Superintendent of Schools or designee shall develop the district mentoring plan in accordance with the requirements outlined in N.J.A.C. 6A:9C-5.3 as part of the school district's professional development plan (PDP) pursuant to N.J.A.C. 6A:9C-4.4. The district mentoring plan shall include logistics for its implementation and describe the school district's responsibilities pursuant to N.J.A.C. 6A:9C-5.1 et seq.

The Board of Education shall budget State funds appropriated for the novice teacher mentoring program in accordance with the provisions of N.J. A.C. 6A:9C-5.1(f). The Board shall ensure that State funds appropriated for this program shall supplement, and not supplant, any Federal,

State or local funds already devoted to planning and implementing a novice teacher mentor program. The Board of Education shall ensure that State funds shall be used for one or more of the following: stipends for mentor teachers; the costs associated with release time; substitutes for mentor teachers and novice teachers; and professional development and training activities related to the program.

Evaluations for a provisional teacher shall be completed in accordance with the requirements of N.J.A.C. 6A:9B-8.6.

N.J.S.A. 18A:26-2; 18A:26-2a
N.J.A.C. 6A:9B-8.4; 6A:9B-8.5; 6A:9B-8.6;
6A:9C-5.1

Adopted: 4 October 2017

3134 ASSIGNMENT OF EXTRA DUTIES

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

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

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

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

Adopted: 6 October 2021

3142 NONRENEWAL OF NONTENURED TEACHING STAFF MEMBER

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

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

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

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



The Board is not required to offer reemployment or vote on reemployment after an informal appearance with a nontenured teaching staff member who was not recommended for reemployment by the Superintendent. The Board may, with a majority vote of its full membership in public session and without the recommendation of the Superintendent, offer the nontenured teaching staff member reemployment after the informal appearance before the Board. Within three working days following the informal appearance, the Board shall notify the affected nontenured teaching staff member, in writing, of its final determination.

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

Adopted: 6 October 2021

3143 DISMISSAL

The Board of Education will enter a contract with each non-tenured teaching staff member providing, in part, for the termination of employment by either party on proper notice in accordance with Board Policy No. 3124.

The Board may dismiss a non-tenured teaching staff member when dismissal is in the best interest of the school district. Termination notice will be duly given in writing and will state the reason therefore.

However, the Board reserves the right to terminate a non-tenured employee without notice when sufficient cause warrants.

The Board will determine whether to permit an employee to continue to perform services during the period between the giving of notice and the date of termination.

N.J.S.A. 18A:6-30; 18A:6-30.1; 18A:27-9

Adopted: 19 October 2011

3144 CERTIFICATION OF TENURE CHARGES

Tenure charges may be instituted against a tenured staff member of the school in accordance with the provisions of N.J.A.C. 6A:3-5.1 et seq. In all instances of the filing and certification of tenure charges, except charges filed against a teacher, Principal, Assistant Principal, or Vice Principal for reasons of inefficiency pursuant to N.J.S.A. 18A:6-17.3, the procedures and timelines outlined in N.J.A.C. 6A:3-5.1(b) shall be observed. In the event the tenure charges are charges of inefficiency pursuant to N.J.S.A. 18A:6-17.3, except in the case of the Principals, Assistant Principals, and Vice Principals in a school districts under full State intervention, where procedures are governed by the provisions of N.J.S.A. 18A:7A-45 and such rules as may be promulgated to implement it, the procedures and timelines outlined in N.J.A.C. 6A:3-5.1(c) shall be observed.

Filing and service of petition of appeal as outlined in N.J.A.C. 6A:3-1.3, shall not apply in a case of charges filed with the Commissioner of Education against an employee of a Board of Education or of a school under full State intervention. In place of the usual petition, the Board of Education or the State District Superintendent shall file the written charges and the required certificate of determination with the Commissioner together with the name of the attorney who is anticipated for administrative purposes will be representing the Board of Education or State District Superintendent and proof of service upon the employee and the employee's representative, if known. Such service shall be at the same time and in the same manner as the filing of charges with the Commissioner.

In accordance with N.J.S.A. 34:13A-24, fines and suspensions imposed as minor discipline shall not constitute a reduction in compensation pursuant to the provisions of N.J.S.A. 18A:6-10 where the negotiated agreement between the Board of Education and the majority representative of the employees in the appropriate collective bargaining unit provides for such discipline. In these cases, tenure charges shall not be filed to impose minor discipline on a person serving under tenure.

The Board of Education or the State District Superintendent shall determine whether there is probable cause to credit the evidence in support of the charges and whether such charges, if credited, are sufficient to warrant a dismissal or reduction of salary. Pursuant to N.J.S.A. 18A:6-11, all deliberations and actions of the Board of Education with respect to such charges shall take place at a closed/executive session meeting. In the event the Board of Education or the State District Superintendent finds probable cause exists and that the charges, if credited, are sufficient to warrant a dismissal or reduction of salary, then the Board or the State District Superintendent shall file, within fifteen days, written charges with the Commissioner. The charge(s) shall be stated with specificity as to the action or behavior underlying the charges or



the nature of the alleged inefficiency and shall be accompanied by the required certificate of determination together with the name of the attorney who is anticipated for administrative purposes will be representing the Board of Education or State District Superintendent and proof of service upon the employee and the employee's representative, if known. Such service shall be at the same time and in the same manner as the filing of charges with the Commissioner.

The certificate of determination that accompanies the written charges shall contain a certification by the Board Secretary or the State District Superintendent including that a determination was made of the charges and the evidence in support of the charges are sufficient, if true in fact, to warrant dismissal or a reduction in salary; of the date, place, and time of the meeting at which such determination was made and whether or not the employee was suspended and, if so, whether such suspension was with or without pay; that such determination was made by a majority vote of the whole number of members of the Board of Education or by the State District Superintendent in accordance with N.J.S.A. 18A:7A-39.

An individual against whom tenure charges are certified shall file a written response to the charges in accordance with the provisions of N.J.A.C. 6A:3-5.3 et seq. The Commissioner shall determine whether such charge(s) are sufficient, if true, to warrant dismissal or reduction in salary in accordance with the provisions of N.J.A.C. 6A:3-5.5. Any withdrawal, settlement, or mooting of tenure charges shall be in accordance with the provisions of N.J.A.C. 6A:3-5.6.

Certification of tenure charges for Charter School employees shall be governed by N.J.A.C. 6A:11-6.1 et seq.

N.J.S.A. 18A:6-8.3; 18A:6-10; 18A:6-11; 18A:6-13; 18A:6-14; 18A:6-16; 18A:25-6; 18A:25-7
N.J.A.C. 6A:3-5.1; 6A:3-5.2; 6A:3-5.3; 6A:3-5.5; 6A:3-5.6

Adopted: 19 October 2016

3144.12- CERTIFICATION OF TENURE CHARGES - INEFFICIENCY

In accordance with the provisions of N.J.S.A. 18A:6-17.3 and notwithstanding the provisions of N.J.S.A. 18A:6-11 or any other section of law to the contrary, in the case of a teacher, Principal, Assistant Principal, and Vice Principal, the Superintendent shall promptly file with the Secretary of the Board of Education a charge of inefficiency whenever the employee is rated ineffective or partially effective in an annual summative evaluation and the following year is rated ineffective in the annual summative evaluation.

If the teacher, Principal, Assistant Principal, or Vice Principal is rated partially effective in two consecutive annual summative evaluations or is rated ineffective in an annual summative evaluation and the following year is rated partially effective in the annual summative evaluation, the Superintendent shall promptly file with the Secretary of the Board of Education a charge of inefficiency, except that the Superintendent upon a written finding of exceptional circumstances may defer the filing of tenure charges until after the next annual summative evaluation. If the employee is not rated effective or highly effective on this next annual summative evaluation, the Superintendent shall promptly file a charge of inefficiency.

Within thirty days of the filing, the Board of Education shall forward a written charge to the Commissioner of Education, unless the Board of Education determines the evaluation process has not been followed.

Notwithstanding the provisions of N.J.S.A. 18A:6-16 or any other section of law to the contrary, upon receipt of a charge pursuant to N.J.S.A. 18A:6-17.3.a, and this Policy, the Commissioner of Education shall examine the charge. The individual against whom the charges are filed shall have ten days to submit a written response to the charges to the Commissioner of Education. The Commissioner of Education shall, within five days immediately following the period provided for a written response to the charges, refer the case to an arbitrator and appoint an arbitrator to hear the case, unless the Commissioner determines the evaluation process has not been followed.

The only evaluations which may be used for purposes of N.J.S.A. 18A:6-17.3 are those evaluations conducted in accordance with a rubric adopted by the Board of Education and approved by the Commissioner of Education pursuant to P.L.2012, c.26 – N.J.S.A. 18A:6-117 et seq.

N.J.S.A. 18A:6-11; 18A:6-17.3

Adopted: 16 October 2013

3144.3 – SUSPENSION UPON CERTIFICATION OF TENURE CHARGE

Upon certification of any tenure charge to the Commissioner of Education, the Board of Education may suspend the person against whom such charge is made, with or without pay. However, if the determination of the tenure charge by the arbitrator is not made within one hundred twenty calendar days after certification of the tenure charges, excluding all delays which are granted at the request of such person, then the full salary (except for said one hundred and twenty days) of such person shall be paid beginning on the one hundred twenty-first day until such determination is made.

Should the tenure charge be dismissed at any stage of the process, the person shall be reinstated immediately with full pay from the first day of such suspension. Should the tenure charge be dismissed at any stage of the process and the suspension be continued during an appeal, then the full pay or salary of such person shall continue until the determination of the appeal. However, the Board of Education shall deduct from said full pay or salary any sums received by such employee or officers by way of pay or salary from any substituted employment assumed during such period of suspension.

Should the charge be sustained on the original hearing or an appeal, and should such person appeal from the same, then the suspension may be continued unless and until such determination is reversed, in which event the employee or officer shall be reinstated immediately with full pay from the date of such suspension.

N.J.S.A. 18A:6-14

Adopted: 16 October 2013

3146 CONDUCT OF REDUCTION IN FORCE

When teaching staff member positions have been abolished, in accordance with Board Policy No. 3112, the Board of Education will transfer and/or dismiss affected teaching staff members as required by law.

No tenured teaching staff member will be transferred or dismissed in a reduction in force affecting a category of employment in which a nontenured teaching staff member is employed. When two or more nontenured teaching staff members are employed within the category affected by a reduction in force, the nontenured teaching staff member(s) shall be retained in that category who has demonstrated greater competence.

Tenure and seniority entitlements will govern the transfer and dismissal of tenured teaching staff members affected by a reduction in force, except that, when two or more tenured teaching staff members within the same employment category affected by a reduction in force possess an identical seniority entitlement to that category, the teaching staff member(s) shall be retained in that category who has demonstrated greater competence.

The Superintendent shall collect and maintain the information requisite to the calculation of each tenured teaching staff member's seniority status. The Superintendent shall develop and maintain district seniority lists and shall recommend dismissals and transfers in a reduction in force in accordance with those lists. No seniority list shall be a public document or published in the absence of a reduction in force or reemployment from a preferred eligible list.

Teaching staff members affected by a reduction in force will be informed of their seniority status and of the effect of the reduction in force on their employment, as promptly as possible after the Board's action to abolish positions. Wherever possible, the Board will give sixty days notice of a pending dismissal. If notice cannot be given a full sixty days before the end of the employee's service, salary in lieu of notice will be given for the remaining notice period beyond the end of service.

N.J.S.A. 18A:28-1; 18A:28-9 et seq.
N.J.A.C. 6A:32-5.1

Adopted: 19 October 2011

3150 DISCIPLINE

The Board of Education directs all teaching staff members to observe statutes of the State of New Jersey, rules of the State Board of Education, policies of this Board, and duly promulgated administrative rules and regulations governing staff conduct. Violations of those statutes, rules, policies and regulations will be subject to discipline.

The Superintendent shall deal with disciplinary matters on a case by case basis. Discipline measures will include verbal and written warnings as appropriate and will provide, wherever possible, for progressive penalties for repeated violations. Penalties may include suspension, withholding one or more increments, and dismissal.

In the event disciplinary action is contemplated, notice will be given to the teaching staff member in ordinary and concise language of the specific acts and omissions upon which the disciplinary action is based; the text of the statute, policy, or rule that the member is alleged to have violated; a date when the member may be heard and the administrator who will hear the matter; and the penalty that may be imposed.

N.J.S.A. 18A:25-7; 18A:27-4
N.J.S.A. 34:13A-1 et seq.; 34:19-1

Adopted: 19 October 2011

3152 WITHHOLDING AN INCREMENT

Advancements on the salary guide, including annual employment and adjustment increments, are not automatically granted and must be earned by satisfactory performance. Advancements require favorable evaluations of the employee's performance of assigned duties, a satisfactory attendance record, and adherence to the rules of this district and high standards of professional conduct.

The Board of Education may determine, by recorded roll call majority vote of the full membership and at any time prior to the commencement of the school year or contract year in which the employee's salary will vest, to withhold any or all of the increments indicated by the salary guide or by Board policy. In no case will the Board withhold a portion of an increment.

The Board shall, within ten days of its formal action to withhold an increment, give written notice to the affected employee of both the action and the reason or reasons for which it was taken.

The purpose of the Board in withholding increments is to improve the educational program and encourage the highest possible professional performance of its employees. Accordingly, all reasonable efforts will be made to inform employees of any deficiencies that may result in the withholding of an increment and to assist them in the correction of those deficiencies.

An increment withheld may be restored only by action of the Board. Nothing in this policy shall limit the right of a successor Board to restore an employee from whom an increment or increments have been withheld to that place on the salary guide he/she would have achieved had the increment or increments not been withheld.

N.J.S.A. 18A:25-7; 18A:29-14
N.J.A.C. 6A:3-4.1

Adopted: 19 October 2011

3159 TEACHING STAFF MEMBER/SCHOOL DISTRICT REPORTING RESPONSIBILITIES

The Board of Education and all certificate holders shall adhere to the reporting requirements outlined in N.J.A.C. 6A:9B-4.3 and N.J.S.A. 18A:16-1.3. For the purposes of this Policy, "certificate holders" shall include all individuals who hold certificates, credentials, certificates of eligibility (CEs), and certificates of eligibility with advance standing (CEASs) issued by the New Jersey State Board of Examiners. For purposes of this Policy, the term "certificate" shall include all standard, emergency and provisional certificates, all credentials, and all CEs and CEASs issued by the New Jersey State Board of Examiners.

All certificate holders shall report an arrest or indictment for any crime or offense to the Superintendent within fourteen calendar days of their arrest or indictment in accordance with the provisions of N.J.A.C. 6A:9B-4.3. The report submitted to the Superintendent shall include the date of arrest or indictment and charge(s) lodged against the certificate holder. Such certificate holders shall also report to the Superintendent the disposition of any charges within seven calendar days of the disposition. Failure to comply with these reporting requirements may be deemed "just cause" for revocation or suspension of certification pursuant to N.J.A.C. 6A:9B-4.4. The school district shall make these reporting requirements known to all new employees upon initial employment and to all employees on an annual basis.

The Superintendent shall notify the New Jersey State Board of Examiners when:

1. Tenured teaching staff members who are accused of criminal offenses or unbecoming conduct resign or retire from their positions;

2. Nontenured teaching staff members, including substitute teachers, who are accused of criminal offenses or unbecoming conduct resign, retire, or are removed from their positions;

3. A certificate holder fails to maintain any license, certificate, or authorization that is mandated pursuant to N.J.A.C. 6A:9B for the holder to serve in a position;

4. The Superintendent becomes aware that a certificate holder has been convicted of a crime or criminal offense while in the district's employ; or

5. The Superintendent has received a report from the Department of Children and Families substantiating allegations of abuse or neglect or establishing "concerns" regarding a certificated teaching staff member.



The school district shall cooperate with the New Jersey State Board of Examiners in any proceeding arising from an order to show cause issued by the New Jersey State Board of Examiners and based on information about the certificate holder that the school district provided.

The Superintendent shall also notify the New Jersey State Board of Examiners, in accordance with the provisions of N.J.S.A. 18A:16-1.3, whenever a nontenured, certificated employee is dismissed prior to the end of the school year for just cause as a result of misconduct in office. This notification requirement shall not apply in instances where the employee's contract is not renewed. The Superintendent will comply with the additional notice requirements to the New Jersey State Board of Examiners in the event it is subsequently determined by a disciplinary grievance arbitration, a court, or an administrative tribunal of competent jurisdiction that the basis for the dismissal did not constitute misconduct in office. In addition, whenever the Superintendent notifies the New Jersey State Board of Examiners of an employee's dismissal for reasons of misconduct in accordance with the provisions of N.J.S.A. 18A:16-1.3, the employee shall receive a simultaneous copy of the notifying correspondence.

In the event the Board of Education determines, pursuant to a tenure charge finding under N.J.S.A. 18A:6-10 or a disorderly person conviction under N.J.S.A. 9:6-8.14, that a teaching staff member has failed to report an allegation of child abuse in accordance with State law or regulations, the Board shall submit a report to the New Jersey State Board of Examiners that outlines its findings. The New Jersey State Board of Examiners shall review the certification of the teaching staff member to determine if the teaching staff member's failure to report warrants the revocation or suspension of his/her certificate. In accordance with N.J.S.A. 9:6-8.14, any person failing to report an act of child abuse, having reasonable cause to believe that an act of child abuse has been committed, may be deemed a disorderly person.

N.J.S.A. 9:6-8.14; 18A:6-10; 18A:6-38.5; 18A:16-1.3
N.J.A.C. 6A:9B-4.3; 6A:9B-4.4

Adopted: 16 October 2019

3160 PHYSICAL EXAMINATION

The Board of Education shall require any candidate for employment who has received a conditional offer of employment to undergo a physical examination pursuant to N.J.S.A. 18A:16-2.a. to determine whether the candidate is able to perform with reasonable accommodation job-related functions pursuant to P.L. 101-336, Americans with Disabilities Act of 1990 (ADA), pursuant to N.J.A.C. 6A:32-6.3.

If upon completing an examination it is determined a candidate for employment who received a conditional offer of employment is unable to perform with reasonable accommodation job-related functions pursuant to the provisions of the ADA, the conditional offer of employment will be rescinded either by the Superintendent of Schools, if the Board has not yet approved the appointment, or by the Board, if the Board had approved the appointment at a Board meeting.

In accordance with N.J.A.C. 6A:32-6.2(a), the Board will develop the requirements for the physical examination and provide for notification to candidates for employment regarding the requirements for the physical examination which shall include, but not be limited to, a health history to include past serious illnesses and injuries; current health problems; allergies; and a record of immunizations. The physical examination shall also include, but not be limited to, a health screening to include, but not be limited to: height and weight; blood pressure; pulse and respiratory rate; vision screening; and hearing screening.

Pursuant to N.J.S.A. 18A:16-3, the Board shall bear the cost of physical examinations required by this Policy performed by a physician or institution designated by the Board. However, the candidate shall bear the cost if the examination is performed by a physician or institution designated by the candidate with approval of the Board. In the event the Board approves the physician or institution designated by the candidate to complete an examination required by this Policy, the candidate will be provided with the detailed requirements of the examination.

Teaching staff member physicals, examinations, and/or annual medical updates do not require screening or disclosure of HIV status.

The Board will follow the current New Jersey Department of Health Guidance for Tuberculosis (TB) Testing in New Jersey Schools.

Health records of candidates for employment and current teaching staff members, including computerized records, shall be secured, stored, and maintained separately from other personnel files pursuant to N.J.A.C. 6A:32-6.3(d). The information contained in medical

records shall be kept confidential. Only the teaching staff member, the Superintendent, and the school medical inspector shall have access to medical information regarding an individual teaching staff member. Health records shall be the property of the Board and may be shared only with authorized individuals in accordance with N.J.S.A. 18A:16-5 and N.J.A.C. 6A:32-6.3(d).

Pursuant to N.J.A.C. 6A:32-6.3(c), an individual teaching staff member may provide health-status information, including medications that may be of value to medical personnel in the event of an emergency requiring treatment. In such instances, a teaching staff member may also choose to share with the Principal and, if desired, with the certified school nurse, information regarding current health status to assure ready access in a medical emergency.

Pursuant to N.J.S.A. 18A:16-2, the Board may require physical or psychiatric examinations of a teaching staff member whenever, in the Board's judgment, a teaching staff member shows evidence of deviation from normal physical or mental health. Any additional individual examinations will be pursuant to the requirements of N.J.A.C. 6A:32-6.3(b). Additional examinations and/or certifications may be required to verify fitness in accordance with Policy 3161 – Examination for Cause or disability in accordance with Policies 3425 – Work Related Disability Pay and 3435 – Anticipated Disability.

42 USC 12101
N.J.S.A. 18A:16-2; 18A:16-3; 18A:16-5
N.J.A.C. 6A:32-6.1; 6A:32-6.2; 6A:32-6.3

Adopted: 18 September 2024

3161 EXAMINATION FOR CAUSE

A. Pursuant to N.J.S.A. 18A:16-2 and N.J.A.C. 6A:32-6.3, the Board of Education may require physical or psychiatric examinations of a teaching staff member whenever, in the judgment of the Board, a teaching staff member shows evidence of deviation from normal physical or mental health, to determine the teaching staff member's physical and mental fitness to perform, with reasonable accommodation, the position the teaching staff member currently holds, or to detect any health risk(s) to students and other employees. When the Board requires a teaching staff member to undergo a physical or psychiatric examination:

1. The Board shall provide the teaching staff member with a written statement of the reasons for the required examination; and

2. The Board shall provide the teaching staff member with a hearing, if requested.

   a. Notice of the teaching staff member's right to a hearing shall be provided with the statement of reasons for the required examination;

   b. The teaching staff member must request the Board hearing, in writing, within five working days of the teaching staff member's receipt of the written statement of reasons:

      (1) The teaching staff member shall be ordered to submit to the appropriate examination(s) by the physician or institution designated by the Board if the teaching staff member failed to timely request a hearing before the Board;

   c. The Board hearing shall be conducted in accordance with the provisions of N.J.S.A. 18A:25-7 and will offer the teaching staff member the opportunity to appear before the Board to refute the reason(s) for the required examination(s);

   d. The teaching staff member shall be ordered to submit to the appropriate examination(s) by the physician or institution designated by the Board if the teaching staff member failed to persuade the Board at the hearing that the teaching staff member should not be required to submit to the appropriate examination(s); and

e. The determination of such a hearing shall be appealable to the Commissioner pursuant to N.J.S.A. 18A:6-9 and N.J.A.C. 6A:4 – Appeals.

3. The teaching staff member may refuse, without reprisal, to waive their right to protect the confidentiality of medical information, in accordance with P.L. 104-191, Health Insurance Portability and Accountability Act of 1996.

B. Pursuant to N.J.S.A. 18A:16-3, the Board shall bear the cost of examinations made by a physician or institution designated by the Board. However, the teaching staff member shall bear the cost if the examination is performed by a physician or institution designated by the teaching staff member with approval of the Board.

1. If the teaching staff member submits names of physicians or institutions to the Board for consideration to complete the appropriate examination(s), the Board is not required to designate the physician or institution submitted for consideration by the teaching staff member, but shall not act unreasonably in withholding its approval of the physician or institution.

2. The teaching staff member shall authorize the physician or institution performing the examination to immediately release the examination results to the Superintendent.

3. All records and reports relating to any such examination shall be the property of the Board, in accordance with N.J.S.A. 18A:16-5.

a. Health records of teaching staff members, including computerized records, shall be secured, stored, and maintained separately from other personnel files; and

b. Health records may be shared only with authorized individuals in accordance with N.J.S.A. 18A:16-5.

4. If the results of any such examination indicate mental abnormality or communicable disease, the teaching staff member shall be ineligible for further service until proof of recovery, satisfactory to the Board, is furnished, but if the teaching staff member is under contract or has tenure, they may be granted sick leave with compensation as provided by law and shall, upon satisfactory recovery, be permitted to complete the term of their contract, if they are under contract, or be reemployed with the same tenure as they possessed at the time their services were discontinued, if they have



tenure, unless their absence shall exceed a period of two years in accordance with N.J.S.A. 18A:16-4.

C. In order to return to work, the teaching staff member must submit to an appropriate examination and submit the results of the examination to the Superintendent.

1. The examination must be conducted by a physician or institution upon which the Board and teaching staff member confer and agree;

2. If the physician or institution conducting the examination is conducted by the Board's choice, the cost shall be borne by the Board; if the physician or institution conducting the examination is conducted by the teaching staff member's choice, the cost shall be borne by the teaching staff member; and

3. The teaching staff member shall authorize the physician or institution performing the examination to immediately release the examination results to the Superintendent.

D. A teaching staff member who refuses to submit to an examination required by the Board in accordance with this Policy and has exhausted the hearing procedures established by law and this Policy shall be subject to discipline, which may include, but is not limited to, termination or certification of tenure charges to the Commissioner of Education, as applicable.

42 U.S.C.A. 12101
N.J.S.A. 18A:6-10; 18A:16-2; 18A:16-3; 18A:16-4; 18A:16-5
18A:25-7; 18A:28-5; 18A:30-1 et seq.
N.J.A.C. 6A:32-6.2; 6A:32-6.3

Adopted:13 December 2023

3211 CODE OF ETHICS

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

Preamble

The educator, believing in the worth and dignity of each human being, recognizes the supreme importance of the pursuit of truth, devotion to excellence, and the nature of democratic principles. Essential to these goals is the protection of freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator accepts the responsibility to adhere to the highest ethical standards.

The educator recognizes the magnitude of the responsibility inherent in the teaching process. The desire for the respect and confidence of one's colleagues; of students; of parent(s); and of the members of the community provides the incentive to attain and maintain the highest possible degree of ethical conduct. The Code of Ethics of the Education Profession indicates the aspiration of all educators and provides standards by which to judge conduct.

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

Principle I – Commitment to the Student

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

In fulfillment of the obligation to the student, the educator:

1. Shall not unreasonably restrain the student from independent action in the pursuit of learning.

2. Shall not unreasonably deny the student access to varying points of view.

3. Shall not deliberately suppress or distort subject matter relevant to the student's progress.

4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety.

5. Shall not intentionally expose the student to embarrassment or disparagement.

6. Shall not, on the basis of any of the protected categories listed at N.J.A.C. 6A:7-1.1(a), unfairly:

   a. Exclude any student from participation in any program;

   b. Deny benefits to any student; or

   c. Grant any advantage to any student.

7. Shall not use professional relationships with students for private advantage.

8. Shall not disclose information about students obtained in the course of professional service, unless disclosure serves a compelling professional purpose or is required by law.

Principle II – Commitment to the Profession

The education profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service.

In the belief that the quality of the services of the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards to promote a climate that encourages the exercise of professional judgment, to achieve conditions which attract persons worthy of the trust to careers in education, and to assist in preventing the practice of the profession by unqualified persons.

In fulfillment of the obligation to the profession, the educator:

1. Shall not in an application for a professional position deliberately make a false statement or fail to disclose a material fact related to competency and qualifications.

2. Shall not misrepresent their professional qualifications.

3. Shall not assist entry into the profession of a person known to be unqualified in respect to character, education, or other relevant attribute.

4. Shall not knowingly make a false statement concerning the qualifications of a candidate for a professional position.

5. Shall not assist a non-educator in the unauthorized practice of teaching.

6. Shall not disclose information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.

7. Shall not knowingly make false or malicious statements about a colleague.

8. Shall not accept any gratuity, gift, or favor that might impair or appear to influence professional decisions or actions.

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

Adopted: 20 March 2024

3211.3 CONSULTING OUTSIDE THE DISTRICT

The Board of Education recognizes that teaching staff members will have expertise and knowledge in areas that other school districts, agencies, and other entities may desire. Recognizing that the school district will request the expertise from teaching staff members from other school districts, agencies and other entities, the Board supports sharing of its teaching staff members with other school districts, agencies, and other entities to the extent it does not interfere with the efficient operation of the school district.

The Superintendent may recommend to the Board a teaching staff member's attendance in another school district, agency or other entity without additional remuneration to the teaching staff member or school district, upon a written request from the agency or from the teaching staff member.

The Board of Education recognizes teaching staff members will have expertise and knowledge in areas that other school districts, public and private agencies, and private business organizations may desire to compensate as a paid consultant. When a teaching staff member serves as a paid consultant, the teaching staff member is not permitted to use normal work hours for any paid consulting activities. The teaching staff member must complete any paid consulting activities on their own time to include vacation days, evenings, weekends, and/or school holidays.

The teaching staff member must comply with the New Jersey School Ethics Act N.J.S.A. 18A:12-21 et seq. and, if required, must comply with financial disclosure requirements of N.J.S.A. 18A:12-24 and 12-25.

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

Adopted: 19 October 2011

3212 ATTENDANCE

The regular and prompt attendance of teaching staff members is an essential element in the efficient operation of the school district and the educational program. Teaching staff member absenteeism disrupts the educational program and the Board of Education considers attendance an important component of a teaching staff member's job performance.

Teaching staff members shall provide notice for the use of sick time as required in N.J.S.A. 18A:30-4 and Policy and Regulation 1642.01 in accordance with the district's procedure for teaching staff members to report the use of sick leave and other absences. A teaching staff member who fails to give prompt notice of an absence, misuses sick leave, fails to verify an absence in accordance with statute, administrative code, or Board policy; falsifies the reason for an absence; is absent without authorization: is repeatedly tardy; or accumulates an excessive number of absences may be subject to appropriate consequences, which may include, but not be limited to, the withholding of a salary increment, termination, nonrenewal, and/or certification of tenure charges.

Sick leave is defined in accordance with N.J.S.A. 18A:30-1 and Policy and Regulation 1642.01. No teaching staff member will be discouraged from the prudent, necessary use of sick leave and any other leave provided for by statute; administrative code; collective bargaining agreement; an individual employment contract; or the policies of the Board. The Superintendent or Board of Education may require verification to be filed with the Secretary of the Board in order to obtain sick leave in accordance with the provisions of N.J.S.A. 18A:30-4 and Policy and Regulation 1642.01.

The Superintendent, in consultation with administrative staff members, will review the rate of absence among teaching staff members. The review will include the collection and analysis of attendance patterns, the training of teaching staff members in their attendance responsibilities, and the counseling of teaching staff members for whom regular and prompt attendance is a problem.

N.J.S.A. 18A:27-4; 18A:28-5; 18A:30-1; 18A:30-2; 18A:30-4

Adopted:

3214 CONFLICT OF INTEREST

No teaching staff member of the Board of Education shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity which is in conflict with the proper discharge of the teaching staff member's duties.

No teaching staff member shall use or attempt to use his/her position to secure unwarranted privileges or advantages.

No teaching staff member of the Board shall act in his/her official capacity in any matter wherein he/she has a direct or indirect personal financial interest.

All employees of the district are prohibited from accepting items of material value from companies or organizations doing business with the school district. Exception to this policy is the acceptance of minor items which are generally distributed by companies or organizations through their regular public relations programs. The maximum value of any gift from any organization should not exceed $25.00. The only exception is when the gift is directly related to material or equipment for pupil use.

No employee of the school district is to accept any commission or gift from individuals or companies seeking to sell equipment to our school. This includes materials for construction, repairs, maintenance of the school plant, for the conduction of pupil classes, and for materials and supplies used in school organizations, such as clubs, class activities, etc. The Board shall always welcome the writing of letters to the Board or its staff expressing gratitude or appreciation.

The Board of Education discourages the presentation of gifts to teaching staff members by students and their parent(s) or legal guardian(s), because it may embarrass students with limited means and give the appearance of currying favor.

The Board directs that teaching staff members instruct their students to express their appreciation by means other than gifts.

Teaching staff members may receive gifts of only nominal value from students or their parent(s) or legal guardian(s).

The Superintendent may approve an act or gift of appreciation to an individual teaching staff member when special circumstances warrant.

N.J.S.A. 18A:6-8; 18A:11-1

Adopted: 19 October 2011

3216 DRESS AND GROOMING

The Board of Education believes the appearance and dress of teaching staff members is an important component of the educational program of this school district. The attitude of teaching staff members about their professional responsibilities and the importance of education in the lives of their students are reflected in their dress and appearance. Accordingly, in order to create an atmosphere of respect for teaching staff members and an environment conducive to discipline and learning, the Board establishes the following rules for the dress of teaching staff members in the performance of their professional duties:

1. Acceptable attire for teaching staff members shall include, but not be limited to, dresses, skirts, blouses, suits, sweaters, pants, and dress shirts with or without a tie;

2. Inappropriate attire within the regular school day includes, but is not limited to, the following:

   a. Jeans (unless approved by the Principal or designee for a special activity or event);

   b. T-shirts;

   c. Strapless shirts and dresses;

   d. Sweatshirts, shorts, sweatpants, workout attire unless approved by the Principal or designee;

   e. Beachwear; and

   f. Hats and/or head coverings unless approved by the Principal or designee for medical or religious reasons.

   g. _____

   h. _____

   i. _____

3. The clothing and appearance of all teaching staff members shall be clean and neat;

4. No clothing may be worn that constitutes a danger to health or safety to the wearer or to others, and no clothing may be worn that interferes with the instructional program;

5. A teaching staff member may request a waiver of this dress code for the performance of particular duties. Such waivers may be granted by the Principal or designee;

6. The Building Principal or the teaching staff member's supervisor, as appropriate, shall determine whether a violation of this dress code has occurred and shall discuss the violation with the teaching staff member concerned. Where a single violation so warrants or violations recur, the Principal or supervisor may enter a reprimand in the teaching staff member's file and may recommend other appropriate disciplinary measures.

N.J.S.A. 18A:27-4

Adopted: 21 September 2022

3217 USE OF CORPORAL PUNISHMENT

No teaching staff member employed by the Board or a person engaged in any school in the school district shall inflict or cause to be inflicted corporal punishment upon a student attending any school in the school district; but any such teaching staff member may, within the scope of their employment, use and apply such amounts of force as is reasonable and necessary:

1. To quell a disturbance, threatening physical injury to others;

2. To obtain possession of weapons or other dangerous objects upon the person or within the control of a student;

3. For the purpose of self-defense; and

4. For the protection of persons or property;

and such acts, or any of them, shall not be construed to constitute corporal punishment pursuant to N.J.S.A. 18A:6-1. Every resolution, bylaw, rule, ordinance, or other act or authority permitting or authorizing corporal punishment to be inflicted upon a student attending any school in the district shall be void.

Any teaching staff member employed by the Board found to have violated this Policy may be subject to discipline by the Board.

N.J.S.A. 18A:6-1; 18A:37-1

Adopted: 16 August 2023



3218 USE, POSSESSION, OR DISTRIBUTION OF SUBSTANCES

The Board of Education recognizes a teaching staff member who reports to work under the influence of a substance poses a significant threat to their health, safety, and welfare and the health, safety, and welfare of others, including students and other staff members. The Board strongly advises any teaching staff member that has a dependency on a substance as defined in this Policy to seek appropriate treatment. The Board has an obligation and the right to maintain a safe and healthy work environment and adopts this Policy as an important component toward maintaining a safe environment in the school district.

For the purpose of this Policy, "substance" or "substances" as defined in N.J.S.A. 18A:40A-9 and N.J.A.C. 6A:16-4.1(a) means alcoholic beverages; any controlled dangerous substances, including anabolic steroids as defined in N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2; any chemical or chemical compound which releases vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes as defined in N.J.S.A. 2C:35-10.4; and over-the-counter and prescription medications that are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system.

A teaching staff member shall be required to submit to an immediate medical examination to include a substance test if the Principal or designee has reasonable suspicion to believe a teaching staff member is under the influence of a substance during work hours or at a school-sponsored function where the teaching staff member has been assigned job responsibilities. Refusal by a teaching staff member to consent to the medical examination including a substance test will be deemed a positive test result for substances. In the event the results of the medical examination and substance test are not provided to the Superintendent, within twenty-four hours or as soon as the test results are available, it will be deemed a positive test result for substances and the teaching staff member shall be subject to appropriate discipline. Any required medical examination and testing shall be paid for by the Board.

In the event the Board physician determines the teaching staff member was under the influence of a substance, the determination shall be reported to the Superintendent and the teaching staff member will be subject to appropriate discipline. Appropriate discipline may include, but not be limited to, withholding an increment, terminating a

non-tenured teaching staff member, and/or filing tenure charges for a tenured teaching staff member in accordance with law. The teaching staff member will be afforded the

opportunity to have positive test results confirmed using acceptable confirmation test practices. This confirmation test shall be paid for by the teaching staff member.

In the event a teaching staff member's medical examination and substance test results are negative for a substance or if the Board physician determines the teaching staff member was not under the influence of a substance, the results or determination shall be reported to the Superintendent and the teaching staff member shall be returned to their position unless the Superintendent has a reason the teaching staff member should not be returned to their position.

In accordance with the requirements of N.J.A.C. 6A:16-6.3(a), any staff member who, in the course of their employment, has reason to believe a staff member has unlawfully possessed or in any way been involved in the distribution of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia, shall report the matter as soon as possible to the Principal, or in the absence of the Principal, the Principal's designee responsible at the time of the alleged violation. Either the Principal or designee shall notify the Superintendent who shall notify, as soon as possible, the County Prosecutor or other law enforcement official designated by the County Prosecutor to receive such information. The Superintendent or designee shall provide to the County Prosecutor or designee all known information concerning the matter, including the identity of the staff member involved.

In accordance with the provisions of N.J.A.C. 6A:16-6.3(a)3, the Superintendent or designee shall not disclose the identity of a staff member who has voluntarily sought and participated in an appropriate treatment or counseling program for an alcohol or drug abuse problem, provided the staff member is not reasonably believed to be involved or implicated in drug-distribution activities. An admission by a staff member in response to questioning initiated by the Principal or designee or following the discovery by the Principal or designee of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia, shall not constitute a voluntary, self-initiated request for counseling and treatment.

A staff member who unlawfully possessed or in any way has been involved in the distribution of a controlled dangerous substance, including anabolic steroids or drug paraphernalia, pursuant to N.J.A.C. 6A:16-6.3, shall be subject to appropriate discipline which may include, but not be limited to, termination of a non-tenured teaching staff member or the filing of tenure charges for a tenured teaching staff member in accordance with law.



42 CFR Part 2
N.J.S.A. 18A:16-3; 18A:40A-9
N.J.A.C. 6A:16-4.1; 6A:16-6.3; 6A:16-6.5

Adopted: 20 November 2019

3221 EVALUATION OF TEACHERS

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

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

No collective bargaining agreement entered into after July 1, 2013, shall conflict with the educator evaluation system established pursuant to N.J.A.C. 6A:10-1.1 et seq. or any other specific statute or regulation, nor shall topics subject to bargaining involve matters of educational policy or managerial prerogatives. All information contained in annual performance reports and all information collected, compiled, and/or maintained by employees for the purpose of conducting the educator evaluation process pursuant to N.J.A.C. 6A:10-1.1 et seq., including, but not limited to, digital records, shall be confidential and shall not be subject to public inspection or copying pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq.

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

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

A School Improvement Panel shall be established in accordance with N.J.A.C. 6A:10-3.1 and with the responsibilities outlined in N.J.A.C. 6A:10-3.2.

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

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

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

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

Adopted: 6 October 2021

3222 EVALUATION OF TEACHINGSTAFF MEMBERS, EXCLUDING TEACHERS AND ADMINISTRATORS

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

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

No collective bargaining agreement entered into after July 1, 2013, shall conflict with the educator evaluation system established pursuant to N.J.A.C. 6A:10-1.1 et seq. or any other specific statute or regulation, nor shall topics subject to bargaining involve matters of educational policy or managerial prerogatives. All information contained in annual performance reports and all information collected, compiled, and/or maintained by employees for the purpose of conducting the educator evaluation process pursuant to N.J.A.C. 6A:10-1.1 et seq., including, but not limited to, digital records, shall be confidential and shall not be subject to public inspection or copying pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq.

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

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

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

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

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

Adopted: 6 October 2021

3230 OUTSIDE ACTIVITIES

The Board of Education recognizes that teaching staff members enjoy a private life outside their job responsibilities in the school district. The Board believes that the role of the teaching profession is such that teachers exert a continuing influence away from the school district. Accordingly, the Board reserves the right to determine if activities outside the teaching staff member's job responsibilities interfere with their professional performance and the discharge of the member's responsibilities to the students of this district.

All teaching staff members are advised to be governed in the conduct of personal activities by the following guidelines:

1. Teaching staff members shall not devote time during their work day to an outside private enterprise, business, or business organization. They shall not solicit or accept customers for a private enterprise, business, and/or business organization on school grounds during their work day without the express permission of the Superintendent;

2. The Board does not endorse, support, or assume liability in any way for any staff member of this district who takes students on trips not approved by the Board or Superintendent, and shall not be liable for the welfare of students who travel on such trips. Any staff member who takes students of this district on a trip not approved by the Board or Superintendent shall clearly and concisely inform the parent(s) of any student solicited and/or attending such a trip that the trip is not endorsed, supported, approved, or authorized by the Board or Education. A staff member shall not solicit students on school grounds for trips not approved by the Board or Superintendent;

3. The Board does not endorse, support, or assume liability in any way for any teaching staff member of this district who conducts a private activity in which students or employees of this district participate;

4. Teaching staff members shall not send campaign literature home with students, or request, direct, or have students distribute campaign literature on behalf of any candidate for local, state, or national office or for any bond issue, proposal, or any public question submitted at any general, municipal, or school election. No student shall be requested or directed by any teaching staff member to engage in any activity which tends to promote, favor, or oppose any such candidacy, bond issue, proposal, or public question;

5. Teaching staff members shall not privately tutor students for compensation that are currently enrolled in their classes; and

6. Copyrights and patents to materials or equipment developed, written, prepared, processed, or tested by teaching staff members in the performance of their professional duties reside with and may be claimed by the Board.

N.J.S.A. 18A:42-4
N.J.S.A. 19:1.1 et seq.

Adopted: 17 September 2014

3231 OUTSIDE EMPLOYMENT AS ATHLETIC COACH

The Board of Education will permit, in accordance with this Policy, staff members of this school district to serve as an athletic coach in another school district providing the responsibilities in the other district do not interfere with the performance of the staff member's professional responsibilities in this district.

N.J.A.C. 6A:9B-5.16

Adopted: 19 October 2016

3232 TUTORING SERVICES

School staff members routinely provide time beyond their assigned responsibilities to students who need additional help in their academic programs. This additional help is provided by a staff member on school grounds during their free time during their workday or immediately before or after school hours. The time a staff member provides additional help to a pupil is an extension of their assigned school district responsibilities and a staff member may not charge a fee for providing this additional help to students.

However, the Board of Education recognizes a school staff member may be privately contracted to provide tutoring services to a pupil in addition to any additional help a pupil receives before, during, and/or after the school day. These tutoring services shall be provided to a pupil under a private agreement between the staff member and the parent. Private tutoring shall not take place on school grounds. Non-special area teachers may not privately tutor students who are enrolled in their current class. July 1 – June 30 is considered the school year. Please refrain from utilizing school e-mail and materials for private sessions.

The Board of Education assumes no responsibility, liability, or obligations for the selection of the private tutor or the quality of the private tutoring services. School staff members shall not provide private tutoring services for a fee or any compensation to any pupil that is currently enrolled in their classes.

Adopted: 19 November 2014

3233 POLITICAL ACTIVITIES

The Board of Education recognizes and encourages the right of all citizens, including teaching staff members, to engage in political activity. The Board prohibits the use of school premises and school time, however, for partisan political purposes.

The Board establishes the following guidelines to govern teaching staff members in their political activities:

1. A teaching staff member shall not engage in political activity on school premises unless permitted in accordance with Board Policy No. 7510 - Use of School Facilities and/or applicable Federal and State laws;

2. A teaching staff member shall not post political circulars or petitions on school premises nor distribute such circulars or petitions to students nor solicit campaign funds or campaign workers on school premises;

3. A teaching staff member shall not display any material that would tend to promote any candidate for office on an election day in a school facility that is used as a polling place;

4. A teaching staff member shall not engage in any activity in the presence of students while on school property, which activity is intended and/or designed to promote, further or assert a position(s) on labor relations issues.

A certificated staff member employed by this district who is a member of the Senate or General Assembly of the State of New Jersey shall be entitled to time off from school district duties, without loss of pay, during the periods of his/her attendance at regular or special sessions of the legislature and hearings or meetings of any legislative committee or commission.

A certificated staff member employed by this district who is a member of the Board of Chosen Freeholders of any county of New Jersey shall be entitled to time off from his/her duties, without pay, during the periods of his/her attendance at regular or special meetings of the Board and of any committee thereof and at such other times as he/she shall be engaged in performing the necessary functions and duties of his/her office as a member of the Board.

No other teaching staff member who holds elective or appointive office is so entitled to time off, except as such time off may be provided for by Board policy or negotiated agreement.

The provisions of this policy do not apply to the discussion and study of politics and political issues appropriate to the curriculum, the conduct of pupil elections, or the conduct of employee representative elections.

Nothing in this Policy shall be interpreted to impose a burden on the constitutionally protected speech or conduct of a staff member or pupil.

N.J.S.A. 11:17-2
N.J.S.A. 18A:6-8.1; 18A:6-8.2; 18A:6-8.4; 18A:42-4
N.J.S.A. 19:34-42
Green Township v. Rowe, Superior Court of New Jersey - Appellate Division A-2528-98T5

Adopted: 19 October 2011

3240 PROFESSIONAL DEVELOPMENT FOR TEACHERS AND SCHOOL LEADERS

The Board of Education encourages all teaching staff members to pursue a program of continuing professional development by course work or matriculation in institutions of higher learning, participation in workshops and conferences, membership in professional organizations, and independent scholarship.

Teaching staff members may be permitted to: visit other schools and classrooms; attend local, regional, or national conferences; participate in committees, workshops, and panels, both within and outside the district. Requests for participation in such professional development activities must be submitted in writing to the Superintendent or designee for approval. In addition, the Board of Education must approve all travel expenditures in accordance with N.J.S.A. 18A:11-12 and the State of New Jersey Department of the Treasury, Office of Management and Budget Circulars 08-19-OMB and 06-14-OMB (OMB Circulars) and any superseding circulars and any additional requirements set forth in N.J.A.C. 6A:23A-7 et seq.

A teaching staff member who has been granted time off and/or approved to be reimbursed for a professional development activity shall submit to the Superintendent or designee, with a copy to the School Business Administrator/Board Secretary, within ten working days, a brief written report that includes the primary purpose of the travel, the key issues addressed at the event, and their relevance to improving instruction or the operations of the school district.

All active teachers, defined as staff whose positions require possession of the instructional or educational services certificates in accordance with N.J.A.C. 6A:9C-8 through 11 and 13 and all active school leaders serving on a permanent or interim basis whose positions require possession of the Chief School Administrator, Principal, or Supervisor endorsement in accordance with N.J.A.C. 6A:9B-12 shall comply with the professional development requirements as outlined in N.J.A.C. 6A:9C-4.1 et seq.

To meet the professional development requirement, each teacher shall be guided by an individual Professional Development Plan (PDP), which shall include at least twenty hours per year of qualifying activities as outlined in N.J.A.C. 6A:9C-4.4. The PDP shall be developed by each teacher's supervisor in consultation with the teacher and shall align with the Professional Standards for Teachers in N.J.A.C. 6A:9-3.3 and the Standards for Professional Learning in N.J.A.C. 6A:9C-3.3. The PDP shall be updated annually, in accordance with N.J.A.C. 9C-4.4(c) and modified during the year as outlined in N.J.A.C. 9C-4.4(d).

District-level and school-level professional development planning and implementation shall be in accordance with the requirements of N.J.A.C. 6A:9C-4.2.

Implementation of the professional development requirement for school leaders shall be in accordance with N.J.A.C. 6A:9C-4.3.

The Board of Education shall comply with the monitoring and assistance requirements as outlined in N.J.A.C. 6A:9C-4.4.

The Board shall monitor and enforce the professional development requirements for teachers and school leaders set forth in N.J.A.C. 6A:9C-4.1 et seq. and shall actively assist and support the provision of opportunities and resources, and the efforts by teachers and school leaders to meet the professional development requirements.

N.J.S.A. 18A:31-2; 18A:6-111
N.J.A.C. 6A:9-3.3; 6A:13-2.1; 6A:9B-12
6A:9C-3.3; 6A:9C-4.1 et seq.; 6A:9C-8 through 11 and 123

Adopted: 4 October 2017

3245 RESEARCH PROJECTS BY STAFF MEMBERS

The Board of Education encourages the participation of teaching staff members in research projects that are soundly designed and professionally conducted.

Teaching staff members may seek funding from local, state, and federal sources, public and private, for locally conducted research projects. Any research project involving students must be approved by the Board; all other research projects involving district personnel, facilities, and/or resources may be approved by the Superintendent.

An application for approval of a proposed research project must set forth the purpose of the project; a detailed description of the project; the degree to which, if any, the project will interrupt or displace the regular instructional program; a projection of the number of students, if any, and staff members who will be involved, the period of time that will be devoted to the project, and the project costs; the source of funding; any background information necessary to an understanding of the project; the means by which the project will be evaluated; and an assessment of the contribution the project will make to the educational program of this district.

A written report must be made to the Superintendent when a research project is terminated, either completed or incomplete. The Superintendent may also require progress reports during the course of any research project and may notify appropriate administrators of the conduct of any research project.

Adopted: 19 October 2011



3270 PROFESSIONAL RESPONSIBILITIES

The Board of Education will establish and enforce rules for the assignment of specific duties to teaching staff members and for the conduct of teaching staff members during the work day.

Teaching staff members assigned specific instructional responsibilities and as designated by the Superintendent shall prepare regular lesson plans. Teachers shall also be responsible for providing adequate direction and guidance to substitutes. Lesson plans shall be subject to review by the teaching staff member's Principal or designee and/or immediate supervisor as assigned by the Superintendent.

During the work day, teaching staff members may be assigned extra or alternative duties by the Principal or designee in accordance with Policy 3134. Teaching staff members are to attend every faculty meeting unless expressly excused by the Principal or designee.

N.J.S.A. 18A:27-4
N.J.A.C. 6A:9-3.3

Adopted: 21 September 2022

3280 LIABILITY FOR PUPIL WELFARE

Teaching staff members are responsible for supervision of students and must discharge that responsibility with the highest levels of care and prudent conduct. All teaching staff members of this district shall be governed by the following rules in order to protect the well-being of students and to avoid any assignment of liability to this Board of Education or to a staff member personally in the event a pupil is injured.

The Superintendent shall prepare such regulations as may be required to enforce the following rules:

1. Each teaching staff member must maintain a standard of care for supervision, control, and protection of students commensurate with the member's assigned duties and responsibilities;

2. A teaching staff member should not voluntarily assume responsibility for duties he/she cannot reasonably perform. Such assumed responsibilities carry the same potential for liability as do assigned responsibilities;

3. A teaching staff member must provide proper instruction in safety wherever course guides so provide;

4. A teaching staff member must report immediately to the Building Principal any accident or safety hazard the member detects;

5. A teaching staff member must not send students on personal errands;

6. A teaching staff member must never transport students in a personal vehicle without the approval of the Building Principal;

7. A teaching staff member must not require a pupil to perform tasks that may be detrimental to the health or well-being of the pupil or other students;

8. A teaching staff member will refrain from the use of personal furnishings and equipment in the classroom without the express permission of the Principal;

9. A teaching staff member must immediately report any instance of substance abuse, violence, vandalism, accidents, or suspected child abuse in accordance with Policy Nos. 8442, 8461, and 8462.

N.J.S.A. 9:6-8.8 et seq.
N.J.S.A. 18A:25-2
N.J.S.A. 59:1-1 et seq.

Adopted: 19 October 2011



3281 INAPPROPRIATE STAFF CONDUCT

The Board of Education recognizes its responsibility to protect the health, safety and welfare of all students within this school district. Furthermore, the Board recognizes there exists a professional responsibility for all school staff to protect a pupil's health, safety and welfare. The Board strongly believes that school staff members have the public's trust and confidence to protect the well-being of all students attending the school district.

In support of this Board's strong commitment to the public's trust and confidence of school staff, the Board of Education holds all school staff to the highest level of professional responsibility in their conduct with all students. Inappropriate conduct and conduct unbecoming a school staff member will not be tolerated in this school district.

The Board recognizes and appreciates the staff-pupil professional relationship that exists in a school district's educational environment. This Policy has been developed and adopted by this Board to provide guidance and direction to avoid actual and/or the appearance of inappropriate staff conduct and conduct unbecoming a school staff member toward students.

School staff's conduct in completing their professional responsibilities shall be appropriate at all times. School staff shall not make inappropriate comments to students or about students and shall not engage in inappropriate language or expression in the presence of students. School staff shall not engage in inappropriate conduct toward or with students. School staff shall not engage or seek to be in the presence of a pupil beyond the staff member's professional responsibilities. School staff shall not provide transportation to a pupil in their private vehicle or permit a pupil into their private vehicle unless there is an emergency or a special circumstance that has been approved in advance by the Building Principal and the parent/legal guardian.

Inappropriate conduct by a school staff member outside their professional responsibilities may be considered conduct unbecoming a staff member. Therefore, school staff members are advised to be concerned with such conduct which may include, but is not limited to, communications and/or publications using e-mails, text-messaging, social networking sites, or any other medium that is directed and/or available to students or for public display.

A school staff member is always expected to maintain a professional relationship with students and to protect the health, safety and welfare of school students. A staff member's conduct will be held to the professional standards established by the New Jersey State Board of Education and the New Jersey Commissioner of Education. Inappropriate conduct or conduct unbecoming a staff member may also include conduct not specifically listed in this Policy, but conduct determined by the New Jersey State Board of Education, the New Jersey Commissioner of Education, an arbitration process, and/or appropriate courts to be inappropriate or conduct unbecoming a school staff member.



School personnel, compensated and uncompensated (volunteers), are required to report to their immediate supervisor or Building Principal any possible violations of this Policy. In the event the report alleges conduct by the Building Principal, the school staff member may report directly to the School Business Administrator/Board Secretary. In addition, school personnel having reasonable cause to believe a pupil has been subjected to child abuse or neglect or acts of child abuse or neglect as defined under N.J.S.A. 9:6-8.10 are required to immediately report to the New Jersey Department of Children and Families in accordance with N.J.A.C. 6A:16-11.1 and inform the Building Principal after making such report. However, notice to the Building Principal or designee need not be given when the school staff member believes such notice would likely endanger the referrer or child(ren) involved or when the staff member believes that such disclosure would likely result in retaliation against the child or in discrimination against the referrer with respect to his/her employment.

Reports may be made in writing or with verbal notification. The School Business Administrator/Board Secretary will investigate all reports with a final report to the Superintendent. The School Business Administrator/Board Secretary or the Superintendent may, at any time after receiving a report, take such appropriate action as necessary and as provided for in the law. This may include, but is not limited to, notifying law enforcement, notifying the New Jersey Department of Children and Families in accordance with N.J.A.C. 6A:16-11.1, and/or any other measure provided for in the law.

This Policy will be distributed to all school staff and provided to staff members at anytime upon request.

N.J.S.A. 18A:28-5 et seq.
N.J.A.C. 6A:16-10.1 et seq.

Adopted: 20 February 2013



3282- USE OF SOCIAL NETWORKING SITES

The Board of Education has a strong commitment to quality education and the well-being of all students, as well as the preservation of the school district's reputation. The Board believes staff members must establish and maintain public trust and confidence and be committed to protecting all students attending the school district. In support of the Board's strong commitment to the public's trust and confidence, the Board holds all staff members to the highest level of professional responsibility.

The Commissioner of Education has determined inappropriate conduct outside a staff member's professional responsibilities may determine them as unfit to discharge the duties and functions of their position. Staff members should be advised communications, publications, photographs, and other information appearing on social networking sites deemed inappropriate by the Board could be cause for dismissal of a non-tenured staff member or to certify tenure charges against a tenured staff member to the Commissioner of Education.

Staff members are advised to be concerned and aware such conduct deemed inappropriate may include, but is not limited to, communications and/or publications using e-mails, text-messaging, social networking sites, or any other form of electronic communication that is directed and/or available to students or for public display or publication.

While the Board respects the right of staff members to use social networking sites, staff members should recognize they are held to a higher standard than the general public with regard to standards of conduct and ethics. It is important that a staff member's use of these sites does not damage the reputation of the school district, employees, students, or their families. Staff members who utilize, post or publish images, photographs, or comments on social networking sites, blogs, or other forms of electronic communication outside their professional responsibilities shall ensure their use, postings, or publications are done with an appropriate level of professionalism and are appropriate conduct for a school staff member. Staff members should exercise care in setting appropriate boundaries between their personal and public online behavior, understanding that what is private in the digital world often has the possibility of becoming public even without their knowledge or consent.

The school district strongly encourages all staff members to carefully review the privacy settings on social networking sites they use and exercise care and good judgment when posting content and information on such sites. Staff members should adhere to the following guidelines, which are consistent with the district's workplace standards on



harassment, pupil relationships, conduct, professional communication, and confidentiality.

When using personal social networking sites, school staff members:

1. Should not make statements that would violate any of the district's policies, including its policies concerning discrimination or harassment;

2. Must uphold the district's value of respect for the individual and avoid making defamatory statements about the school district, employees, students, or their families;

3. May not disclose any confidential information about the school district or confidential information obtained during the course of his/her employment, about any individual(s) or organization, including students and/or their families;

4. Shall not use social networking sites to post any materials of a sexually graphic nature;

5. Shall not use social networking sites to post any materials which promote violence;

6. Shall not use social networking sites which would be detrimental to the mission and function of the district;

7. Are prohibited from using their school district title as well as adding references to the district in any correspondence including, but not limited to, e-mails, postings, blogs, and social networking sites unless the communication is of an official nature and is serving the mission of the district. This prohibition also includes signature lines and personal e-mail accounts;

8. Shall not post updates to their status on any social networking sites during normal working hours including posting of statements or comments on the social networking sites of others during school time unless it involves a school project. Employees must seek approval from the Superintendent of Schools for such use; and

9. Shall not post or publish any information the Commissioner of Education would deem to be inappropriate conduct by a school staff member.

The Policy of this district is to maintain a level of professionalism both during and after the school day. Any publication through any means of electronic communication which is potentially adverse to the operation, morale, or efficiency of the district, will be deemed a violation of this Policy. If the Board or Superintendent believes that a staff member's activity on any social networking site violates the district's policies, the Board or Superintendent may request that the employee cease such activity. Depending on the severity of the incident, the staff member may be subject to disciplinary action.

This Policy has been developed and adopted by this Board to provide guidance and direction to staff members on how to avoid actual and/or the appearance of inappropriate conduct toward students and/or the community while using social networking sites.

Adopted: 20 September 2012



3283 ELECTRONIC COMMUNICATIONS BETWEEN TEACHING STAFF MEMBERS AND STUDENTS

The Board of Education recognizes electronic communications and the use of social media outlets create new options for extending and enhancing the educational program of the school district. Electronic communications and the use of social media can help students and teaching staff members communicate regarding: questions during non-school hours regarding homework or other assignments; scheduling issues for school-related co-curricular and interscholastic athletic activities; school work to be completed during a student's extended absence; distance learning opportunities; and other professional communications that can enhance teaching and learning opportunities between teaching staff members and students. However, the Board of Education recognizes teaching staff members can be vulnerable in electronic communications with students.

In accordance with the provisions of N.J.S.A. 18A:36-40, the Board of Education adopts this Policy to provide guidance and direction to teaching staff members to prevent improper electronic communications between teaching staff members and students.

The Commissioner of Education and arbitrators, appointed by the Commissioner, have determined inappropriate conduct may determine a teaching staff member unfit to discharge the duties and functions of their position. Improper electronic communications by teaching staff members may be determined to be inappropriate conduct.

For the purposes of this Policy, "electronic communication" means a communication transmitted by means of an electronic device including, but not limited to, a telephone, cellular telephone, computer, computer network, personal data assistant, or pager. "Electronic communications" include, but are not limited to, e-mails, text messages, instant messages, and communications made by means of an Internet website, including social media and social networking websites.

For the purposes of this Policy, "professional responsibility" means a teaching staff member's responsibilities regarding co-curricular, athletic coaching, and any other instructional or non-instructional responsibilities assigned to the teaching staff member by the administration or Board of Education.

For the purposes of this Policy, "improper electronic communications" means an electronic communication between a teaching staff member and any student of the school district when:

1. The content of the communication is inappropriate as defined in this Policy; and/or

2. The manner in which the electronic communication is made is not in accordance with acceptable protocols for electronic communications between a teaching staff member and a student as defined in this Policy.

Inappropriate content of an electronic communication between a teaching staff member and a student includes, but is not limited to:

1. Communications of a sexual nature, sexually oriented humor or language, sexual advances, or content with a sexual overtone;

2. Communications involving the use, encouraging the use, or promoting or advocating the use of alcohol or tobacco, the illegal use of prescription drugs or controlled dangerous substances, illegal gambling, or other illegal activities;

3. Communications regarding the teaching staff member's or student's past or current romantic relationships;

4. Communications which include the use of profanities, obscene language, lewd comments, or pornography;

5. Communications that are harassing, intimidating, or bullying;

6. Communications requesting or trying to establish a personal relationship with a student beyond the teaching staff member's professional responsibilities;

7. Communications related to personal or confidential information regarding another school staff member or student; and

8. Communications between the teaching staff member and a student that the Commissioner of Education or an arbitrator would determine to be inappropriate in determining the teaching staff member is unfit to discharge the duties and functions of their position.

The following acceptable protocols for all electronic communications between a teaching staff member and a student shall be followed:



1. E-Mail Electronic Communications Between a Teaching Staff Member and a Student

   a. All e-mails between a teaching staff member and a student must be sent or received through the school district's e-mail system. The content of all e-mails between a teaching staff member and a student shall be limited to the staff member's professional responsibilities regarding the student.

   b. A teaching staff member shall not provide their personal e-mail address to any student. If a student sends an e-mail to a teaching staff member's personal e-mail address, the staff member shall respond to the e-mail through the school district e-mail system and inform the student his/her personal e-mail address shall not be used for any electronic communication between the teaching staff member and the student.

   c. A teaching staff member's school district e-mail account is subject to review by authorized school district officials. Therefore, a teaching staff member shall have no expectation of privacy on the school district's e-mail system.

2. Cellular Telephone Electronic Communications Between a Teaching Staff Member and a Student

   a. Communications between a teaching staff member and a student via a personal cellular telephone shall be prohibited.

      (1) However, a teaching staff member may, with prior approval of the Principal or designee, communicate with a student using their personal cellular telephone if the need to communicate is directly related to the teaching staff member's professional responsibilities for a specific purpose such as a field trip, athletic event, co-curricular activity, etc. Any such approval for cellular telephone communications shall not extend beyond the specific field trip, athletic event, co-curricular activity, etc. approved by the Principal or designee.



3. Text Messaging Electronic Communications Between Teaching Staff Members and Students

   a. Text messaging communications between a teaching staff member and an individual student are prohibited.

      (1) However, a teaching staff member may, with prior approval of the Principal or designee, text message students provided the need to text message is directly related to the teaching staff member's professional responsibilities with a class or co-curricular activity. Any such text message must be sent to every student in the class or every member of the co-curricular activity. Any such approval for text messaging shall not extend beyond the class or activity approved by the Principal or designee.

4. Social Networking Websites and other Internet-Based Social Media Electronic Communications Between Teaching Staff Members and a Student

   a. A teaching staff member is prohibited from communicating with any student through the teaching staff member's personal social networking website or other Internet-based website. Communications on personal websites are not acceptable between a teaching staff member and a student.

   b. A teaching staff member shall not accept "friend" requests from any student on their personal social networking website or other Internet-based social media website. Any communication sent by a student to a teaching staff member's personal social networking website or other Internet-based social media website shall not be responded to by the teaching staff member and shall be reported to the Principal or designee by the teaching staff member.

   c. If a teaching staff member has a student(s) as a "friend" on their personal social networking website or other Internet-based social media website they must permanently remove them from their list of contacts upon Board adoption of this Policy.



d. Communication between a teaching staff member and a student through social networking websites or other Internet-based social media websites is only permitted provided the website has been approved by the Principal or designee and all communications or publications using such websites are available to: every student in the class; every member of the co-curricular activity and their parents; and the Principal or designee.

Reporting Responsibilities

In the event a student sends an improper electronic communication, as defined in this Policy, to a teaching staff member, the teaching staff member shall report the improper communication to the Principal or designee by the next school day. The Principal or designee will take appropriate action to have the student discontinue such improper electronic communications. Improper electronic communications by a teaching staff member or a student may result in appropriate disciplinary action.

A teaching staff member and student may be exempt from the provisions outlined in this Policy if a teaching staff member and student are relatives. The parent of a student and the teaching staff member requesting an exemption from the provisions of this Policy must submit a written request to the Principal of the student's school indicating the family relationship between the student and the teaching staff member. The Principal will provide written approval of the request to the teaching staff member and the student. If the Principal does not approve the request, the teaching staff member and the student must comply with all provisions of this Policy. The Principal's approval of a request for this exemption shall only be for the individual teaching staff member and student included in the request and for the school year in which the request is submitted.

The provisions of this Policy shall be applicable at all times while the teaching staff member is employed in the school district and at all times the student is enrolled in the school district, including holiday and summer breaks.

A copy of this Policy will be made available on an annual basis, to all parents, students, and school employees either electronically or in school handbooks.

N.J.S.A. 18A:36-40

Adopted: 15 October 2014

3310 ACADEMIC FREEDOM

The curriculum adopted by the Board of Education is designed to address the educational goals established for this school district and to meet the needs of students. The course guides prepared for each course of study describe the material to be covered in each course and, in general, the approach to be employed by the teaching staff member responsible for the course.

The Board recognizes that some deviation from the course guide is necessary to the free exchange of ideas within the classroom. Exposure to a wide range of ideas encourages the spirit of inquiry that is essential to the learning process; the thorough examination of those ideas aids students in developing powers of reasoning and in acquiring habits of academic discipline.

The Board directs that the discussion of any issue not specifically covered by the course guide be conducted in an unprejudiced and dispassionate manner. The Board will not condone classroom discussion that is unrelated to the educational goals of this district or to the subject of the course of study, disrupts the educational process, does not match the maturity level of the students, neglects to inform students of various responsible points of view on the subject under discussion, or fails to take into account the sensibilities of the community.

Adopted: 19 October 2011

3321 ACCEPTABLE USE OF COMPUTER NETWORK(S)/COMPUTERS AND RESOURCES BY TEACHING STAFF MEMBERS

The Board recognizes that as telecommunications and other new technologies shift the manner in which information is accessed, communicated and transferred that those changes will alter the nature of teaching and learning. Access to telecommunications will allow teaching staff members to explore databases, libraries, Internet sites, bulletin boards and the like while exchanging information with individuals throughout the world. The Board supports access by teaching staff members to information sources but reserves the right to limit in-school use to materials appropriate to educational purposes. The Board directs the Superintendent to effect training of teaching staff members in skills appropriate to analyzing and evaluating such resources as to appropriateness for educational purposes.

The Board also recognizes that telecommunications will allow teaching staff members access to information sources that have not been pre-screened using Board approved standards. The Board therefore adopts the following standards of conduct for the use of computer network(s) and declares unethical, unacceptable, inappropriate or illegal behavior as just cause for taking disciplinary action, limiting or revoking network access privileges, instituting legal action or taking any other appropriate action as deemed necessary.

The Board provides access to computer network(s)/computers for administrative and educational purposes only. The Board retains the right to restrict or terminate teaching staff member's access to the computer network(s)/computers at any time, for any reason. The Board retains the right to have the Superintendent or designee monitor network activity, in any form necessary, to maintain the integrity of the network(s) and ensure its proper use.

Standards for Use of Computer Network(s)

Any individual engaging in the following actions declared unethical, unacceptable or illegal when using computer network(s)/computers shall be subject to discipline or legal action:

1. Using the computer network(s)/computers for illegal, inappropriate or obscene purposes, or in support of such activities. Illegal activities are defined as activities which violate federal, state, local laws and regulations. Inappropriate activities are defined as those that violate the intended use of the network(s). Obscene activities shall be defined as a violation of generally accepted social standards for use of publicly owned and operated communication vehicles.

2. Using the computer network(s)/computers to violate copyrights, institutional or third party copyrights, license agreements or other contracts.

3. Using the computer network(s) in a manner that:

   a. Intentionally disrupts network traffic or crashes the network;

   b. Degrades or disrupts equipment or system performance;

   c. Uses the computing resources of the school district for commercial purposes, financial gain or fraud;

   d. Steals data or other intellectual property;

   e. Gains or seeks unauthorized access to the files of others or vandalizes the data of another user;

   f. Gains or seeks unauthorized access to resources or entities;

   g. Forges electronic mail messages or uses an account owned by others;

   h. Invades privacy of others;

   i. Posts anonymous messages;

   j. Possesses any data which is a violation of this policy; and/or

   k. Engages in other activities that do not advance the educational purposes for which computer network(s)/computers are provided.

Violations

Individuals violating this policy shall be subject to appropriate disciplinary actions as defined by Policy No. 3150, Discipline which includes but are not limited to:

1. Use of the network(s)/computers only under direct supervision;

2. Suspension of network privileges;

3. Revocation of network privileges;

4. Suspension of computer privileges;

5. Revocation of computer privileges;

6. Suspension;

7. Dismissal;

8. Legal action and prosecution by the authorities; and/or

9. Any appropriate action that may be deemed necessary as determined by the Superintendent and approved by the Board of Education.

N.J.S.A. 2A:38A-3

Adopted: 19 October 2011

3322 STAFF MEMBER'S USE OF CELLULAR TELEPHONES

The Essex Fells Board of Education recognizes that cellular phones and other electronic devices are commonly used and relied upon by staff.

Staff shall not use cellular phones and other electronic devices when they are in contact with students. Cellular phones and other electronic devices shall be turned off when not being used in accordance with the parameters of this policy.

Staff shall be personally and solely responsible for the security of their cellular phones and other electronic devices. The Board shall not assume responsibility for theft, loss or damage of a cellular phone or other electronic device, or for unauthorized calls made on or other unauthorized use of a cellular phone, electronic games, gaming devices or other electronic device.

Definitions

"Other electronic devices" - shall include but not be limited to Blackberries, Personal Digital Assistants (PDAs), beepers, pagers, iPods, MP3 players, Walkmans, and other similar electronic devices.

"Use" - shall mean making or receiving phone calls, text messaging, emailing, taking or receiving photographs, playing games, listening to music, and any other function or feature of the cellular phone or electronic device.

"Turned off" - shall mean that the cellular phone or other electronic device is turned off so that it cannot function, and shall not mean that the cellular phone or other electronic device is in silent or vibrate mode.

"Staff" - shall include both certificated and non-certificated staff.

Adopted: 19 October 2011



3324 RIGHT OF PRIVACY

The Board of Education will provide facilities and school district-owned property to assist teaching staff members in their job responsibilities or for the teaching staff members' convenience. These facilities or district-owned property may include, but are not limited to, an office, a storage closet, a filing cabinet, a locker, and/or a desk. The Principal or designee may provide a teaching staff member with exclusive use and access to such facilities or school district-owned property or may require the facility or school district-owned property be shared with other staff members. The teaching staff member may be provided a lock or key by the school district or may secure the facility or school district-owned property using their own locking device with permission from the Principal or designee.

Teaching staff members should be aware their expectation of privacy in these facilities and/or the school district-owned property provided by the Board of Education is reduced by virtue of actual office practices and procedures, for searches conducted pursuant to an investigation of work-related employee misconduct, or by school district policies or regulations. In addition, teaching staff members shall have a reduced expectation of privacy in these facilities and school district-owned property if there is reasonable suspicion the teaching staff member is violating a law or school policy. Teaching staff members shall be on notice this reduced expectation of privacy may result in such facilities and/or school district-owned property being searched without a search warrant. In order to avoid exposing personal belongings to such a search, teaching staff members are discouraged from storing personal papers and effects in these facilities or school district-owned property.

The Board prohibits any audio or video recording of a teaching staff member or student by any student; other school staff member; visitor; or any other person while a teaching staff member is performing their Board-assigned job responsibilities without the prior written approval of the teaching staff member's Principal or supervisor. In addition to protecting the privacy rights of all teaching staff members, such recordings may violate the privacy rights of students and teaching staff members and can be disruptive to the educational program. The teaching staff members' Principal or supervisor's prior approval for a person to make an audio or video recording of a teaching staff member or a school-sponsored activity is not required for a school-sponsored activity that is open to parents, family members, or other members of the public to attend. Such activities include, but are not limited to: curricular activities; co-curricular activities; athletic events; student programs; or any other school-sponsored activity.



A person requesting prior approval to audio or video record a teaching staff member or student that is not permitted in accordance with the provisions of this Policy, must submit a written request to the Principal. The Principal will review the written request and provide the requester with a written decision. If a written approval is not provided by the Principal to the person submitting the request prior to the requested recording date or event, the request shall be deemed denied and the audio or video recording shall not be permitted.

Any person making an audio or video recording in violation of the provisions of this Policy shall be required to immediately cease making the recording to avoid violating the privacy rights of others. Any teaching staff member found to have violated the provisions of this Policy may be subject to discipline.

Adopted: 13 December 2023

3351 HEALTHY WORKPLACE ENVIRONMENT

The Board of Education recognizes a healthy workplace environment enables school district administrative and teaching staff members to fully contribute their expertise and skills to their school district responsibilities. A healthy workplace environment can improve productivity, reduce absenteeism, and reduce staff turnover while having a positive impact on the school district's programs provided to students in the school district.

A significant characteristic of a healthy workplace environment is that employees interact with each other with dignity and respect regardless of an employee's work assignment or position in the school district. Repeated malicious conduct of an employee or group of employees directed toward another employee or group of employees in the workplace that a reasonable person would find hostile or offensive is unacceptable and is not conducive to establishing or maintaining a healthy workplace environment. This unacceptable conduct may include, but is not limited to, repeated infliction of verbal abuse such as the use of derogatory remarks; insults; verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating; or the gratuitous sabotage or undermining of a person's work performance. A single act of such conduct shall not constitute the unacceptable conduct prohibited by this policy unless it is especially severe and egregious.

Unacceptable conduct, for the purposes of this policy, is not conduct toward an employee of a protected class or because of the employee's protected activity. These employees and activities are afforded the legal protections under various Federal and State anti-discrimination laws. In addition, unacceptable conduct for the purposes of this policy shall not be confused with conduct of management employees exercising management rights including, but not limited to, assigning tasks, reprimanding, assigning discipline, or directing.

Employees who believe the conduct prohibited by this policy has been directed toward them or to another employee of the school district shall submit a written report to the Superintendent. The written report shall provide specific details supporting the claim including, but not limited to, the specific conduct; the names of witnesses (if any) who may have observed such conduct; dates or times when such conduct occurred; and any other information the person(s) making the report believes will be informative and helpful to an investigation of the allegations. Upon receipt of a report, the Superintendent or designee will conduct an investigation and upon completion of the investigation will inform the person(s) who made the report such an investigation was completed. The amount of investigation information shared with the person(s) making the report will be at the discretion of the Superintendent or designee and may vary depending on whether the conduct reported was directed to the person(s) making the report, confidential personnel matters, and/or other issues as determined by the Superintendent or designee.



If the investigation determines conduct prohibited by this policy has taken place, the Superintendent or designee will meet with the offender(s) and the victim(s) to review the investigation results and to implement remedial measures to ensure such conduct does not continue or reoccur. Appropriate disciplinary action may be taken depending on the severity of conduct.

There shall be no reprisals or retaliation against any person(s) who reports conduct prohibited by this policy.

Adopted: 19 October 2011

3370 TEACHING STAFF MEMBER TENURE

The Board of Education recognizes that the benefit of tenure is conferred by law on teaching staff members who have completed the requisite period of probationary service in this school district. The Board also recognizes that certain service does not qualify the teaching staff member who performs that service for the grant of tenure.

Tenure in any administrative or supervisory position as listed in N.J.S.A. 18A:28-5 shall accrue only by employment in that administrative or supervisory position. Tenure so accrued will not extend to any other administrative or supervisory position and nothing shall limit or restrict tenure rights which were or may be acquired pursuant to N.J.S.A. 18A:28-6.

The Board specifically directs that service in the following positions will not accrue toward the tenure status and will be performed only under contract renewable at the discretion of the Board:

1. Substitute teacher acting in the absence of another employee;

2. Summer school teacher;

3. Co-curricular advisor;

4. Athletic coach; and

5. Department chairperson other than a supervisor.

Nothing in this policy will be deemed to confer tenure on any employee who serves in a position not listed above and for whom tenure is not provided by law.

N.J.S.A. 18A:16-1.1; 18A:28-3 et seq.; 18A:28-5 et seq.

Adopted: 19 October 2011

3372- TEACHING STAFF MEMBER TENURE ACQUISITION

In accordance with the provisions of N.J.S.A. 18A:28-5.a, teaching staff members employed prior to August 6, 2012 (the effective date of P.L.2012, c.26 – N.J.S.A. 18A:6-117 et seq.) in the positions of teacher, Principal, other than Administrative Principal, Assistant Principal, Vice Principal, Assistant Superintendent, and all school nurses including school nurse supervisors, head school nurses, chief school nurses, school nurse coordinators, and any other nurse performing school nursing services, school athletic trainer and such other employees as are in positions which require them to hold appropriate certificates issued by the Board of Examiners, serving in any school district or under any Board of Education, except those who are not the holders of proper certificates in full force and effect and School Business Administrators shared by two or more school districts, shall be under tenure during good behavior and efficiency and they shall not be dismissed or reduced in compensation except for inefficiency, incapacity, or conduct unbecoming such a teaching staff member or other just cause and then only in the manner prescribed by Subarticle B of Article 2 of Chapter 6 of N.J.S.A. 18A, after employment in the district or by the Board of Education for:

1. Three consecutive calendar years, or any shorter period which may be fixed by the employing Board for such purpose; or

2. Three consecutive academic years, together with employment at the beginning of the next succeeding academic year; or

3. The equivalent of more than three academic years within a period of any four consecutive academic years.

In accordance with the provisions of N.J.S.A. 18A:28-5.b, teaching staff members employed on or after August 6, 2012 (the effective date of P.L.2012, c.26 – N.J.S.A. 18A:6-117 et seq.) in the position of teacher, Principal, other than Administrative Principal, Assistant Principal, Vice Principal, Assistant Superintendent, and all school nurses, including school nurse supervisors, head school nurses, chief school nurses, school nurse coordinators, and any other nurse performing school nursing services, school athletic trainer and such other employees as are in positions which require them to hold appropriate certificates issued by the Board of Examiners, serving in any school district or under any Board of Education, excepting those who are not the holders of proper certificates in full force and effect, and School Business Administrators shared by two or more school districts, shall be under tenure during good behavior and efficiency and they shall not be dismissed or reduced in compensation except for inefficiency,

incapacity, or conduct unbecoming such a teaching staff member or other just cause and then only in the manner prescribed by Subarticle B of Article 2 of Chapter 6 of N.J.S.A. 18A, after employment in the district or by the Board of Education for:

1. Four consecutive calendar years; or

2. Four consecutive academic years, together with employment at the beginning of the next succeeding academic year; or

3. The equivalent of more than four academic years within a period of any five consecutive academic years.

In order to achieve tenure pursuant to N.J.S.A. 18A:28-5.b, a teacher shall also complete a district mentorship program during the initial year of employment and receive a rating of effective or highly effective in two annual summative evaluations within the first three years of employment after the initial year of employment in which the teacher completes the district mentorship program.

In order to achieve tenure pursuant to N.J.S.A. 18A:28-5.b, a Principal, Assistant Principal, and Vice Principal shall also receive a rating of effective or highly effective in two annual summative evaluations within the first three years of employment with the first effective rating being received on or after the completion of the second year of employment.

"Effective" or "highly effective" means the employee has received an annual summative evaluation rating of "effective" or "highly effective" based on the performance standards for his/her position established through the evaluation rubric adopted by the Board of Education and approved by the Commissioner of Education.

Tenure in any of the administrative or supervisory positions enumerated in N.J.S.A. 18A:28-5 et seq. shall accrue only by employment in that administrative or supervisory position. Tenure so accrued shall not extend to any other administrative or supervisory position and nothing in N.J.S.A. 18A:28-5 shall limit or restrict tenure rights which were or may be acquired, pursuant to N.J.S.A. 18A:28-6 – Tenure Upon Transfer or Promotion, in a position in which the individual actually served.

N.J.S.A. 18A:28-5

Adopted: 16 October 2013



3373- TENURE UPON TRANSFER OR PROMOTION

In accordance with the provisions of N.J.S.A. 18A:28-6.a, any such teaching staff member under tenure or eligible to obtain tenure under N.J.S.A. 18A:28-1 et seq. who is transferred or promoted with his/her consent to another position covered by N.J.S.A. 18A:28-1 et seq. on or after July 1, 1962, shall not obtain tenure in the new position until after:

1. The expiration of a period of employment of two consecutive calendar years in the new position unless a shorter period is fixed by the employing Board of Education for such purpose; or

2. Employment for two academic years in the new position together with employment in the new position at the beginning of the next succeeding academic year; or

3. Employment in the new position within a period of any three consecutive academic years, for the equivalent of more than two academic years;

provided that the period of employment in such new position shall be included in determining the tenure and seniority rights in the former position held by such teaching staff member, and in the event the employment in such new position is terminated before tenure is obtained therein, if he/she then has tenure in the district or under the Board of Education, such teaching staff member shall be returned to his/her former position at the salary which he/she would have received had the transfer or promotion not occurred together with any increase to which he/she would have been entitled during the period of such transfer or promotion.

In accordance with the provisions of N.J.S.A. 18A:28-6.b, any such teaching staff member under tenure or eligible to obtain tenure under N.J.S.A. 18A:28-1 et seq., who is transferred or promoted with his/her consent to another position covered by N.J.S.A. 18A:28-1 et seq. on or after August 6, 2012 (the effective date of P.L.2012, c.26 – N.J.S.A. 18A:6-117 et seq.), shall not obtain tenure in the new position until after:



1. The expiration of a period of employment of two consecutive calendar years in the new position; or

2. Employment for two academic years in the new position together with employment in the new position at the beginning of the next succeeding academic year; or

3. Employment in the new position within a period of any three consecutive academic years, for the equivalent of more than two academic years;

provided that the period of employment in such new position shall be included in determining the tenure and seniority rights in the former position held by such teaching staff member, and in the event the employment in such new position is terminated before tenure is obtained therein, if he/she then has tenure in the district or under the Board of Education, such teaching staff member shall be returned to his/her former position at the salary which he/she would have received had the transfer or promotion not occurred together with any increase to which he/she would have been entitled during the period of such transfer or promotion. In order to receive tenure pursuant to N.J.S.A. 18A:28-6.b, a teacher, Principal, Assistant Principal, and Vice Principal shall be evaluated as effective or highly effective in two annual summative evaluations within the first three years of employment in the new position. For purposes of N.J.S.A. 18A:28-6.b, "effective" or "highly effective" means the employee has received an annual summative evaluation rating of "effective" or "highly effective" based on the performance standards for his/her position established through the evaluation rubric adopted by the Board of Education and approved by the New Jersey Commissioner of Education.

N.J.S.A. 18A:28-6

Adopted: 16 October 2013

3381 PROTECTION AGAINST RETALIATION

The Board of Education will take no retaliatory action, by discharge, demotion, suspension, or any other adverse action, against an employee because that employee has conscientiously:

1. Disclosed or threatened to disclose to a supervisor or public body an activity, policy, or practice of this Board or any district officer that the employee reasonably believes to be in violation of law or rule;

2. Provided information to a public body conducting an investigation, hearing, or inquiry into any alleged violation of law by the Board or an officer of this district; or

3. Objected to or refused to participate in an activity, policy, or practice of this district that the employee reasonably believes to be in violation of law or rule, fraudulent, criminal, or incompatible with a clear mandate of public policy concerning the public health, safety, or welfare or protection of the environment.

An employee who has reason to believe that the Board has engaged in an illegal activity or an activity contrary to public policy must report that belief in writing to the Superintendent before notice is given to a supervisor or a public body. The Superintendent shall promptly report the same to the Board and institute an investigation of the reported activity. The findings of the investigation will be reported in writing to the Board and to the employee.

The protection of law and this policy apply only to employees who have given notice in accordance with this policy and have afforded the Board a reasonable period of time to take any corrective action that may be required or have acted in circumstances that the employee believes in good faith constitute an emergency.

The Superintendent shall post notice of this policy and inform employees of their rights under the New Jersey Conscientious Employee Protection Act.

N.J.S.A. 34:19-1

Adopted: 19 October 2011

3410 COMPENSATION

The Board of Education will establish the compensation for teaching staff members not covered by the terms of a negotiated agreement or in an individual contract with the Board.

N.J.S.A. 18A:6-6; 18A:16-11; 18A:27-4; 18A:29-2

Adopted: 19 October 2011

3420 BENEFITS

The Board of Education will establish benefits for teaching staff members not covered by the terms of a negotiated agreement in an individual contract with the Board.

N.J.S.A. 18A:6-6; 18A:16-12 et seq.; 18A:27-4

Adopted: 19 October 2011

3421.13 POSTNATAL ACCOMMODATIONS

The Board of Education recognizes teaching 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 teaching staff member entitled to overtime pay is designated as "non-exempt." A teaching 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 teaching staff members to express breast milk for their nursing child. The non-exempt teaching staff member shall coordinate such breaks with their immediate supervisor. The non-exempt teaching staff member will not receive compensation during this break time unless the break time is during a non-exempt teaching staff member's compensated break time.

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

All exempt and non-exempt teaching 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: 19 August 2020

3425 WORK RELATED DISABILITY PAY

The Board of Education will permit, in accordance with law, the absence without loss of pay or of annual or accumulated sick leave benefits of a teaching staff member disabled by accident or injury arising out of and in the course of employment. Any such employee shall seek the workers' compensation benefits to which he/she is entitled by law.

An employee whose disability has qualified for the receipt of workers' compensation benefits shall be presumed eligible for work related disability pay under this policy. When an employee's disability is so brief as to preclude the employee's application for workers' compensation benefits, the employee may request and the Board may grant work related disability pay.

Any employee who qualifies for work related disability pay under this policy will be entitled to receive full pay during the period he/she is on disability leave of absence, for up to twelve consecutive months.

As a condition of receiving full salary, an employee who receives workers' compensation benefits for his/her work-related disability must endorse and deliver to the Board all workers' compensation temporary disability checks received for the period covered by this policy.

N.J.S.A 18A:30-2.1; 18A:66-32.1
N.J.S.A 34:15-38

Adopted: 19 October 2011

3425.1 MODIFIED DUTY EARLY RETURN TO WORK PROGRAM – TEACHING STAFF MEMBERS

New Jersey's workers' compensation laws provide lost wages and pay medical expenses for an employee who sustains an injury as a result of an on-the-job accident, injury, or occupational disease. Workers' compensation is designed to protect school district employees and their families against the hardships from injury arising in the workplace. In an effort to assist school staff in recovering from an eligible workers' compensation injury, the Board provides a Modified Duty Early Return To Work Program. The Program is provided to staff members who have been injured on the job, but who are not permanently disabled. The Program is intended to minimize the negative psychological impact to an injured staff member due to being out of work and to provide a transition and adjustment period for the injured staff member to return to work while recovering from an on-the-job injury.

The school district may assign temporary modified duties and responsibilities to staff members that have sustained an eligible workers' compensation injury. These employees may temporarily perform duties and responsibilities that may or may not be within their job description, or may or may not be within their department. The modified duties and/or responsibilities will be within the injured staff member's capabilities and a staff member will not be assigned any modified duties and/or responsibilities that require any certifications/licenses that are not possessed by the injured staff member.

The modified duties and responsibilities will be determined by the School Business Administrator/Board Secretary, the district's designated Workers' Compensation Coordinator, after a medical examination and evaluation of the injured staff member by the Board's designated workers' compensation physician. The Workers' Compensation Coordinator will determine if the injured staff member is eligible for modified duties or responsibilities. This determination will be based on:

1. The workers' compensation physician's examination and evaluation report;

2. The injured staff member's capabilities to assume modified duties or responsibilities;

3. The availability of modified duties and responsibilities within the district at the time; and/or

4. Other issues that may impact the district's ability to assign modified duties and responsibilities.

This Modified Duty Early Return to Work Program will be administered consistent with applicable federal and State laws and in accordance with provisions of collective bargaining agreements within the district.

Adopted: 19 October 2011

3432 SICK LEAVE

The Board of Education shall grant sick leave, in accordance with law, to teaching staff members absent from work because of personal disability or quarantine. Each steadily employed employee eligible for sick leave will be entitled annually to the number of paid sick leave days negotiated with the employee's majority representative or provided in this policy or in an individual contract with the Board.

29 U.S.C. 2601 et seq.
N.J.S.A. 18A:30-1 et seq.

Adopted: 19 October 2011

3433 VACATIONS

The Board of Education believes that the school district benefits when teaching staff members employed to work twelve months a year are given periodic relief from the responsibilities of their positions without loss of compensation.

The Board reserves the right to determine the conditions under which vacation time may be taken when not otherwise covered by the terms of a negotiated agreement or in an individual contract with the Board.

N.J.S.A. 18A:30-7

Adopted: 19 October 2011

3435 ANTICIPATED DISABILITY

The Board of Education shall provide for leaves of absence, in accordance with law and the policies of this Board, for any employee of this district not covered by the terms of a negotiated agreement whose absence from duties will be required for a foreseeable event of disability such as childbirth or surgery.

An employee who anticipates disability shall so notify the Superintendent as soon as the employee is under medical supervision for the condition and a date is projected for the anticipated disability. Because of the potentially disabling nature of pregnancy and the certainty of temporary disability at birth, the Board will presume that a pregnant employee is disabled for work thirty days before the anticipated date of childbirth and continues to be disabled for thirty days after birth, except that any such employee who presents medical certification of her fitness may continue to work until she is actually disabled and may return to work as soon as she is able.

The Board reserves the right to require an employee who requests an extended leave of absence that includes anticipated disability to commence and/or terminate the leave at times that ensure continuity in the educational program in accordance with Policy No. 3431. No person who is required to take leave at a time other than that requested will be denied the use of sick leave for the anticipated disability that occurs or is presumed to occur during the leave.

An employee who anticipates a disability may request a leave of absence to commence before disability and to extend beyond the period of disability. Any such request shall be subject to Board discretion and the Board's policy on leave of absence. An employee on voluntary leave of absence is not eligible for sick leave pay for disability occurring during the period of that absence.

42 U.S.C. 2000e-2
29 C.F.R. 1604-1 et seq.
N.J.S.A. 10:5-12
N.J.S.A. 18A:6-6; 18A:16-2; 18A:30-1 et seq.

Adopted: 19 October 2011

3436 PERSONAL LEAVE

The Board of Education will provide compensated absence for reasons of personal necessity for teaching staff members not covered by the terms of a negotiated agreement or in an individual contract with the Board.

The Board reserves the right to determine the reasons for which personal leave will be granted, the number of days that may be used in any one school year for personal leave, and the manner of proof of personal necessity.

N.J.S.A. 18A:30-7

Adopted: 19 October 2011

3437 MILITARY LEAVE

The Board of Education recognizes that military service rendered by any district employee in the defense of the country or in maintaining preparedness for conflict, foreign or domestic, is a service benefiting all citizens. A permanent or full-time temporary officer and/or employee of the district will be provided military leave and related benefits pursuant to the Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. Section 4301 et seq., P.L. 2001 Chapter 351 amending N.J.S.A. 38:23-1, N.J.S.A. 38A:1-1 and N.J.S.A. 38A:4-4., and any other applicable Federal and State laws.

A permanent or full-time temporary officer or employee of the school district who is a member of the organized militia of New Jersey (New Jersey National Guard, New Jersey Naval Militia Joint Command) shall be entitled, in addition to pay received, if any, as a member of the organized militia, to a leave of absence from his or her respective duties without loss of pay or time on all days during which he or she shall be engaged in any period of State or Federal active duty; provided, however, that the leave of absence for Federal active duty or active duty for training shall not exceed ninety work days in the aggregate in any calendar year. Any leave of absence for such duty in excess of ninety work days shall be without pay, but without loss of time. Such leave shall be in addition to the regular vacation or other accrued leave provided to the officer or employee. A full-time temporary officer or employee who has served under such temporary appointment for less than one year in the district shall receive this leave without pay, but without loss of time.

A permanent or full-time temporary officer or employee of the school district who is a member of the organized reserve of the Army of the United States, United States Naval Reserve, United States Air Force Reserve, or United States Marine Corps Reserve, or other organization affiliated therewith, including the National Guard of other states, shall be entitled, in addition to pay received, if any, as a member of a reserve component of the Armed Forces of the United States, to a leave of absence from his or her respective duty without loss of pay or time on all work days on which he or she shall be engaged in any period of Federal active duty, provided, however, that such leave of absence shall not exceed thirty work days in any calendar year. Such leave shall be in addition to the regular vacation or other accrued leave provided to the officer or employee. Any leave of absence for such duty in excess of thirty work days shall be without pay, but without loss of time. A full-time temporary officer or employee who has served under such temporary appointment for less than one year in the district shall receive this leave without pay, but without loss of time.

Military leave with pay is not authorized for Inactive Duty Training (IDT) as defined in N.J.A.C. 5A:2-2.1.

The district will provide benefits and rights for staff on military leave as required by Federal and State laws.

N.J.S.A. 18A:6-33; 18A:28-11.1; 18A:29-11; 18A:66-8.1
N.J.S.A. 38:23-1 et seq.; 38A:1-1; 38A:4-4; 52:13H-2.1;
N.J.A.C. 5A:2-2.1
Uniformed Services Employment and Reemployment Rights Act
(USERRA), 38 U.S.C. Section 4301 et seq.

Adopted: 7 March 2018

3439 JURY DUTY

The Board of Education will indemnify any teaching staff member against loss of pay incurred by a call to jury duty. No such employee will be penalized in any way for an absence caused by service on a panel of grand or petit jurors. The time any such employee is absent on jury duty will not be charged against personal leave and will count as school district service.

Teaching staff members shall report a call to jury duty during the school term to the Principal or their immediate supervisor who shall determine whether or not a replacement is available. Teaching staff members scheduled for jury service during the school term for whom the administration indicates a replacement cannot reasonably be found shall seek from the Assignment Judge an excusal or deferment of service. Teaching staff members shall obtain from the Superintendent, or designee, a letter indicating the lack of availability of a substitute in such instances.

A teaching staff member who is a full-time teacher and is absent from school duties on jury duty for any court of New Jersey, any court of any other State, any federal district court, or in the U.S. District Court for New Jersey will receive their usual compensation from the school district for each day the teaching staff member is present for jury duty.

An employee summoned to jury duty shall promptly report the summons to the Superintendent. On return from jury duty, the employee must submit to the Superintendent a court record of the number of days served on jury duty.

While on jury duty, an employee must report daily to his/her supervisor the schedule for the following day and must report to work when he/she is excused from jury duty for half a day or more or suffer loss of pay.

N.J.S.A. 2B:20-1 et seq.; 2B:20-10; 2B:20-16

Adopted: 19 October 2011

4000 SUPPORT STAFF MEMBERS

Number	Title
4111	Creating Positions
4124	Employment Contract
4125	Employment of Support Staff Members (M)
4140	Termination
4145	Layoffs
4146	Nonrenewal of Nontenured Support Staff Member
4150	Discipline
4152	Withholding an Increment
4159	Support Staff Member/School Reporting Responsibilities
4160	Physical Examination (M)
4161	Examination for Cause
4211.3	Consulting Outside the District
4212	Attendance
4214	Conflict of Interest
4215	Code of Ethics
4216	Dress and Grooming
4217	Use of Corporal Punishment
4218	Use, Possession, or Distribution of Substances (M)
4220	Employee Evaluation
4230	Outside Activities
4233	Political Activities
4240	Employee Training
4281	Inappropriate Staff Conduct
4282	Use of Social Networking Sites – Support Staff
4283	Electronic Communications Between Support Staff Members and Students
4321	Acceptable Use of Computer Network(s)/Computers and Resources by Support Staff Members
4322	Staff Member's Use of Cellular Telephones
4324	Right of Privacy
4340	Grievance
4351	Healthy Workplace Environment
4360	Support Staff Member Tenure
4381	Protection Against Retaliation
4410	Compensation
4413	Overtime Compensation
4415	Substitute Wages

Number	Title
4420	Benefits
4421.13	Postnatal Accommodations
4425	Work Related Disability Pay
4425.1	Modified Duty Early Return to Work Program
4432	Sick Leave
4433	Vacations
4434	Holidays
4435	Anticipated Disability
4436	Personal Leave
4437	Military Leave
4438	Jury Duty

4111 CREATING POSITIONS

The Board of Education recognizes its authority to establish support staff positions that, when filled by qualified employees, will assist the district in the achievement of educational goals set by the Board.

The Board will create new positions as required, approve a job title appropriate to the position, and determine the number of persons required to staff adequately each such position.

The Superintendent shall recommend to the Board such new positions or additional staffing in existing positions as may be required by pupil enrollments and the operational needs of the district.

N.J.S.A. 18A:16-1; 18A:17-24; 18A:28-1

Adopted: 19 October 2011

4124 EMPLOYMENT CONTRACT

The Board of Education requires that every nontenured support staff member annually sign an employment contract for a term of not more than one year.

The employment contract shall include the date; name of the employee; the beginning and ending dates of service (fixed term appointment); the salary to be paid and the manner of payment; an authorization for salary deductions as applicable; and such other terms and conditions as may be necessary to a complete statement of the employment relationship.

The contract may include a provision for a probationary employment period with a provision providing the Board the right to terminate the employment of the nontenured support staff member at the completion of the probationary employment period. The contract will include a provision for the termination of the nontenured support staff member's contract on 60 days notice duly given by either party.

In the event the salary entered on the written contract differs from that formally approved by the Board, the salary approved by the Board shall be the salary paid.

Adopted: 16 October 2013

4125 EMPLOYMENT OF SUPPORT STAFF MEMBERS

The Board of Education believes it is vital to the successful operation of the school district that support staff member positions be filled with highly qualified and competent professionals.

In accordance with the provisions of N.J.S.A. 18A:27-4.1, the Board shall appoint, transfer, remove, or renew a certificated or non-certificated officer or employee only upon the recommendation of the Superintendent of Schools and by a recorded roll call majority vote of the full membership of the Board. The Board shall not withhold its approval for arbitrary and capricious reasons. The Board shall approve the employment, fix the compensation, and establish the term of employment for every support staff member employed by this district.

The Board may employ substitutes and/or contract for substitutes for absent support staff members in order to ensure continuity in a program. The Board will annually approve a list of substitutes and rate of pay and/or the Board will approve a contract for a contracted service provider to provide substitute support staff members.

The Board of Education shall not employ for pay or contract for the paid services of any support staff member or any other person serving in a position which involves regular contact with students unless the Board has first determined consistent with the requirements and standards of N.J.S.A. 18A:6-7.1 et seq. that no criminal history record information exists on file in the Federal Bureau of Investigation, Identification Division, or the State Bureau of Identification which would disqualify the individual from being employed or utilized in such capacity or position.

An individual employed by the Board or a school bus contractor holding a contract with the Board, in the capacity of a school bus driver, shall be required to meet the criminal history record requirements as outlined in N.J.S.A. 18A:39-19.1.

The Board will employ paraprofessional school aides and/or classroom aides to assist in the supervision of student activities under the direction of a Principal, teacher, or other designated certified professional personnel. Aides will serve the needs of students by performing nonprofessional duties and may work only under the direct supervision of a teaching staff member(s).

In accordance with the requirements of the Every Student Succeeds Act (ESSA), paraprofessionals hired after January 8, 2002, who work in a program supported with Title I, Part A funds, with certain exceptions, must meet one of the following criteria:

1. Completed at least two years of study at an institution of higher education;

2. Obtained an associate's (or higher) degree; or

3. Met a rigorous standard of quality and be able to demonstrate, through a formal State or local academic assessment, knowledge of and the ability to assist in instructing, reading, writing, and mathematics (or, as appropriate, reading readiness, writing readiness, and mathematics readiness).

Paraprofessional staff working in a Title I school, and whose salary is paid for in whole or in part with Title I funds, must meet one of the criteria listed above. The Superintendent or designee will ensure paraprofessionals working in a program supported with Title I funds meet the above stated requirements.

An individual employed by the Board in any substitute capacity or position shall be required to undergo a criminal history record check in accordance with the provisions of N.J.S.A. 18A:6-7.1b.

An individual, except as provided in N.J.S.A. 18A:6-7.1g, shall be permanently disqualified from employment or service in the school district if the criminal history record check reveals a record of conviction for any crime or offense as defined in N.J.S.A. 18A:6-7.1 et seq.

The Board or contracted service provider may employ an applicant on an emergent basis for a period not to exceed three months, pending completion of a criminal history record check if the Board or contracted service provider demonstrates to the Commissioner of Education that special circumstances exist which justify the emergent employment as prescribed in N.J.S.A. 18A:6-7.lc. In the event the criminal history record check is not completed for an emergent hired employee within three months, the Board or contracted service provider may petition the Commissioner for an extension of time, not to exceed two months, in order to retain the employee.

No criminal history record check shall be performed unless the applicant shall have furnished written consent to such a check. The applicant shall bear the cost for the criminal history record check, including all costs for administering and processing the check. The district will deny employment to an applicant if the applicant is required and refuses to submit to a criminal history record check.

The Board of Education prohibits any relative of a Board member or the Superintendent of Schools from being employed in an office or position in the school district in accordance with the provisions of N.J.A.C. 6A:23A-6.2 and Board Policy 0142.1 – Nepotism.

A support staff member's misstatement of fact material to his/her qualifications for employment or the determination of his/her salary will be considered by the Board to constitute grounds for dismissal.

N.J.S.A. 18A:6-5; 18A:6-6; 18A:6-7.1; 18A:6-7.1b;
18A:6-7.1c; 18A:6-7.2; 18A:16-1 et seq.;
18A:26-1 et seq.; 18A:27-1 et seq.; 18A:27-4.1;
18A:27-7; 18A:27-8; 18A:39-19.1
N.J.S.A. 18A:54-20 (vocational districts)

Adopted: 17 March 2021

4140 TERMINATION

The Board of Education will enter a contract with each non-tenured support staff member providing, in part, for the termination of employment by either party. The Board may terminate the employment of an employee for incompetence, immorality, unfitness for service, insubordination, reduction in force, or other good cause. Any notification of termination for cause will include a full statement of the reasons for the dismissal on notice duly given a non probationary employee.

The Board may terminate an employment contract with a non-tenured support staff member only upon the recommendation of the Superintendent and by a recorded roll call majority vote of the full membership of the Board. The Board will not withhold its approval for arbitrary and capricious reasons. N.J.S.A. 18A:27-4.1.

An employee who offers insufficient notice of termination will be paid only through the last day of his/her service.

The Board may temporarily suspend an employee with or without pay and without notice when his/her continued services may be inimical to the interests of students.

N.J.S.A. 18A:6-10; 18A:17-2; 18A:17-3; 18A: 27-4.1

Adopted: 19 October 2011

4145 LAYOFFS

The Board of Education shall provide the support staff necessary for the operation of the district in a manner that is efficient and economical.

The Board reserves the right to abolish support staff positions and reduce district staff commensurately whenever reasons of economy, reorganization of the school district, reduction in the number of students, or other good cause so warrant. The Superintendent shall continually review the efficiency and effectiveness of district organization and recommend to the Board the creation and abolishment of support staff positions and the reallocation of duties and positions.

When two or more employees are employed in the same classification of employment in which a position is abolished, the employee shall be reemployed who has demonstrated greater competence.

When, as the result of the abolishment of a position, an employee is demoted in position, the employee shall receive the salary of the position to which he/she has been assigned.

N.J.S.A. 18A:6-10; 18A:17-4

Adopted: 19 October 2011

4146 NONRENEWAL OF NONTENURED SUPPORT STAFF MEMBER

The Board will renew the employment contract of a nontenured support staff member only upon the recommendation of the Superintendent and by a recorded roll call majority vote of the full membership of the Board. The Board will not withhold its approval for arbitrary and capricious reasons. A nontenured support staff member who is not recommended for renewal by the Superintendent is deemed nonrenewed.

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

The Superintendent shall provide written notification each nontenured support staff member to whom reemployment will not be offered in writing in accordance with the terms of any applicable collective bargaining agreement, individual contract, or any other agreement between the parties. Paraprofessionals continuously employed since the preceding September 30 as a school aide or classroom aide in a school district that received funding under Title I of the Federal Elementary and Secondary Education Act of 1965 shall be notified of renewal or nonrenewal on or before May 15 in each year in accordance with the provisions of N.J.S.A. 18A:27-10.2.

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

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



The Board is not required to offer reemployment or vote on reemployment after an informal appearance with a nontenured support staff member who was not recommended for reemployment by the Superintendent. The Board may, with a majority vote of its full membership in public session and without the recommendation of the Superintendent, offer the nontenured support staff member reemployment after the informal appearance before the Board. Within three working days following the informal appearance, the Board shall notify the affected nontenured support staff member, in writing, of its final determination.

The provisions as outlined in Policy and Regulation 4146 may be revised or adjusted by the Superintendent of Schools to be in accordance with the terms and timelines of any applicable collective bargaining agreement, individual contract, or any other agreement between the parties provided the terms are not contrary to any statute, administrative code, or any management rights of the Board.

This Policy does not apply to the contract renewal of the Treasurer of School Moneys, Board Auditor, Board Attorney or Board Secretary, except a Board Secretary who performs business administration functions.

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

Adopted: 6 October 2021

4150 DISCIPLINE

The Board of Education directs all support staff members to observe statutes, rules of the State Board of Education, policies of this Board, and duly promulgated administrative rules and regulations governing staff conduct. Violations of those statutes, rules, policies, and regulations will be subject to discipline.

The Superintendent or designee shall deal with disciplinary matters on a case by case basis. Discipline will include, as appropriate, verbal and written warnings, transfer, suspension, freezing wages, and dismissal; discipline will provide, wherever possible, for progressive penalties for repeated violations.

In the event disciplinary action is contemplated, notice will be given to the employee in ordinary and concise language of the specific acts and omissions upon which the disciplinary action is based; the text of the statute, policy, rule, or regulation that the employee is alleged to have violated; a date when the employee may be heard and the administrator who will hear the matter; and the penalty that may be imposed.

N.J.S.A. 18A:25-7; 18A:27-4
N.J.S.A. 34-13A-1 et seq.; 34:19-1

Adopted: 19 October 2011

4152 WITHHOLDING AN INCREMENT

The Board of Education recognizes that any advancement on a salary schedule, including annual increments and raises, is not automatic but rests within the discretion of the Board.

Advancement on any salary schedule shall require favorable reports covering the employee's competence and thoroughness in the performance of assigned duties as well as the employee's record of attendance and compliance with district regulations.

The Superintendent shall base a recommendation for withholding an increment on evaluations of the employee's performance and conduct. The Superintendent must also show to the satisfaction of the Board that the standards by which an employee has been evaluated are not exceptional or unusual and are expected of all employees in a similar classification.

N.J.S.A. 18A:29-14

Adopted: 19 October 2011

4159 SUPPORT STAFF MEMBER/SCHOOL REPORTING RESPONSIBILITIES

All support staff members shall be required to report their arrest or indictment for any crime or offense to the Superintendent within fourteen calendar days of the arrest or indictment. For purposes of this policy, "support staff members" shall include all school employees who hold a position in the school for which no certificate issued by the New Jersey State Board of Examiners is required.

The report submitted to the Superintendent shall include the date of arrest or indictment and charge(s) lodged against the support staff member. Such support staff members shall also report to the Superintendent the disposition of any charges within seven calendar days of the disposition. Failure to comply with these reporting requirements may be deemed "just cause" for disciplinary action, which may include termination or non-renewal of employment in accordance with law.

Teaching staff members are required to report their arrest or indictment for any crime or offense in accordance with Policy 3159 and N.J.A.C. 6A:9B-4.3.

The school shall make these reporting requirements known to all new support staff members upon initial employment and to all employees on an annual basis.

Adopted: 19 October 2016



4160 PHYSICAL EXAMINATION

The Board of Education shall require any candidate for employment who has received a conditional offer of employment to undergo a physical examination pursuant to N.J.S.A. 18A:16-2.a. to determine whether the candidate is able to perform with reasonable accommodation job-related functions pursuant to P.L. 101-336, Americans with Disabilities Act of 1990 (ADA), pursuant to N.J.A.C. 6A:32-6.3.

If upon completing an examination it is determined a candidate for employment who received a conditional offer of employment is unable to perform with reasonable accommodation job-related functions pursuant to the provisions of the ADA, the conditional offer of employment will be rescinded either by the Superintendent of Schools, if the Board has not yet approved the appointment, or by the Board, if the Board had approved the appointment at a Board meeting.

In accordance with N.J.A.C. 6A:32-6.2(a), the Board will develop the requirements for the physical examination and provide for notification to candidates for employment regarding the requirements for the physical examination which shall include, but not be limited to, a health history to include past serious illnesses and injuries; current health problems; allergies; and a record of immunizations. The physical examination shall also include, but not be limited to, a health screening to include, but not be limited to: height and weight; blood pressure; pulse and respiratory rate; vision screening; and hearing screening.

Pursuant to N.J.S.A. 18A:16-3, the Board shall bear the cost of physical examinations required by this Policy performed by a physician or institution designated by the Board. However, the candidate shall bear the cost if the examination is performed by a physician or institution designated by the candidate with approval of the Board. In the event the Board approves the physician or institution designated by the candidate to complete an examination required by this Policy, the candidate will be provided with the detailed requirements of the examination.

Support staff member physicals, examinations, and/or annual medical updates do not require screening or disclosure of HIV status.

The Board will follow the current New Jersey Department of Health Guidance for Tuberculosis (TB) Testing in New Jersey Schools.

Health records of candidates for employment and current support staff members, including computerized records, shall be secured, stored, and maintained separately from other personnel files pursuant to N.J.A.C. 6A:32-6.3(d). The information contained in medical

records shall be kept confidential. Only the support staff member, the Superintendent, and the school medical inspector shall have access to medical information regarding an individual support staff member.

Health records shall be the property of the Board and may be shared only with authorized individuals in accordance with N.J.S.A. 18A:16-5 and N.J.A.C. 6A:32-6.3(d).

Pursuant to N.J.A.C. 6A:32-6.3(c), an individual support staff member may provide health-status information, including medications that may be of value to medical personnel in the event of an emergency requiring treatment. In such instances, a support staff member may also choose to share with the Principal and, if desired, with the certified school nurse, information regarding current health status to assure ready access in a medical emergency.

Pursuant to N.J.S.A. 18A:16-2, the Board may require physical or psychiatric examinations of a support staff member whenever, in the Board's judgment, a support staff member shows evidence of deviation from normal physical or mental health. Any additional individual examinations will be pursuant to the requirements of N.J.A.C. 6A:32-6.3(b). Additional examinations and/or certifications may be required to verify fitness in accordance with Policy 4161 – Examination for Cause or disability in accordance with Policies 4425 – Work Related Disability Pay and 4435 – Anticipated Disability.

42 USC 12101
N.J.S.A. 18A:16-2; 18A:16-3; 18A:16-5
N.J.A.C. 6A:32-6.1; 6A:32-6.2; 6A:32-6.3

Adopted: 18 September 2024



4161 EXAMINATION FOR CAUSE

A. Pursuant to N.J.S.A. 18A:16-2 and N.J.A.C. 6A:32-6.3, the Board of Education may require physical or psychiatric examinations of a support staff member whenever, in the judgment of the Board, a support staff member shows evidence of deviation from normal physical or mental health, to determine the support staff member's physical and mental fitness to perform, with reasonable accommodation, the position the support staff member currently holds, or to detect any health risk(s) to students and other employees. When the Board requires a support staff member to undergo a physical or psychiatric examination:

1. The Board shall provide the support staff member with a written statement of the reasons for the required examination; and

2. The Board shall provide the support staff member with a hearing, if requested.

   a. Notice of the support staff member's right to a hearing shall be provided with the statement of reasons for the required examination;

   b. The support staff member must request the Board hearing, in writing, within five working days of the support staff member's receipt of the written statement of reasons:

      (1) The support staff member shall be ordered to submit to the appropriate examination(s) by the physician or institution designated by the Board if the support staff member failed to timely request a hearing before the Board;

   c. The Board hearing shall be conducted in accordance with the provisions of N.J.S.A. 18A:25-7 and will offer the support staff member the opportunity to appear before the Board to refute the reason(s) for the required examination(s);

   d. The support staff member shall be ordered to submit to the appropriate examination(s) by the physician or institution designated by the Board if the support staff member failed to persuade the Board at the hearing that the support staff member should not be required to submit to the appropriate examination(s); and

e. The determination of such a hearing shall be appealable to the Commissioner pursuant to N.J.S.A. 18A:6-9 and N.J.A.C. 6A:4 - Appeals.

3. The support staff member may, without reprisal, refuse to waive their right to protect the confidentiality of medical information, in accordance with P.L. 104-191, Health Insurance Portability and Accountability Act of 1996.

B. Pursuant to N.J.S.A. 18A:16-3, the Board shall bear the cost of examinations made by a physician or institution designated by the Board. However, the support staff member shall bear the cost if the examination is performed by a physician or institution designated by the support staff member with approval of the Board.

1. If the support staff member submits names of physicians or institutions to the Board for consideration to complete the appropriate examination(s), the Board is not required to designate the physician or institution submitted for consideration by the support staff member, but shall not act unreasonably in withholding its approval of the physician or institution.

2. The support staff member shall authorize the physician or institution performing the examination to immediately release the examination results to the Superintendent.

3. All records and reports relating to any such examination shall be the property of the Board, in accordance with N.J.S.A. 18A:16-5.

a. Health records of support staff members, including computerized records, shall be secured, stored, and maintained separately from other personnel files; and

b. Health records may be shared only with authorized individuals in accordance with N.J.S.A. 18A:16-5.

4. If the results of any such examination indicate mental abnormality or communicable disease, the support staff member shall be ineligible for further service until proof of recovery, satisfactory to the Board, is furnished, but if the support staff member is under contract or has tenure, they may be granted sick leave with compensation as provided by law and shall, upon satisfactory recovery, be permitted to complete the term of their contract, if they are under contract, or be reemployed with the same tenure as they possessed at the time their services were discontinued, if they have

tenure, unless their absence shall exceed a period of two years in accordance with N.J.S.A. 18A:16-4.

C. In order to return to work, the support staff member must submit to an appropriate examination and submit the results of the examination to the Superintendent.

1. The examination must be conducted by a physician or institution upon which the Board and support staff member confer and agree;

2. If the physician or institution conducting the examination is conducted by the Board's choice, the cost shall be borne by the Board; if the physician or institution conducting the examination is conducted by the support staff member's choice, the cost shall be borne by the support staff member; and

3. The support staff member shall authorize the physician or institution performing the examination to immediately release the examination results to the Superintendent.

D. A support staff member who refuses to submit to the examination required by the Board in accordance with this Policy and has exhausted the hearing procedures established by law and this Policy shall be subject to discipline, which may include, but is not limited to, termination or certification of tenure charges to the Commissioner of Education, as applicable.

42 U.S.C.A. 12101
N.J.S.A. 18A:6-10; 18A:16-2; 18A:16-3; 18A:16-4; 18A:16-5
18A:25-7; 18A:28-5; 18A:30-1 et seq.
N.J.A.C. 6A:32-6.2; 6A:32-6.3

Adopted: 13 December 2023

4211.3 CONSULTING OUTSIDE THE DISTRICT

The Board of Education recognizes that support staff members will have expertise and knowledge in areas that other school districts, agencies, and other entities may desire. Recognizing that the school district will request the expertise from support staff members from other school districts, agencies and other entities, the Board supports sharing of its support staff members with other school districts, agencies, and other entities to the extent it does not interfere with the efficient operation of the school district.

The Superintendent may recommend to the Board a support staff member's attendance in another school district, agency or other entity without additional remuneration to the support staff member or school district, upon a written request from the agency or from the support staff member.

The Board of Education recognizes support staff members will have expertise and knowledge in areas that other school districts, public and private agencies, and private business organizations may desire to compensate as a paid consultant. When a support staff member serves as a paid consultant, the support staff member is not permitted to use normal work hours for any paid consulting activities. The support staff member must complete any paid consulting activities on their own time to include vacation days, evenings, weekends, and/or school holidays.

The support staff member must comply with the New Jersey School Ethics Act N.J.S.A. 18A:12-21 et seq. and, if required, must comply with financial disclosure requirements of N.J.S.A. 18A:12-24 and 12-25.

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

Adopted: 19 October 2011

4212 ATTENDANCE

The regular and prompt attendance of support staff members is an essential element in the efficient operation of the school district and the effective conduct of the educational program. Support staff member absenteeism disrupts the educational program and the Board of Education considers attendance an important component of a support staff member's job performance.

Support staff members shall provide notice for the use of sick time as required in N.J.S.A. 18A:30-4 and Policy and Regulation 1642.01 in accordance with the district's procedure for support staff members to report the use of sick leave and other absences. A support staff member who fails to give prompt notice of an absence, misuses sick leave, fails to verify an absence in accordance with statute, administrative code, or Board policy; falsifies the reason for an absence; is absent without authorization; is repeatedly tardy; or accumulates an excessive number of absences may be subject to appropriate consequences, which may include, but not be limited to, the withholding of a salary increment, termination, nonrenewal, and/or certification of tenure charges.

Sick leave is defined in accordance with N.J.S.A. 18A:30-1 and Policy and Regulation 1642.01. No support staff member will be discouraged from the prudent, necessary use of sick leave and any other leave provided for by statute; administrative code; the collective bargaining agreement; in an individual employment contract; or the policies of the Board. The Superintendent or Board of Education may require verification to be filed with the Secretary of the Board in order to obtain sick leave in accordance with the provisions of N.J.S.A. 18A:30-4 and Policy and Regulation 1642.01.

The Superintendent, in consultation with administrative staff members, will review the rate of absence among support staff members. The review will include the collection and analysis of attendance patterns, the training of support staff members in their attendance responsibilities, and the counseling of support staff members for whom regular and prompt attendance is a problem.

N.J.S.A. 18A:30-1; 18A:30-2; 18A:30-4

Adopted:

4214 CONFLICT OF INTEREST

No support staff member of the Board of Education shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity which is in conflict with the proper discharge of the teaching staff member's duties.

No support staff member shall use or attempt to use his/her position to secure unwarranted privileges or advantages.

No support staff member of the Board shall act in his/her official capacity in any matter wherein he/she has a direct or indirect personal financial interest.

All employees of the district are prohibited from accepting items of material value from companies or organizations doing business with the school district. Exception to this policy is the acceptance of minor items which are generally distributed by companies or organizations through their regular public relations programs. The maximum value of any gift from any one individual or organization should not exceed $25.00. The only exception is when the gift is directly related to material or equipment for pupil use.

No employee of the school district is to accept any commission or gift from individuals or companies seeking to sell equipment to our school. This includes materials for construction, repairs, maintenance of the school plant, for the conduction of pupil classes, and for materials and supplies used in school organizations, such as clubs, class activities, etc. The Board shall always welcome the writing of letters to the Board or its staff expressing gratitude or appreciation.

The Board of Education discourages the presentation of gifts to teaching staff members by students and their parent(s) or legal guardian(s), because it may embarrass students with limited means and give the appearance of currying favor.

The Board directs that support staff members instruct students to express their appreciation by means other than gifts.

Support staff members may receive gifts of only nominal value from students or their parent(s) or legal guardian(s).

The Superintendent may approve an act or gift of appreciation to an individual teaching staff member when special circumstances warrant.

N.J.S.A. 18A:6-8; 18A:11-1

Adopted: 19 October 2011

4215 CODE OF ETHICS

All support staff employees will:

Represent themselves honestly in the application and selection procedure;

Report to work as scheduled;

Discuss complaints with their immediate superior, or through approved channels;

Not advise or counsel students except in special cases with the knowledge and consent of the Superintendent/Principal;

Complete thoroughly their assigned tasks;

Endeavor to establish good working relationships with other employees, professional as well as non-professional;

Commit themselves to providing the best possible services for students;

Uphold all rules and regulations as set by the Board and the Superintendent/Principal;

Keep the trust under which confidential information may be given;

Adhere to all the conditions of a contract;

Give prompt notice of any change in availability for continued employment; and

Protect and care for district property.

Adopted: 19 October 2011

4216 DRESS AND GROOMING

The Board of Education believes the appearance and dress of support staff members is an important component of the educational program of this school district. The attitude of support staff members about their professional responsibilities and the importance of education in the lives of students are reflected in their dress and appearance. Accordingly, in order to create an atmosphere of respect for support staff members and an environment conducive to discipline and learning, the Board establishes the following rules for the dress of support staff members in the performance of their professional duties:

1. Acceptable attire for support staff members shall include, but not be limited to, dresses, skirts, blouses, suits, sweaters, pants, and dress shirts with or without a tie;

2. Inappropriate attire within the regular school day includes, but is not limited to, the following:

   a. Jeans (unless approved by the Principal or designee for a special activity or event);

   b. T-shirts;

   c. Strapless shirts and dresses;

   d. Sweatshirts, shorts, sweatpants, workout attire unless approved by the Principal or designee;

   e. Beachwear; and

   f. Hats and/or head coverings unless approved by the Principal or designee for medical or religious reasons.

3. The clothing and appearance of all support staff members shall be clean and neat;

4. No clothing may be worn that constitutes a danger to health or safety to the wearer or to others, and no clothing may be worn that interferes with the instructional program;

5. A support staff member may request a waiver of this dress code for the performance of particular duties. Such waivers may be granted by the Principal or designee or the support staff member's immediate supervisor;

6. The Building Principal or the support staff member's supervisor, as appropriate, shall determine whether a violation of this dress code has occurred and shall discuss the violation with the support staff member concerned. Where a single violation so warrants or violations recur, the Principal or supervisor may enter a reprimand in the support staff member's file and may recommend other appropriate disciplinary measures.

N.J.S.A. 18A:27-4

Adopted: 21 September 2022

4217 USE OF CORPORAL PUNISHMENT

No support staff member employed by the Board or a person engaged in any school in the school district shall inflict or cause to be inflicted corporal punishment upon a student attending any school in the school district; but any such support staff member may, within the scope of their employment, use and apply such amounts of force as is reasonable and necessary:

1. To quell a disturbance, threatening physical injury to others;

2. To obtain possession of weapons or other dangerous objects upon the person or within the control of a student;

3. For the purpose of self-defense; and

4. For the protection of persons or property;

and such acts, or any of them, shall not be construed to constitute corporal punishment pursuant to N.J.S.A. 18A:6-1. Every resolution, bylaw, rule, ordinance, or other act or authority permitting or authorizing corporal punishment to be inflicted upon a student attending any school in the district shall be void.

Any support staff member employed by the Board found to have violated this Policy may be subject to discipline by the Board.

N.J.S.A. 18A:6-1; 18A:37-1

Adopted: 16 August 2023

4218 USE, POSSESSION, OR DISTRIBUTION OF SUBSTANCES

The Board of Education recognizes a support staff member who reports to work under the influence of a substance poses a significant threat to their health, safety, and welfare and the health, safety, and welfare of others, including students and other staff members. The Board strongly advises any support staff member that has a dependency on a substance as defined in this Policy to seek appropriate treatment. The Board has an obligation and the right to maintain a safe and healthy work environment and adopts this Policy as an important component toward maintaining a safe environment in the school district.

For the purpose of this Policy, "substance" or "substances" as defined in N.J.S.A. 18A:40A-9 and N.J.A.C. 6A:16-4.1(a) means alcoholic beverages; any controlled dangerous substances, including anabolic steroids as defined in N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2; any chemical or chemical compound which releases vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes as defined in N.J.S.A. 2C:35-10.4; and over-the-counter and prescription medications that are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system.

A support staff member shall be required to submit to an immediate medical examination to include a substance test if the support staff member's supervisor has reasonable suspicion to believe a support staff member is under the influence of a substance during work hours or at a school-sponsored function where the support staff member has been assigned job responsibilities. Refusal by a support staff member to consent to the medical examination including a substance test will be deemed a positive result for substances. In the event the results of the medical examination and substance test are not provided to the Superintendent, within twenty-four hours or as soon as the test results are available, it will be deemed a positive result for substances and the support staff member shall be subject to appropriate discipline. Any required medical examination and testing shall be paid for by the Board.

In the event the Board physician determines the support staff member was under the influence of a substance, the determination shall be reported to the Superintendent and the support staff member will be subject to appropriate discipline. Appropriate discipline may include, but not be limited to, withholding an increment, terminating a non-tenured support staff member, and/or filing tenure charges for a tenured support staff member in



accordance with law. The support staff member will be afforded the opportunity to have positive test results confirmed using acceptable confirmation test practices. This confirmation test shall be paid for by the support staff member.

In the event a support staff member's medical examination and substance test results are negative for a substance or if the Board physician determines the support staff member was not under the influence of a substance, the results or determination shall be reported to the Superintendent and the support staff member shall be returned to their position unless the Superintendent has a reason the support staff member should not be returned to their position.

In accordance with the requirements of N.J.A.C. 6A:16-6.3(a), any staff member who, in the course of their employment, has reason to believe a staff member has unlawfully possessed or in any way been involved in the distribution of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia, shall report the matter as soon as possible to the Principal, or in the absence of the Principal, to the staff member's supervisor responsible at the time of the alleged violation. Either the Principal or the staff member's supervisor responsible at the time of the alleged violation shall notify the Superintendent who shall notify, as soon as possible, the County Prosecutor or other law enforcement official designated by the County Prosecutor to receive such information. The Superintendent or designee shall provide to the County Prosecutor or designee all known information concerning the matter, including the identity of the staff member involved.

In accordance with the provisions of N.J.A.C. 6A:16-6.3(a)3, the Superintendent or designee shall not disclose the identity of a staff member who has voluntarily sought and participated in an appropriate treatment or counseling program for an alcohol or drug abuse problem, provided the staff member is not reasonably believed to be involved or implicated in drug-distribution activities. An admission by a staff member in response to questioning initiated by the Principal or Superintendent's designee or following the discovery by the Principal or Superintendent's designee of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia, shall not constitute a voluntary, self-initiated request for counseling and treatment.

A staff member who unlawfully possessed or in any way has been involved in the distribution of a controlled dangerous substance, including anabolic steroids or drug paraphernalia, pursuant to N.J.A.C. 6A:16-6.3, shall be subject to appropriate discipline which may include, but not be limited to, termination of a non-tenured support staff member or the filing of tenure charges for a tenured support staff member in accordance with law.

POLICY

ESSEX FELLS
BOARD OF EDUCATION

Use, Possession, or Distribution of Substances

42 CFR Part 2
N.J.S.A. 18A:16-3; 18A:40A-9
N.J.A.C. 6A:16-4.1; 6A:16-6.3; 6A:16-6.5

Adopted: 20 November 2019

4220 EMPLOYEE EVALUATION

The Board of Education recognizes the importance of employee evaluations in the reinforcement of performance strengths and the remediation of weaknesses.

The Superintendent shall develop a plan for the evaluation of support staff members. He/She shall invite the participation of employees in the development of the plan and shall assess and modify the plan as necessary.

Employees shall be grouped into position classifications based upon similarities of duties, responsibilities, and qualifications. The evaluation process shall be similar for all employees in a single classification.

The evaluation process shall provide for the recognition and commendation of effective performance, the identification and remediation of performance deficiencies, and the recommendation of discipline or dismissal when an employee fails to improve his/her performance. Evaluation procedures shall provide that each employee is informed of the specific objectives of his/her position and the standards that will be used to assess the employee's performance against those objectives. Employees will be evaluated by qualified supervisors every year. Any records created in the evaluation process will become part of the employee's file and subject to Board policy on personnel records.

Adopted: 19 October 2011

4230 OUTSIDE ACTIVITIES

The Board of Education recognizes that support staff members enjoy a private life outside their job responsibilities in the school district. The Board believes that school employees exert a continuing influence away from the school district. Accordingly, the Board reserves the right to determine if activities outside the support staff member's job responsibilities interfere with their performance and the discharge of the support staff member's responsibilities to this district.

All support staff members are advised to be governed in their activities outside the school by the following guidelines:

1. Support staff members shall not devote time during their work day to an outside private enterprise, business, or business organization. They shall not solicit or accept customers for a private enterprise, business, and/or business organization on school grounds during their work day without the express permission of the Superintendent;

2. The Board does not endorse, support, or assume liability in any way for any support staff member of this district who conducts a private activity in which students or employees of this district participate;

3. Support staff members shall not send campaign literature home with students, or request, direct or have students distribute campaign literature on behalf of any candidate for local, State, or national office or for any bond issue, proposal, or any public question submitted at any general, municipal, or school election. No student shall be requested or directed by any support staff member to engage in any activity which tends to promote, favor, or oppose any such candidacy, bond issue, proposal, or public question; and

4. Copyrights and patents to materials or equipment developed, written, prepared, processed, or tested by support staff members in the performance of their school district duties reside with and may be claimed by the Board.

N.J.S.A. 18A:42-4
N.J.S.A. 19:1.1 et seq.

Adopted: 17 September 2014

4233 POLITICAL ACTIVITIES

The Board of Education recognizes and encourages the right of all citizens, including school employees, to engage in political activity. However, the Board prohibits the use of school premises and school time for partisan political purposes.

The Board establishes the following guidelines to govern all support staff members in their political activities:

1. An employee shall not engage in political activity on school premises unless permitted in accordance with Policy No. 7510 Use of School Facilities and/or applicable Federal and State laws;

2. An employee shall not post political circulars or petitions on school premises nor distribute such circulars or petitions to students nor solicit campaign funds or campaign workers on school premises;

3. An employee shall not display any material that would tend to promote any candidate for office on an election day in a school facility that is used as a polling place;

4. An employee shall not engage in any activity in the presence of students while on school property, which activity is intended and/or designed to promote, further or assert a position(s) on labor relations issues.

The provisions of this policy do not apply to the conduct of employee representative elections.

Nothing in this Policy shall be interpreted to impose a burden on the constitutionally protected speech or conduct of a staff member or pupil.

N.J.S.A. 18A:42-4
Green Township v. Rowe, Superior Court of New Jersey - Appellate Division A-2528-98T5

Adopted: 19 October 2011

4240 EMPLOYEE TRAINING

The Board of Education believes that continuing training and study is essential to the improvement of employee performance and the acquisition of technological skills. The Board encourages all employees to participate in appropriate training programs.

The immediate supervisor shall prepare rules for employee participation in programs of job skill improvement. The rules will include methods of reporting and verifying claims for participation in such activities.

The Board will reimburse employee requests for attendance at training programs provided participation has been approved in advance by the Superintendent.

Adopted: 19 October 2011

4281 INAPPROPRIATE STAFF CONDUCT

The Board of Education recognizes its responsibility to protect the health, safety and welfare of all students within this school district. Furthermore, the Board recognizes there exists a professional responsibility for all school staff to protect a pupil's health, safety and welfare. The Board strongly believes that school staff members have the public's trust and confidence to protect the well-being of all students attending the school district.

In support of this Board's strong commitment to the public's trust and confidence of school staff, the Board of Education holds all school staff to the highest level of professional responsibility in their conduct with all students. Inappropriate conduct and conduct unbecoming a school staff member will not be tolerated in this school district.

The Board recognizes and appreciates the staff-pupil professional relationship that exists in a school district's educational environment. This Policy has been developed and adopted by this Board to provide guidance and direction to avoid actual and/or the appearance of inappropriate staff conduct and conduct unbecoming a school staff member toward students.

School staff's conduct in completing their professional responsibilities shall be appropriate at all times. School staff shall not make inappropriate comments to students or about students and shall not engage in inappropriate language or expression in the presence of students. School staff shall not engage in inappropriate conduct toward or with students. School staff shall not engage or seek to be in the presence of a pupil beyond the staff member's professional responsibilities. School staff shall not provide transportation to a pupil in their private vehicle or permit a pupil into their private vehicle unless there is an emergency or a special circumstance that has been approved in advance by the Building Principal and the parent/legal guardian.

Inappropriate conduct by a school staff member outside their professional responsibilities may be considered conduct unbecoming a staff member. Therefore, school staff members are advised to be concerned with such conduct which may include, but is not limited to, communications and/or publications using e-mails, text-messaging, social networking sites, or any other medium that is directed and/or available to students or for public display.

A school staff member is always expected to maintain a professional relationship with students and school staff members shall protect the health, safety and welfare of school students. A staff member's conduct will be held to the professional standards established by the New Jersey State Board of Education and the New Jersey Commissioner of Education. Inappropriate conduct or conduct unbecoming a staff member may also include conduct not specifically listed in this Policy, but conduct determined by the New Jersey State Board of Education, the New Jersey Commissioner of Education, an arbitration process, and/or appropriate courts to be inappropriate or conduct unbecoming a school staff member.



School personnel, compensated and uncompensated (volunteers), are required to report to their immediate supervisor or Building Principal any possible violations of this Policy. In the event the report alleges conduct by the Building Principal or the immediate supervisor, the school staff member may report directly to the School Business Administrator/Board Secretary. In addition, school personnel having reasonable cause to believe a pupil has been subjected to child abuse or neglect or acts of child abuse or neglect as defined under N.J.S.A. 9:6-8.10 are required to immediately report to the New Jersey Department of Children and Families in accordance with N.J.A.C. 6A:16-11.1 and inform the Building Principal or immediate supervisor after making such report. However, notice to the Building Principal or designee need not be given when the school staff member believes such notice would likely endanger the referrer or child(ren) involved or when the staff member believes that such disclosure would likely result in retaliation against the child or in discrimination against the referrer with respect to his/her employment.

Reports may be made in writing or with verbal notification. The immediate supervisor will notify the Superintendent/Principal of all reports, including anonymous reports. The School Business Administrator/Board Secretary will investigate all reports with a final report to the Superintendent. The School Business Administrator/Board Secretary or the Superintendent may, at any time after receiving a report take such appropriate action as necessary and as provided for in the law. This may include, but is not limited to, notifying law enforcement, notifying the New Jersey Department of Children and Families in accordance with N.J.A.C. 6A:16-11.1 and/or any other measure provided for in the law.

This Policy will be distributed to all school staff and provided to staff members at anytime upon request.

N.J.S.A. 18A:28-5 et seq.
N.J.A.C. 6A:16-10.1 et seq.

Adopted: 20 February 2013

4282- USE OF SOCIAL NETWORKING SITES

The Board of Education has a strong commitment to quality education and the well-being of all students, as well as the preservation of the school district's reputation. The Board believes staff members must establish and maintain public trust and confidence and be committed to protecting all students attending the school district. In support of the Board's strong commitment to the public's trust and confidence, the Board holds all staff members to the highest level of professional responsibility.

The Commissioner of Education has determined inappropriate conduct outside a staff member's professional responsibilities may determine them as unfit to discharge the duties and functions of their position. Staff members should be advised communications, publications, photographs, and other information appearing on social networking sites deemed inappropriate by the Board could be cause for dismissal of a non-tenured staff member or to certify tenure charges against a tenured staff member to the Commissioner of Education.

Staff members are advised to be concerned and aware such conduct deemed inappropriate may include, but is not limited to, communications and/or publications using e-mails, text-messaging, social networking sites, or any other form of electronic communication that is directed and/or available to students or for public display or publication.

While the Board respects the right of staff members to use social networking sites, staff members should recognize they are held to a higher standard than the general public with regard to standards of conduct and ethics. It is important that a staff member's use of these sites does not damage the reputation of the school district, employees, students, or their families. Staff members who utilize, post or publish images, photographs, or comments on social networking sites, blogs, or other forms of electronic communication outside their professional responsibilities shall ensure their use, postings, or publications are done with an appropriate level of professionalism and are appropriate conduct for a school staff member. Staff members should exercise care in setting appropriate boundaries between their personal and public online behavior, understanding that what is private in the digital world often has the possibility of becoming public even without their knowledge or consent.

The school district strongly encourages all staff members to carefully review the privacy settings on social networking sites they use and exercise care and good judgment when posting content and information on such sites. Staff members should adhere to the following guidelines, which are consistent with the district's workplace standards on



harassment, pupil relationships, conduct, professional communication, and confidentiality.

When using personal social networking sites, school staff members:

1. Should not make statements that would violate any of the district's policies, including its policies concerning discrimination or harassment;

2. Must uphold the district's value of respect for the individual and avoid making defamatory statements about the school district, employees, students, or their families;

3. May not disclose any confidential information about the school district or confidential information obtained during the course of his/her employment, about any individual(s) or organization, including students and/or their families;

4. Shall not use social networking sites to post any materials of a sexually graphic nature;

5. Shall not use social networking sites to post any materials which promote violence;

6. Shall not use social networking sites which would be detrimental to the mission and function of the district;

7. Are prohibited from using their school district title as well as adding references to the district in any correspondence including, but not limited to, e-mails, postings, blogs, and social networking sites unless the communication is of an official nature and is serving the mission of the district. This prohibition also includes signature lines and personal e-mail accounts;

8. Shall not post updates to their status on any social networking sites during normal working hours including posting of statements or comments on the social networking sites of others during school time unless it involves a school project. Employees must seek approval from the Superintendent of Schools for such use; and

9. Shall not post or publish any information the Commissioner of Education would deem to be inappropriate conduct by a school staff member.

The Policy of this district is to maintain a level of professionalism both during and after the school day. Any publication through any means of electronic communication which is potentially adverse to the operation, morale, or efficiency of the district, will be deemed a violation of this Policy. If the Board or Superintendent believes that a staff member's activity on any social networking site violates the district's policies, the Board or Superintendent may request that the employee cease such activity. Depending on the severity of the incident, the staff member may be subject to disciplinary action.

This Policy has been developed and adopted by this Board to provide guidance and direction to staff members on how to avoid actual and/or the appearance of inappropriate conduct toward students and/or the community while using social networking sites.

Adopted: 20 September 2012

4283- ELECTRONIC COMMUNICATIONS BETWEEN SUPPORT STAFF MEMBERS AND STUDENTS

In accordance with the provisions of N.J.S.A. 18A:36-40, the Board of Education adopts this Policy to provide guidance and direction to support staff members to prevent improper electronic communications between support staff members and students. The Board of Education recognizes support staff members can be vulnerable in electronic communications with students.

The Board prohibits all electronic communications between a support staff member and a student. However, based on a support staff member's professional responsibilities electronic communications between a support staff member and a student may be permitted with written approval of the Superintendent or designee. The approval is only for the school year in which the approval is granted. If the Superintendent or designee approves electronic communications between a support staff member and a student, the support staff member shall be required to comply with all the provisions of this Policy.

The Commissioner of Education has determined inappropriate conduct may determine a school staff member unfit to discharge the duties and functions of their position. Improper electronic communications by school staff members may be determined to be inappropriate conduct.

For the purposes of this Policy, "electronic communication" means a communication transmitted by means of an electronic device including, but not limited to, a telephone, cellular telephone, computer, computer network, personal data assistant, or pager. "Electronic communications" include, but are not limited to, e-mails, text messages, instant messages, and communications made by means of an Internet website, including social media and social networking websites.

For the purposes of this Policy, "professional responsibility" means a support staff member's responsibilities assigned to the support staff member by the administration or Board of Education.

For the purposes of this Policy, "improper electronic communications" means an electronic communication between a support staff member and any student of the school district when:

1. The content of the communication is inappropriate as defined in this Policy; and/or

2. The manner in which the electronic communication is made is not in accordance with acceptable protocols for electronic communications between a support staff member and a student as defined in this Policy.

Inappropriate content of an electronic communication between a support staff member, who has been approved by the Superintendent or designee to have electronic communications, and a student includes, but is not limited to:

1. Communications of a sexual nature, sexually oriented humor or language, sexual advances, or content with a sexual overtone;

2. Communications involving the use, encouraging the use, or promoting or advocating the use of alcohol or tobacco, the illegal use of prescription drugs or controlled dangerous substances, illegal gambling, or other illegal activities;

3. Communications regarding the support staff member's or student's past or current romantic relationships;

4. Communications which include the use of profanities, obscene language, lewd comments, or pornography;

5. Communications that are harassing, intimidating, or bullying;

6. Communications requesting or trying to establish a personal relationship with a student beyond the support staff member's professional responsibilities;

7. Communications related to personal or confidential information regarding another school staff member or student; and

8. Communications between the support staff member and a student that the Commissioner of Education would determine to be inappropriate in determining the support staff member is unfit to discharge the duties and functions of their position.



The following acceptable protocols for all electronic communications between a support staff member, who has been approved by the Superintendent or designee to have electronic communications, and a student shall be followed:

1. E-Mail Electronic Communications Between a Support Staff Member and a Student

   a. All e-mails between a support staff member and a student must be sent or received through the school district's e-mail system. The content of all e-mails between a support staff member and a student shall be limited to the staff member's professional responsibilities regarding the student.

   b. A support staff member shall not provide their personal e-mail address to any student. If a student sends an e-mail to a support staff member's personal e-mail address, the staff member shall respond to the e-mail through the school district e-mail system and inform the student his/her personal e-mail address shall not be used for any electronic communication between the support staff member and the student.

   c. A support staff member's school district e-mail account is subject to review by authorized school district officials. Therefore, a support staff member shall have no expectation of privacy on the school district's e-mail system.

2. Cellular Telephone Electronic Communications Between a Support Staff Member and a Student

   a. Communications between a support staff member and a student via a personal cellular telephone shall be prohibited.

      (1) However, a support staff member may, with prior approval of the Principal or designee, communicate with a student using their personal cellular telephone if the need to communicate is directly related to the support staff member's professional responsibilities for a specific purpose such as a field trip, athletic event, co-curricular activity, etc. Any such approval for cellular telephone communications shall not extend beyond the specific field trip, athletic event, co-curricular activity, etc., approved by the Principal or designee



3. Text Messaging Electronic Communications Between Support Staff Members and Students

   a. Text messaging communications between a support staff member and an individual student are prohibited.

      (1) However, a support staff member may, with prior approval of the Principal or designee, text message students provided the need to text message is directly related to the support staff member's professional responsibilities regarding the student. Any such text message must be sent to every student in the class or every member of the co-curricular activity. Any such approval for text messaging shall not extend beyond the activity approved by the Principal or designee.

4. Social Networking Websites and other Internet-Based Social Media Electronic Communications Between Support Staff Members and a Student

   a. A support staff member is prohibited from communicating with any student through the support staff member's personal social networking website or other Internet-based website. Communications on personal websites are not acceptable between a support staff member and a student.

   b. A support staff member shall not accept "friend" requests from any student on their personal social networking website or other Internet-based social media website. Any communication sent by a student to a support staff member's personal social networking website or other Internet-based social media website shall not be responded to by the support staff member and shall be reported to the Principal or designee by the support staff member.

   c. If a support staff member has a student(s) as a "friend" on their personal social networking website or other Internet-based social media website they must permanently remove them from their list of contacts upon Board adoption of this Policy.

d. Communication between a support staff member and a student through social networking websites or other Internet-based social media websites is only permitted provided the website has been approved by the Principal or designee and all communications or publications using such websites are available to: every student in the class; every member of the co-curricular activity and their parents; and the Principal or designee.

Reporting Responsibilities

1. In the event a student sends an electronic communication to a support staff member who has not been approved by the Superintendent or designee to have electronic communications, the support staff member shall report the communication to the Principal or designee. The Principal or designee will take appropriate action to have the student discontinue such electronic communications. Electronic communications by a support staff member or a student where such communications are not approved by the Superintendent or designee may result in appropriate disciplinary action.

2. In the event a student sends an improper electronic communication, as defined in this Policy, to a support staff member who has been approved by the Superintendent or designee to receive electronic communications, the support staff member shall report the improper electronic communication to the Principal or designee. The Principal or designee will take appropriate action to have the student discontinue such improper electronic communications. Improper electronic communications by a support staff member or a student may result in appropriate disciplinary action.

A support staff member and student may be exempt from the provisions outlined in this Policy if a support staff member and student are relatives. The parent of the student and the support staff member requesting an exemption from the provisions of this Policy must submit a written request to the Principal of the student's school indicating the family relationship between the student and the support staff member. The Principal will provide

written approval of the request to the support staff member and the student. If the Principal does not approve the request, the support staff member and the student must comply with all provisions of this Policy. The Principal's approval of a request for this exemption shall only be for the individual support staff member and student included in the request and for the school year in which the request is submitted.

The provisions of this Policy shall be applicable at all times while the support staff member is employed in the school district and at all times the student is enrolled in the school district, including holiday and summer breaks.

A copy of this Policy will be made available on an annual basis, to all parents, students, and school employees either electronically or in school handbooks.

N.J.S.A. 18A:36-40

Adopted: 15 October 2014

4321 ACCEPTABLE USE OF COMPUTER NETWORK(S)/COMPUTERS AND RESOURCES BY SUPPORT STAFF MEMBERS

The Board recognizes that as telecommunications and other new technologies shift the manner in which information is accessed, communicated and transferred that those changes will alter the nature of teaching and learning. Access to telecommunications will allow support staff members to explore databases, libraries, Internet sites, bulletin boards and the like while exchanging information with individuals throughout the world. The Board supports access by support staff members to information sources but reserves the right to limit in-school use to materials appropriate to educational purposes. The Board directs the Superintendent to effect training of support staff members in skills appropriate to analyzing and evaluating such resources as to appropriateness for educational purposes.

The Board also recognizes that telecommunications will allow support staff members access to information sources that have not been pre-screened using Board approved standards. The Board therefore adopts the following standards of conduct for the use of computer network(s) and declares unethical, unacceptable, inappropriate or illegal behavior as just cause for taking disciplinary action, limiting or revoking network access privileges, instituting legal action or taking any other appropriate action as deemed necessary.

The Board provides access to computer network(s)/computers for administrative and educational purposes only. The Board retains the right to restrict or terminate support staff members' access to the computer network(s)/computers at any time, for any reason. The Board retains the right to have the Superintendent or designee monitor network activity, in any form necessary, to maintain the integrity of the network(s) and ensure its proper use.

Standards for Use of Computer Network(s)

Any individual engaging in the following actions declared unethical, unacceptable or illegal when using computer network(s)/computers shall be subject to discipline or legal action:

A. Using the computer network(s)/computers for illegal, inappropriate or obscene purposes, or in support of such activities. Illegal activities are defined as activities which violate federal, state, local laws and regulations. Inappropriate activities are defined as those that violate the intended use of the network(s). Obscene activities shall be defined as a violation of generally accepted social standards for use of publicly owned and operated communication vehicles.

B. Using the computer network(s)/computers to violate copyrights, institutional or third party copyrights, license agreements or other contracts.

C. Using the computer network(s) in a manner that:

1. Intentionally disrupts network traffic or crashes the network;

2. Degrades or disrupts equipment or system performance;

3. Uses the computing resources of the school district for commercial purposes, financial gain or fraud;

4. Steals data or other intellectual property;

5. Gains or seeks unauthorized access to the files of others or vandalizes the data of another user;

6. Gains or seeks unauthorized access to resources or entities;

7. Forges electronic mail messages or uses an account owned by others;

8. Invades privacy of others;

9. Posts anonymous messages;

10. Possesses any data which is a violation of this policy; and/or

11. Engages in other activities that do not advance the educational purposes for which computer network(s)/computers are provided.

Violations

Individuals violating this policy shall be subject to appropriate disciplinary actions as defined by Policy No. 4150, Discipline which includes but are not limited to:

1. Use of the network(s)/computers only under direct supervision;

2. Suspension of network privileges;

3. Revocation of network privileges;

4. Suspension of computer privileges;



5. Revocation of computer privileges;

6. Suspension;

7. Dismissal;

8. Legal action and prosecution by the authorities; and/or

9. Any appropriate action that may be deemed necessary as determined by the Superintendent and approved by the Board of Education.

N.J.S.A. 2A:38A-3

Adopted: 19 October 2011

4322 STAFF MEMBER'S USE OF CELLULAR TELEPHONES

The Essex Fells Board of Education recognizes that cellular phones and other electronic devices are commonly used and relied upon by staff.

Staff shall not use cellular phones and other electronic devices when they are in contact with students. Cellular phones and other electronic devices shall be turned off when not being used in accordance with the parameters of this policy.

Staff shall be personally and solely responsible for the security of their cellular phones and other electronic devices. The Board shall not assume responsibility for theft, loss or damage of a cellular phone or other electronic device, or for unauthorized calls made on or other unauthorized use of a cellular phone, electronic games, gaming devices or other electronic device.

Definitions

"Other electronic devices" - shall include but not be limited to Blackberries, Personal Digital Assistants (PDAs), beepers, pagers, iPods, MP3 players, Walkmans, and other similar electronic devices.

"Use" - shall mean making or receiving phone calls, text messaging, emailing, taking or receiving photographs, playing games, listening to music, and any other function or feature of the cellular phone or electronic device.

"Turned off" - shall mean that the cellular phone or other electronic device is turned off so that it cannot function, and shall not mean that the cellular phone or other electronic device is in silent or vibrate mode.

"Staff" - shall include both certificated and non-certificated staff.

Adopted: 19 October 2011



4324 RIGHT OF PRIVACY

The Board of Education will provide facilities and school district-owned property to assist support staff members in their job responsibilities or for the support staff members' convenience. These facilities or district-owned property may include, but are not limited to, an office, a storage closet, a filing cabinet, a locker, and/or a desk. The Principal or designee may provide a support staff member with exclusive use and access to such facilities or school district-owned property or may require the facility or school district-owned property be shared with other staff members. The support staff member may be provided a lock or key by the school district or may secure the facility or school district-owned property using their own locking device with permission from the Principal or designee, or immediate supervisor.

Support staff members should be aware their expectation of privacy in these facilities and/or the school district-owned property provided by the Board of Education is reduced by virtue of actual office practices and procedures, for searches conducted pursuant to an investigation of work-related employee misconduct, or by school district policies or regulations. In addition, support staff members shall have a reduced expectation of privacy in these facilities and school district-owned property if there is reasonable suspicion the support staff member is violating a law or school policy. Support staff members shall be on notice this reduced expectation of privacy may result in such facilities and/or school district-owned property being searched without a search warrant. In order to avoid exposing personal belongings to such a search, support staff members are discouraged from storing personal papers and effects in these facilities or school district-owned property.

The Board prohibits any audio or video recording of a support staff member or student by any student; other school staff member; visitor; or any other person while a support staff member is performing their Board-assigned job responsibilities without the prior approval of the support staff member's supervisor. In addition to protecting the privacy rights of all support staff members, such recordings may violate the privacy rights of students and support staff members and can be disruptive to the educational program. The support staff members' supervisor's prior approval for a person to make a video or audio recording of a support staff member or a school-sponsored activity is not required for a school-sponsored activity that is open to parents, family members, or other members of the public to attend. Such activities include, but are not limited to: curricular activities; co-curricular activities; athletic events; student programs; or any other school-sponsored activity.

A person requesting prior approval to an audio or video record a support staff member or student that is not permitted in accordance with the provisions of this Policy, must submit a written request to the support staff member's supervisor. The supervisor will review the

written request and provide the requester with a written decision. If a written approval is not provided by the supervisor to the person submitting the request prior to the requested recording date or event, the request shall be deemed denied and audio or video recording shall not be permitted.

Any person making an audio or video recording in violation of the provisions of this Policy shall be required to immediately cease making the recording to avoid violating the privacy rights of others. Any support staff member found to have violated the provisions of this Policy may be subject to discipline.

Adopted: 13 December 2023



4340 GRIEVANCE

The Board of Education shall develop and practice reasonable and effective means for the resolution of disputes that may arise in the employment of support staff members not covered by the terms of a negotiated agreement.

The Board directs that any grievance not provided for by negotiated agreement be resolved by submission to the following grievance procedure, which is designed to promote proper and equitable settlement of grievances at the lowest appropriate level and to facilitate an orderly process for the resolution of grievances.

For the purposes of this policy, "grievance" means an unresolved problem concerning the application or interpretation by an officer or employee of this district of law, regulations of the State Board of Education, the bylaws or policies of the Board, or the administrative regulations of the Superintendent; "grievant" is a district employee who alleges a grievance or the employee's representative; "party" means the grievant or any person named in the grievance as allegedly having violated a law, bylaw, policy, or regulation; and "day" means a school day.

A grievant may use personal leave time when it becomes necessary to process a grievance during the working day. There will be no reprisal of any kind taken against any employee or employee's representative for participation in a grievance.

Any alleged grievance should, at the first instance, be discussed in one or more private, informal conferences between the parties involved or between the grievant and his/her immediate supervisor. A grievance not resolved in one or more such private meetings may be processed in accordance with the following procedure.

Level One

Within three working days of the occurrence of the act or omission giving rise to the grievance, the grievant must present his/her grievance in writing to the grievant's immediate supervisor. The written document will be a clear, concise statement of the grievance and will include the law, rule, policy, or regulation that the grievant alleges to have been violated; the factual circumstances on which the grievance is based; the person or persons involved; the decision, if any, rendered at the private conference; and the remedy sought.

Within seven working days the supervisor shall present a decision to the grievant in writing. If the supervisor does not respond during the time permitted, the grievant may appeal to the next level.

Level Two

A grievant not satisfied with a decision at Level One may appeal that decision in writing to the Building Principal within three working days after receipt of the decision or the expiration of the time during which the decision must be rendered. The written appeal will include a copy of the original grievance; the decision rendered, if any; the name of the grievant's representative, if any; and a clear, concise statement of the reasons for the appeal of the decision.

The Building Principal shall present a decision to the grievant within seven working days. If no decision is rendered within that time limit, the grievant may appeal to the next level.

Level Three

A grievant not satisfied with a decision at Level Two may appeal that decision in writing to the Superintendent within three working days after receipt of the decision or the expiration of the time during which the decision must be rendered. The written appeal to the Superintendent will include copies of the original grievance, the appeal of that grievance at Level Two, and the decision, if any, rendered at Level Two. Within ten working days after the delivery of the appeal, the Superintendent shall investigate the grievance, giving all persons who participate in Levels One and Two a reasonable opportunity to be heard.

Within seven working days of the presentation of the appeal, the Superintendent shall submit a decision in writing together with the reasons that support that decision to the grievant and any other party to the grievance. If the Superintendent does not render a decision within that time limit, the grievant may appeal to the next level.

Level Four

A grievant not satisfied with the Superintendent's decision may appeal that decision in writing to the Board within three working days after the receipt of the decision or the expiration of the time during which the decision must be rendered. The written appeal to the Board will include copies of the original grievance, the appeal of that grievance at Level Two, and the decisions, if any, rendered at Levels Three and Four.

The Board shall schedule the grievance for hearing to be held within forty-five calendar days of the presentation of the appeal. The grievant shall be present at the hearing.

Within ten calendar days of the hearing, the Board shall submit its decision in writing together with reasons that support the decision to the grievant. A copy of the decision shall be given to the Superintendent and to any other party to the grievance.

The decision of the Board shall be final.

N.J.S.A. 34:13A-5.3

Adopted: 19 October 2011

4351 HEALTHY WORKPLACE ENVIRONMENT

The Board of Education recognizes a healthy workplace environment enables school support staff members to fully contribute their expertise and skills to their school district responsibilities. A healthy workplace environment can improve productivity, reduce absenteeism, and reduce staff turnover while having a positive impact on the school district's programs provided to students in the school district.

A significant characteristic of a healthy workplace environment is that employees interact with each other with dignity and respect regardless of an employee's work assignment or position in the school district. Repeated malicious conduct of an employee or group of employees directed toward another employee or group of employees in the workplace that a reasonable person would find hostile or offensive is unacceptable and is not conducive to establishing or maintaining a healthy workplace environment. This unacceptable conduct may include, but is not limited to, repeated infliction of verbal abuse such as the use of derogatory remarks; insults; verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating; or the gratuitous sabotage or undermining of a person's work performance. A single act of such conduct shall not constitute the unacceptable conduct prohibited by this policy unless it is especially severe and egregious.

Unacceptable conduct, for the purposes of this policy, is not conduct toward an employee of a protected class or because of the employee's protected activity. These employees and activities are afforded the legal protections under various Federal and State anti-discrimination laws. In addition, unacceptable conduct for the purposes of this policy shall not be confused with conduct of management employees exercising management rights including, but not limited to, assigning tasks, reprimanding, assigning discipline, or directing.

Employees who believe the conduct prohibited by this policy has been directed toward them or to another employee of the school district shall submit a written report to the Superintendent. The written report shall provide specific details supporting the claim including, but not limited to, the specific conduct; the names of witnesses (if any) who may have observed such conduct; dates or times when such conduct occurred; and any other information the person(s) making the report believes will be informative and helpful to an investigation of the allegations. Upon receipt of a report, the Superintendent or designee will conduct an investigation and upon completion of the investigation will inform the person(s) who made the report such an investigation was completed. The amount of investigation information shared with the person(s) making the report will be at the discretion of the Superintendent or designee and may vary depending on whether the conduct reported was directed to the person(s) making the report, confidential personnel matters, and/or other issues as determined by the Superintendent or designee.

If the investigation determines conduct prohibited by this policy has taken place, the Superintendent or designee will meet with the offender(s) and the victim(s) to review the investigation results and to implement remedial measures to ensure such conduct does not continue or reoccur. Appropriate disciplinary action may be taken depending on the severity of conduct.

There shall be no reprisals or retaliation against any person(s) who reports conduct prohibited by this policy.

Adopted: 19 October 2011

4360 SUPPORT STAFF MEMBER TENURE

The Board of Education directs that the tenure status of support staff members be determined only in accordance with law and this policy and such contractual terms as may have been negotiated with the employee's majority representative.

Persons employed as janitors, custodians, and maintenance personnel including supervisory personnel**,** will be employed on fixed term contracts and will not acquire tenure in their positions.

The Board will not grant tenure to any employee for whom such tenure has not been provided in law.

N.J.S.A. 18A:17-2; 18A:17-3

Adopted: 19 October 2011

4381 PROTECTION AGAINST RETALIATION

The Board of Education will take no retaliatory action, by discharge, demotion, suspension, or any other adverse action, against an employee because that employee has conscientiously:

1. Disclosed or threatened to disclose to a supervisor or public body an activity, policy, or practice of this Board or any district officer that the employee reasonably believes to be in violation of law or rule;

2. Provided information to a public body conducting an investigation, hearing, or inquiry into any alleged violation of law by the Board or an officer of this district; or

3. Objected to or refused to participate in an activity, policy, or practice of this district that the employee reasonably believes to be in violation of law or rule, fraudulent, criminal, or incompatible with a clear mandate of public policy concerning the public health, safety, or welfare or protection of the environment.

An employee who has reason to believe that the Board has engaged in an illegal activity or an activity contrary to public policy must report that belief in writing to the Superintendent before notice is given to a supervisor or a public body. The Superintendent shall promptly report the same to the Board and institute an investigation of the reported activity. The findings of the investigation will be reported in writing to the Board and to the employee.

The protection of law and this policy apply only to employees who have given notice in accordance with this policy and have afforded the Board a reasonable period of time to take any corrective action that may be required or have acted in circumstances that the employee believes in good faith constitute an emergency.

The Superintendent shall post notice of this policy and inform employees of their rights under the New Jersey Conscientious Employee Protection Act.

N.J.S.A. 34:19-1

Adopted: 19 October 2011

4410 COMPENSATION

The Board of Education will establish the compensation for support staff members not covered by the terms of a negotiated agreement or in an individual contract with the Board.

N.J.S.A. 18A:6-6; 18A:16-11

Adopted: 19 October 2011

4413 OVERTIME COMPENSATION

The Board of Education will compensate overtime work in accordance with law. "Overtime work" means work in excess of forty hours in a single work week.

No overtime shall be worked without the express advance approval of the Superintendent and/or School Business Administrator/Board Secretary.

29 U.S.C.A. 207(o)
29 U.S.C.A. 207(p)
N.J.S.A. 34:11-56(a)4

Adopted: 19 October 2011

4415 SUBSTITUTE WAGES

In order to ensure reliable assistance in the absence of regular support staff employees, the Board of Education will offer competitive compensation to qualified substitute secretaries, clerks, custodians, maintenance workers, bus drivers, teacher aides, and cafeteria workers. In no instance shall the wages paid a substitute exceed the wages paid the regular employee.

Substitute support staff members will be paid at a per diem rate set by the Board.

Adopted: 19 October 2011

4420 BENEFITS

The Board of Education reserves the right to establish benefits for support staff members not covered by the terms of a negotiated agreement or in an individual contract with the Board.

N.J.S.A. 18A:6-6; 18A:16-12 et seq.

Adopted: 19 October 2011

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.

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: 19 August 2020

4425 WORK RELATED DISABILITY PAY

The Board of Education will permit, in accordance with law, the absence without loss of pay or of annual or accumulated sick leave benefits of a support staff member disabled by accident or injury arising out of and in the course of employment. Any such employee shall seek the workers' compensation benefits to which he/she is entitled by law.

An employee whose disability has qualified for the receipt of workers' compensation benefits shall be presumed eligible for work related disability pay under this policy. When an employee's disability is so brief as to preclude the employee's application for worker's compensation benefits, the employee may request and the Board may grant work related disability pay.

Any employee who qualified for work related disability pay under this policy shall receive full pay during the period he/she is on disability leave of absence, up to one calendar year.

As a condition of receiving full salary, an employee who receives workers' compensation benefits for his/her work-related disability must endorse and deliver to the Board all workers' compensation temporary disability checks received for the period covered by this policy.

N.J.S.A. 18A:30-2.1; 18A:66-32.1
N.J.S.A. 34:15-38

Adopted: 19 October 2011

4425.1 MODIFIED DUTY EARLY RETURN TO WORK PROGRAM – SUPPORT STAFF MEMBERS

New Jersey's workers' compensation laws provide lost wages and pay medical expenses for an employee who sustains an injury as a result of an on-the-job accident, injury, or occupational disease. Workers' compensation is designed to protect school district employees and their families against the hardships from injury arising in the workplace. In an effort to assist school staff in recovering from an eligible workers' compensation injury, the Board provides a Modified Duty Early Return To Work Program. The Program is provided to staff members who have been injured on the job, but who are not permanently disabled. The Program is intended to minimize the negative psychological impact to an injured staff member due to being out of work and to provide a transition and adjustment period for the injured staff member to return to work while recovering from an on-the-job injury.

The school district may assign temporary modified duties and responsibilities to staff members that have sustained an eligible workers' compensation injury. These employees may temporarily perform duties and responsibilities that may or may not be within their job description, or may or may not be within their department. The modified duties and/or responsibilities will be within the injured staff member's capabilities and a staff member will not be assigned any modified duties and/or responsibilities that require any certifications/licenses that are not possessed by the injured staff member.

The modified duties and responsibilities will be determined by the School Business Administrator/Board Secretary, the district's designated Workers' Compensation Coordinator, after a medical examination and evaluation of the injured staff member by the Board's designated workers' compensation physician. The Workers' Compensation Coordinator will determine if the injured staff member is eligible for modified duties or responsibilities. This determination will be based on:

1. The workers' compensation physician's examination and evaluation report;

2. The injured staff member's capabilities to assume modified duties or responsibilities;

3. The availability of modified duties and responsibilities within the district at the time; and/or

4. Other issues that may impact the district's ability to assign modified duties and responsibilities.

This Modified Duty Early Return to Work Program will be administered consistent with applicable federal and State laws and in accordance with provisions of collective bargaining agreements within the district.

Adopted: 19 October 2011

4432 SICK LEAVE

The Board of Education shall grant sick leave, in accordance with law, to support staff members absent from work because of personal disability or quarantine. Each steadily employed employee eligible for sick leave will be entitled annually to the number of paid sick leave days negotiated with the employee's majority representative or provided in this policy or in an individual contract with the Board.

29 U.S.C. 2601 et seq.
N.J.S.A. 18A:30-1 et seq.

Adopted: 19 October 2011

4433 VACATIONS

The Board of Education believes that it is beneficial to the school district that persons employed to work twelve months a year be given periodic relief from the responsibilities of their position without loss of compensation.

The Board reserves the right to determine the conditions under which vacation time may be taken when not otherwise covered by the terms of a negotiated agreement or in an individual contract with the Board.

N.J.S.A. 18A:30-7

Adopted: 19 October 2011

4434 HOLIDAYS

The Board of Education will compensate support staff members for holidays in accordance with the holiday provisions of current valid negotiated contracts.

Compensation for holidays for non-association/non-union represented support staff members will be determined by the Board on an annual basis.

N.J.S.A. 36:1-1

Adopted: 19 October 2011

4435 ANTICIPATED DISABILITY

The Board of Education shall provide for leaves of absence, in accordance with law and the policies of this Board, for any employee of this district not otherwise covered by the terms of the negotiated agreement whose absence from duties will be required for a foreseeable event of disability such as childbirth or surgery.

An employee who anticipates disability shall so notify the Superintendent as soon as the employee is under medical supervision for the condition and a date is projected for the anticipated disability. Because of the potentially disabling nature of pregnancy and the certainty of temporary disability at parturition, the Board will presume that a pregnant employee is disabled for work thirty days before the anticipated date of childbirth and continues to be disabled for thirty days after parturition, except that any such employee who presents medical certification of her fitness may continue to work until she is actually disabled and may return to work as soon as she is able.

The Board reserves the right to require an employee who requests an extended leave of absence that includes anticipated disability to commence and/or terminate the leave at times that ensure continuity in district operations. Whenever possible, partial year leaves of absence will begin and end at divisions in the academic calendar and will cause not more than one interruption in employment continuity during the school year in which the leave is taken. No person who is required to take leave at a time other than that requested will be denied the use of sick leave for the anticipated disability that occurs or is presumed to occur during the leave.

An employee who anticipates a disability may request a leave of absence to commence before disability and to extend beyond the period of disability. Any such request shall be subject to Board discretion and the Board's policy on leave of absence. An employee on voluntary leave of absence is not eligible for sick leave pay for disability occurring during the period of that absence.

42 U.S.C.A. 2000e-2(a)
29 C.F.R. 1604-1 et seq.
N.J.S.A. 10:5-12(a)
N.J.S.A. 18A:6-6; 18A:16-2; 18A:30-1 et seq.

Adopted: 19 October 2011

4436 PERSONAL LEAVE

The Board of Education will provide for an employee's compensated absence for reason of personal necessity not covered by the terms of a negotiated agreement or in an individual contract with the Board.

The Board reserves the right to determine the reasons for which personal leave will be granted, the number of days that may be used in any one school year for personal leave, and the manner of proof of personal necessity.

N.J.S.A. 18A:30-7

Adopted: 19 October 2011

4437 MILITARY LEAVE

The Board of Education recognizes that military service rendered by any district employee in the defense of the country or in maintaining preparedness for conflict, foreign or domestic, is a service benefiting all citizens. A permanent or full-time temporary officer and/or employee of the district will be provided military leave and related benefits pursuant to the Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. Section 4301 et seq., P.L. 2001 Chapter 351 amending N.J.S.A. 38:23-1, N.J.S.A. 38A:1-1 and N.J.S.A. 38A:4-4., and any other applicable Federal and State laws.

A permanent or full-time temporary officer or employee of the school district who is a member of the organized militia of New Jersey (New Jersey National Guard, New Jersey Naval Militia Joint Command) shall be entitled, in addition to pay received, if any, as a member of the organized militia, to a leave of absence from his or her respective duties without loss of pay or time on all days during which he or she shall be engaged in any period of State or Federal active duty; provided, however, that the leave of absence for Federal active duty or active duty for training shall not exceed ninety work days in the aggregate in any calendar year. Any leave of absence for such duty in excess of ninety work days shall be without pay, but without loss of time. Such leave shall be in addition to the regular vacation or other accrued leave provided to the officer or employee. A full-time temporary officer or employee who has served under such temporary appointment for less than one year in the district shall receive this leave without pay, but without loss of time.

A permanent or full-time temporary officer or employee of the school district who is a member of the organized reserve of the Army of the United States, United States Naval Reserve, United States Air Force Reserve, or United States Marine Corps Reserve, or other organization affiliated therewith, including the National Guard of other States, shall be entitled, in addition to pay received, if any, as a member of a reserve component of the Armed Forces of the United States, to a leave of absence from his or her respective duty without loss of pay or time on all work days on which he or she shall be engaged in any period of Federal active duty, provided, however, that such leave of absence shall not exceed thirty work days in any calendar year. Such leave shall be in addition to the regular vacation or other accrued leave provided to the officer or employee. Any leave of absence for such duty in excess of thirty work days shall be without pay, but without loss of time. A full-time temporary officer or employee who has served under such temporary appointment for less than one year in the district shall receive this leave without pay, but without loss of time.

Military leave with pay is not authorized for Inactive Duty Training (IDT) as defined in N.J.A.C. 5A:2-2.1.

The district will provide benefits and rights for staff on military leave as required by Federal and State laws.

N.J.S.A. 18A:6-33; 18A:29-11
N.J.S.A. 38:23-1 et seq.; 38A:1-1; 38A:4-4; 52:13H-2.1
N.J.A.C. 5A:2-2.1
Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. Section 4301 et seq.

Adopted: 7 March 2018

4438 JURY DUTY

The Board of Education will indemnify all full-time employees against loss of pay incurred by a call to jury duty. No employee will be penalized in any way for an absence caused by service on a panel of grand or petit jurors. The time any such employee is absent will not be charged against personal leave and will count toward district service.

A full-time employee who is absent from their school district duties while on jury duty for any court of New Jersey, any court of any other State, any federal district court, or in the U.S. District Court for New Jersey will receive their usual compensation from the school district for each day the support staff member is present for jury duty.

An employee summoned to jury duty shall promptly report the summons to his/her immediate supervisor.

On return from jury duty, the employee must submit to his/her immediate supervisor a court record of the number of days served on jury duty.

While on jury duty, an employee must report daily to his/her supervisor the schedule for the following day and must report to work when he/she is excused from jury duty for half a day or more or suffer loss of pay.

N.J.S.A. 2B:20-1 et seq.; 2B:20-16

Adopted: 19 October 2011

5000 STUDENTS

Number	Title
5111	Eligibility of Resident/Nonresident Students (M)
5112	Entrance Age
5116	Education of Homeless Children
5120	Assignment of Students
5130	Withdrawal From School (M)
5200	Attendance (M)
5230	Late Arrival and Early Dismissal
5240	Tardiness
5250	Excusal from Class or Program
5300	Automated External Defibrillators (AEDS)
5305	Health Services Personnel
5306	Health Services To Nonpublic Schools (M)
5307	Nursing Services Plan (M)
5308	Student Health Records (M)
5310	Health Services (M)
5320	Immunization
5330	Administration of Medication (M)
5330.01	Administration of Medical CANNABIS (M)
5330.05	Seizure Action Plan
5331	Management of Food and Life-Threatening Allergies in School (M)
5332	Do Not Resuscitate Orders (M)
5335	Treatment of Asthma (M)
5337	Service Animals
5338	Diabetes Management (M)
5339	Screening for Dyslexia (M)
5339.01	Student Sun Protection
5350	Student Suicide Prevention
5410	Promotion and Retention (M)
5411	Promotion From Sixth Grade
5420	Reporting Pupil Progress (M)
5440	Honoring Pupil Achievement
5460.1	Commencement
5500	Expectations for Student Conduct (M)
5511	Dress and Grooming
5512	Harassment, Intimidation, and Bullying (M)
5513	Care of School Property (M)
5514	Student Use of Vehicles on School Grounds
5516	Use of Electronic Communication and Recording Devices (ECRD) (M)

Number	Title
5519	Dating Violence at School
5520	Disorder and Demonstration
5530	Substance Abuse (M)
5533	Student Smoking (M)
5541	Anti-Hazing (M)
5550	Disaffected Students (M)
5560	Disruptive Students (M)
5561	Use of Physical Restraint and Seclusion Techniques for Students with Disabilities (M)
5570	Sportsmanship
5600	Student Discipline/Code of Conduct (M)
5610	Suspension
5611	Removal of Students for Firearms Offenses (M)
5612	Assaults on District Board of Education Members or Employees (M)
5613	Removal of Students for Assaults with Weapons Offenses (M)
5615	Suspected Gang Activity
5620	Expulsion
5700	Student Rights
5701	Academic Integrity
5722	Student Journalism
5750	Equal Educational Opportunity (M)
5751	Sexual Harassment of Students (M)
5752	Marital Status and Pregnancy (M)
5755	Equity in Educational Programs and Services (M)
5756	Transgender Students
5770	Student Right of Privacy
5830	Student Fund Raising
5841	Secret Societies
5842	Equal Access of Pupil Organizations
5880	Public Performances by Students

5111 ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS

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, 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 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.

Except as set forth in N.J.A.C. 6A:22-3.3(b), 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 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 the parent'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.

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 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, adult student, or district resident keeping an affidavit student following notice of an ineligibility determination, the Board may assess 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, 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.

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. With the exception of preschool at the resident tuition cost when space is available.

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

A nonresident child otherwise eligible for attendance whose parent(s) or guardian(s) anticipates district residency and has entered a contract to rent, buy, build or renovate, prior to establishing domicile, a residence in this district may be enrolled for ninety days, without payment of tuition, prior to the anticipated date of residency. If any such student does not become a resident of the district within ninety days after admission to school and student's first day of attendance, tuition will be charged for attendance beginning the ninety-first day and until such time as the student becomes a resident or withdraws from school.

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

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

J-1 Visa Students

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: 19 March 2025

5112 ENTRANCE AGE

The Board of Education will admit to this district children otherwise eligible by law or Board policy who have attained the age requirements set by law and this Board of Education. The Board requires documentary verification of the age and birthdate of any child for whom admission to this district is sought.

Preschool Disabled

A child is eligible for entrance into a program of special education who has attained his/her third birthday and has been found by the Child Study Team to be eligible for a program for the preschool disabled in accordance with rules of the State Board of Education.

Kindergarten

Any child residing in the district shall be admitted to the Kindergarten provided:

A. The child will have attained the age of five years on or before October 1 of that school year;

B. Proof shall be furnished of immunization against the communicable diseases at the time of enrollment or such immunization shall be completed within thirty days from date of entry into the school;

C. The child shall have been examined by either the school or a private physician, and the results shall be furnished to the school on the form provided.

Grade One

Any child residing in the district shall be admitted to grade one provided:

A. The child will have attained the age of six years on or before October 1 of that school year;

B. He/she has been in the first grade in another public school; and

C. Proof has been furnished of immunization against communicable diseases.

N.J.S.A. 18A:36-19; 18A:38-5; 18A:38-6; 18A:44-1;
18A:44-2; 18A:46-6; 18A:46-6.1
N.J.A.C. 6A:14-3.3

Adopted: 19 October 2011

5116 EDUCATION OF HOMELESS CHILDREN

The Board of Education will admit and enroll homeless children and youths in accordance with Federal and State laws and New Jersey Administrative Code. The Board of Education adopts this Policy to be in compliance with law and administrative code to ensure the enrollment of homeless children and youths in school and to respond to appeals made by parents or other parties related to the enrollment of homeless children and youths.

The Board shall determine that a child or youth is homeless when the child or youth resides in a publicly or privately operated shelter designed to provide temporary living accommodations, including: hotels or motels; congregate shelters, including domestic violence and runaway shelters; transitional housing; and homes for adolescent mothers. A child or youth is also determined homeless when the child or youth resides in a public or private place not designated for or ordinarily used as a regular sleeping accommodation, including: cars or other vehicles including mobile homes; tents or other temporary shelters; parks; abandoned buildings; bus or train stations; or temporary shelters provided to migrant workers and their children on farm sites. A child or youth is determined homeless when the child or youth resides in the residence of relatives or friends where the homeless child or youth resides out of necessity because the child's or youth's family lacks a regular or permanent residence of its own. A child or youth is also determined homeless when the child or youth resides in substandard housing.

The school district of residence for a homeless child or youth is responsible for the education of the child and shall assume all responsibilities as required in N.J.A.C. 6A:17-2.3. The school district of residence for a homeless child or youth means the school district in which the parent of a homeless child or youth resided prior to becoming homeless.

The school district liaison designated by the Superintendent of Schools for the education of homeless children and youths is _____. The school district liaison will facilitate communication and cooperation between the school district of residence and the school district where the homeless child or youth resides and shall assume all responsibilities as outlined in N.J.A.C. 6A:17-2.4(a).

When a homeless child or youth resides in a school district, the school district liaison shall notify the liaison of the school district of residence within twenty-four hours of receiving notification from the parent, a shelter director, or an involved agency. Upon notification of the need for enrollment of a homeless child or youth, the liaison in the school district of residence shall coordinate enrollment procedures immediately based upon the best interest of the child pursuant to N.J.A.C. 6A:17-2.5(b).



The Superintendent of the school district of residence or designee shall decide in which school district the homeless child or youth shall be enrolled in accordance with the provisions of N.J.A.C. 6A:17-2.5.

Unless parental rights have been terminated by a court of competent jurisdiction, the parent retains all rights under N.J.A.C. 6A:17-2.

When a dispute occurs regarding the determination of homelessness or the determination of the school district of enrollment made by the school district of residence, the Superintendent(s) or the designee(s) of the involved district(s) or the child's or youth's parent(s) shall immediately notify the Executive County Superintendent of Schools, who, in consultation with the New Jersey Department of Education's (NJDOE) McKinney-Vento Homeless Education Coordinator or the Coordinator's designee, shall immediately decide the child's or youth's status. If a dispute remains between the parent and the involved school district(s) following the Executive County Superintendent's determination, the parent or the involved district Board(s) of Education may appeal to the Commissioner of Education for determination pursuant to N.J.A.C. 6A:3, Controversies and Disputes.

When a school district designated as the school district of residence disputes its designation as the school district of residence, or where no designation can be agreed upon by the involved school districts, the Superintendent(s) or designee(s) of the involved school districts shall immediately notify the Executive County Superintendent of Schools. The Executive County Superintendent shall make a determination immediately, if possible, but no later than within forty-eight hours and, when necessary, in consultation with the NJDOE's Homeless Education Coordinator or the Coordinator's designee.

If the dispute regarding determination of the school district of residence does not involve the determination of homelessness and/or school district of enrollment, the school district disputing the Executive County Superintendent's determination may appeal to the NJDOE pursuant to N.J.A.C. 6A:23A-19.2(d), (e), and (f) and request a determination from the NJDOE Division of Administration and Finance. If an appeal of a determination of school district of residence also includes an appeal of the determination of homelessness and/or school district of enrollment, the appeal shall be submitted to the Commissioner of Education pursuant to N.J.A.C. 6A:3, Controversies and Disputes.

Any dispute or appeal shall not delay the homeless child's or youth's immediate enrollment or continued enrollment in the school district. The homeless child or youth shall be enrolled in the school district in which enrollment or continued enrollment is sought by the parent, pending resolution of the dispute or appeal. Disputes and appeals involving the services provided to a homeless child or youth with a disability shall be made pursuant to N.J.A.C. 6A:14.



Notwithstanding the provisions of N.J.S.A. 18A:38-1, 18A:7B-12, or 18A:7B-12.1, or any other section of law to the contrary, any student who moves from one school district to another as a result of being homeless due to an act of terrorism or due to a natural disaster which results in the declaration of a state of emergency or disaster by the State or by the Federal government, may continue to enroll in the school district in which the parent or guardian last resided prior to becoming homeless for up to two full school years after the act of terrorism or natural disaster; and during the two-year period, if the student is enrolled in the district in which the parent last resided prior to becoming homeless and the student's parent remains homeless for that period, the student shall attend that district tuition-free and that district shall provide the student transportation to and from school in accordance with N.J.S.A. 18A:7B-12.3.

Financial responsibility, including the payment of tuition for the homeless child or youth, will be in accordance with N.J.A.C. 6A:17-2.8. The school district of residence shall list the child on its annual Application for State School Aid (ASSA) pursuant to N.J.S.A. 18A:7F-33 until the parent establishes a permanent residence or is deemed domiciled in another jurisdiction pursuant to N.J.S.A. 18A:38-1.d. At that time, the school district of residence or the school district in which the parent has been deemed domiciled shall no longer list the student on its ASSA. The State shall assume fiscal responsibility for the tuition of the child pursuant to N.J.S.A. 18A:7B-12.1 and shall pay the tuition to the school district in which the child or youth is currently enrolled until the parent establishes a permanent residence or is deemed domiciled in another jurisdiction pursuant to N.J.S.A. 18A:38-1.d. under the circumstances outlined in N.J.A.C. 6A:17-2.8(c).

On or before December 31 of each year, the district shall report to the Office of Homelessness Prevention in the Department of Community Affairs an accounting of each instance in which the district is made aware that a student enrolled in the district because the student's parent moved to the district as a result of being homeless in accordance with N.J.S.A. 18A:38-1.f.

N.J.S.A. 18A:7B-12; 18A:7B-12.1; 18A:7B-12.3; 18A:38-1
N.J.A.C. 6A:17-2.1 et seq.

Adopted: 13 December 2023

5120 ASSIGNMENT OF STUDENTS

The Board of Education directs the assignment of students to the schools, programs, and classes of this district consistent with the best interests of students and the best uses of the resources of this district.

Students shall generally attend the school located in the attendance area of their residence. The Superintendent may assign a pupil to a school other than that designated by the attendance area when such an exception is justified by circumstances and/or is in the best interests of the pupil. Every effort will be made to continue a pupil in the same elementary school once the pupil has been enrolled in that elementary school.

The Superintendent shall assign incoming transfer students to the school in their attendance area of their residence provided the district's school or class size requirements can accommodate the pupil's enrollment. The Building Principal may assign students in his/her school to grades, classes, and groups on the basis of the needs of the pupil as well as the sound administration of the school.

In accordance with the provisions of N.J.S.A. 18A:36-38.a.(1), a parent of twins or higher order multiples enrolled in the same Kindergarten through eighth grade level at the same public school may request, in writing, the children be placed in the same classroom or in separate classrooms. The Principal shall make the classroom placement requested in accordance with the provisions of N.J.S.A. 18A:36-38.a.(1).

In accordance with the provisions of N.J.S.A. 18A:36-38a.(2), a parent of twins or higher order multiples enrolled in the same ninth through twelfth grade level at the same public school may request, in writing, the children be placed in the same classroom or in separate classrooms. The placement of such children shall be made at the discretion of the Principal in the best interest of the school and its students. The parent may appeal the Principal's classroom placement decision to the Board of Education, which shall make a final determination on the placement.

The written request must be submitted to the Principal no later than fourteen days after the first day of each school year. Parents of twins or higher order multiples enrolling after the school year commences shall request the classroom placement in writing no later than fourteen days after the first day of attendance.

In accordance with the provisions of N.J.S.A. 18A:36-38.(2)(b), a Principal may, after consultation with the students' parent and teachers at the end of the initial grading period, request the Board make a different classroom placement determination for the twins or higher order multiples if the initial classroom placement is determined to be disruptive to any of the students in the class or classes, or if the Principal concludes the initial placement does not sufficiently support the students' academic or social development. Upon receiving such request, the Board shall make a final classroom placement determination.

"Higher order multiples" means triplets, quadruplets, quintuplets, or larger group siblings born at one birth. Provisions of N.J.S.A. 18A:36-38 do not apply to a school district which maintains only a single classroom for the grade level in which twins or higher order multiples are enrolled. The parent shall be responsible for any additional pupil transportation costs that are incurred by the district as a result of providing the requested classroom placement, unless the district is in agreement with the placement. In the event one of the twins or higher order multiples receives special education services, the requested placement shall not be accommodated if the placement is inconsistent with a pupil's Individualized Education Plan.

N.J.S.A. 18A:36-38

Adopted: 18 September 2013



5130 WITHDRAWAL FROM SCHOOL

The Board of Education believes that the educational goals of this district are best implemented by a pupil's exposure to the entire educational program and that every pupil enrolled in this district should be encouraged to complete the program of instruction appropriate to his/her needs. No pupil below the age of sixteen will be permitted to withdraw from school.

The Superintendent shall alert teaching staff members to identify those students who may consider eighth grade graduation the termination of their education. Any pupil who indicates that he/she may drop out of school before entry to the ninth grade should be reported to the Building Principal and be provided with counseling.

Adopted: 19 October 2011

5200 ATTENDANCE

In accordance with the provisions of N.J.S.A. 18A:38-25, every parent or other person having control and custody of a child between the ages of six and sixteen shall cause the child to regularly attend school. The Board of Education requires students enrolled in the school district attend school regularly in accordance with the laws of the State.

For the purpose of this Policy and Regulation 5200, "parent" means the natural parent(s), adoptive parent(s), legal guardian(s), resource family parent(s), or surrogate parent(s) of a student. When parents are separated or divorced, "parent" means the person or agency who has legal custody of the student, as well as the natural or adoptive parent(s) of the student, provided parental rights have not been terminated by a court of appropriate jurisdiction.

Notwithstanding the requirement of reporting student absences in the school register for State and Federal reporting purposes, "excused" and "unexcused" student absences, for the purpose of expectations and consequences regarding truancy, student conduct, promotion, retention, and the award of course credit is a Board decision outlined in N.J.A.C. 6A:16-7.6 and Policy and Regulation 5200. In accordance with the provisions of N.J.A.C. 6A:16-7.6 and for the purposes of Policy and Regulation 5200, a student's absence from school will either be excused or unexcused. Unexcused absences will count toward truancy.

A parent or adult student shall provide advance notice to the school prior to the student being absent from school. In accordance with N.J.S.A. 18A:36-25.6, if a student is determined to be absent from school without valid excuse, and if the reason for the student's absence is unknown to school personnel, the Principal or designee shall immediately attempt to contact the student's parent to notify the parent of the absence and determine the reason for the absence.

Students that are absent from school for any reason are responsible for the completion of assignments missed because of their absence. In accordance with N.J.S.A. 18A:36-14, a student who is absent from school for observing a religious holiday shall not be deprived of any award, eligibility, or opportunity to compete for any award, or deprived of the right to take an alternate test or examination that was missed because of the absence provided there is a written excuse of such absence signed by the parent.

Prolonged or repeated absences, excused or unexcused, from school or from class, deprive students of the educational and classroom experiences deemed essential to learning and may result in retention at grade level

N.J.S.A. 18A:36-14; 18A:36-25.6; 18A:38-25; 18A:38-25.1;
18A:38-25.2; 18A:38-26
N.J.S.A. 34:2-21.1 et seq.
N.J.A.C. 6A:16-7.6; 6A:30-5.2; 6A:32-8; 6A:32-13

Adopted: 15 February 2023

5230 LATE ARRIVAL AND EARLY DISMISSAL

The Board of Education requires that students be in attendance for the full school day in order to benefit from the instructional program. That requirement will be waived only when compelling circumstances require that a pupil be late to school or dismissed from school before the end of the school day.

The Principal may excuse for cause the late arrival and early dismissal of a pupil on the prior written request of the pupil's parent(s) or legal guardian(s). Good cause may include, but need not be limited to, medical and dental appointments that cannot be scheduled outside the school day, medical disability, a motor vehicle driver's test, interviews for college entrance or employment, and court appearances.

No pupil will be permitted to leave the school before the end of the school day except in the presence of the pupil's parent(s) or legal guardian(s), or an agent of the parent(s) or legal guardian(s) who has written authorization, or in the custody of agents of the state acting in their legal capacity.

The Principal shall maintain a record of the parent(s) or legal guardian(s) of each pupil. If one parent has been assigned custody of the pupil by court order or separation agreement and wishes to limit the noncustodial parent's access to the pupil, the parent in custody must inform the Principal of any such limitation and may request that his/her authorization be required before the noncustodial parent is granted access. In the absence of such notice, the Principal will presume that a pupil may be released into the care of either parent.

A pupil who suffers an incapacitating medical disability will be released from school only in the presence of an adult.

Adopted: 19 October 2011

5240 TARDINESS

The Board of Education believes that promptness is an important element of school attendance. Students who are late to school or to class miss essential portions of the instructional program and create disruptions in the academic process for themselves and other students.

Tardiness to school or class that is caused by a pupil's illness, an emergency in the pupil's family, the observance of a religious holiday, a death in the pupil's family, or by the pupil's compliance with a request or directive of an administrator will be considered justified and is excused. All other incidents of tardiness will be considered unexcused.

An accumulation of ten tardy days will count as an absence.

A pupil who develops a pattern of tardiness, excused or unexcused, will be offered counseling with an appropriate staff member to determine the cause of the tardiness.

N.J.S.A. 18A:36-14; 18A:36-15; 18A:36-25 et seq.

Adopted: 19 October 2011

5250 EXCUSAL FROM CLASS OR PROGRAM

The Board of Education directs that a pupil be excused from any part of the instructions in health education, family life education, sex education, or instruction that includes dissection of animals that the parent(s) or legal guardian(s) of the pupil or the adult pupil finds morally, conscientiously, or religiously offensive. A request for excusal must be presented in a signed statement and submitted to the Principal.

An excused pupil shall be assigned to an alternate program of independent study on a substitute topic within the health education, family life education, or sex education program. The parent's or legal guardian's right of excusal applies to any alternate program as well.

No excused pupil will be penalized by loss of credit as a result of his/her excusal, but a pupil will be held accountable for successful completion of any alternate program assigned.

N.J.S.A. 18A:35-4.7

Adopted: 19 October 2011

5300 AUTOMATED EXTERNAL DEFIBRILLATORS (AEDS)

The American Heart Association estimates many lives could be saved if defibrillators were more widely available. Due to technological advances, automated external defibrillators (AEDs) may be used by lay persons without any training to provide defibrillation within the first minutes of cardiac arrest thereby increasing the victim's chances of survival. In accordance with N.J.S.A. 18A:40-41.a, the Board of Education shall ensure every school in the school district has an AED as defined in N.J.S.A. 2A:62A-24. The AED shall be made available in an unlocked location on school property with an appropriate identifying sign. The AED shall be accessible during the school day and any other time when a school-sponsored athletic event or team practice is taking place in which students of the school district are participating. The AED shall be within reasonable proximity of the school athletic field or gymnasium, as applicable.

A team coach, licensed athletic trainer, or other designated staff member if there is no coach or licensed athletic trainer, who is present during athletic events or team practices, shall be trained in cardio-pulmonary resuscitation and the use of the AED in accordance with the provisions of N.J.S.A. 2A:62A-25.a. The school district shall be deemed to be in compliance with N.J.S.A. 2A:62A-25.a, if a State-certified emergency services provider or other certified first responder is on site at the event or practice.

Each AED in the school district shall be tested and maintained according to the manufacturer's operational guidelines. Notification shall be provided to the appropriate first aid, ambulance, rescue squad, or other appropriate emergency medical services provider regarding the AED, the type acquired, and its location in accordance with N.J.S.A. 2A:62A-25.b and c.

The school district and its employees shall be immune from civil liability in the acquisition and use of AEDs pursuant to the provisions of N.J.S.A. 2A:62A-27.

In accordance with the provisions of N.J.S.A. 18A:40-41.b, the Superintendent of Schools or designee shall establish and implement an Emergency Action Plan applicable to each school in the school district for responding to a sudden cardiac event including, but not limited to, an event in which the use of an AED may be necessary. The Emergency Action Plan shall be consistent with the provisions of N.J.S.A. 18A:40-41.a and, at a minimum, shall include a list of no less than five school employees, team coaches, or licensed athletic trainers who hold current certifications from the American Red Cross, American Heart Association, or other training programs recognized by the Department of Health and Senior Services in cardio-pulmonary resuscitation and in the use of an AED. This list shall be updated, if necessary, at least once in each semester of the school year. The Emergency Action Plan shall also include detailed procedures on responding to a sudden cardiac event including, but not limited to, the identification of the persons in the school who will be responsible for responding to the person



experiencing the sudden cardiac event; calling 911; starting cardio-pulmonary resuscitation; retrieving and using the AED; and assisting emergency responders in getting to the individual experiencing the sudden cardiac event.

N.J.S.A. 18A:40-41.a; 18A:40-41.b

Adopted: 18 September 2013

5305 HEALTH SERVICES PERSONNEL

The Board of Education shall appoint at least one school physician pursuant to N.J.S.A. 18A:40-1. The Board may appoint a lead school physician to serve as health services director if more than one school physician is contracted by the Board. The school physician(s) shall be currently licensed by the New Jersey Board of Medical Examiners in medicine or osteopathy and shall have a training and scope of practice that includes child and adolescent health and development. The contract between the Board and the school physician(s) appointed pursuant to N.J.S.A. 18A:40-1 shall include a statement of assurance that the school physician(s) has completed the Student-Athlete Cardiac Screening professional development module developed pursuant to N.J.S.A. 18A:40-41d and has read the sudden cardiac arrest pamphlet developed pursuant to N.J.S.A. 18A:40-41. The school district shall conduct a criminal history background check on any physician before entering into an agreement for delivery of services pursuant to N.J.A.C. 6A:16-2.3.

The school physician(s) shall provide, at a minimum, the following services:

1. Consultation in the development and implementation of school district policies, procedures, and mechanisms related to health, safety, and medical emergencies, pursuant to N.J.A.C. 6A:16-2.1(a) and Policy and Regulation 5310;

2. Consultation to school district medical staff regarding the delivery of school health services, which includes special health care needs of technology-supported and medically fragile children, including students covered by 20 U.S.C. §1400 et seq., Individuals with Disabilities Education Act;

3. Physical examinations conducted in the school physician's office or other comparably equipped facility for students who do not have a medical home;

4. Provision of written notification to the parent stating approval or disapproval of the student's participation in athletics based upon the medical report;

5. Direction for professional duties of other medical staff;

6. Written standing orders that shall be reviewed and re-issued before the beginning of each school year;

7. Establishment of standards of care for emergency situations and medically related care involving students and school staff;

8. Assistance to the certified school nurse or noncertified nurse in conducting health screenings of students and staff and assistance with the delivery of school health services;

9. Review, as needed, of reports and orders from a student's medical home regarding student health concerns;

10. Authorization of tuberculin testing for conditions outlined in N.J.A.C. 6A:16-2.2(c) and Policy and Regulation 5310;

11. Review, approval, or denial with reasons of a medical home determination of a student's anticipated confinement and resulting need for home instruction; and

12. Consultation with the school district certified school nurse(s) to obtain input for the development of the school nursing services plan, pursuant to N.J.A.C. 6A:16-2.1(b) and Policy and Regulation 5310.

The Board shall employ a certified school nurse to provide nursing services while school is in session pursuant to N.J.S.A. 18A:40-1 and 3.3. The certified school nurse shall work under the direction of the school physician and Superintendent of Schools.

The certified school nurse shall possess a standard educational services certificate with a school nurse endorsement or school nurse/non-instructional endorsement pursuant to N.J.A.C. 6A:9B-14.3 or 14.4. The certified school nurse shall possess a current New Jersey registered professional nurse license issued by the New Jersey State Board of Nursing; a bachelor's degree from a regionally accredited college or university; a current Cardiopulmonary Resuscitation (CPR) and Automated External Defibrillators (AED) certification as issued by the American Heart Association, the American Red Cross, the National Safety Council, or other entities determined by the Department of Health to comply with the American Heart Association's CPR guidelines; and complete training in airway management and in the use of nebulizers and inhalers consistent with nationally recognized standards including, but not limited to, those of the National Institutes of Health and the American Academy of Allergy, Asthma, and Immunology.

The role of the certified school nurse shall include, but not be limited to:

1. Carrying out written orders of the medical home and standing orders of the school physician;



2. Conducting health screenings which include height, weight, blood pressure, hearing, vision, and scoliosis pursuant to N.J.A.C. 6A:16-2.2 and Policy and Regulation 5310 and monitoring vital signs and general health status for emergent issues for students suspected of being under the influence of alcohol and controlled dangerous substances, pursuant to N.J.S.A. 18A:40-4 and 18A:40A-12 and Policy and Regulation 5530;

3. Maintaining student health records, pursuant to N.J.S.A. 18A:40-4 and N.J.A.C. 6A:16-2.4, and Policy and Regulation 5308;

4. Recommending to the Principal students who shall not be admitted to or retained in the school building based on a parent's failure to provide evidence of the child's immunization according to the schedules specified in N.J.A.C. 8:57-4;

5. Annually reviewing student immunization records to confirm with the medical home that the medical condition for the exemption from immunization continues to be applicable, pursuant to N.J.A.C. 8:57-4.3;

6. Recommending to the Principal exclusion of students who show evidence of communicable disease, pursuant to N.J.S.A. 18A:40-7, 8, and 10;

7. Directing and supervising the emergency administration of epinephrine and glucagon, and training school staff designated to serve as delegates, pursuant to N.J.S.A. 18A:40-12.6 and 12.14 and Policy and Regulation 5330;

8. Administering asthma medication through use of a nebulizer;

9. Directing and supervising the health services activities of any school staff to whom the certified school nurse has delegated a nursing task;

10. Classroom instruction in areas related to health education, pursuant to N.J.A.C. 6A:9B-14.3;

11. Reviewing and summarizing available health and medical information regarding the student and transmitting a summary of relevant health and medical information to the Child Study Team, pursuant to N.J.A.C. 6A:14-3.4(h);

12. Writing and updating, at least annually, the individualized health care plans and the individualized emergency healthcare plans for students' medical needs, and instructing staff as appropriate;



13. Writing and updating, at least annually, any written healthcare provisions required under Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §794(a), for any student who requires them;

14. Assisting in the development of and implementing healthcare procedures for students in the event of an emergency;

15. Instructing teachers on communicable disease and other health concerns, pursuant to N.J.S.A. 18A:40-3;

16. Reviewing completed health history update questionnaires and sharing with the school athletic trainer for review, if applicable, pursuant to N.J.S.A. 18A:40-41.7; and

17. Providing other nursing services consistent with the nurse's educational services certification endorsement as a school nurse issued by the State Board of Examiners and current license approved by the State Board of Nursing.

A certified school nurse who possesses the school nurse/non-instructional certificate is not authorized to teach in areas related to health, pursuant to N.J.A.C. 6A:9B-14.4.

The Board may appoint a non-certified nurse under the supervision of a certified school nurse to supplement the services of a certified school nurse provided a noncertified nurse shall be assigned to the same school building or complex as the certified school nurse pursuant to N.J.S.A. 18A:40-3.3.a. and a noncertified nurse is limited to providing services only as permitted under a noncertified nurse's license issued by the State Board of Nursing in accordance with N.J.A.C. 6A:16-2.3(c).

N.J.S.A. 18A:40-1; 18A:40-3.3; 18A:40-4; 18A:40-7;
18A:40-8; 18A:40-10; 18A:40A-12; 18A:40-12.6;
18A:40-12.14; 18A:40-41.7
N.J.A.C. 6A:9B-14.3; 6A:9B-14.4; 6A:14-3.4; 6A:16-2.1;
6A:16-2.2; 6A:16-2.3

Adopted: 16 August 2023

5306 HEALTH SERVICES TO NONPUBLIC SCHOOLS

A Board of Education having nonpublic schools within the school district boundaries shall provide nursing services to students enrolled full-time in the nonpublic school pursuant to N.J.S.A. 18A:40-23 et seq. and N.J.A.C. 6A:16-2.5.

The Board shall provide for the extension of emergency care provided to public school students and to full-time nonpublic school students who are injured or become ill at school or during participation on a school team or squad pursuant to N.J.A.C. 6A:16-2.1(a)4. The Board may provide additional services to those required under N.J.A.C. 6A:16-2.5(a) and under conditions as outlined in N.J.A.C. 6A:16-2.5(c).

The nursing services shall be provided by a registered nurse licensed in the State of New Jersey who is an employee of the school district, third-party contractor, or an independent contractor. The nursing services provided to nonpublic school students shall not include instructional services.

A nonpublic school may decline nursing services required or permitted under N.J.A.C. 6A:16-2.5 by submitting to the Board of Education notification signed by the Chief School Administrator of the nonpublic school pursuant to N.J.S.A. 18A:40-29. A student who is enrolled in a nonpublic school and whose parent objects to the student receiving any services provided under N.J.A.C. 6A:16-2.5 shall not be compelled to receive the services except for a physical or medical examination to determine whether the student is ill or infected with a communicable disease pursuant to N.J.S.A. 18A:40-30.

The Board shall consider the provision of health services to nonpublic schools based upon the considerations outlined in N.J.A.C 6A:16-2.5(h)1 through 3. The Superintendent or designee shall confer annually with the administrator of the nonpublic school to advise the nonpublic school of the amount of funds allocated by the Department of Education to the nonpublic school; to agree on the basic health services that shall be provided and the additional medical services that may be provided as set forth in N.J.S.A. 18A:40-23 et seq.; to inform the nonpublic school the County Office of Education shall provide assistance in the event an agreement cannot be reached regarding the health services and additional medical services to be provided to the nonpublic school; to assure the nonpublic school receiving services receives a copy of N.J.S.A. 18A:40-23 to 31 and N.J.A.C. 6A:16-2.5; and to assure that a description of the provision of nursing services is reflected in the school district's Nursing Services Plan.

The Board providing health services to a nonpublic school(s) shall submit information to the Executive County Superintendent on or before October 1 annually that includes: a written statement verifying the required annual conference was held with the nonpublic school; a copy of the contract with another agency to provide the services, if applicable; a copy of the Board meeting minutes approving the contract; and a description of the type and number of services that were provided during the previous school year on a Commissioner of Education approved form. A copy of the information submitted to the Executive County Superintendent shall also be provided to the Chief School Administrator of each nonpublic school within the school district boundaries.

N.J.S.A. 18A:40-23 et seq.
N.J.A.C. 6A:16-2.5 et seq.

Adopted: 17 December 2014

5307 NURSING SERVICES PLAN

The Board of Education shall annually adopt the school district's Nursing Services Plan at a regular meeting and submit it to the County Superintendent of Education for review and approval.

The Superintendent, or designee, shall develop the Nursing Services Plan in consultation with the school physician and certified school nurse.

The Nursing Services Plan shall include a description of the basic nursing services to be provided to all students and a summary of the specific medical needs of individual students, if any, and the nursing services required to address those needs. The Nursing Services Plan shall also include a description of how nursing services will be provided in emergency situations, detailed nursing assignments sufficient to provide the services to students in its school building as outlined in N.J.A.C. 6A:16-2.3(b) through (d), and nursing services and additional medical services provided to nonpublic schools pursuant to N.J.A.C. 6A:16-2.5.

The Board, in its determination of the number of certified school nurses and non-certified nurses needed to perform all of the required services as outlined in N.J.A.C. 6A:16 et seq. shall consider: the geographic size including the number and location of the school building; the general and special education enrollment; the number of children with medical involvement and extent of nursing services required; the requirement that non-certified nurses be assigned to the same school building or school complex as the supervising certified school nurse to ensure that the certified school nurse can provide required supervision pursuant to N.J.A.C. 6A:16-2.3(b) and (d) and N.J.S.A. 18A:40-3.3; and nursing services and additional medical services provided to nonpublic schools pursuant to N.J.A.C. 6A:16-2.5.

N.J.A.C. 6A:16-2.1(b)

Adopted: 19 October 2011

5308 STUDENT HEALTH RECORDS

The school district shall maintain mandated student health records for each student pursuant to N.J.A.C. 6A:16-2.4 and N.J.A.C. 6A:32-7. The district will document student health records using a form approved by the Commissioner of Education.

The maintenance and security of student health records shall be in accordance with N.J.A.C. 6A:32-7 and 6A:16-2.4. Student health records, whether stored on paper or electronically, shall be maintained in accordance with N.J.A.C. 6A:32-7. Student health records shall be maintained separately from other student records. Student health records also shall be maintained according to the requirements of N.J.A.C. 6A:32-7 until such time as graduation or termination from the school district, whereupon the health history and immunization record shall be removed from the student's health record and placed in the student's mandated record. The school district of last enrollment, graduation, or permanent departure of the student shall keep, for 100 years, a mandated record of a student's health history and immunization in accordance with N.J.A.C. 6A:32-7.8(f). No additions shall be made to the record after graduation or permanent departure without prior written consent of the parent or adult student pursuant to N.J.A.C. 6A:32-7.8(e).

The transfer of student health records when a student transfers to or from a school district shall be in accordance with N.J.A.C. 6A:16-7.9 and N.J.A.C. 6A:32-7.5.

Any Board of Education employee with knowledge of, or access to, the following health information shall comply with restrictions for sharing information as required by Federal and State statutes and regulations: information that identifies a student as having HIV infection or AIDS shall be shared only with prior written informed consent of the student age twelve or greater, or of the student's parent as required by N.J.S.A. 26:5C-1 et seq. and only for the purpose of determining an appropriate educational program for the student; information obtained by the school's alcohol and other drug program that would identify the student as an alcohol or other drug user may be disclosed only for those purposes and under conditions permitted by 42 CFR Part 2; information provided by a secondary school student while participating in a school-based alcohol or other drug counseling program that indicates that a parent or other person residing in the student's household is dependent upon or illegally using a substance shall be shared only for those purposes and conditions permitted by N.J.S.A. 18A:40A-7.1.

Access to and disclosure of information in a student health record shall meet the requirements of the Family Educational Rights and Privacy Act (FERPA), 20 USC §1232g, and 34 CFR Part 99, incorporated herein by reference, as amended and supplemented, and N.J.A.C. 6A:32-7 - Student Records.



The school district shall provide access to the student health record to licensed medical personnel not holding educational certification who are working under contract with, or as employees of, the school district only to the extent necessary to enable the licensed medical personnel to perform their duties. Secretarial or clerical personnel under the supervision of the certified school nurse shall be permitted access to those portions of the student health record necessary for entry and recording of data and for conducting routine clerical tasks as outlined in N.J.S.A. 18A:40-3.4 and N.J.A.C. 6A:32-7.5.

Nothing in N.J.A.C. 6A:16-2.4 or in this Policy and Regulation 5308 shall be construed to prohibit school personnel from disclosing to students or adults in connection with an emergency the information contained in the student health record if the release is necessary to protect the immediate health or safety of the student or other persons pursuant to N.J.A.C. 6A:32-7.5.

N.J.S.A. 18A:40-3.4
N.J.A.C. 6A:16-2.4; 6A:32-7.1; 6A:32-7.4;
6A:32-7.5; 6A:32-7.8

Adopted: 16 August 2023



5310 HEALTH SERVICES

The Board of Education shall develop and adopt the following written policies, procedures, and mechanisms in accordance with N.J.A.C. 6A:16-2.1(a) for the provision of health, safety, and medical emergency services, and shall ensure staff are informed as appropriate:

1. The review of immunization records for completeness, pursuant to N.J.A.C. 8:57-4.1 through 4.20 (Policy and Regulation 5320);

2. The administration of medication to students in the school setting by the following authorized individuals (Policy and Regulation 5330):

   a. The school physician;

   b. A certified school nurse or noncertified nurse;

   c. A substitute school nurse employed by the school district;

   d. The student's parent;

   e. A student approved to self-administer medication, pursuant to N.J.A.C. 6A:16-2.1(a)5.iii. and 6A:16-2.1(a)9. and N.J.S.A. 18A:40-12.3 and 12.4;

   f. Other school employees who volunteer to be trained and designated by the certified school nurse to administer epinephrine in an emergency, pursuant to N.J.S.A. 18A:40-12.5 and 12.6; and

   g. Other employees who volunteer to be designated as a delegate and trained to administer glucagon, pursuant to N.J.S.A. 18A:40-12.14.

3. The review of Do Not Resuscitate (DNR) orders received from the student's parent or medical home (Policy 5332);

4. The provision of health services in emergency situations, including:

   a. The emergency administration of epinephrine via an epinephrine auto-injector, pursuant to N.J.S.A. 18A:40-12.5 (Policy and Regulation 5330);

   b. The emergency administration of glucagon, pursuant to N.J.S.A. 18A:40-12.14 (Policy and Regulation 5338);



c. The care of any student who becomes injured or ill while at school or participating in school-sponsored functions (Policy and Regulation 8441);

d. The transportation and supervision of any student determined to be in need of immediate care (Policy and Regulation 8441);

e. The notification to parents of any student determined to be in need of immediate medical care (Policy and Regulation 8441); and

f. The establishment and implementation of an emergency action plan for responding to a sudden cardiac event, including the use of an automated external defibrillator (AED), pursuant to N.J.S.A. 18A:40-41b. (Policy and Regulation 5300).

5. The treatment of asthma in the school setting in accordance with the provisions of N.J.A.C. 6A:16-2.1(a)5. (Policy 5335);

6. Administration of student medical examinations, pursuant to N.J.S.A. 18A:40-4, N.J.S.A. 18A:35-4.8, and N.J.A.C. 6A:16-2.2 (Policy and Regulation 5310);

7. Utilization of sanitation and hygiene when handling blood and bodily fluids pursuant to N.J.A.C. 12:100-4.2, Safety and Health Standards for Public Employees, and in compliance with 29 CFR §1910.1030, Occupational Safety and Health Bloodborne Pathogens Standards (Policy and Regulation 7420);

8. Provision of nursing services to nonpublic schools located in the school district as required by N.J.S.A. 18A:40-23 et seq. and N.J.A.C. 6A:16-2.5 (Policy and Regulation 5306);

9. Self-administration of medication by a student for asthma or other potentially life-threatening illness or life-threatening allergic reaction pursuant to N.J.S.A. 18A:40-12.3, 12.5, and 12.6, and the self-management and care of a student's diabetes as needed, pursuant to N.J.S.A. 18A:40-12.15 (Policy and Regulation 5330);

10. Development of an individualized healthcare plan and individualized emergency healthcare plan for students with chronic medical conditions, including diabetes, asthma, and life-threatening allergies requiring special health services in accordance with N.J.S.A. 18A:40-12.11.c, 12.12, 12.13, and 12.15; and N.J.A.C.



6A:16-2.3(b)3.xii. (Policies and Regulations 5331 and 5338 and Policy 5335); and

11. Management of food allergies in the school setting and the emergency administration of epinephrine to students for anaphylaxis, pursuant to N.J.S.A. 18A:40-12.6a through 12.6d (Policy and Regulation 5331).

The Board of Education shall annually adopt the school district's nursing services plan at a regular meeting, pursuant to N.J.A.C. 6A:16-2.1(b) and Policy 5307.

N.J.S.A. 18A:35-4.8; 18A:40-4; 18A:40-12;
18A:40-12.3; 18A:40-12.5; 18A:40-12.6;
18A:40-12.6a; 18A:40-12.6b; 18A:40-12.6c;
18A:40-12.6d; 18A:40-12.7; 18A:40-12.11;
18A:40-12.15; 18A:40-16; 18A:40-23 et seq.;
18A:40-41.a.; 18A:40-41.b.
N.J.A.C. 6A:16-1.3; 6A:16-2.1; 6A:16-2.2

Adopted: 16 August 2023



5320 IMMUNIZATION

In order to safeguard the school community from the spread of certain communicable diseases and in recognition that prevention is a means of combating the spread of disease, the Board of Education requires the immunization of students against certain diseases in accordance with State statute and rules of the New Jersey State Department of Health and Senior Services.

A student shall not knowingly be admitted or retained in school if the parent has not submitted acceptable evidence of the child's immunization, according to schedules specified in N.J.A.C. 8:57-4 – Immunization of Students in School. However, a child may be admitted to school on a provisional basis in accordance with the requirements as outlined in N.J.A.C. 8:57-4.5 and Regulation 5320.

Medical or religious exemptions to immunizations shall be in accordance with the requirements as outlined in N.J.A.C. 8:57-4.3 and 4.4. For students with a medical exemption pursuant to N.J.A.C. 8:57-4.3, the school nurse shall annually review student immunization records to confirm the medical condition for the exemption from immunization continues to be applicable in accordance with J.J.A.C. 6A:16-2.3(b)3.v.

No immunization program, other than that expressly required by the rules of the New Jersey State Department of Health and Senior Services or by order of the New Jersey State Commissioner of Health and Senior Services, may be conducted in the district school without the express approval of the Board.

N.J.S.A. 18A:40-20
N.J.S.A. 26:4-6
N.J.A.C 6A:16-2.3
N.J.A.C. 8:57-4.1 et seq.

Adopted: 23 September 2020

5330 ADMINISTRATION OF MEDICATION

The Board of Education disclaims any and all responsibility for the diagnosis and treatment of the illness of any pupil. However, in order for many students with chronic health conditions and disabilities to remain in school, medication may have to be administered during school hours. Parents and legal guardians are encouraged to administer medications to children at home whenever possible as medication should be administered in school only when necessary for the health and safety of students. The Board will permit the administration of medication in school in accordance with applicable law.

Medication will only be administered to students in school by the school physician, a certified or noncertified school nurse, a substitute school nurse employed by the district, the pupil's parent(s) or legal guardian(s), a pupil who is approved to self-administer in accordance with N.J.S.A. 18A:40-12.3 and 12.4, and school employees who have been trained and designated by the certified school nurse to administer epinephrine and hydrocortisone sodium succinate in an emergency pursuant to N.J.S.A. 18A:40-12.5, 12.6, 12.29, and 12.30.

Self-administration of medication by a student for asthma or other potentially life-threatening illnesses, a life threatening allergic reaction, or adrenal insufficiency is permitted in accordance with the provisions of N.J.S.A. 18A:40-12.3.

The school nurse shall have the primary responsibility for the administration of epinephrine and hydrocortisone sodium succinate to the student. However, the school nurse may designate, in consultation with the Board or the Superintendent, additional employees of the district who volunteer to be trained in the administration of epinephrine via a pre-filled auto-injector mechanism and the administration of hydrocortisone sodium succinate using standardized training protocols established by the New Jersey Department of Education (NJDOE) in consultation with the Department of Health when the school nurse is not physically present at the scene

In accordance with the provisions of N.J.S.A. 18A:40-12.6.d, no school employee, including a school nurse or any other officer or agent of a Board of Education or a physician or an advanced practice nurse providing a prescription under a standing protocol for school epinephrine pursuant to N.J.S.A. 18A:40-12.5 and/or hydrocortisone sodium succinate pursuant to N.J.S.A. 18A:40-12.29, shall be held liable for any good faith act or omission consistent with the provisions of N.J.S.A. 18A:40-12.5 and N.J.S.A. 18A:40-12.29, nor shall any action before the New Jersey State Board of Nursing lie against a school nurse for any such action taken by a person designated in good faith by the school nurse pursuant to N.J.S.A. 18A:40-12.6.d and N.J.S.A. 18A:40-12.33. Good faith shall not include willful misconduct, gross negligence, or recklessness.

The school nurse or designee shall be promptly available on site at the school and at school-sponsored functions in the event of an allergic reaction or an emergency requiring the administration of hydrocortisone sodium succinate. In addition, the parent must be informed that the school district, its employees and agents shall have no liability as a result of any injury arising from the administration of epinephrine or hydrocortisone sodium succinate to the student.

The parent of the student must sign a statement acknowledging their understanding the district shall have no liability as a result of any injury arising from the administration of the epinephrine via a pre-filled auto-injector mechanism or the administration of hydrocortisone sodium succinate to the student. In addition, the parent shall indemnify and hold harmless the district and its employees or agents against any claims arising out of the administration of the epinephrine via a pre-filled auto-injector mechanism or the administration of hydrocortisone sodium succinate to the student.

The permission for the emergency administration of epinephrine via a pre-filled auto-injector mechanism containing epinephrine to students for anaphylaxis and/or the emergency administration of hydrocortisone sodium succinate for adrenal insufficiency is effective for the school year it is granted and must be renewed for each subsequent school year.

Each school in the district shall have and maintain for the use of students at least one nebulizer in the office of the school nurse or a similar accessible location. Each certified school nurse or other persons authorized to administer asthma medication will receive training in airway management and in the use of nebulizers and inhalers consistent with NJDOE regulations. Every student that is authorized to use self-administered asthma medication pursuant to N.J.S.A. 18A:40-12.3 or a nebulizer must have an asthma treatment plan prepared by the student's physician which shall identify, at a minimum, asthma triggers, the treatment plan, and other such elements as required by the State Board of Education.

All student medications shall be appropriately maintained and secured by the school nurse, except those medications to be self-administered by students. In those instances, the medication may be retained by the student with the prior knowledge of the school nurse. The school nurse may provide the Principal and other teaching staff members concerned with the student's educational progress with such information about the medication and its administration as may be in the student's best educational interests. The school nurse may report to the school physician any student who appears to be affected adversely by the administration of medication and may recommend to the Principal the student's exclusion pursuant to law.

The school nurse shall document each instance of the administration of medication to a student. Students self-administering medication shall report each incident to a teacher, coach, or other individual designated by the school nurse who is supervising the student during the school



activity when the student self-administers. These designated individuals shall report such incidents to the school nurse within twenty-four hours of the self-administration of medication. The school nurse shall preserve records and documentation regarding the self-administration of medication in the student's health file.

N.J.S.A. 18A:6-1.1; 18A:40-3.1; 18A:40-6; 18A:40-7; 18A:40-12.3;
18A:40-12.4; 18A:40-12.5; 18A:40-12.6; 18A:40-12.7;
18A:40-12.8; 18A:40-12.29 through 12.33
N.J.S.A. 45:11-23
N.J.A.C. 6A:16-2.3(b)

Adopted: 19 August 2020

5330.01 ADMINISTRATION OF MEDICAL CANNABIS

The Board of Education, in accordance with the requirements of N.J.S.A. 18A:40-12.22, must adopt a Policy authorizing parents, designated caregiver(s) to administer medical cannabis to a qualifying student patient while on school grounds, aboard a school bus, or attending a school-sponsored event. The parent of a qualifying student patient requesting the administration of medical cannabis to the student while on school grounds, aboard a school bus, or attending a school-sponsored event must comply with the provisions of N.J.S.A. 18A:40-12.22 and N.J.S.A. 24:6I-1 et seq. and Policy and Regulation 5330.01.

A student enrolled in the school district must be authorized to engage in the medical use of cannabis pursuant to N.J.S.A. 24:6I-1 et seq. and that the parent of designated caregiver(s) be authorized to assist the student with the medical use of cannabis pursuant to N.J.S.A. 24:6I-1 et seq. The student and the designated caregiver(s) must complete registration with the Cannabis Regulatory Commission in accordance with the requirements of N.J.S.A. 24:6I-4.

The parent of the student authorized to engage in the medical use of cannabis must submit a written request with supporting documentation to the Principal requesting approval to have a designated caregiver(s) assist in the administration of medical cannabis to the student patient while on school grounds, aboard a school bus, or attending a school-sponsored event. The Principal, in consultation with the school nurse, the school physician, and the Superintendent of Schools, will review each request and upon approval will inform the parent in writing of the approval with details for the administration of medical cannabis to the qualifying student patient. The medical use of cannabis by a qualifying student patient while on school grounds, aboard a school bus, or attending a school-sponsored event will only be authorized after the written approval from the Principal is provided to the parent.

Medical cannabis may only be administered to the qualifying student patient while the student is on school grounds, aboard a school bus, or attending a school-sponsored event by the designated caregiver(s) in accordance with the provisions of N.J.S.A. 18A:40-12.22 and N.J.S.A. 24:6I-1 et seq. The prescribed medical cannabis must be in the possession of the designated caregiver(s) at all times, except during the administration process. The designated caregiver(s) shall comply with the requirements of the Principal's written approval for the administration of medical cannabis to the qualifying student patient while on school grounds, aboard a school bus, or attending a school-sponsored event.

All health records related to the administration of medical cannabis to a qualifying student patient while on school grounds, aboard a school bus, or attending a school-sponsored event shall be maintained in accordance with the requirements of N.J.A.C. 6A:16-2.4 and N.J.A.C. 6A:32-7.4.

No person shall be subject to arrest or prosecution for constructive possession, conspiracy, or any other offense for simply being in the presence or vicinity of the medical use of cannabis as authorized under N.J.S.A. 24:6I-1 et seq. or N.J.S.A. 18A:40-12.22. No custodial parent, guardian, or person who has legal custody of a qualifying student patient who is a minor shall be subject to arrest or prosecution for constructive possession, conspiracy, or any other offense for assisting the minor in the medical use of cannabis as authorized under N.J.S.A. 24:6I-1 et seq. or N.J.S.A. 18A:40-12.22.

N.J.S.A. 18A:40-12.22
N.J.S.A. 24:6I-1 et seq.
N.J.A.C. 6A:16-2.4; 6A:32-7.4

Adopted: 18 May 2016



5330.05 SEIZURE ACTION PLAN

The Board of Education requires the development of a seizure action plan, an individualized health care plan, and an individualized emergency health care plan for students with epilepsy or a seizure disorder to care for and treat these students while at school pursuant to N.J.S.A. 18A:40-12.34 et seq.

In accordance with N.J.S.A. 18A:40-12.35, the parent of the student with epilepsy or a seizure disorder seeking epilepsy or seizure disorder care while at school shall submit the student's seizure action plan annually to the school nurse.

In accordance with N.J.S.A. 18A:40-12.35, the school nurse shall develop an individualized health care plan and an individualized emergency health care plan for the student, provided the parents annually provide to the Board written authorization for the provision of epilepsy or seizure disorder care. The school nurse shall update these plans on an annual basis and as necessary in the event there is a change in the health status of the student. These plans shall include the information outlined in N.J.S.A. 18A:40-12.35.

In accordance with N.J.S.A. 18A:40-12.35, all staff members including staff working with school-sponsored programs outside the regular school day shall be trained in the care of students with epilepsy and seizure disorders. All school bus drivers, contracted and district-employed, shall be provided notice and information if they are transporting a student with epilepsy or a seizure disorder pursuant to N.J.S.A. 18A:40-12.36. The school nurse shall obtain a release from the parent of the student to authorize the sharing of medical information in accordance with N.J.S.A. 18A:40-12.37.

No school employee, including a school nurse, school bus driver, school bus aid, or any other officer or agent of the Board, shall be held liable for any good faith act or omission consistent with the provisions of N.J.S.A. 18A:40-12.34 through N.J.S.A. 18A:40-12.38, nor shall an action before the New Jersey State Board of Nursing lie against a school nurse for any such action taken by a person trained in good faith by the school nurse pursuant to N.J.S.A. 18A:40-12.34 through N.J.S.A. 18A:40-12.38. Good faith shall not include willful misconduct, gross negligence, or recklessness.

N.J.S.A. 18A:40-12.34 et seq.

Adopted: 18 November 2020

5331 MANAGEMENT OF FOOD AND LIFE-THREATENING ALLERGIES IN THE SCHOOL

The Board of Education recognizes students may have allergies to certain foods and other substances and may be at risk for illness and/or anaphylaxis. Anaphylaxis is a sudden, severe, serious, systemic allergic reaction that can involve various areas of the body (such as the skin, respiratory tract, gastrointestinal tract, and cardiovascular system). Anaphylaxis is a serious allergic reaction that may be rapid in onset and may cause death. Policy 5331 has been developed in accordance with the Guidelines for the Management of Life-Threatening Food Allergies in Schools developed by the New Jersey Department of Education.

An Individualized Healthcare Plan (IHP) and an Individualized Emergency Healthcare Plan (IEHP) will be developed for each pupil at risk for a life-threatening allergic reaction. Self-administration of medication, the placement and the accessibility of epinephrine, and the recruitment and training of designees who volunteer to administer epinephrine during school and at school-sponsored functions when the school nurse or designee is not available shall be in accordance with N.J.S.A. 18A:40-12 and Board Policy and Regulation 5330. School staff will be appropriately trained by the school nurse or designee to understand the school's general emergency procedures and steps to take should a life-threatening allergic reaction occur.

The school district will develop and implement appropriate strategies and prevention measures for the reduction of risk of exposure to food allergens throughout the school day, during before- and after-school programs, at all school-sponsored activities, in the cafeteria, or wherever food is present.

A description of the roles and responsibilities of parent(s) or legal guardian(s), staff, and students to prevent allergic reactions and during allergic reactions are outlined in Regulation 5331.

Every incident involving a life-threatening allergic reaction and/or whenever epinephrine is administered throughout the school day, during before- and after-school programs, and/or at all school-sponsored activities shall be reported to the school nurse or designee. The school nurse or designee shall be responsible to notify emergency responders, the Principal or designee, the school physician, and the Superintendent. The Superintendent shall inform the Board of Education after every incident including a life-threatening allergic reaction or whenever epinephrine is administered by the school nurse or designee. In addition, in accordance with the provisions of N.J.S.A. 18A:40-12.5.e.(3), the school nurse or designee shall arrange for the transportation of a pupil to the hospital emergency room by emergency services personnel after the administration of epinephrine, even if the pupil's symptoms appear to have resolved.

There will be occasions where food and/or beverages will be served as part of a classroom experience, field trip, and/or celebration. Because the ingredients of these food and beverage products may be unknown to the food preparation person and/or server, a pupil with a sensitivity and/or anaphylaxis to a food ingredient should not consume any food products that he/she is unsure of the ingredients. The teacher will provide, whenever possible, advance notice of the classroom experience, field trip, or celebration in order for the pupil to bring a food or beverage product from their home so they may participate in the activity.

When a parent(s) or legal guardian(s) informs the Building Principal and the school nurse the pupil may have an anaphylactic reaction to a substance other than food, the Building Principal will work with school staff to determine if these substances are on school grounds. The Building Principal will inform and work with the parent(s) or legal guardian(s) and the pupil to avoid the pupil's exposure to these substances if present on school grounds.

School staff will be appropriately trained by the school nurse or designee to understand the school's general emergency procedures and steps to take should a life-threatening allergic reaction occur. The school nurse or designee will provide appropriate training to school staff to understand allergies to food and other substances, to recognize symptoms of an allergic reaction, and to know the school's general emergency procedures and steps to take should a life-threatening allergic reaction occur. The school nurse will work with appropriate school staff to eliminate or substitute the use of allergens in the allergic pupil's meals, educational/instructional tools and materials, arts and crafts projects, or incentives.

Policy and Regulation 5331 should be annually reviewed, evaluated, and updated where needed. Policy and Regulation 5331 will be disseminated and communicated to all parent(s) or legal guardian(s) of students in the school in the beginning of each school year and when a pupil enters the school after the beginning of the school year.

N.J.S.A. 18A:40-12.3 through 18A:40-12.6
New Jersey Department of Education - Guidelines for the Management of Life-Threatening Food Allergies in Schools – September 2008

Adopted: 11 December 2024

5332 DO NOT RESUSCITATE ORDERS

Federal and State legislation entitles every pupil to a free, appropriate public education in the least restrictive environment. Due to the high risk of medically fragile students and students with chronic illnesses, who in the past would not have survived to be able to attend school, families, professionals, and school personnel are challenged with new issues in caring for these students in the school setting. Some families may wish not to pursue life-saving medical protocols for their child due to the lack of benefit to the pupil's condition or quality of life that is likely to result from following these protocols. In accordance with N.J.A.C. 6A:16-2.1(a)3, all Do Not Resuscitate (DNR) orders received for a pupil will be thoroughly and carefully reviewed.

"Do Not Resuscitate order" or "DNR order" means a written directive signed by the parent or legal guardian of a pupil who, after consultation with the pupil's pediatrician and other advisors, declines emergency administration of cardiopulmonary resuscitation (CPR) and automatic external defibrillator (AED) to the pupil. "Written order" means a directive and protocol written by the pupil's medical home to address a healthcare need or provide a medical service for a specific pupil. "Medical home" means a health care provider and that provider's practice site chosen by the pupil's parent or legal guardian for the provision of health care.

A family desiring to pursue a DNR order must submit a written order, which should be developed after a meeting with the parent(s) or legal guardian(s), the pupil, if appropriate, the school physician, the school nurse, the pupil's family healthcare provider, and the local emergency medical services provider. The written order shall include specific written emergency orders and shall specifically meet the goals for the pupil. Community emergency medical services protocols must be clearly defined in the written order.

The school nurse is responsible for providing an appropriate response to DNR orders. The school nurse will coordinate the school district's review of the written order with the Building Principal or designee, the school physician, and the Superintendent or designee. The Superintendent or designee will review the written order with the Board of Education and the school Board Attorney. The school physician shall be responsible for instructing school staff in DNR orders.

The existence of a DNR written order and plan shall be referenced on the pupil's health form that is approved for use by the Commissioner of Education. A copy of the DNR written order shall be placed with the pupil's individualized health record and a copy should be kept with the local emergency medical services provider. The DNR written order shall be reviewed whenever a change occurs in the pupil's condition and at least once every six months.

N.J.A.C. 6A:16-1.3; 6A:16-2.1(a)3
New Jersey Department of Education – School Health Services Guidelines, July 2001

Adopted: 19 October 2011



5335 TREATMENT OF ASTHMA

The Board of Education recognizes the primary goal for children with asthma is to allow the child to live as normal a life as possible. The child should be able to participate in normal childhood activities, experience exercise tolerance similar to peers, and attend school to grow intellectually and develop socially. In accordance with N.J.A.C. 6A:16-2.1(a)5, the Board adopts this Policy that includes procedures for the treatment of asthma in the school setting.

The school shall have and maintain for the use of students at least one nebulizer in the office of the school nurse or a similar location. The school nurse shall receive training in airway management and in the use of nebulizers and inhalers consistent with nationally recognized standards including, but not limited to, those of the National Institutes of Health and the American Academy of Allergy, Asthma and Immunology pursuant to N.J.S.A. 18A:40-12.8(a). The school nurse, upon receiving this training, is authorized to administer asthma medication through the use of a nebulizer pursuant to N.J.S.A. 18A:40-12.8(a).

Each pupil authorized to use self-administered asthma medication pursuant to N.J.S.A. 18A:40-12.3 and Policy 5330 or a nebulizer shall have an Asthma Action Plan (AAP) prepared by the pupil's medical home and submitted to the certified school nurse. The AAP shall identify, at a minimum, asthma triggers and information to be included in the individualized healthcare plan and individualized emergency healthcare plan, pursuant to N.J.A.C. 6A:16-2.3(b) for meeting the medical needs of the pupil while attending school or a school-sponsored function.

N.J.S.A. 18A:40-12.3; 18A:40-12.7
N.J.A.C. 6A:16-2.1(a)5

Adopted: 19 October 2011

5337 SERVICE ANIMALS

In compliance with Title II of the Americans with Disabilities Act (ADA) as amended by the ADA Amendments Act of 2008, it is the Policy of the Board of Education to permit use of a service animal by an individual with a disability in all areas of the district where the public is normally permitted: in district buildings; on district property; and on vehicles owned, leased, or controlled by the district in accordance with 28 CFR §35.136.

A. Definitions

1. "Act" means the Americans with Disabilities Act (ADA) as amended by the ADA Amendments Act of 2008.

2. "Designated administrator" means Principal or person designated by the Principal to coordinate these activities.

3. "District" means this school district.

4. "Handler" means the animal's owner who is an individual with a disability or a person, such as a trainer, assisting the owner with control of the service animal.

5. "Service animal" means a dog individually trained to do work or perform a specific job or task for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability in accordance with 28 CFR §36.104.

   a. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition.

   b. The work or tasks performed by a service animal must be directly related to the individual's disability (e.g. navigation, alerting physical support and assistance, preventing or interrupting impulsive or destructive behaviors).

   c. Work or tasks for the purposes of this definition do not include the provision of emotional support, well-being, comfort, therapy, companionship, or crime deterrence.

B. General Rules

1. The district shall permit the use of a service animal by an individual with a disability unless:

   a. The animal is out of control and the animal's handler does not take effective action to control it;

   b. The animal is not housebroken.

2. A student with a disability, including autism, shall be permitted access for a service animal in school buildings, including the classroom, on school buses, and on school grounds.

3. The service animal shall be under a handler's control at all times by use of a leash, tether, voice control, signal, or other suitable means in accordance with N.J.S.A. 18A:46-13.3 and 28 CFR §35.136(d).

4. If an animal is properly excluded, the district shall give the individual with a disability the opportunity to participate in the service, program, or activity without having the service animal on the premises in accordance with 28 CFR §35.136(b).

5. If there are places in the district where it is determined to be unsafe for a handler and service animal, reasonable accommodations will be provided to assure the individual with a disability has equal access to the activity.

6. A school official may inquire as to whether the service animal is required due to a disability and what task or work the service animal has been trained to perform, unless the student's disability and the work or task that the service animal will perform are readily apparent in accordance with N.J.S.A. 18A:46-13.3.

7. The district may not require documentation, including proof that the animal has been certified, trained, or licensed as a service animal; nor that the dog demonstrates its ability to perform the work or task in accordance with 28 CFR §35.136(f).

8. Individuals with a disability who have service animals are not exempt from local animal control or public health requirements.



9. A school official may require:

   a. Certification from a veterinarian that the service animal is properly vaccinated and does not have a contagious disease that may harm students or staff; and

   b. Documentation that any license required by the municipality in which the student resides has been obtained for the service animal.

C. Delegation of Responsibility

1. The school shall not be responsible or liable for the care or supervision of the service animal.

   a. The district is not responsible to pay for or provide a handler to aid the individual with a disability in the control of the service animal.

   b. The school shall provide reasonable accommodations to allow the handler to provide for the care and feeding of the service animal while on school grounds or at a school function.

2. If the district normally charges individuals for damage they cause, an individual with a disability may be charged for damage caused by their service animal in accordance with 28 CFR §35.136(h).

3. The district will designate relief areas for the service animal which will be included in mobility training and orientation of students and animals new to the school.

D. Notification and Responsibilities

1. In the event a service animal will be introduced as part of the school community, the designated administrator will develop a comprehensive implementation plan prior to introduction of the service animal into the school to include:

   a. Notification to parents of students who may be in contact with the service animal;

   b. Appropriate accommodations:

(1) For students who are allergic to the service animal; and/or

(2) For students who have fears regarding the service animal.

c. Appropriate etiquette regarding service animals to include:

(1) Never pet a service animal while it is working;

(2) Never feed a working service animal;

(3) Do not deliberately startle, tease, or taunt a service animal; and

(4) Do not hesitate to ask the handler if they would like assistance regarding directions for navigating the facility.

2. The use of a service animal introduced as part of the school community will require inclusion into the student's Individualized Education Plan (IEP) or the student's Section 504 Accommodation Plan.

3. The district may request, but cannot require, the owner of a service animal introduced as part of the school community and, as included in the student's IEP or Section 504 Accommodation Plan, maintain liability insurance for the service animal. The School Business Administrator/Board Secretary will ensure the school district has appropriate insurance in the event a service animal is introduced as part of the school community.

N.J.S.A. 18A:46-13.3
28 CFR §35.136
28 CFR §36.104

Adopted: 18 September 2024

5338 DIABETES MANAGEMENT

Diabetes is a serious chronic disease and must be managed twenty-four hours a day in order to avoid the potentially life-threatening short-term consequences of blood sugar levels that are either too high or too low the serious long-term complications of high blood sugar levels. In order to manage their diabetes, students must have access to the means to balance food, medications, and physical activity level while at school and at school-related activities.

The parent or legal guardian of a pupil with diabetes who seeks diabetes care for the pupil while at school shall inform the school nurse who shall develop an individualized health care plan and an individualized emergency health care plan for the pupil. The individualized health care plan and individualized emergency health care plan shall be updated by the school nurse prior to the beginning of each school year and as necessary in the event there is a change in the health status of the pupil.

The school nurse assigned to a particular school shall coordinate the provision of diabetes care at that school and ensure that appropriate staff members are trained in the care of students with diabetes, including staff members working with school-sponsored programs outside of the regular school day, as provided in the individualized health care plan and the individualized emergency health care plan. The school nurse shall have the primary responsibility for the emergency administration of glucagon to a pupil with diabetes who is experiencing severe hypoglycemia.

The school nurse shall designate, in consultation with the Superintendent or designee, additional employees of the school district who volunteer to administer glucagon to a pupil with diabetes who is experiencing severe hypoglycemia. The designated employees shall only be authorized to administer glucagon, following training by the school nurse or other qualified health care professional, when a school nurse is not physically present at the scene.

Upon the written request of the parent or legal guardian and as provided in a pupil's individualized health care plan, the pupil will be permitted to manage and care for his/her diabetes as needed in the classroom, in any area of the school or school grounds, or at any school-related activity provided the pupil has been evaluated and determined to be capable of doing so as reflected in the pupil's individualized health care plan.

The Principal or school nurse shall, for each pupil with diabetes whom a school bus driver transports, provide the driver with a notice of the pupil's condition, how to treat hypoglycemia, who to contact in an emergency, and parent(s) or legal guardian(s) contact information. Designated areas of the school building shall have posted, in plain view, a reference sheet identifying signs and symptoms of hypoglycemia in students with diabetes.

A pupil's school choice, if there is a choice option, shall not be restricted due to the fact the pupil has diabetes.

N.J.S.A. 18A:40-12.11 through 18A:40-12.21

Adopted: 19 October 2011



5339 SCREENING FOR DYSLEXIA

In accordance with the provisions of N.J.S.A. 18A:40-5.1 et seq., the Board of Education shall ensure each student enrolled in the school district who has exhibited one or more potential indicators of dyslexia or other reading disabilities is screened for dyslexia and other reading disabilities using a screening instrument selected pursuant to the provisions of N.J.S.A. 18A:40-5.2. This screening shall be administered no later than the student's completion of the first semester of the second grade.

In the event a student who would have been enrolled in Kindergarten, grade one, or grade two during or after the 2014-2015 school year enrolls in the district in Kindergarten through grade six during or after the 2015-2016 school year and has no record of being previously screened for dyslexia or other reading disabilities, pursuant to N.J.S.A. 18A:40-5.2 et seq., the Board shall ensure the newly-enrolled student is screened for dyslexia and other reading disabilities using a screening instrument selected pursuant to N.J.S.A. 18A:40-5.1. This screening shall be administered at the same time other students enrolled in the student's grade are screened for dyslexia and other reading disabilities, or if other students enrolled in the student's grade have previously been screened, within ninety calendar days of the date the student is enrolled in the district. The screenings shall be administered by a teacher or other teaching staff member properly trained in the screening process for dyslexia and other reading disabilities.

For the purposes of this Policy, "dyslexia" means a specific learning disability that is neurobiological in origin. It is characterized by difficulties with accurate and/or fluent word recognition and by poor spelling and decoding abilities. These difficulties typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction. Secondary consequences may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge.

For the purposes of this Policy, "potential indicators of dyslexia or other reading disabilities" means indicators that include, but shall not be limited to, difficulty in acquiring language skills; inability to comprehend oral or written language; difficulty in rhyming words; difficulty in naming letters, recognizing letters, matching letters to sounds, and blending sounds when speaking and reading words; difficulty recognizing and remembering sight words; consistent transposition of number sequences, letter reversals, inversions, and substitutions; and trouble in replication of content.



In accordance with the provisions of N.J.S.A. 18A:40-5.2(a), the Commissioner of Education shall distribute to each Board of Education information on screening instruments available to identify students who possess one or more potential indicators of dyslexia or other reading disabilities. The Commissioner shall provide information on the screening instruments appropriate for Kindergarten through grade two students and on screening instruments that may be suitably used for older students. The Board shall select and implement age-appropriate screening instruments for the early diagnosis of dyslexia and other reading disabilities.

In accordance with provisions of N.J.S.A. 18A:40-5.2(b), the Commissioner shall also develop and distribute to each Board of Education guidance on appropriate intervention strategies for students diagnosed with dyslexia or other reading disabilities.

In the event a student is determined, through the screening conducted in accordance with N.J.S.A. 18A:40-5.3, to possess one or more potential indicators of dyslexia or other reading disabilities pursuant to the provisions of N.J.S.A 18A:40-5.1 et seq., the Board shall ensure the student receives a comprehensive assessment for the learning disorder. In the event a diagnosis of dyslexia or other reading disability is confirmed by the comprehensive assessment, the Board shall provide appropriate evidence-based intervention strategies to the student, including intense instruction on phonemic awareness, phonics and fluency, vocabulary, and reading comprehension.

In accordance with the provisions of N.J.S.A. 18A:6-131, general education teachers in grades Kindergarten through three, special education teachers, basic skills teachers, English as a second language teachers, reading specialists, learning disabilities teacher consultants, and speech-language specialists are required to complete at least two hours of professional development each year on the screening, intervention, accommodation, and use of technology for students with reading disabilities, including dyslexia. The Board may make these professional development opportunities available to other instructional or support staff members as the Board deems appropriate. This requirement for professional development in reading disabilities may be part of the twenty hours of annual professional development required by N.J.A.C. 6A:9C et seq. Documentation of teachers' fulfillment of this professional development requirement shall be maintained in the district.

N.J.S.A. 18A:40-5.1; 18A:40-5.2; 18A:40-5.3; 18A:40-5.4
18a:6-131

Adopted: 11 November 2016

5339.01 STUDENT SUN PROTECTION

The Board of Education believes it is important that school district students protect themselves against harmful sun-related skin diseases by using protective measures. Pursuant to N.J.S.A. 18A:40-12.39 and notwithstanding any law or regulation to the contrary, the Board adopts this Policy concerning a student's use of sunscreen and sun-protective clothing, such as hats and sunglasses, while outdoors at school and school-sponsored functions.

As used in this Policy, "sunscreen" means a topical product used for the purpose of limiting skin damage caused by overexposure to the sun, and which is regulated by the Federal Food and Drug Administration for over-the-counter use, in accordance with N.J.S.A. 18A:40-12.39.a.

Students are not required to provide documentation from a physician or other licensed health care professional in order to use sunscreen or sun-protective clothing while outdoors at school or a school-sponsored function.

Adopted: 17 September 2025

5350 STUDENT SUICIDE PREVENTION

The Board of Education recognizes that depression and self-destruction are problems of increasing severity among students. Students under severe stress cannot benefit fully from the educational program and may pose a threat to themselves or others.

The Board directs all school district staff members to be alert to a student who exhibits warning signs of self-destruction or who threatens or attempts suicide. Any such warning signs or the report of such warning signs from another student or staff member shall be taken with the utmost seriousness and reported immediately to the Principal or designee.

The Principal or designee shall immediately contact the parent(s) of the student exhibiting warning signs of suicide to inform the parent(s) the student will be referred to the Child Study Team or a Suicide Intervention Team, appointed by the Superintendent or designee, for a preliminary assessment. Upon completion of the preliminary assessment, the Principal or designee shall meet with the parent(s) to review the assessment. Based on the preliminary assessment, the parent(s) may be required to obtain medical or psychiatric services for the student. In the event the parent(s) objects to the recommendation or indicates an unwillingness to cooperate in the best interests of the student, the Principal or designee will contact the New Jersey Department of Children and Families, Division of Child Protection and Permanency to request intervention on the student's behalf.

In the event the student is required to obtain medical or psychiatric services, the parent(s) will be required to submit to the Superintendent a written medical clearance from a licensed medical professional, selected by the parent(s) and approved by the Superintendent, indicating the student has received medical services, does not present a risk to themselves or others, and is cleared to return to school. The written medical clearance may be reviewed by a Board of Education healthcare professional before the student is permitted to return to school. The parent(s) shall be required to authorize their healthcare professional(s) to release relevant medical information to the school district's healthcare professional, if requested.

In accordance with N.J.A.C. 6A:14-1.1(d), special education and related services shall be provided to students with disabilities at public expense, with no charge to the parents. A clearance by a psychiatrist or other medical professional as a requirement to return to school is considered an assessment provided at public expense. The district shall not require the parents to incur the cost of psychiatric clearance.

In accordance with the provisions of N.J.S.A. 18A:6-111 and 18A:6-112, as part of the required professional development for teachers as outlined in N.J.A.C. 6A:9C-3 et seq., every teaching staff member must complete at least two hours of instruction in suicide

prevention, to be provided by a licensed health care professional with training and experience in mental health issues, in each professional development period. The instruction in suicide prevention shall include information on the relationship between the risk of suicide and incidents of harassment, intimidation, and bullying and information on reducing the risk of suicide in students who are members of communities identified as having members at high risk of suicide.

Not including teaching staff members subject to the requirements of N.J.S.A. 18A:6-112.a. and not including licensed mental health care professionals, a school employee or an employee of a contracted service provider who has regular and direct contact with students, as determined by the Board, shall complete a one-time training program in suicide prevention, awareness, and response identified by the New Jersey Department of Education (NJDOE) pursuant to N.J.S.A. 18A:6-112.c. A person subject to the requirements of N.J.S.A. 18A:6-112.b. shall complete the required training program not less than twelve months from the date of the identification by the NJDOE of training programs or twelve months from the person's date of hire, whichever occurs later.

Not less than twelve months following the date of the identification by the NJDOE of the training programs or not less than twelve months from the person's date of hire, and annually thereafter, the district shall provide to their employees who are subject to the requirements of N.J.S.A. 18A:6-112.a. or b., in a hard copy paper form or in an electronic form, guidelines on the district's reporting and suicide prevention, awareness, and response protocols including, but not limited to, contact information for each school's designated staff who should be notified whenever an employee believes a student may be at risk for suicide.

Each person who is required pursuant to N.J.S.A. 18A:6-112.a. or b. to complete a suicide prevention training program shall have a duty to warn and protect when the following conditions exist:

1. A student has communicated to that person a clearly identifiable threat of imminent, serious physical violence against oneself and the circumstances are such that a reasonable person would believe the student intended to carry out the threat; or

2. The circumstances are such that a reasonable person would believe the student intended to carry out an act of imminent, serious physical violence against oneself.

A person acting in good faith and who takes reasonable steps to discharge a duty to warn and protect shall be immune from civil and criminal liability in regard to that disclosure.



Any school district staff member, volunteer, or intern with reasonable cause to suspect or believe that a student has attempted or completed suicide, shall immediately report the information to the Principal or designee or their immediate supervisor who will immediately report it to the Superintendent or designee. The Superintendent or designee shall promptly report it online to the New Jersey Department of Children and Families, or as otherwise required by the Department of Children and Families in accordance with N.J.S.A. 30:9A-24. In accordance with N.J.S.A. 30:9A-24.i., any person who reports an attempted or completed suicide shall have immunity from any civil or criminal liability on account of the report, unless the person has acted in bad faith or with malicious purpose.

The Superintendent shall prepare and disseminate guidelines to assist school district staff members in recognizing the warning signs of a student who may be contemplating suicide, to respond to a threat or attempted suicide, and to prevent contagion when a student commits suicide.

N.J.S.A. 18A:6-111; 18A:6-112
N.J.S.A. 30:9A-23; 30:9A-24
N.J.A.C. 6A:9C-3 et seq.; 6A:14-1.1

Adopted: 18 September 2024



5410 PROMOTION AND RETENTION

The Board of Education recognizes that each child develops and grows in a unique pattern and that students should be placed in the educational setting most appropriate to their social, physical, and educational needs. Each pupil enrolled in this district shall be moved forward in a continuous program of learning in harmony with his/her own development.

Standards for pupil promotion shall be related to the New Jersey Student Learning Standards and district goals and objectives and to the accomplishments of students. A pupil in the elementary grades will be promoted to the next succeeding grade level when he/she has completed the course requirements at the presently assigned grade; has achieved the instructional objectives set for the present grade; has demonstrated the proficiencies required for movement into the educational program of the next grade; and has demonstrated the degree of social, emotional, and physical maturation necessary for a successful learning experience in the next grade.

Promotion policies and procedures will be provided to parent(s) or legal guardian(s) as appropriate. Parent(s) or legal guardian(s) and students shall be regularly informed during the school year of the pupil's progress toward meeting promotion standards. A teacher who determines that a pupil's progress may not be sufficient to meet promotion standards shall notify the parent(s) or legal guardian(s) and the pupil and offer immediate consultation to the pupil's parent(s) or legal guardian(s). Every effort shall be made to remediate a pupil's deficiencies before retention is recommended. The parent(s) or legal guardian(s) and, where appropriate, the pupil shall be notified of the possibility of the pupil's retention at grade level in advance and, whenever feasible, no later than four weeks prior to the end of the school year.

School attendance shall be a factor in the determination of a pupil's promotion or retention. Only extenuating circumstances should permit the promotion of a pupil who has been in attendance fewer than 162 days during the school year.

Classroom teachers shall recommend to the Superintendent the promotion or retention of each pupil. Parent(s) or legal guardian(s) and adult students may appeal a promotion or retention decision to the Board of Education, whose decision shall be final.

N.J.S.A. 18A:35-4.9

Adopted: 6 December 2017



5411 PROMOTION FROM SIXTH GRADE

The Board of Education will recognize with fitting ceremonies a pupil's completion of the program of studies offered by this district in elementary school and the pupil's entrance to middle school.

Successful completion of the program of studies in elementary school requires achievement of the instructional objectives set for each course of study, demonstration of mastery of the proficiencies established for each course, and a satisfactory attendance record. The parent(s) or legal guardian(s) of a pupil who may be prevented from graduating shall be so notified in advance and no later than six weeks prior to the close of the school year. Every effort shall be made to remediate a pupil's deficiencies before graduation is denied.

The requirements for promotion from elementary school of a disabled pupil shall be set forth in the pupil's individualized education program. Completion of those specialized requirements shall qualify the pupil for graduation and entry to middle school.

N.J.S.A. 18A:35-4.9; 18A:36-14; 18A:36-15;
18A:36-18; 18A:38-25 et seq.
N.J.A.C. 6:3-4A.1; 6A:8-4.4 et seq.

Adopted: 19 October 2011

5420 REPORTING PUPIL PROGRESS

The Board believes that the cooperation of school and home is vital to the growth and education of the whole child. It recognizes its responsibility to keep parent(s) or legal guardian(s) informed of pupil welfare and progress in school.

The Board directs the establishment of a system of reporting pupil progress that shall include written reports, pupil-teacher conferences, and parent/guardian-teacher conferences. If the parent(s) or legal guardian(s)' primary language is other than English, translation shall be provided whenever possible.

The Superintendent shall develop procedures for reporting pupil progress which:

A. Use various methods of reporting appropriate to grade level and curriculum content;

B. Ensure that both pupil and parent(s) or legal guardian(s) receive ample warning of a pending grade of "failure" or one that would adversely affect the pupil's status;

C. Enable the scheduling of parent/guardian-teacher conferences in such places and at such times as will ensure the greatest degree of participation by parent(s) or legal guardian(s);

D. Specify the issuance of report cards at intervals of not less than three times during the school year and issuance of deficiency notices as required during the school year; and

E. Ensure the continual review and improvement of methods of reporting pupil progress to parent(s) or legal guardian(s) and involve students, staff and parent(s) or legal guardian(s) in that review.

A record shall be kept indicating the legal custodian of each pupil, so that reports can be made to and conferences arranged with the proper person.

Parental Notification

The Superintendent shall develop regulations to ensure that parent(s) or legal guardian(s) are notified in all instances when the law and/or the best interests of the pupil and the district require it.

N.J.A.C. 6:3-4A.1

Adopted: 19 October 2011

5440 HONORING PUPIL ACHIEVEMENT

The Board values excellence and wishes to instill in students the desire to do their best in all things. It shall be the policy of this Board, therefore, to recognize outstanding academic accomplishments.

The Superintendent shall develop procedures for recognition of academic excellence which include the issuance of certificates and/or awards for students in grades Kindergarten through six.

N.J.S.A. 18A:11-3

Adopted: 19 October 2011

5460.1 COMMENCEMENT

The Board recognizes the need for a ceremony to recognize a pupil's completion of the program of studies offered by the Essex Fells School District. Care should be taken not to exaggerate the importance of this initial step on the educational ladder. Eligibility for this ceremony shall be based on the recommendation of the professional staff. It is to be clearly understood that attendance at the commencement ceremony is not required in order for the pupil to be promoted to seventh grade. Rather, graduation from the sixth grade shall be regarded as the successful completion of all required proficiencies. Students may be promoted to the seventh grade based on the recommendation of the professional staff, provided that the child's needed level of academic proficiency will be provided by the middle school. A pupil on suspension will be denied participation in the ceremony of graduation. Such exclusion shall be subject to the same procedures and guarantees of due process as suspension.

The Board endorses graduation activities and ceremonies. The date of graduation shall annually be recommended by the Superintendent and approved by the Board.

Graduation shall not occur prior to completion of the required one hundred eighty days of pupil instruction.

Guidelines for Graduation Year Activities

Pupil participation in special graduation year activities will require conduct of the highest caliber in all school situations.

Criteria for exclusion from these activities concern consistent behavioral patterns and shall include, but not be limited to:

A. Consistent involvement in disciplinary action(s); and

B. Suspension.

The final decision shall be made by the Superintendent.

Students and parent(s) or legal guardian(s) shall be given advance notification of these criteria.

Graduation Procedures and Ceremonies

No pupil shall be barred from participation in graduation ceremonies for arbitrary or discriminatory reasons. A pupil who may be prevented from participation and his/her parent(s) or legal guardian(s) shall be so notified in advance and no later than ten days prior to the close of the school year unless an incident occurs after the ten day period that requires a pupil being barred from the ceremony as determined by the Superintendent.

When a pupil or his/her parent(s) or legal guardian(s) experiences financial hardship and is unable to pay the costs of participation in graduation ceremonies, the Board shall assume the costs of the following items:

A. Rental or purchase of cap and gown;

B. One year book; and

C. Other, as may be determined by the Board.

Financial hardship shall be defined by eligibility standards for free and reduced price meals under the State school lunch program.

The Board reserves the right to deny participation in graduation activities when extreme circumstances warrant it. Such denial shall be treated in the same manner as a suspension and the pupil so affected shall be afforded the rights of review provided in policies of this Board.

The Board reserves the right to withhold a diploma and transcripts until all fines are paid.

Awarding of Diplomas

A Board member shall present a copy of the Declaration of Independence, the Constitution of the United States and the amendments thereto, and the Constitution of the State of New Jersey and the amendments thereto to each pupil upon graduation from elementary school.

The President of the Board of Education and/or another designated member of the Board shall award the diplomas. Board members and former Board members shall be afforded the opportunity to award diplomas to their own children.

The Board shall not prevent, or otherwise deny participation in, constitutionally protected prayer in any district school, consistent with guidance issued by the United States Department of Education and applicable judicial decisions interpreting the religion clauses of the First Amendment of the U.S. Constitution.

Adopted: 19 October 2011



5500 EXPECTATIONS FOR STUDENT CONDUCT

The Essex Fells learning community acknowledges that students progress through stages of moral development over time and that differences may exist between individuals within groups. As educators, we believe it is the parent's responsibility to teach children "right" and "wrong" and it is the school's responsibility to nurture that development. We believe that clear standards and behavioral expectations are essential to social order, individual rights, and effective public schools. Our expectations for student behavior are an effort to establish a learning environment that is positive, orderly, free of distractions, that engenders tolerance, cooperation, and collaboration. It is the responsibility of the school and family to set examples in matters of honesty, fairness, courtesy, kindness, orderliness, and respect and to teach:

- An understanding of, and respect for, the integrity, opinions, and ambitions of others.
- Respect for constitutional, legal and human rights of others and for preservation of American ideals.
- An appreciation of the dignity of work and worthwhile accomplishment.

The goal of our "Expectations for Student Behavior" is to provide our children with opportunities to learn from their mistakes and to develop self-discipline. Flexibility is an important attribute that allows a range of teacher and administrative responses to misbehavior.

The following variables will be considered when attempting to determine the most appropriate consequence that will increase a child's ability to learn from his/her experiences and to make good decisions:

1. The age of the child;
2. Previous positive and negative behavior;
3. Seriousness of the infraction;
4. Influence of provocation.

Accountability in the form of progressive consequences will be directed at the misbehavior and not the child. Consequences for failing to demonstrate responsible behavior vary in range and will be administered accordingly and at the discretion of the teacher and/or administration. Included within the range of consequences and possibilities are the following:

*Indicates that approval from an administrator is required:

1. Warning or reprimand;
2. Elimination of certain school privileges *;
3. The assignment of a written statement of apology;
4. Removal from activity;
5. Lunch and/or recess detention(s) *;
6. Parent phone calls/conferences;
7. After-School detention(s) *;
8. In-School suspension(s) (assigned by an administrator only) ;
9. Out-of-School suspension(s) (assigned by an administrator only).

Parents will be notified of any serious breach of student behavior or continued misbehavior. Violent behavior, vandalism, and insubordination to adult authority will always result in a parent contact and may require physician's clearance to return to school. A parent conference with an administrator will be required after any in/out of school suspension, or if detentions prove incompetent.

Teachers are expected to handle classroom discipline problems in a manner which reflects a positive attitude towards students and reinforces the policies of the Board of Education. In the event a problem arises which extends beyond the control of the classroom teacher, a student will be referred to an administrator for further action.

There are certain behaviors that are inappropriate regardless of where they occur. Those behaviors require administrative intervention, as they impact on the quality of school life for students, teachers, and visitors. All students responsible for these behaviors will be directed to an administrator. It is not intended that the following list replace/supplant a teacher's expectations for classroom behavior.



All students will be informed early in the school year, with subsequent reinforcement, that their involvement in the following activities will virtually guarantee a phone call home to their parents and/or guardians and some form of administrative action:

1. Inappropriate physical contact with another student;

2. Willful/blatant disregard for an adult's authority;

3. Destruction of school property;

4. Offensive language;

5. Bullying, intimidation, and/or harassment.

Each instance of student misbehavior presents an opportunity to help prevent future problems and affords students the chance to "learn" from their mistakes. Often, students will be asked to work through their problems allowing them time to reflect, analyze and prescribe procedures to prevent the action from reoccurring.

Ultimately, the end result of each discipline intervention is to have the students internalize some permanent and lasting beneficial lesson that they can use over and over again throughout their life.

A discipline report will be filled out and filed in the Principal's office every time a student commits a major infraction or after repeated minor infractions which become patterns of negative behavior. Parents will be informed of such action.

The success of any school-imposed disciplinary action is, to a large extent, dependent upon the full cooperation between your home and our school. It is the district's intention to work closely with the parents and students so that together, we can maintain the best possible educational environment for all of our children to flourish within.

The Essex Fells School District adheres to all HIB policies and procedures in alignment with the NJ Anti-Bullying Bill of Rights Act.

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

Adopted: 14 November 2018

5511 DRESS AND GROOMING

The pupil dress code stresses neatness and cleanliness more than any standard of conformity; therefore, any pupil reporting to school or any school function in what is considered inappropriate dress is to be reported to an administrator. Inappropriate dress is defined as "any practices which present a hazard to the health or safety of the pupil himself/herself or to others in the school, and materially interfere with school work, create disorder, or disrupt the educational program."

Responsibility for the development of good grooming habits and dress must be shared by home, school, and community. Good taste in dress calls for neatness, moderation and appropriateness. Extremes in style and fit are not in good taste. A style may be discouraged if it is found to disturb normal, successful school progress or safety of an individual or group. In keeping with good manners and respect for our flag that is displayed throughout the school, please, no hats are to be worn in the building.

We recognize that the parent(s) or legal guardian(s) have the prime responsibility for the manner in which a child is dressed. Styles change quickly and drastically, and good taste standards are sometimes difficult to establish and maintain. When serious questions of appropriate dress arise, the school staff will be pleased to confer with parent(s) or legal guardian(s).

Please refer to the "Dress Code" section of the STUDENT/PARENT HANDBOOK for more information.

N.J.S.A. 18A:11-1; 18A:11-7; 18A:11-8; 18A:11-9

Adopted: 16 December 2015

5512 HARASSMENT, INTIMIDATION, AND BULLYING

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A. Prohibiting Harassment, Intimidation, or Bullying

The Board of Education prohibits acts of harassment, intimidation, or bullying of a student. The Board has determined that a safe and civil environment in school is necessary for students to learn and achieve high academic standards; harassment, intimidation, or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe and disciplined environment. Since students learn by example, school administrators, faculty, staff, and
should be commended for demonstrating appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment, intimidation, or bullying.

For the purposes of this Policy, the term "parent," pursuant to N.J.A.C. 6A:16-1.3, means the natural parent(s); adoptive parent(s); legal guardian(s); resource family parent(s); or surrogate parent(s) of a student. When parents are separated or divorced, "parent" means the person or agency which has legal custody of the student, as well as the natural or adoptive parent(s) of the student, provided parental rights have not been terminated by a court of appropriate jurisdiction.

B. Definition of Harassment, Intimidation, or Bullying

"Harassment, intimidation, or bullying" means any gesture, any written, verbal or physical act, or any electronic communication, as defined in N.J.S.A. 18A:37-14, whether it be a single incident or a series of incidents that:

1. Is reasonably perceived as being motivated by either any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic;

2. Takes place on school property, at any school-sponsored function, on a school bus, or off school grounds, as provided for in N.J.S.A. 18A:37-15.3;

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

   a. A reasonable person should know, under the circumstances, that the act(s) will have the effect of physically or emotionally harming a student or damaging the student's property, or placing a student in reasonable fear of physical or emotional harm to their person or damage to their property; or

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

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

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

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

In accordance with the Board's Code of Student Conduct and this Policy, all acts of harassment, intimidation, or bullying that occur off school grounds, such as "cyber-bullying" (e.g., the use of electronic means to harass, intimidate, or bully) are addressed in this Policy.

C. Student Behavior

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

The Board believes that standards for student behavior must be set cooperatively through interaction among the parents and other community representatives, school administrators, school employees, school volunteers, and students of the school district, producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for school district and community property on the part of students, staff, and community members.

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

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

1. Student responsibilities (e.g., requirements for students to conform to reasonable standards of socially accepted behavior; respect the person, property, and rights of others; obey constituted authority; and respond to those who hold that authority);

2. Appropriate recognition for positive reinforcement for good conduct, self-discipline, and good citizenship;

3. Student rights; and

4. Sanctions and due process for violations of the Code of Student Conduct.

Pursuant to N.J.S.A. 18A:37-15(a) and N.J.A.C. 6A:16-7.1(a)1, the district has involved a broad-base of school and community members, including parents, school employees, volunteers, students, and community representatives, in the development of this Policy.

Pursuant to N.J.A.C. 6A:16-7.1, the Board developed guidelines for student conduct, taking into consideration the nature of the behavior; the nature of the student's disability, if any and to the extent relevant; the developmental ages of

students; severity of the offenses and students' histories of inappropriate behaviors; and the mission and physical facilities of the individual school(s) in the district. This Policy requires all students in the district to adhere to the rules established by the school district and to submit to the remedial and consequential measures that are appropriately assigned for infractions of these rules.

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

The district prohibits active or passive support for acts of harassment, intimidation, or bullying. The school district will support students who:

1. Walk away from acts of harassment, intimidation, or bullying when they see them;

2. Constructively attempt to stop acts of harassment, intimidation, or bullying;

3. Provide support to students who have been subjected to harassment, intimidation, or bullying; and

4. Report acts of harassment, intimidation, or bullying to the designated school staff member.

D. Consequences and Remedial Actions

The Board of Education requires its school administrators to implement procedures that ensure both the appropriate consequences and remedial responses for students who commit one or more acts of harassment, intimidation, or bullying, consistent with the Code of Student Conduct, and the consequences and remedial responses for staff members who commit one or more acts of harassment, intimidation, or bullying.

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



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

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

Factors for Determining Consequences

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

Factors for Determining Remedial Measures

Personal:

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



Environmental:

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

Examples of Consequences and Remedial Measures

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

Examples of Consequences:

- Admonishment;
- Temporary removal from the classroom (any removal of .5 days or more must be reported in the Student Safety Data System);
- Deprivation of privileges;
- Classroom or administrative detention;
- Referral to disciplinarian;
- In-school suspension during the school week or the weekend;
- Out-of-school suspension (short-term or long-term);
- Reports to law enforcement or other legal action;
- Expulsion; and

- Bans from receiving certain services, participating in school-district-sponsored programs or being in school buildings or on school grounds.

Examples of Remedial Measures

Personal:

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

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

- School and community surveys or other strategies for determining the conditions contributing to HIB;
- School culture change and school climate improvement;



- Adoption of research-based, systemic bullying prevention programs;
- School policy and procedures revisions;
- Modifications of schedules;
- Adjustments in hallway traffic;
- Modifications in student routes or patterns traveling to and from school;
- Supervision of student before and after school, including school transportation;
- Targeted use of monitors (e.g., hallway, cafeteria, locker room, playground, school perimeter, bus);
- Teacher aides;
- Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
- General professional development programs for certificated and non-certificated staff;
- Professional development plans for involved staff;
- Disciplinary action for school staff who contributed to the problem;
- Supportive institutional interventions, including participation of the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
- Parent conferences;
- Family counseling;
- Involvement of parent-teacher organizations;
- Involvement of community-based organizations;
- Development of a general bullying response plan;
- Recommendations of a student behavior or ethics council;
- Peer support groups;
- Alternative placements (e.g., alternative education programs);
- School transfers; and
- Law enforcement (e.g., safe schools resource officer, juvenile officer) involvement or other legal action.



Consequences and appropriate remedial actions for a student or staff member who commits one or more acts of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion of students, as set forth in the Board's approved Code of Student Conduct, pursuant to N.J.A.C. 6A:16-7.1.

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

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

Consequences and Appropriate Remedial Actions – Adults

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

E. Reporting Harassment, Intimidation, or Bullying

The Board of Education requires the Principal at each school to be responsible for receiving all complaints alleging harassment, intimidation, or bullying committed by an adult or youth against a student. All Board members, school employees, and volunteers and contracted service providers who have contact with students, are required to verbally report alleged acts of harassment, intimidation, or bullying to the Principal or designee on the same day when the individual witnessed or received

reliable information regarding any such incident. All Board members, school employees, and contracted service providers who have contact with students, also shall submit a New Jersey Department of Education-approved HIB 338 Form to the Principal within two school days of the verbal report. Failure to make the required report(s) may result in disciplinary action. The HIB 338 Form shall be kept on file at the school, but shall not be included in any student record unless the incident results in disciplinary action or is otherwise required to be contained in a student's record under State or Federal Law.

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

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

The Principal, upon receiving a verbal or written report, may take interim measures to ensure the safety, health, and welfare of all parties pending the findings of the investigation.

Students, parents, and visitors are encouraged to report alleged acts of harassment, intimidation, or bullying to the Principal or designee on the same day when the individual witnessed or received reliable information regarding any such incident. The school district shall provide a person an online means to complete the HIB 338 Form to anonymously report an act of harassment, intimidation, or bullying. Formal action for violations of the Code of Student Conduct may not be taken solely on the basis of an anonymous report.



A Board member or school employee who promptly reports an incident of harassment, intimidation, or bullying and who makes this report in compliance with the procedures set forth in this Policy, is immune from a cause of action for damages arising from any failure to remedy the reported incident.

The Principal shall promptly submit a copy of each completed HIB 338 Form to the Superintendent.

The district may consider every mechanism available to simplify reporting, including standard reporting forms and/or web-based reporting mechanisms. For anonymous reporting, in addition to making the HIB 338 Form available online, the district may consider locked boxes located in areas of a school where reports can be submitted without fear of being observed.

A school administrator who receives a report of harassment, intimidation, or bullying or who determines a reported incident or complaint, assuming all facts presented are true, is a report within the scope of N.J.S.A. 18A:37-14 and fails to initiate or conduct an investigation, or who should have known of an incident of harassment, intimidation, or bullying and fails to take sufficient action to minimize or eliminate the harassment, intimidation, or bullying, may be subject to disciplinary action. The district also should consider procedures and disciplinary action when it is found that someone had information regarding a harassment, intimidation, or bullying incident, but did not make the required report(s).

F. Anti-Bullying Coordinator, Anti-Bullying Specialist, and School Safety/School Climate Team(s)

1. The Superintendent shall appoint a district Anti-Bullying Coordinator. The Superintendent shall make every effort to appoint an employee of the school district to this position.

   The district Anti-Bullying Coordinator shall:

   a. Be responsible for coordinating and strengthening the school district's policies to prevent, identify, and address harassment, intimidation, or bullying of students;

   b. Collaborate with school Anti-Bullying Specialists in the district, the Board of Education, and the Superintendent to prevent, identify, and



c. respond to harassment, intimidation, or bullying of students in the district;

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

d. Execute such other duties related to school harassment, intimidation, or bullying as requested by the Superintendent; and

e. Meet at least twice a school year with the school Anti-Bullying Specialist(s) to discuss and strengthen procedures and policies to prevent, identify, and address harassment, intimidation, or bullying in the district.

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

   The school Anti-Bullying Specialist shall:

   a. Chair the School Safety/School Climate Team as provided in N.J.S.A. 18A:37-21;

   b. Lead the investigation of incidents of harassment, intimidation, or bullying in the school; and

   c. Act as the primary school official responsible for preventing, identifying, and addressing incidents of harassment, intimidation, or bullying in the school.

3. A School Safety/School Climate Team shall be formed in each school in the district to develop, foster, and maintain a positive school climate by focusing on the on-going systemic operational procedures and educational practices in the school, and to address issues such as harassment, intimidation, or bullying that affect school climate and culture. Each School Safety/School Climate Team shall meet, at a minimum, two times per school year. The School Safety/School Climate Team shall consist of the Principal or the Principal's designee who, if possible, shall be a senior administrator



4. in the school and the following appointees of the Principal: a teacher in the school; a school Anti-Bullying Specialist, a parent of a student in the school; and other members to be determined by the Principal. The school Anti-Bullying Specialist shall serve as the chair of the School Safety/School Climate Team.

   The School Safety/School Climate Team shall:

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

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

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

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

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

   f. Participate in the training required pursuant to the provisions of N.J.S.A. 18A:37-13 et seq. and other training which the Principal or the district Anti-Bullying Coordinator may request. The School Safety/School Climate Team shall be provided professional development opportunities that may address effective practices of successful school climate programs or approaches; and

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

Notwithstanding any provision of N.J.S.A. 18A:37-21 to the contrary, a parent who is a member of the School Safety/School Climate Team shall not participate in the activities of the team set forth in 3. a., b., or c. above or any other activities of the team which may compromise the confidentiality of a student, consistent with, at a minimum, the requirements of the Family Educational Rights and Privacy Act (20



USC 1232 and 34 CFR Part 99), N.J.A.C. 6A:32-7, Student Records and N.J.A.C. 6A:14-2.9, Student Records.

G. Investigating Allegations of Harassment, Intimidation, or Bullying

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

Should the Principal or designee, in consultation with the Anti-Bullying Specialist, determine that a reported incident or complaint, assuming all facts presented are true, is not a report within the scope of N.J.S.A. 18A:37-14, the incident will be addressed through the Board's Code of Student Conduct policy. The HIB 338 Form shall be completed, even if a preliminary determination is made not to conduct an investigation of harassment, intimidation, or bullying because the

reported incident or complaint is a report outside the scope of the definition of harassment, intimidation, or bullying, and must be submitted to the Superintendent. The Principal will provide the parents of the alleged offender(s) and victim(s) with formal notice of the decision not to initiate a harassment, intimidation, or bullying investigation.

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

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

Additionally, any preliminary determination that finds the incident or complaint is a report outside the scope of N.J.S.A. 18A:37-14 may be appealed to the Board, pursuant to the Board policies and procedures governing student grievances, and



thereafter to the Commissioner in accordance with N.J.A.C. 6A:16-7.7(a)ix(1) and (a)ix(1)(A). Should the preliminary determination not to conduct an investigation of harassment, intimidation, or bullying be overturned, the Principal will immediately initiate an investigation of harassment, intimidation, or bullying by referring the matter to the school Anti-Bullying Specialist.

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

The investigation shall be completed, and the written findings submitted to the Principal as soon as possible, but not later than ten school days from the date of the written report of the alleged incident of harassment, intimidation, or bullying or ten school days from the date of the written notification from the Superintendent to the Principal to initiate an investigation. Should information regarding the reported incident and the investigation be received after the end of the ten-day period, the school Anti-Bullying Specialist or the Principal shall amend the original report of the results of the investigation to ensure there is an accurate and current record of the facts and activities concerning the reported incident.

The Principal shall proceed in accordance with the Code of Student Conduct, as appropriate, based on the investigation findings. The Principal shall submit the report to the Superintendent within two school days of the completion of the investigation and in accordance with the Administrative Procedures Act (N.J.S.A. 52:14B-1 et seq.). As appropriate to the findings from the investigation, the Superintendent shall ensure the Code of Student Conduct has been implemented and provide intervention services, order counseling, establish training programs to reduce harassment, intimidation, or bullying and enhance school climate, or take or recommend other appropriate action, including seeking further information as necessary.



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

Parents of the students who are parties to the investigation shall be provided with information about the investigation, in accordance with Federal and State law and regulation. The information to be provided to parents includes the nature of the investigation, whether the district found evidence of harassment, intimidation, or bullying, or whether consequences were imposed or services provided to address the incident of harassment, intimidation, or bullying. This information shall be provided in writing within five school days after the results of the investigation are reported to the Board.

A parent may request a hearing before the Board after receiving the information. Any request by the parents for a hearing before the Board concerning the written information about a harassment, intimidation, or bullying investigation, pursuant to

N.J.S.A. 18A:37-15.b(6)(d), must be filed with the Board Secretary no later than sixty calendar days after the written information is received by the parents. The hearing shall be held within ten business days of the request. Prior to the hearing, the Superintendent shall confidentially share a redacted copy of the HIB 338 Form that removes all student identification information with the Board. The Board shall conduct the hearing in executive session, pursuant to the Open Public Meetings Act (N.J.S.A. 10:4-1 et seq.), to protect the confidentiality of the students. At the hearing, the Board may hear testimony from and consider information provided by the school Anti-Bullying Specialist and others, as appropriate, regarding the alleged incident; the findings from the investigation of the alleged incident; recommendations for consequences or services; and any programs instituted to reduce such incidents, prior to rendering a determination.

At the regularly scheduled Board meeting following its receipt of the report or following a hearing in executive session, the Board shall issue a decision, in writing, to affirm, reject, or modify the Superintendent's decision. The Board's decision may be appealed to the Commissioner of Education, in accordance with N.J.A.C. 6A:3, no later than ninety days after the issuance of the Board's decision.

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

The Board also requires the thorough investigation of complaints or reports of harassment, intimidation, or bullying, occurring on district school buses, at district school-sponsored functions, and off school grounds involving a student who attends an approved private school for students with disabilities. The investigation will be conducted by the Board's Anti-Bullying Specialist in consultation with the approved private school for students with disabilities.

H. Responding to Harassment, Intimidation, or Bullying

The Board of Education authorizes the Principal of each school to define the range of ways in which school staff will respond once an incident of harassment, intimidation, or bullying is confirmed, and the Superintendent shall respond to confirmed harassment, intimidation, or bullying, according to the parameters described below and in this Policy. The Board recognizes that some acts of harassment, intimidation, or bullying may be isolated incidents requiring that the school officials respond appropriately to the individual(s) committing the acts. Other acts may be so serious or parts of a larger pattern of harassment, intimidation, or bullying that they require a response either at the classroom, school building, or school district levels or by law enforcement officials. Consequences and appropriate remedial actions for a student who commits an act of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37, Discipline of Pupils and as set forth in N.J.A.C. 6A:16-7.2, Short-term suspensions, N.J.A.C. 6A:16-7.3, Long-term suspensions, and N.J.A.C. 6A:16-7.4, Expulsions.

In considering whether a response beyond the individual is appropriate, school officials shall consider the nature and circumstances of the act; the degree of harm; the nature and severity of the behavior; past incidences or past or continuing patterns of behavior; and the context in which the alleged incident(s) occurred. Institutional (i.e., classroom, school building, school district) responses can range from school and community surveys, to mailings, to focus groups, to adoption of research-based harassment, intimidation, or bullying prevention program models, to training for certificated and non-certificated staff, to participation of parents and other community members and organizations, to small or large group presentations



for fully addressing the actions and the school's response to the actions, in the context of the acceptable student and staff member behavior and the consequences of such actions, and to the involvement of law enforcement officers, including safe schools resource officers.

This Policy and the Code of Student Conduct shall apply to instances when a school employee is made aware of alleged harassment, intimidation, or bullying occurring off school grounds.

For every incident of harassment, intimidation, or bullying, the school officials must respond appropriately to the individual who committed the act. The range of responses to confirmed harassment, intimidation, or bullying acts should include individual, classroom, school, or district responses, as appropriate to the findings from each incident. Examples of responses that apply to each of these categories are provided below:

1. Individual responses can include positive behavioral interventions (e.g., peer mentoring, short-term counseling, life skills groups) and punitive actions (e.g., detention, in-school or out-of-school suspension, expulsion, law enforcement report or other legal action).

2. Classroom responses can include class discussions about an incident of harassment, intimidation, or bullying, role plays, research projects, observing and discussing audio-visual materials on these subjects, and skill-building lessons in courtesy, tolerance, assertiveness, and conflict management.

3. School responses can include theme days, learning station programs, parent programs, and information disseminated to students and parents, such as fact sheets or newsletters explaining acceptable uses of electronic and wireless communication devices or strategies for fostering expected student behavior.

4. District-wide responses can include community involvement in policy review and development; professional development programs; adoption of curricula and school-wide programs; coordination with community-based organizations (e.g., mental health, health services, health facilities, law enforcement officials, faith-based organizations); and disseminating information on the core ethical values adopted by the Board's Code of Student Conduct, per N.J.A.C. 6A:16-7.1(a)2.



In providing support for victims of harassment, intimidation, or bullying, the district should identify a range of strategies and resources, which may include, but is not limited to, the following actions for individual victims:

- Counseling;
- Teacher Aides;
- Hallway and playground monitors;
- Schedule changes;
- Before and after school supervision;
- School transportation supervision;
- School transfers; and
- Therapy.

I. Reprisal or Retaliation

The Board of Education prohibits a Board member, school employee, contracted service provider who has contact with students, school volunteer, or student from engaging in reprisal, retaliation, or false accusation against a victim, witness, or any other person who has reliable information about an act of harassment, intimidation, or bullying or who reports an act of harassment, intimidation, or bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the administrator after consideration of the nature, severity, and circumstances of the act, in accordance with case law, Federal and State statutes and regulations, and district policies and procedures.

J. False Accusations of Harassment, Intimidation, or Bullying

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

1. Students - Consequences and appropriate remedial action for a student could range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1, Discipline of Pupils and as set forth in N.J.A.C. 6A:16-7.2, Short-term suspensions, N.J.A.C. 6A:16-7.3, Long-term suspensions, and N.J.A.C. 6A:16-7.4, Expulsions;

2. School Employees - Consequences and appropriate remedial action for a school employee or contracted service provider who has contact with students could entail discipline in accordance with district policies, procedures, and agreements; and



3. Visitors or Volunteers - Consequences and appropriate remedial action for a visitor or volunteer could be determined by the school administrator after consideration of the nature, severity, and circumstances of the act, including law enforcement reports or other legal actions, removal of buildings or grounds privileges, or prohibiting contact with students or the provision of student services.

K. Additional Policy Requirements

The Board of Education requires the Superintendent to annually disseminate this Policy to all school employees, contracted service providers who have contact with students, school volunteers, students and parents who have children enrolled in a school in the school district, along with a statement explaining that this Policy applies to all acts of harassment, intimidation, or bullying, pursuant to N.J.S.A. 18A:37-14, that occur on school property, at school-sponsored functions or on a school bus and, as appropriate, acts that occur off school grounds.

The Superintendent shall post a link to this Policy that is prominently displayed on the home page of the school district's website. The Superintendent shall ensure that notice of this Policy appears in the student handbook and all other publications of the school district that set forth the comprehensive rules, procedures, and standards for schools within the school district.

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

Each Principal or designee shall post the name, school phone number, school address, and school email address of both the school Anti-Bullying Specialist and the district Anti-Bullying Coordinator on the home page of each school's website.

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

The Superintendent and the Principals shall provide training on the school district's harassment, intimidation, or bullying policies to school employees contracted service providers and volunteers who have significant contact with students. The



training shall include instruction on preventing bullying on the basis of the protected categories enumerated in N.J.S.A. 18A:37-14 and other distinguishing characteristics that may incite incidents of discrimination, harassment, intimidation, or bullying. The school district's employee training program shall include information regarding the school district policy against harassment, intimidation, or bullying, which shall be provided to full-time and part-time staff, contracted service providers and school volunteers who have significant contact with students.

The Superintendent shall develop and implement a process for annually discussing the school district policy on harassment, intimidation, or bullying with students. The Superintendent and the Principal(s) shall annually conduct a re-evaluation, reassessment, and review of this Policy and any report(s) and/or finding(s) of the School Safety/School Climate Team, with input from the school Anti-Bullying Specialist, and recommend revisions and additions to this Policy as well as to harassment, intimidation, or bullying prevention programs and approaches based on the findings from the evaluation, reassessment, and review.

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

Each public school teacher and educational services professional shall be required to complete at least two hours of instruction on harassment, intimidation, or bullying prevention within each five year professional development period as part of the professional development requirement pursuant to N.J.S.A. 18A:37-22.d. The required two hours of suicide prevention instruction shall include information on the risk of suicide and incidents of harassment, intimidation, or bullying and information on reducing the risk of suicide in students who are members of communities identified as having members at high risk of suicide.

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

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

The school district shall annually observe a "Week of Respect" beginning with the first Monday in October. In order to recognize the importance of character education, the school district shall observe the week by providing age-appropriate instruction focusing on the prevention of harassment, intimidation, or bullying as



defined in N.J.S.A. 18A:37-14. Throughout the school year the district shall provide ongoing age-appropriate instruction on preventing harassment, intimidation, or bullying, in accordance with the New Jersey Student Learning Standards, pursuant to N.J.S.A. 18A:37-29.

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

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

The Superintendent shall report two times each school year, between September 1 and January 1 and between January 1 and June 30 at a public hearing all acts of violence, vandalism, and harassment, intimidation, or bullying which occurred during the previous reporting period in accordance with the provisions of N.J.S.A. 18A:17-46. The information shall also be reported to the New Jersey Department of Education in accordance with N.J.S.A. 18A:17-46.

N. School and District Grading Requirements

Each school and each district shall receive a grade for the purpose of assessing their efforts to implement policies and programs consistent with the provisions of N.J.S.A. 18A:37-13 et seq. The grade received by a school and the district shall be posted on the homepage of the school's website and the district's website in accordance with the provisions of N.J.S.A. 18A:17-46. A link to the report that was submitted by the Superintendent to the Department of Education shall also be available on the school district's website. This information shall be posted on the websites within ten days of receipt of the grade for each school and the district.

O. Reports to Law Enforcement

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



Law enforcement officials may request a suspension or stay of the district's harassment, intimidation, or bullying investigation if the conduct is being investigated by law enforcement. If law enforcement officials request a suspension or stay of a harassment, intimidation, or bullying investigation, school officials will follow the provisions of the MOA regardless of where the district is in the harassment, intimidation, or bullying investigation timeline.

School officials will immediately memorialize the request, in writing, from law enforcement and advise the parent(s) of the alleged perpetrator(s) and alleged victim(s) of law enforcement's request. The notice to parents must include notice that the district is obligated under New Jersey's Law Against Discrimination to address student-on-student bias-based harassment and the statute of limitations for filing a complaint in the Division of Civil Rights will not be extended due to law enforcement's request.

If law enforcement has not affirmatively requested a stay or suspension of a harassment, intimidation, or bullying investigation, but the school district believes the action(s) involved may constitute a criminal offense(s), school officials will

contact law enforcement to inquire as to whether law enforcement may want to investigate the matter.

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

P. Collective Bargaining Agreements and Individual Contracts

Nothing in N.J.S.A. 18A:37-13.1 et seq. shall be construed as affecting the provisions of any collective bargaining agreement or individual contract of employment in effect on the Anti-Bullying Bill of Rights Act's effective date (January 5, 2011) pursuant to N.J.S.A. 18A:37-30.

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

Q. Students with Disabilities



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

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

N.J.S.A. 18A:37-13 through 18A:37-37
N.J.A.C. 6A:16-7.1 through 6A:16-7.9
Model Policy and Guidance for Prohibiting Harassment, Intimidation, and Bullying on School Property, at School-Sponsored Functions and on School Buses – August 2022 – New Jersey Department of Education
A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials – 2023 Revisions

Adopted: 19 March 2025

5513 CARE OF SCHOOL PROPERTY

The Board of Education believes the school district should help students learn to respect property and instill feelings of pride in their school. The Board requires each student in the district to responsibly care for school property and the school supplies and equipment entrusted to the student by the school district.

Students who cause damage to or lose school property may be subject to disciplinary measures. The Board authorizes the imposition of a fine for the loss, damage, or destruction of a textbook and reserves the right to withhold a report card or diploma from any student whose payment of a fine is in arrears.

A student who demonstrates chronic and/or serious disregard for property may be referred to the Child Study Team.

The Superintendent shall develop rules for the safekeeping and accounting of textbooks and prepare a schedule of fines for lost, damaged, and destroyed textbooks.

N.J.S.A. 18A:34-2; 18A:37-3
N.J.A.C. 6A:23A-20.6

Adopted: 21 September 2022

5514 STUDENT USE OF VEHICLES ON SCHOOL GROUNDS

The safety of students, staff members, school visitors, and others while on school grounds is of significant importance to the Board of Education. A student's use of a vehicle and/or other modes of transportation on school grounds has the potential to present a safety hazard for the student operator and to other students, staff members, school visitors and others while on school grounds.

Students are permitted to ride bicycles to school.

Students riding bicycles to school must comply with all applicable State and local laws for operating a bicycle. The Principal may develop school rules for the operation of the student's bicycle on school grounds. Students must park and lock their bicycles in an area outside the school building designated by the Principal. A bicycle may not be brought into the school building without the Principal's permission.

Students are permitted to bring on school grounds non-motorized skateboards, scooters, roller skates, or any other non-motorized mode of transportation the student may use to get to and from school. The Principal shall determine if such items may be brought into the school building during the school day.

Students that bring these items to school must comply with all applicable State and local laws for operation. The Principal may develop school rules for the operation of the student's non-motorized items on school grounds and if such items can be brought into school and where such items shall be stored, in or outside the building, during the school day.

The Principal may revoke the privilege of a student's use of any vehicle or mode of transportation permitted by this Policy for the student's failure to follow the provisions of this Policy and any requirements of State or local law or any school rule. The Board of Education assumes no responsibility for the loss, damage, or theft of any vehicle or any mode of transportation permitted on school grounds in accordance with this Policy.

N.J.S.A. 39:4-10 et seq.; 39:4-10.5

Adopted: 16 November 2016

5516 USE OF ELECTRONIC COMMUNICATION DEVICES

To support school environments in which students can fully engage with their classmates and their teachers, and to focus attention upon instruction, the Board of Education has determined the use of cell phones and other electronic communication devices by students for personal use during the school day and school activities should be limited.

As used in this Policy, "electronic communication device" includes any device with the capability to audio or video record and/or is capable of receiving or transmitting any type of communication with others. An electronic communication device includes, but is not limited to, any type of cameras; cellular and wireless telephones; pagers/beepers; laptop computers; watches; electronic readers; two-way radios; any audio or video broadcasting devices; ear buds; tablets; headphones; and any other device that allows a person to audio and/or video record and/or transmit, in either a real time or a delayed basis, video or still images, text, audio recordings; or other information.

The Board adopts Regulation 5516 and this Policy to address student use of an electronic communication device for personal use on school grounds during the school day, to also include, but not be limited to: during before and after school programs; during any co-curricular activity; and on a school bus.

Nothing in Regulation 5516 and this Policy shall prohibit a student from using an electronic communication device for a purpose documented in a classified student's Individualized Education Plan (IEP) or a plan developed under Section 504 of the "Rehabilitation Act of 1973," 29 USC 794. A student may use an electronic communication device to monitor or address a health condition with prior permission from the Principal, in consultation with the school nurse to be documented in the student's Individual Health Plan.

In addition, the Board believes students and/or school staff members should not be subject to having any type of recording taken of any student(s) or school staff member(s) for any purpose without the consent of the student and the student's parent or the school staff member. In addition to protecting the privacy rights of students and school staff members, the Board recognizes such recordings can be disruptive to the educational program. Inappropriate recordings of educational material, student assessment instruments, and/or student assessment reviews can be used to compromise the integrity of the district's educational program or lead to academic dishonesty in the event such recordings are stored and/or transmitted to other students.

Adopted: 19 March 2025

5519 DATING VIOLENCE AT SCHOOL

The Board of Education believes a safe and civil environment in school is necessary for children to learn. A pupil who is a victim of dating violence suffers academically and the pupil's safety at school is jeopardized. Acts or incidents of dating violence at school whether they are verbal, sexual, physical, or emotional will not be tolerated and will be dealt with in accordance with the school's pupil code of conduct.

All school staff members (administrative staff, instructional staff, support staff, and volunteers) shall take all reasonable measures to prevent acts or incidents of dating violence at school involving a pupil. All acts or incidents of dating violence at school shall be reported to the Principal or designee as soon as possible, but no later than the end of the pupil's school day when the staff member witnesses or learns of an act or incident of dating violence at school. A written report regarding the act or incident shall be submitted to the Principal or designee by the reporting staff member no later than one day after the act or incident occurred.

School staff members are required to report all acts or incidents of dating violence at school they witness or upon receiving reliable information concerning acts or incidents of dating violence at school. Acts or incidents may include, but are not limited to: those characterized by physical, emotional, verbal, or sexual abuse; digital or electronic acts or incidents of dating violence; and/or patterns of behavior which are threatening or controlling.

The Board of Education, upon the recommendation of the Superintendent of Schools, shall adopt the guidelines and procedures outlined in Regulation 5519 for responding to acts or incidents of dating violence at school. The protocols outlined in Regulation 5519 have been established for any school staff member who witnesses or learns of an act or incident of dating violence at school and for school administrators to work with the victim and the aggressor of an act or incident of dating violence.

Dating violence statements and investigations shall be kept in files separate from pupil academic and discipline records to prevent the inadvertent disclosure of confidential information. Every act or incident of dating violence at school that is reported shall be documented in an appropriate manner. This should include statements, planning actions, and disciplinary measures as well as counseling and other support resources that are offered and prescribed to the victim or aggressor.

School administrators shall implement discipline and remedial procedures to address acts or incidents of dating violence at school consistent with the school's pupil code of conduct. The policies and procedures specific to acts or incidents of dating violence at school shall be sued to

address the act or incident as well as serve as remediation, intervention, education, and prevention for all individuals involved. The responses shall be tiered with consideration given to the seriousness and the number of previous occurrences of acts or incidents in which both the victim and alleged aggressor have been involved.

Consequences may include, but are not limited to: admonishment, temporary removal from the classroom, classroom or administrative detention, in-school suspension, out-of-school suspension, reports to law enforcement, and/or expulsion. Retaliation towards the victim of any act or incident of dating violence shall be considered when administering consequences to the alleged aggressor based on the severity of the act or incident.

Remediation/intervention may include, but is not limited to: parent conferences, pupil counseling (all students involved in the act or incident), peer support groups, corrective instruction or other relevant learning or service experiences, supportive pupil interventions (Intervention and Referral Services – I&RS), behavioral management plans, and/or alternative placements.

A pattern of behaviors may be an important sign a pupil is involved in an unhealthy or abusive dating relationship. The warning signs listed in Regulation 5519 shall educate the school community on the characteristics that a pupil in an unhealthy or abusive relationship may exhibit. Many of these warning signs make a connection to one pupil in the relationship asserting control and power over the other. Recognizing one or more signs of teen dating violence plays an important role in preventing, educating, and intervening in acts or incidents of dating violence.

The Board of Education shall make available to students and their families information on safe, appropriate school, family, peer, and community resources available to address dating violence.

The Board of Education shall incorporate age-appropriate dating violence education in grades seven through twelve through the health education curriculum in alignment with the New Jersey Core Curriculum Content Standards for Comprehensive Health and Physical Education. The educational Program shall include, but is not limited to, a definition of dating violence, recognizing the warning signs of dating violence, and the characteristics of healthy relationships.

Upon written request to the school Principal, a parent/legal guardian of a pupil less than eighteen years of age shall be permitted, within a reasonable period of time after the request is made, to examine the dating violence education instruction materials developed by the school district.



Notice of Policy and Regulation 5519 shall appear in all district publications that set forth the comprehensive rules, procedures, and standards of conduct for students within the district and in any handbook.

N.J.S.A. 18A:35-4.23a.; 18A:37-33; 18A:37-34; 18A:37-35; 18A:37-37
N.J.S.A. 18A:6-1; 18A:37-1; 18A:37-2
New Jersey Department of Education Model Policy and Guidance for Incidents Involving Dating Violence – September 2011

Adopted: 15 February 2012

5520 DISORDER AND DEMONSTRATION

The Board of Education is responsible for providing a thorough and efficient system of education for students in this district and is authorized to preserve order so that the system may function properly. Students will not be disturbed in the exercise of their constitutionally guaranteed rights to assemble peaceably and to express ideas and opinions, privately or publicly, provided that their activities do not infringe on the rights of others and do not interfere with the operation of the educational program.

The Board will not permit the conduct on school premises of any willful activity engaged in by an individual acting alone or by a group of individuals that interferes with the orderly operation of the educational program or offends the rights of others. The Board specifically prohibits any assembly or expression that materially disrupts instruction; is obscene, slanderous, or grossly prejudicial; advocates the use of dangerous or harmful materials; advocates the use of force or the violation of law or school rules; or advertises goods or services for unauthorized commercial gain.

Disorderly students will be disciplined in accordance with law and Board Policy No. 5600; staff members who assist students in disorderly conduct may be subject to disciplinary measures.

The Board directs all staff members to attempt to resolve pupil conflict and dissent by reason and arbitration. Students who express dissent should be made aware of the lawful procedures available to them for the resolution of their grievances.

The Superintendent/Principal shall establish procedures for the prompt resolution of any disorder that occurs on school premises. The Building Principal/Superintendent shall be responsible for the identification and resolution of disorders in any school building and may summon law enforcement officers as necessary.

N.J.S.A. 2C:12-3; 2C:33-1; 2C:33-2; 2C:33-8
N.J.S.A. 18A:6-1; 18A:37-1; 18A:37-2

Adopted: 19 October 2011



5530 SUBSTANCE ABUSE

The Board of Education recognizes that a student's abuse of harmful substances seriously impedes that student's education and threatens the welfare of the entire school community. The Board is committed to the prevention of substance abuse and the rehabilitation of substance abusers by educational means, but will take the necessary and appropriate steps to protect the school community from harm and from exposure to harmful substances. Accordingly, the Board will establish policies and procedures in operating programs to support the social, emotional, and physical development of students in accordance with the provisions of N.J.S.A. 18A:40A-1 et seq. and N.J.A.C. 6A:16-4.1 et seq. The Board of Education will maintain a comprehensive substance abuse intervention, prevention, and treatment referral program in the schools of this district.

A. Definitions

N.J.S.A. 18A:40A-9
N.J.A.C. 6A:16-1.3; 6A:16-4.1 et seq.

The definitions as outlined in N.J.S.A. 18A:40A et seq., N.J.A.C. 6A:16 et seq., and those terms defined in Regulation 5530 shall be used for the purposes of this Policy and Regulation.

B. Discipline

N.J.S.A. 18A:40A-10; 18A:40A-11
N.J.A.C. 6A:16-4.1(c)2.; 6A:16-6.3(a)

The Board prohibits the use, possession, and/or distribution of alcohol or other drugs on school grounds according to N.J.S.A. 18A:40A-9, 10, and 11.

A student who uses, possesses, or distributes alcohol or other drugs will be subject to discipline in accordance with the district's Code of Student Conduct. School authorities also have the authority to impose a consequence on a student for conduct away from school grounds in accordance with the provisions of N.J.A.C. 6A:16-7.5. Discipline may include suspension or expulsion. The Board will establish consequences for a student not following through on the recommendations of an evaluation for alcohol or other drug abuse and related behaviors.



C. Instruction

N.J.S.A. 18A:40A-1 et seq.
N.J.A.C. 6A:16-3.1

The Board shall provide an instructional program on the nature of drugs, alcohol, anabolic steroids, tobacco, and controlled dangerous substances in accordance with the provisions of N.J.S.A. 18A:40A-1 et seq. and N.J.A.C. 6A:16-3.1.

D. Reporting, Notification, and Examination

N.J.S.A. 18A:40A-11 through 18A:40A-17
N.J.A.C. 6A:16-3.1; 6A:16-4.1; 6A:16-4.2; 6A:16-4.3

1. Alcohol or Other Drugs

a. Any educational staff member or other professional to whom it appears that a student may be currently under the influence of alcohol or other drugs as identified in N.J.S.A. 18A:40A-9 and N.J.A.C. 6A:16-4.1(a), on school grounds shall report the matter in accordance with N.J.A.C. 6A:16-4.3(a)1.

b. An immediate medical examination shall be conducted and a written report of the medical evaluation shall be furnished to the parent of the student, the Principal, and the Superintendent in accordance with N.J.A.C. 6A:16-4.3(a)2 through 4.3(a)8.

c. If the written report of the medical examination is not provided within twenty-four hours of the referral of the student, the student shall be allowed to return to school until such time as a positive determination of alcohol or other drug use is received from the examining physician, unless the student was also removed for violating the Code of Student Conduct.

d. If the written report of the medical evaluation verifies that alcohol or other drugs do not interfere with the student's physical or mental ability to perform in school, the student shall be immediately returned to school. If there is a positive determination from the medical examination indicating the student's alcohol or other drug use interferes with his or her physical or mental ability to perform in school, the student shall be returned to the care of the



parent as soon as possible. Attendance at school shall not resume until a written report has been submitted to the parent, Principal, and Superintendent from a physician licensed to practice medicine or osteopathy who has examined the student that verifies the student's alcohol or other drug use no longer interferes with his or her physical and mental ability to perform in school.

e. Removal of a student with a disability shall be in accordance with N.J.A.C. 6A:14.

f. While a student is at home because of the medical evaluation or after the student returns to school, an appropriately certified school staff member(s) will conduct an alcohol and other drug assessment of the student and a reasonable investigation of the situation and may initiate referral alcohol or other drug abuse treatment in accordance with N.J.A.C. 6A:16-4.3(a)12, 4.3(a)13, and 4.3(a)14.

g. Disclosure to law enforcement authorities of the identity of a student in instances of alcohol and other drugs shall be in accordance with the requirements of N.J.A.C. 6A:16-4.3(a)3.

h. The Board may provide additional intervention and referral services for the student according to the requirements of N.J.S.A. 18A:40A-10 and N.J.A.C. 6A:16-8.

2. Anabolic Steroids

a. Whenever any teaching staff member, certified or non-certified school nurse, or other educational personnel has reason to believe a student has used or may be using anabolic steroids, the person shall report the matter in accordance with N.J.A.C. 6A:16-4.3(b)1.

b. The Principal or designee upon receiving such report shall immediately notify the parent and Superintendent and shall arrange for an examination of the student as soon as possible to determine whether the student has been using anabolic steroids in accordance with N.J.A.C. 6A:16-4.3(b)2.

c. Disclosure to law enforcement authorities of the identity of students in instances of anabolic steroids shall be in accordance with the requirements of N.J.A.C. 6A:16-4.3(b)3.



d. A written report of the examination shall be provided by the examining physician to the parent, Principal, and Superintendent.

e. If it is determined the student has used anabolic steroids, an appropriately certified school staff member(s) shall interview the student and others to determine the extent of the student's involvement with and use of anabolic steroids and the possible need for referral for treatment in accordance with N.J.A.C. 6A:16-4.3(b)5.

f. If the results of a referral for evaluation have positively determined the student's involvement with and use of anabolic steroids represents a danger to the student's health and well-being, an appropriately certified school staff member(s) shall initiate a referral for treatment to agencies and/or private practitioners as outlined in N.J.A.C. 6A:16-4.3(b)6.

3. A school employee who seizes or discovers alcohol or other drugs, or an item believed to be a controlled dangerous substance, including anabolic steroids, or drug paraphernalia, shall comply with the provisions of N.J.A.C. 6A:16-6.4.

4. The Board will provide intervention, referral for evaluation, and referral for treatment services to those students that are affected by alcohol or other drug use in accordance with the provisions of N.J.A.C. 6A:16-4.1(c)7.

5. Refusal or failure by a parent to comply with the provisions of N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3 shall be treated as a policy violation of the Compulsory Education Act, pursuant to N.J.S.A. 18A:38-25 and 31, and child neglect laws, pursuant to N.J.S.A. 9:6-1 et seq. and N.J.A.C. 6A:16-11.

6. Refusal or failure of a student to comply with the provisions of N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3 shall be treated by the school district as a policy violation and handled in accordance with N.J.A.C. 6A:16-4.1(c)2.

E. In-Service Training

N.J.S.A. 18A:40A-15



The Board directs the Superintendent to develop a program of in-service training for all teaching staff members involved in the instruction of students in accordance with the provisions of N.J.S.A. 18A:40A-15. The Board will provide time for the conduct of the program during the usual school schedule. The in-service training program required in N.J.S.A. 18A:40A-15 shall be updated at regular intervals in order to ensure teaching staff members have the most current information available on this subject.

F. Parent Training Program/Outreach Program

N.J.S.A. 18A:40A-16; 18A:40A-17
N.J.A.C. 6A:16-4.1(c)8

The Board will provide a parent training program/outreach program in accordance with the provisions of N.J.S.A. 18A:40A-16 and 17.

G. Records and Confidentiality of Records

42 CFR Part 2
N.J.S.A. 18A:40A-7.1; 18A:40A-7.2
N.J.A.C. 6A:16-3.2; 6A:32-7.1 et seq.

Notations concerning a student's involvement with substances may be entered on his/her records, subject to N.J.A.C. 6A:32-7.1 et seq. and Policy 8330 regarding confidentiality. Information concerning a student's involvement in a school intervention or treatment program for alcohol or other drug abuse shall be kept strictly confidential according to 42 CFR Part 2, N.J.S.A. 18A:40A-7.1 and 7.2, N.J.A.C. 6A:16-3.2, and N.J.A.C. 6A:16-6.5.

If an elementary or secondary student who is participating in a school-based drug or alcohol abuse counseling program provides information during the course of a counseling session in that program which indicates that the student's parent or other person residing in the student's household is dependent upon or illegally using a substance as that term is defined in N.J.S.A. 18A:40A-9, that information shall be kept confidential and may be disclosed only in accordance with N.J.S.A. 18A:40A-7.1 and N.J.A.C. 6A:16-3.2.

H. Nonpublic School Students

N.J.S.A. 18A:40A-5; 18A:40A-17(c)



The Board has the power and duty to loan to students attending nonpublic schools located in this district and to the parents of such students all educational materials on the nature and effects of drugs, alcohol, anabolic steroids, tobacco, and controlled dangerous substances developed and made available by the Commissioner of Education. The Board shall not be required to expend funds for the loan of these materials.

I. Civil Immunity

N.J.S.A. 18A:40A-13; 18A:40A-14
N.J.A.C. 6A:16-4.3(c)

No action of any kind in any court of competent jurisdiction shall lie against any employee, officer, or agent of the Board because of actions taken under the education statutes on substance abuse, N.J.S.A. 18A:40A-1 et seq., provided the skill and care given is that ordinarily required and exercised by other such employees, officers, and agents of the Board in accordance with the provisions of N.J.S.A. 18A:40A-13.

Any educational or non-educational Board employee who in good faith reports a student to the Principal or designee in compliance with N.J.A.C. 6A:16-4.3 shall not be liable in civil damages as a result of making such a report, as specified in N.J.S.A. 18A:40A-13 and 14.

J. Reporting Students to Law Enforcement Authorities

N.J.A.C. 6A:16-4.1; 6A:16-6.3

The Superintendent or designee shall disclose to law enforcement authorities the identity of a student reasonably believed to be in possession of a controlled dangerous substance, including anabolic steroids, or related paraphernalia or involved or implicated in distribution activities regarding controlled dangerous substances, including anabolic steroids pursuant to N.J.A.C. 6A:16-4.1(c)9. The Superintendent or designee shall not disclose the identity of the student who has voluntarily sought and participated in an appropriate treatment or counseling program for an alcohol or other drug abuse problem provided the student is not reasonably believed to be involved or implicated in drug-distribution activities.



The Superintendent or designee may disclose to law enforcement authorities the identity of a student suspected to be under the influence of alcohol and/or other drugs, pursuant to N.J.A.C. 6A:16-4.1(c)9.i. Law enforcement authorities shall not be notified of the findings if a student's alcohol or other drug test was obtained as a result of a district's voluntary random drug testing program pursuant to N.J.S.A. 18A:40A-22 et seq. and N.J.A.C. 6A:16-4.4.

K. Policy Review and Accessibility

N.J.S.A. 18A:40A-10; 18A:40A-11
N.J.A.C. 6A:16-4.2(a) and (b)

The Board will annually review the effectiveness of Policy and Regulation 5530 on student alcohol and drug abuse. The Board may solicit parent, student, and community input, as well as consult in the review process with local alcohol or other drug abuse prevention, intervention, and treatment agencies licensed by the New Jersey Department of Human Services.

This Policy and Regulation shall be annually disseminated to all school staff, students, and parents through the district website or other means.

N.J.S.A. 18A:40A-1 et seq.; 18A:40A-7.1 et seq.
N.J.A.C. 6A:16-1.1 et seq.; 6A:16-4.1 et seq.;
6A:16-6.1 et seq.

Adopted: 18 February 2015



5533 STUDENT SMOKING

The Board of Education recognizes the use of tobacco presents a health hazard that can have serious implications both for the smoker and the nonsmoker and that smoking habits developed by young people may have lifelong harmful consequences.

For the purpose of this Policy, "smoking" means the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe, or any other matter or substance which contains tobacco or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device pursuant to N.J.S.A. 26:3D-57. For the purpose of this Policy, "smoking" also includes the use of smokeless tobacco and snuff.

For the purpose of this Policy, "electronic smoking device" means an electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, pipe, or any cartridge or other component of the device or related product pursuant to N.J.S.A. 2A:170-51.4.

For the purpose of this Policy, "school buildings" and "school grounds" means and includes land, portions of land, structures, buildings, and vehicles, owned, operated or used for the provision of academic or extracurricular programs sponsored by the district or community provider and structures that support these buildings, such as school wastewater treatment facilities, generating facilities, and any other central facilities including, but not limited to, kitchens and maintenance shops. "School buildings" and "school grounds" also include athletic stadiums; swimming pools; any associated structures or related equipment tied to such facilities including, but not limited to, grandstands and night field lights; greenhouses; garages; facilities used for non-instructional or non-educational purposes; and any structure, building, or facility used solely for school administration. "School buildings" and "school grounds" also include other facilities as defined in N.J.A.C. 6A:26-1.2; playgrounds; and 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 such land.

N.J.S.A. 2A:170-51.4 prohibits the sale or distribution to any person under twenty-one years old of any cigarettes made of tobacco or any other matter or substance which can be smoked, or any cigarette paper or tobacco in any form, including smokeless tobacco; and any electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, pipe, or any cartridge or other component of the device or related product.

Consequences for a student possessing such an item will be in accordance with the Student Code of Conduct.

The Board prohibits smoking by students at any time in school buildings or on school grounds, at school-sponsored events away from school, or on a school bus.

The Board also prohibits the possession of any item listed in N.J.S.A. 2A:170-51.4 at any time in school buildings or on school grounds, at school-sponsored events away from school, or on a school bus. Such items will be confiscated and may be returned to the parent, upon request.

Prohibited Items and Controlled Dangerous Substances

If it appears to an educational staff member or other professional, upon confiscating such item(s), that the student may currently be under the influence of alcohol or other drugs, the staff member shall inform the Principal or designee. The Principal or designee shall immediately notify the parent and the Superintendent or designee. The Principal or designee shall arrange for an immediate medical examination of the student and shall comply with all of the provisions of N.J.A.C. 6A:16-4.3, Regulation 5530, and this Policy.

In the event the Principal or designee, after inspection of the confiscated item(s), has reason to believe the item(s) may have contained or may contain a controlled dangerous substance, a controlled substance analog, or other drugs pursuant to N.J.S.A. 2C:35-2, the Principal or designee shall immediately notify the parent and the Superintendent or designee. The Principal or designee shall arrange for an immediate medical examination of the student and shall comply with all of the provisions of N.J.A.C. 6A:16-4.3, Regulation 5530, and this Policy. Principals and designees shall be trained to identify controlled dangerous substances in electronic smoking devices.

When the Principal or designee has reasonable suspicion to believe a confiscated electronic smoking device is being used as a nexus for marijuana or other controlled dangerous substances or cannabis, the Principal or designee shall immediately notify the Superintendent or designee and law enforcement in accordance with the Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials.

A sign indicating smoking is prohibited in school buildings and on school grounds will be posted at each public entrance of a school building in accordance with N.J.S.A. 26:3D-61. The sign shall also indicate violators are subject to a fine.



A student who violates the provisions of this Policy shall be subject to appropriate disciplinary measures in accordance with the district's Student Discipline/Code of Conduct and may be subject to fines in accordance with law. In the event a student is found to have violated this Policy and the law, the Principal or designee may file a complaint with the appropriate Municipal Court or other agency with jurisdiction as defined in N.J.A.C. 8:6-9.1(c).

A student found to have violated this Policy and the law may be required to participate in additional educational programs to help the student understand the harmful effects of smoking and to discourage the use of tobacco products. These programs may include, but are not limited to, counseling, smoking information programs, and/or smoking cessation programs sponsored by this school district or available through approved outside agencies.

The Board directs that the health curriculum include instruction in the potential hazards of the use of tobacco. All school staff members shall make every reasonable effort to discourage students from developing the habit of smoking.

The Board will comply with any provisions of a municipal ordinance which provides restrictions on or prohibitions against smoking equivalent to, or greater than, those provided in N.J.S.A. 26:3D-55 through N.J.S.A. 26:3D-63.

N.J.S.A. 2A:170-51.4
N.J.S.A. 2C:35-2
N.J.S.A. 18A:40A-1
N.J.S.A. 26:3D-55 through 26:3D-63
N.J.A.C. 6A:16-4.3
N.J.A.C. 8:6-7.2; 8:6-9.1 through 8:6-9.5

A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials – 2023 Revisions

Adopted: 19 March 2025

5541 ANTI-HAZING

A safe and civil environment in school is necessary for students to learn and achieve high academic standards. Hazing is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe and disciplined environment. The Board of Education prohibits acts of hazing and adopts this Policy against hazing in accordance with N.J.S.A. 18A:37-32.2. The provisions of this Policy apply to elementary school(s) in the school district.

"Hazing" in a school setting includes, but is not limited to, conduct by an individual(s) who is a member and/or representative of a school-sponsored student organization, club, or athletic team where such individual(s) conditions a student's acceptance as a member into such group on whether the student engages in activities that are humiliating, demeaning, intimidating, and exhausting to the student.

N.J.S.A. 2C:40-3.a. indicates hazing may also include, but is not limited to, the conduct outlined below:

1. An individual(s) causes, coerces, or otherwise induces a student to commit an act that violates Federal or State criminal law;

2. An individual(s) causes, coerces, or otherwise induces a student to consume any food, liquid, alcoholic liquid, drug or other substance which subjects the student to a risk of emotional or physical harm or is otherwise deleterious to the student's health;

3. An individual(s) subjects a student to abuse, mistreatment, harassment, or degradation of a physical nature, including, but not limited to, whipping, beating, branding, excessive calisthenics, or exposure to the elements;

4. An individual(s) subjects a student to abuse, mistreatment, harassment, or degradation of a mental or emotional nature, including, but not limited to, activity adversely affecting the mental or emotional health or dignity of the individual, sleep deprivation, exclusion from social contact, or conduct that could result in extreme embarrassment;

5. An individual(s) subjects a student to abuse, mistreatment, harassment, or degradation of a sexual nature; or

6. An individual(s) subjects a student to any other activity that creates a reasonable likelihood of bodily injury to the student.

Board of Education members, school employees, and contracted service providers are required to report an alleged incident of hazing that may take place or has taken place on or off school grounds to the Principal or designee on the same day when the individual witnessed or received reliable information regarding such an incident. Students, parents, volunteers, or visitors are encouraged to report an alleged incident of hazing that may take place or has taken place on or off school grounds to the Principal or designee on the same day when the individual witnessed or received reliable information regarding any such incident.

Any report of an alleged incident of hazing shall be immediately investigated by the Principal or designee in accordance with procedures used to investigate alleged violations of the Student Discipline/Code of Conduct and Policy and Regulation 5600. A Principal or designee who receives a report of an alleged incident of hazing and fails to initiate or conduct an investigation and fails to minimize or eliminate the hazing may be subject to disciplinary action.

The Principal or designee may identify behavior when investigating an alleged incident of hazing indicating harassment, intimidation, or bullying (HIB) pursuant to N.J.S.A. 18A:37-14 et seq. – the New Jersey Anti-Bullying Bill of Rights Act (ABR). If the Principal or designee identifies behavior indicating HIB, the Principal or designee shall ensure a separate investigation is conducted in accordance with the ABR and Policy 5512.

The Superintendent or designee shall report to local law enforcement any hazing incident that rises to the level of mandatory reporting under the "Uniform Memorandum of Agreement Between Education Officials and Law Enforcement Officials" or any other agreement between local law enforcement and the school district pursuant to N.J.A.C. 6A:16-5.1(b).

Hazing that involves the participation of a coach, teacher, or other adult may constitute child abuse and shall be addressed in accordance with N.J.S.A. 18A:36-25 and Policy and Regulation 8462.

The Board shall enforce any penalty for violation of this Policy in accordance with the student code of conduct and Policy and Regulation 5600, or any other applicable Board Policy or Regulation. In accordance with N.J.S.A. 18A:37-32.3 appropriate penalties for a violation of this Policy may include, but are not limited to:



1. Withholding of diplomas or transcripts pending compliance with the rules;

2. Rescission of permission for the organization or group whose student member(s) are being penalized under this Policy, to operate on school property or to otherwise operate under the sanction or recognition of the school district; and

3. The imposition of probation, suspension, dismissal, or expulsion of a student member(s).

Any discipline instituted in response to a violation of this Policy may be in addition to discipline for a violation of Policy 5512, Policy and Regulation 5600, and any other applicable Board Policy and Regulation.

The school district shall ensure that students are informed of this Policy, including the rules, penalties, and program of enforcement under this Policy. This Policy shall be posted on the school district's publicly accessible Internet website.

N.J.S.A. 18A:36-25; 18A:37-13.2; 18A:37-14 et seq.;
18A:37-32.2; 18A:37-32.3
N.J.A.C. 6A:16-5.1

Adopted: 2 March 2022

5550 DISAFFECTED STUDENTS

The Board of Education believes that the educational needs of all students should be served. The Board will make every reasonable effort to identify and serve disaffected students whose learning is impeded by environmental circumstances, the pupil's attitude, or an inappropriate instructional program.

For the purposes of this policy, "disaffected pupil" means the pupil who has instructional needs that are not being met by the regular instructional program and who is performing well below his/her social or academic capacity.

Disaffected students may include students unable to function properly within a traditional school program; students of average or above average intelligence and ability who achieve below their potential; students unable to establish occupational or future goals; students with a pattern of behavior problems, including problems with attendance and tardiness; students who lack motivation, direction, and decision making ability; students who possess a poor self-image; students suffering stressful family settings; students hostile toward adults and authority figures; students in difficulty with community and law enforcement agencies; and students lacking interest in school and avoiding involvement in school activities.

Teaching staff members shall be alert to students experiencing difficulty in their classes. Any such pupil who does not appear to be disabled may be referred to the Intervention Referral Team (IRT).

A disaffected pupil who may have disabilities shall be referred to the Child Study Team for evaluation in accordance with Policy No. 2460 and Regulations No. 2460.3 and 2460.7.

N.J.A.C. 6A:16-7.1 et seq.
N.J.A.C. 6A:14-1.1 et seq.

Adopted: 19 October 2011

5560 DISRUPTIVE STUDENTS

The Board of Education believes that the students of this district are entitled to an education free from undue disruption. Students who willfully disrupt the educational program shall be subject to the discipline procedures of this district. Every reasonable effort shall be made to determine and remediate the cause or causes of a chronically disruptive pupil's unacceptable conduct.

For the purposes of this policy, "disruptive pupil" means the pupil who has difficulty establishing good relationships with peers and adult authority figures and who exhibits a pattern of conduct which is in defiance of school rules or regulations and which hinders academic success for other students as well as for himself or herself.

Disruptive students may be disciplined in accordance with Policy No. 5600.

A disruptive pupil who does not appear to be disabled may be referred to the Intervention Referral Team (IRT) in accordance with Policy No. 2417.

A disruptive pupil who may have disabilities shall be referred to the Child Study Team for evaluation in accordance with Policy and Regulation Nos. 2460 et seq.

The Superintendent shall report regularly to the Board the incidence of acts of violence and vandalism in the school district and shall prepare a remedial plan whenever the report shows a significant increase in the number of such acts.

N.J.S.A. 18A:17-46 et seq.; 18A:37-1 et seq.
N.J.A.C. 6A:14-1.1 et seq.

Adopted: 19 October 2011



5561 USE OF PHYSICAL RESTRAINT AND SECLUSION TECHNIQUES FOR STUDENTS WITH DISABILITIES

The Board of Education strives to provide a safe, caring atmosphere that supports all students in the least restrictive environment. On occasion, during an emergency, a situation may arise making it necessary to temporarily restrain or seclude a student with a disability in accordance with N.J.S.A. 18A:46-13.4. through 13.7.

A school district, an educational services commission, or an approved private school for students with disabilities (APSSD) that utilizes physical restraint on students with disabilities shall ensure that:

1. Physical restraint is used only in an emergency in which the student is exhibiting behavior that places the student or others in immediate physical danger;

2. A student is not restrained in the prone position, unless the student's primary care physician authorizes, in writing, the use of this restraint technique;

3. Staff members who are involved in the restraint of a student receive training in safe techniques for physical restraint from an entity determined by the Board to be qualified to provide such training, and that the training is updated at least annually;

4. The parent of a student is immediately notified when physical restraint is used on the student. This notification may be by telephone or electronic communication. A post-incident written notification report of the incident of physical restraint shall be provided to the parent within forty-eight hours of the occurrence of the incident;

5. Each incident in which physical restraint is used is carefully and continuously visually monitored to ensure it was used in accordance with established procedures set forth in this Policy and Regulation 5561, developed in conjunction with the entity that trains staff in safe techniques for physical restraint, in order to protect the safety of the child and others; and

6. Each incident in which physical restraint is used is documented in writing in sufficient detail to enable staff to use this information to develop or improve the behavior intervention plan at the next individualized education plan (IEP) meeting.

A school district, an educational services commission, and an APSSD shall attempt to minimize the use of physical restraints through inclusion of positive behavior supports in the student's behavior intervention plans developed by the IEP team.

A school district, an educational services commission, or an APSSD that utilizes seclusion techniques on students with disabilities shall ensure that:

1. A seclusion technique is used on a student with disabilities only in an emergency in which the student is exhibiting behavior that places the student or others in immediate physical danger;

2. Each incident in which a seclusion technique is used is carefully and continuously visually monitored to ensure it was used in accordance with established procedures set forth in this Policy and Regulation 5561, developed in conjunction with the entity that trains staff in safe techniques for physical restraint, in order to protect the safety of the child and others; and

3. Each incident in which a seclusion technique is used is documented in writing in sufficient detail to enable the staff to use this information to develop or improve the behavior intervention plan at the next IEP meeting.

A school district, an educational services commission, and an APSSD shall attempt to minimize the use of seclusion techniques through inclusion of positive behavior supports in the student's behavior intervention plans developed by the IEP team.

The New Jersey Department of Education shall establish guidelines for school districts, educational services commissions, and APSSDs to ensure a review process is in place to examine the use of physical restraints or seclusion techniques in emergency situations, and for the repeated use of these methods for an individual child, within the same classroom, or by a single individual. The review process shall include educational, clinical, and administrative personnel. Pursuant to the review process the student's IEP team may, as deemed appropriate, determine to revise the behavior intervention plan or classroom supports, and a school district, educational services commission, or APSSD may determine

to revise a staff member's professional development plan pursuant to N.J.S.A. 18A:46-13.7.

The Superintendent or designee may gather input from school staff members and parents of students with disabilities on this Policy and Regulation 5561. All students with disabilities and their parents shall be afforded the procedural safeguards provided by the Individuals with Disabilities Education Act (IDEA).

The Superintendent or designee shall report all incidents of restraint and seclusion through the Student Safety Data System (SSDS). The Superintendent or designee shall annually inform parents of students with disabilities about this Policy and Regulation 5561 regarding restraint and seclusion.

N.J.S.A. 18A:46-13.4.; 18A:46-13.5.; 18A:46-13.6.; 18A:46-13.7.
New Jersey Department of Education Restraint and Seclusion
Guidance for Students with Disabilities – July 10, 2018

Adopted: 16 September 2026

5570 SPORTSMANSHIP

The Board of Education requires that all individuals involved in or attending the athletic and intramural programs sponsored by the Board exhibit sportsmanship when representing the school at any athletic event. Sportsmanship is defined as abiding by the rules of the contest as defined or accepted by the participating teams. In exhibiting sportsmanship all participants shall:

1. Respect and follow the rules of the contest;

2. Recognize skilled performance of others regardless of affiliation;

3. Display respect for all individuals participating in the athletic event;

4. Treat opponents in an empathetic manner; and

5. Congratulate opponents in victory or defeat.

Unsportsmanlike conduct shall include, but not be limited to, the following:

1. Any person (athletic department, staff member, student athlete, or a fan or spectator associated with the school district) who strikes or physically abuses an official, coach, player, or spectator;

2. Any person (athletic department, staff member, student athlete, or a fan or spectator associated with the school district) who intentionally incites participants or spectators to violent or abusive action;

3. Any person (athletic department, staff member, student athlete, or a fan or spectator associated with the school district) who uses obscene gestures or profane or unduly provocative language or action towards officials, coaches, opponents, or spectators;

4. Any person (athletic department, staff member, student athlete, or a fan or spectator associated with the school district) who engages in harassing verbal or physical conduct which exhibits bias based on any of the protected categories listed at N.J.A.C. 6A:7-1.1(a);

5. Any school or athletic staff member who is publicly critical of a game official, opponents, and/or opposing coaches/players;



6. Other conduct judged by the Principal or designee to be unsportsmanlike in character; and

7. Any violation of the rules of the New Jersey State Interscholastic Athletic Association.

Schools are not permitted to conduct pre-meet/game activities of an intimidating nature, e.g., the use of fog machines, the blaring of sirens or loud music/unusual sound effects, strobe/unusual lighting effects, or similar type activities.

Failure to exhibit good sportsmanship may subject the individual to disciplinary action as deemed appropriate by the Board.

NJSIAA General Information Constitution By-laws Rules and Regulations 2023-2024
N.J.A.C. 6A:7-1.1; 6A:7-1.3

Adopted: 20 March 2024

5600 STUDENT DISCIPLINE/CODE OF CONDUCT

The Board of Education adopts this Student Discipline/Code of Conduct Policy to establish standards, policies, and procedures for positive student development and student behavioral expectations on school grounds and, as appropriate, for conduct away from school grounds. Every student enrolled in this district shall observe promulgated rules and regulations and the discipline imposed for infraction of those rules.

The Superintendent of Schools will establish a process for the annual review and update of the district's Student Discipline/Code of Conduct Policy and Regulation that may involve a committee of parents, students, and community members that represent, where possible, the composition of the district's schools and community. The Superintendent will report to the Board the process used for the annual review of this Policy and Regulation and will recommend to the Board updates, if any, to the Student Discipline/Code of Conduct Policy and Regulation.

The Student Discipline/Code of Conduct Policy and Regulation shall be disseminated annually to all school staff, students, and parents. The Board of Education shall provide to all employees annual training on the Student Discipline/Code of Conduct Policy and Regulation, which shall include training on the prevention, intervention, and remediation of student conduct that violates the district's Policy and Regulation. Information on the Student Discipline/Code of Conduct Policy and Regulation shall be incorporated into the orientation for new employees.

The Board provides for the district's Student Discipline/Code of Conduct's equitable application. Student discipline and the Code of Student Conduct will be applied without regard to race; color; religion; ancestry; national origin; nationality; sex; gender; sexual orientation; gender identity or expression; martial, domestic-partnership, or civil union; mental, physical or sensory disability; or by any other distinguishing characteristic, pursuant to N.J.S.A. 10:5.-1 et seq.

For students with disabilities, subject to Individualized Education Programs in accordance with 20 U.S.C. §1400 et seq., the Individuals with Disabilities Education Improvement Act and accommodation plans under 29 U.S.C. §§ 794 and 705(20), the Code of Student Conduct shall be implemented in accordance with the components of the applicable plans.

The Student Discipline/Code of Conduct is established for the purposes outlined in N.J.A.C. 6A:16-7.1(b).



Policy and Regulation 5600 include a description of student responsibilities that include expectations for academic achievement, behavior, and attendance, pursuant to N.J.A.C. 6A:32-8 and 13.1; a description of behaviors that will result in suspension or expulsion, pursuant to N.J.S.A. 18A:37-2; and a description of student rights pursuant to N.J.A.C. 6A:16-7.1(c)3.i through vii.

The Board of Education approves the use of comprehensive behavioral supports that promote positive student development and the students' abilities to fulfill the behavioral expectations established by the Board. These behavioral supports include, but are not limited to, positive reinforcement for good conduct and academic success including the programs that honor and reward student conduct and academic achievement; supportive intervention and referral services including those services outlined in Policy 2417; remediation of problem behaviors that take into account the behavior's nature, the students' developmental ages and the students' histories of problem behaviors and performance; and for students with disabilities, the behavior interventions and supports shall be determined and provided pursuant to N.J.A.C. 6A:14.

Policy and Regulation 5600 include a description of school responses to violations of behavioral expectations established by the Board that, at a minimum, are graded according to the severity of the offenses, and consider the developmental ages of the student offenders and their histories of inappropriate behaviors pursuant to N.J.A.C. 6A:16-7.1(c)5.

Students are required to be in compliance with Policy and Regulation 5200 – Attendance pursuant to N.J.A.C. 6A:16-7.6 and Policy 5512 – Harassment, Intimidation, and Bullying pursuant to N.J.A.C. 6A:16-7.7.

The Building Principal shall maintain a current list of community-based health and social service provider agencies available to support a student and the student's family, as appropriate, and a list of legal resources available to serve the community.

The Building Principal or designee shall have the authority to assign discipline to students. School authorities also have the right to impose a consequence on a student for conduct away from school grounds that is consistent with the district's

Code of Student Conduct pursuant to N.J.A.C. 6A:16-7.5. This authority shall be exercised only when it is reasonably necessary for the student's physical or emotional safety, security, and well-being or for reasons relating to the safety, security, and well-being of other students, staff, or school grounds, pursuant to N.J.S.A. 18A:25-2 and 18A:37-2. This authority shall be exercised only when the conduct that is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school. Consequences pursuant to N.J.A.C. 6A:16-7.5 shall be handled in accordance with Policy and Regulation 5600, pursuant to N.J.A.C. 6A:16-7.1, and as appropriate, in accordance with N.J.A.C. 6A:16-7-2, 6A:16-7.3, or 6A:16-7.4. School authorities shall respond to harassment, intimidation, or bullying that occurs off school grounds, pursuant to N.J.S.A. 18A:37-14 and 15.3 and N.J.A.C. 6A:16-1.3, 7.1, and 7.7.

Consequences and appropriate remedial action for a student who commits one or more acts of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion. The factors for determining consequences and remedial measures and examples of consequences and remedial measures are listed in Policy 5512 – Harassment, Intimidation, and Bullying. Consequences for a student who commits an act of harassment, intimidation, or bullying shall be varied and graded according to the nature of the behavior, the developmental age of the student and the student's history of problem behaviors and performance, and shall be consistent with this Policy and the school district's Student Discipline/Code of Conduct Policy pursuant to N.J.A.C. 6A:16-7.1. Remedial measures for one or more acts of harassment, intimidation, or bullying shall be designed to correct the problem behavior; prevent another occurrence of the problem; protect and provide support for the victim of the act; and take corrective action for documented systemic problems related to harassment, intimidation, or bullying.

Consequences and remedial measures to address acts or incidents of dating violence at school shall be consistent with the school district's Student Discipline/Code of Conduct Policy. The factors for determining consequences and remedial measures and examples of consequences and remedial measures are included in Policy and Regulation 5519 – Dating Violence at School and shall be used to address the act or incident as well as serve as remediation, intervention, education, and prevention for all individuals involved. The responses shall be tiered with consideration given to the seriousness and the number of previous occurrences of acts or incidents in which both the victim and aggressor have been involved. Consequences for acts or incidents of dating violence at school may range



from admonishment to suspension or expulsion. Retaliation towards the victim of any act or incident of dating violence shall be considered when administering consequences to the aggressor based on the severity of the act or incident. Remedial measures/interventions for acts or incidents of dating violence at school may include, but are not limited to: parent conferences, student counseling (all students involved in the act or incident), peer support groups, corrective instruction or other relevant learning or service experiences, supportive student interventions (Intervention and Referral Services - I&RS), behavioral management plans, and/or alternative placements.

The Board of Education may deny participation in extra-curricular activities, school functions, sports, graduation exercises, or other privileges as disciplinary sanctions when designed to maintain the order and integrity of the school environment, in accordance with N.J.A.C. 6A:16-7.1(d).

Any student to be disciplined shall be provided the due process procedures for students and their families as set forth in Policy and Regulation 5600 and N.J.A.C. 6A:16-7.2 through 7.4.

In accordance with the provisions of N.J.A.C. 6A:16-7.9, when a student transfers to a public school district from another public school district, all information in the student's record related to disciplinary actions taken against the student by the school district and any information the school district has obtained pursuant to N.J.S.A. 2A:4A-60, Disclosure of Juvenile Information, Penalties for Disclosure, shall be provided to the receiving public school district, in accordance with the provisions of N.J.S.A. 18A:36-19(a) and N.J.A.C. 6A:32-7.5.

The Superintendent may be required to submit a report annually to the New Jersey Department of Education on student conduct, including all student suspensions and expulsions, and the implementation of the Student Discipline/Code of Conduct Policy in accordance with the format prescribed by the Commissioner of Education. The Superintendent shall report to the Commissioner of Education each incident of violence, including harassment, intimidation, and bullying, vandalism, and alcohol and other drug offenses, pursuant to N.J.A.C. 6A:16-4.3, in the school district utilizing the Student Safety Data System (SSDS), pursuant to N.J.A.C. 6A:16-5.3.

N.J.S.A. 18A:6-1; 18A:36-25.1; 18A:25-2; 18A:36-19a;
18A:37-1 et seq.; 18A:37-13.1 et seq.
N.J.A.C. 6A:16-7.1 et seq.; 6A:14-1.1 et seq.

Adopted: 17 April 2019



5610 SUSPENSION

The Board of Education recognizes that even the temporary exclusion of a student from the educational program of this district is a severe sanction and one that cannot be imposed without due process.

Any student who is guilty of continued and willful disobedience, or of open defiance of the authority of any teacher or person having authority over him, or of the habitual use of profanity or of obscene language, or who shall cut, deface or otherwise injure any school property, shall be liable to punishment and to suspension or expulsion from school. Conduct which shall constitute good cause for suspension or expulsion of a student guilty of such conduct shall include, but not be limited to, the conduct as defined in N.J.S.A. 18A:37-2 and the school district's Student Discipline/Code of Conduct Policy and Regulation in accordance with the N.J.A.C. 6A:16-7.1. et seq.

For the purposes of this Policy, "suspension" means the temporary removal of a student from the regular instructional program.

For the purposes of this Policy, "short term suspension" means a suspension for one, but not more than ten consecutive school days and "long term suspension" means a suspension for more than ten consecutive school days.

In accordance with the provisions of N.J.S.A. 18A:37-4, a student may be suspended only by the Principal, who shall report any suspension to the Superintendent as soon as possible. The Superintendent shall report the suspension to the Board at its next regular meeting. The suspended student may be reinstated by the Principal or by the Superintendent prior to the second regular meeting of the Board following the suspension, unless the Board reinstates the student at the first regular meeting. No student suspended for reasons of assault upon a person in authority may be reinstated before the Board has held a hearing, within thirty calendar days of the suspension, to consider that student's expulsion from school. At its second regular meeting after the suspension and thereafter, the Board alone may reinstate the student or continue the suspension.

In accordance with the provisions of N.J.S.A. 18A:37-2a, a student in Kindergarten through grade two shall not receive an out-of-school suspension, except when the suspension is based on conduct that is of a violent or sexual nature that endangers others. Students in preschool shall not receive an out-of-school suspension except as provided pursuant to the "Zero Tolerance for Guns Act," N.J.S.A. 18A:37-7 et seq.

The district shall implement an early detection and prevention program to identify students in preschool through grade two who are experiencing behavioral or disciplinary problems and provide behavioral supports for these students which may include, but not be limited to, remediation of problem behaviors, positive reinforcements, supportive interventions, and referral services. An early detection program may be incorporated into the intervention and referral services required to be established in each school pursuant to State Board of Education regulations.

In each instance of a short-term suspension, the student will be provided oral or written notice of the charges and an informal hearing conducted by the Principal or designee in accordance with the procedures outlined in N.J.A.C. 6A:16-7.2. To the extent the student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the educational process, the student may be immediately removed from the student's educational program and the informal hearing shall be held as soon as practical after the suspension.

In each instance of a long-term suspension, the district shall assure the rights of the student pursuant to N.J.A.C. 6A:16-7.3.

The district will comply with the requirements of N.J.A.C. 6A:16-7.2 and 7.3, in addition to all the procedural protections set forth in N.J.A.C. 6A:14, for each student with a disability who is subject to a short-term or long-term suspension.

In each instance of a short- or long-term suspension, the district shall provide academic instruction, either in school or out of school, that addresses the New Jersey Student Learning Standards pursuant to N.J.A.C. 6A:8-3.1 et seq., which may include a public education program provided in accordance with the provisions of N.J.A.C. 6A:16-9 or 10. These services shall be
provided within five school days of the suspension. Educational services provided to a student with a disability shall be provided consistent with the student's Individualized Education Program, in accordance with N.J.A.C. 6A:14.

In the event a student has experienced multiple suspensions or may be subject to a proposed expulsion from school, the Principal shall convene a meeting, as soon as practicable, between the student and a school psychologist, a school counselor, a school social worker, a student assistance coordinator, or a member of the school's intervention and referral services team in accordance with the provisions of N.J.S.A. 18A:37-2c.

Student records are subject to challenge by parents and adult students in accordance with N.J.A.C. 6A:32-7.7 and Policy and Regulation 8330. The name of a disciplined student will not appear in the agenda or minutes of a public meeting or in any public record of this district; any such student will be designated by code.



N.J.S.A. 18A:37-1; 18A:37-2 et seq., 18A:37-4; 18A:37-5
N.J.A.C. 6A:16-7.2; 6A:16-7.3; 6A:32-7.7; 6A:14-2.8

Adopted: 23 September 2020

5611 REMOVAL OF STUDENTS FROM THE GENERAL EDUCATION PROGRAM FOR WEAPONS/FIREARMS OFFENSES

The Board of Education is committed to providing a safe and secure school environment to all students attending the public schools. To provide this environment, the Board of Education will implement policies and procedures regarding student offenses involving firearms, as defined in N.J.S.A. 2C:39-1(f) and 18 U.S.C. §921, pursuant to The Zero Tolerance For Guns Act, N.J.S.A. 18A:37-7 through N.J.S.A. 37-12.

Policy and Regulation 5611 shall apply to a student who is convicted or adjudicated delinquent for possession of a firearm on school grounds, convicted or adjudicated delinquent for committing a crime while in possession of a firearm on school grounds, or found knowingly in possession of a firearm on school grounds. A student, other than a student with a disability, convicted or adjudicated delinquent for these firearm offenses shall be immediately removed from the school's general education program for a period of not less than one calendar year and placed in an alternative education program according to the requirements of N.J.A.C. 6A:16-9.1 et seq. The Superintendent may modify on a case-by-case basis the removal of a general education student in accordance with N.J.A.C. 6A:16-5.5(b)1. A student with a disability convicted or adjudicated delinquent for these firearm offenses shall be immediately removed in accordance with the provisions of N.J.A.C. 6A:14 and applicable Federal regulations and shall receive a placement in accordance with N.J.A.C. 6A:14.

The Principal or designee shall remove the student in accordance with the requirements outlined in N.J.A.C. 6A:16-5.5(d), which includes notifying the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice.

If it is found that the removed student did not commit these firearm offenses, the student shall be immediately returned to the program from which he or she was removed.

The Superintendent shall make the final determination on whether the general education student removed in accordance with the requirements of N.J.A.C. 6A:16-5.5 and this Policy is prepared to return to the general education program or will remain in an alternative education program, pursuant to N.J.A.C. 6A:16-9.1 et seq., or receive home or other out-of-school instruction, pursuant to N.J.A.C. 6A:16-10 based on the criteria outlined in N.J.A.C. 6A:16-5.5(i).

If a student, other than a student with a disability, is removed from the general education program pursuant to N.J.A.C. 6A:16-5.5 and this Policy, and a placement in an alternative education program is not available, the general education student shall be provided home or other out-of-school instruction according to N.J.A.C. 6A:16-10.2 until placement is available.

The Superintendent of Schools biannually shall submit to the Commissioner of Education a report on each incident under N.J.A.C. 6A:16-5.5 utilizing the Student Safety Data System (SSDS), pursuant to N.J.A.C. 6A:16-5.3(d)1.

This Policy and Regulation 5611, implementing the requirements of N.J.A.C. 6A:16-5.5, shall be annually disseminated to all school staff, students, and parents.

N.J.S.A. 18A:37-1 et seq.
N.J.A.C. 6A:14-2.8 et seq.; 6A:16-5.5; 6A:16-6.1 et seq.;
6A:16-7.1 et seq.; 6A:16-8.1 et seq.;
6A:16-9.1 et seq.; 6A:16-10.2

Adopted: 17 April 2019



5612 ASSAULTS ON DISTRICT BOARD MEMBERS OR EMPLOYEES

Any student who commits an assault, as defined under N.J.S.A. 2C:12-1(a)1, not involving the use of a weapon or firearm, upon a teacher, administrator, other school district employee, or Board member acting in the performance of his or her duties and in a situation where his or her authority to act is apparent, or as a result of the victim's relationship to the school district, shall be immediately removed from school pursuant to N.J.S.A. 18A:37-2.1 and N.J.A.C. 6A:16-5.7.

A student, other than a student with a disability, who commits an assault as defined in N.J.S.A. 2C:12-1(a)1, shall be immediately removed from school consistent with due process procedures, pending a hearing pursuant to N.J.A.C. 6A:16-7.2 through 7.5. Nothing in N.J.S.A. 18A:37-2.1 or N.J.A.C. 6A:16-5.7 shall be construed as prohibiting the expulsion of a general education student. A student with a disability who commits an assault as defined in this Policy, shall be removed in accordance with N.J.A.C. 6A:14 and due process proceedings in accordance with N.J.A.C. 14-2.7 and 2.8.

In accordance with the provisions of N.J.S.A. 18A:37-2.1(a), said proceedings shall take place no later than thirty calendar days following the day on which the student is suspended. The decision of the Board shall be made within five days after the close of the hearing. Any appeal of the Board's decision shall be made to the Commissioner of Education within ninety days of the Board's decision. The provisions herein shall be construed in a manner consistent with 20 U.S.C. § 1400 et seq.

The Principal or designee shall remove, isolate, and place the student under the supervision of school staff until the student's parent or appropriate agency takes custody of the student. The Principal or designee will immediately report to the Superintendent the removal of the student and notify the student's parent of the removal action and the student's due process rights. The Principal or designee will notify the appropriate law enforcement official of a possible violation of the New Jersey Code of Criminal Justice.

In accordance with the provisions of N.J.S.A. 18A:37-2.1(b), whenever a teacher, administrator, Board member, other school district employee, or a labor representative on behalf of an employee makes an allegation in writing that the Board member or employee has been assaulted by a student, the Principal shall file a written report of the alleged assault with the Superintendent. The Superintendent shall report the alleged assault to the Board at its next regular meeting; provided that the name of the student who allegedly committed the assault, although it may be disclosed to the Board members, shall be kept confidential at the public Board of Education meeting.

Any person who fails to file a report of an alleged assault as required pursuant to N.J.S.A. 18A:37-2.1 and N.J.A.C. 6A:16-5.7 may be liable to disciplinary action by the Board.

The Superintendent of Schools biannually shall submit to the Commissioner of Education a report on each incident under N.J.A.C. 6A:16-5.7 utilizing the Student Safety Data System (SSDS), pursuant to N.J.A.C. 6A:16-5.3(e)1.

Policy and Regulation 5612, implementing the requirements of N.J.A.C. 6A:16-5.7, shall be annually disseminated to all school staff, students, and parents.

N.J.S.A. 18A:37-2.1
N.J.A.C. 6A:14-2.7; 6A:14-2.8; 6A:16-5.7; 6A:16-7.2;
6A:16-7.3; 6A:16-7.4; 6A:16-7.5

Adopted: 17 April 2019



5613 REMOVAL OF STUDENTS FOR ASSAULTS WITH WEAPONS OFFENSES

The Board of Education is committed to providing a safe and secure school environment to all students attending the public schools. To provide this environment, the Board of Education will implement policies and procedures regarding a student who commits an assault, as defined under N.J.S.A. 2C:12-1(a)1, with a weapon, which includes, but is not limited to, items enumerated in N.J.S.A. 2C:39-1(r), except a firearm as defined by N.J.S.A. 2C:39-1(f) and 18 U.S.C. § 921, upon a teacher, administrator, other school Board employee, Board of Education member, or another student on school grounds, pursuant to N.J.S.A. 18A:37-2.2 through 2.5.

A student, other than a student with a disability, who commits an assault as defined above shall be immediately removed from the school's general education program for a period not exceeding one calendar year and placed in an alternative education program according to the requirements of N.J.A.C. 6A:16-9.1 et seq. The Superintendent may modify on a case-by-case basis the removal of a general education student in accordance with N.J.A.C. 6A:16-5(b)1. A student with a disability who commits an assault as defined above shall be immediately removed in accordance with the provisions of N.J.A.C. 6A:14 and applicable Federal regulations and shall receive a placement in accordance with N.J.A.C. 6A:14.

The Principal or designee shall remove the student in accordance with the requirements outlined in N.J.A.C. 6A:16-5.6(d), which includes notifying the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice.

If it is found that the removed student did not commit these offense(s), the student shall be immediately returned to the program for which he or she was removed.

If a student, other than a student with a disability, is removed from the general education program pursuant to N.J.A.C. 6A:16-5.6 and this Policy, and a placement in an alternative education program is not available, the general education student shall be provided home or other out-of-school instruction, according to N.J.A.C. 6A:16-10.2, until placement is available.

The Superintendent shall make the final determination on whether the general education student removed, in accordance with the requirements of N.J.A.C. 6A:16-5.6 and this Policy, is prepared to return to the general education program or will remain in an

alternative education program or receive home or other out-of-school instruction based on the criteria outlined in N.J.A.C. 6A:16-5.6(i).

The Superintendent of Schools biannually shall submit to the Commissioner of Education a report on each incident and the circumstance surrounding the removal of students pursuant to N.J.A.C. 6A:16-5.6 utilizing the Student Safety Data System (SSDS), pursuant to N.J.A.C. 6A:16-5.3(e)1.

This Policy and Regulation 5613 implementing the requirements of N.J.A.C. 6A:16-5.6, shall be annually disseminated to all school staff, students, and parents.

N.J.S.A. 18A:37-1 et seq.
N.J.A.C. 6A:14-2.8 et seq.; 6A:16-5.6;
6A:16-6.1 et seq.; 6A:16-7.1 et seq.;
6A:16-8.1 et seq.; 6A:16-9.1 et seq.;
6A:16-10.2

Adopted: 17 April 2019

5615 SUSPECTED GANG ACTIVITY

Students that initiate, advocate, or promote activities, openly or otherwise, and/or threaten the safety or well-being of others disrupt the school environment and are harmful to the educational process in this school district. Any physical or verbal harassing, intimidating, or bullying conduct by a pupil or group of students directed toward any school staff member or any other pupil or group of students any where on school grounds, at any school related or sponsored activity, on school buses, at school bus stops, and any other place where students are supervised by school district staff will not be tolerated.

In the event the Principal or designee, believe any physical or verbal harassing, intimidating, or bullying conduct was, or is being committed, for the benefit of, at the direction of, or in association with a group of three or more persons, the school staff will investigate further to determine if the conduct was committed by those students representing a criminal street gang (hereinafter referred to as a "gang") as defined in N.J.S.A. 2C:44-3.h. If it is determined unacceptable conduct was committed by students representing a gang, the Principal or designee will assign appropriate disciplinary action and will notify the parent(s) or legal guardian(s) of the victim and the offender. The Principal or designee will also inform the Superintendent and local law enforcement.

To further ensure the safety and well-being of all students in the district and to increase awareness within the school community regarding potential gang activity, students are prohibited from wearing on school grounds, at any school related or sponsored activity, on school buses, and any other place where students are supervised by school district staff, any type of clothing or accessory that would indicate a pupil has membership in, or affiliation with, any gang associated with criminal activities pursuant to N.J.S.A. 18A:11-9.

The parent(s) or legal guardian(s) of any pupil identified as being potentially involved in gang-related activities shall be notified by the Principal or designee. A pupil identified as being potentially involved in gang-related activities shall be offered appropriate counseling by school district staff.

School staff members shall be provided in-service training on gangs and gang related conduct and activities including, but not limited to, recruitment procedures; threats/intimidation; clothing; insignia; hand signs; symbols; graffiti; terminology; or other indicia of gang association.

Information regarding gangs shall be shared by school district staff to local law enforcement officials and the school district's administrative staff members will encourage local law enforcement to share gang related information with school officials.

Nothing in this Policy shall supersede or negate any existing New Jersey law or Board Policy regarding pupil discipline and/or the school district's pupil discipline code. This Policy shall be made available to school staff, students, and parent(s) or legal guardian(s).

N.J.S.A. 18A:11-9
N.J.S.A. 2C:44-3.h.
New Jersey State Police Street Gang Bureau – Know the Signs: A Guide to Gang Identification

Adopted: 19 October 2011

5620 EXPULSION

The Board of Education recognizes that expulsion from this district is the most severe sanction that can be imposed upon a student.

The Board may expel a general education student from school, pursuant to N.J.S.A. 18A:37-2, only after the Board has provided the following:

1. The procedural due process rights set forth in N.J.A.C. 6A:16-7.1(c) 3 and 7.3, and as outlined in Policy and Regulation 5610, subsequent to a long-term suspension pursuant to N.J.A.C. 6A:16-7.3; and

2. An appropriate educational program or service, based on the criteria set forth under N.J.A.C. 6A:16-7.3(f) and as outlined in Regulation 5610.

    a. The educational program or service shall be consistent with the provisions of N.J.A.C. 6A:16-9.2 - Program Criteria; N.J.A.C. 6A:16-10.2 - Home or Out-of-School Instruction for General Education Students; N.J.A.C. 6A:14-2.1 et seq. - Special Education, Procedural Safeguards and N.J.A.C. 6A:14-4.3 - Special Education, Program Options, whichever are applicable; or

    b. The educational services provided, either in school or out-of-school, shall be comparable to those provided in the public schools for students of similar grades and attainments, pursuant to N.J.S.A. 18A:38-25.

An appeal of the Board's decision regarding the cessation of the student's general education program shall be made to the Commissioner of Education in accordance with N.J.S.A. 18A:6-9 and N.J.A.C. 6A:3-1.3 through 1.17. The Board shall continue to provide an appropriate educational program or service in accordance with N.J.A.C. 6A:16-7.4(a)2 until a final determination has been made on the appeal of the Board's action to expel a student.

In accordance with the provisions of N.J.S.A. 18A:37-2a, a student in Kindergarten through grade two shall not be expelled from school, except as provided pursuant to the "Zero Tolerance for Guns Act," N.J.S.A. 18A:37-7 et seq. Students in preschool shall not be expelled, except as provided pursuant to the "Zero Tolerance for Guns Act," N.J.S.A. 18A:37-7 et seq.

The district shall implement an early detection and prevention program to: identify students in preschool through grade two who are experiencing behavioral or disciplinary problems; and provide behavioral supports for these students which may include, but not

be limited to, remediation of problem behaviors, positive reinforcements, supportive interventions, and referral services. An early detection program may be incorporated into the intervention and referral services required to be established in each school pursuant to State Board of Education regulations.

In accordance with the provisions of N.J.S.A. 18A:37-2c, in the event a student may be subject to a proposed expulsion from school, the Principal shall convene a meeting, as soon as practicable, between the student and a school psychologist, a school counselor, a school social worker, a student assistance coordinator, or a member of the school's intervention and referral services team. The purpose of the meeting shall be to identify any behavior or health difficulties experienced by the student and, where appropriate, to provide supportive interventions or referrals to school or community resources that may assist the student in addressing the identified difficulties.

The requirements of N.J.S.A. 18A:37-2c shall not apply when a student's immediate removal or suspension from the school's regular education program is required pursuant to: the provisions of the "Zero Tolerance for Guns Act," (N.J.S.A. 18A:37-7 et seq.); N.J.S.A. 18A:37-2.1 – Assault by Pupil Upon Teacher, etc; Suspension; Expulsion Proceedings; N.J.S.A. 18A:37-2.2 – Offense by Pupil Involving Assault, Removal from Schools Regular Education Program; or in any other instance in which the safety and security of other students or school staff requires the student's immediate removal from school. In these instances, the meeting required pursuant to N.J.S.A. 18A:37-2c shall take place as soon as practicable following the student's removal from the school's regular education program.

The provisions of N.J.S.A. 18A:37-2c shall be construed in a manner consistent with the "Individuals with Disabilities Act," 20 U.S.C. § 1400 et seq.

A student with a disability shall only be expelled from his or her current program in accordance with N.J.A.C. 6A:14 et seq. An expulsion of a student with a disability from a receiving school shall be handled in accordance with N.J.A.C. 6A:14 et seq.

N.J.S.A. 18A:36A-9; 18A:37-2 et seq.
N.J.A.C. 6A:16-7.4; 6A:14 et seq.

Adopted: 23 September 2020

5700 PUPIL RIGHTS

The Board of Education recognizes that students possess both the right to a free public education and the rights of citizenship. In granting students the educational opportunities to which they are entitled, the Board shall provide them with the nurture, counsel, and custodial care appropriate to students' ages and maturity. At the same time, the Board will respect the right of each pupil to equal treatment and equal access to the educational program, the due process of law, freedom of expression and association, and the privacy of his/her own thoughts.

Attendant on the rights guaranteed to each pupil are certain responsibilities, which include respect for the rights of others, obedience to properly constituted school authority, and compliance with the policies and regulations of this district.

As students differ in age and maturity, so they differ in the ability to assume both the rights and the concomitant responsibilities of citizenship. Accordingly, the exercise of each right will be granted with due regard for the degree of responsibility possessed by the pupil and the pupil's need for continuing guidance and control.

N.J.S.A. 9:17B-1
N.J.S.A. 18A:36-20

Adopted: 19 October 2011

5701 ACADEMIC INTEGRITY

The Board of Education is committed to require a high level of ethical standards for students in the school district that include honesty and integrity in all aspects of their academic program. The Board expects all students to embrace the highest standards of academic integrity in all assignments. Acts of academic dishonesty by students will not be accepted. Students are responsible for complying with the provisions of this Policy and may be subject to disciplinary action for any violation.

Students are expected to be honest in their studies and academic work. Students shall not engage in any of the following prohibited acts that include, but not be limited to:

1. Plagiarizing term papers, themes, essays, reports, images, take-home examinations, and other academic work required of a student in their education program. Plagiarism is presenting work from another source without full acknowledgment that it is not their own work;

2. The deliberate use of false information or the falsification of research or other findings with the intent to deceive. Fabrication includes, but is not limited to, citing information not taken from the source indicated; listing sources in a bibliography that are not used in the project; fabricating data or source information in experiments, research projects, or other academic exercises; and taking a test for another person or allowing others to take a test for one's self;

3. Providing false information to a teaching staff member in an academic assignment such as giving a false excuse for missing a deadline or falsely claiming to have submitted an assignment;

4. Cheating on examinations by any means and obtaining copies of an examination;

5. Preventing other students from completing their assignments including, but not limited to, removing pages from books, willfully disrupting the experiments or work of other students, misrepresenting the contributions of others in a group to give more credit to one particular student for one's personal gain; and compromising and/or damaging the school district's technology;

6. Using generative artificial intelligence (AI) is not permitted unless under the direction of the teacher.

7. Selling, for any fee, or other remuneration, prepare, offer to prepare, cause to be prepared, sell or offer for sale any term paper, thesis, dissertation, essay, report or other written recorded, pictorial, artistic or other assignment knowing, or under the circumstances having reason to know, that said assignment is intended for submission either in whole or substantial part under a student's name in fulfillment of the requirements for a diploma at any school or any educational institution in accordance with N.J.S.A. 18A:2-3.; or

8. Any other conduct determined by the Principal that compromises the academic integrity of a student's work.

Any violation of this Policy shall be addressed in accordance with Policy and Regulation 5600.

A student may appeal a violation of this Policy in accordance with Policy 5710.

Students shall be informed of the conduct prohibited by this Policy at the beginning of the school year.

N.J.S.A. 18A:2-3

Adopted: 19 March 2025



5722 STUDENT JOURNALISM

The Board of Education believes it is important to afford students the opportunity to exercise their creativity, passion, and constitutionally-protected freedom of speech. However, the Board also believes this opportunity must be balanced between ensuring students have the right to speak freely while also preserving the ability of district staff to maintain the safe and orderly operation of the school district. The Board adopts this Policy granting students the right to exercise freedom of speech and of the press in accordance with N.J.S.A. 18A:36-44 and N.J.S.A. 18A:36-45.

For the purpose of this Policy, the following terms shall mean:

"Prior restraint" means a school official informing a student journalist(s) the news, opinion, feature, and advertising content of school-sponsored media, subject to the restrictions listed in N.J.S.A. 18A:36-45.b., N.J.S.A. 18A:36-45.c., and the provisions of this Policy, cannot be published in school-sponsored media or a school official takes any action to prevent a student from doing so.

"Prior review" means a school official reviewing school sponsored media before it is published, broadcast by a student journalist at school or distributed, or generally made available to members of the student body.

"School official" means the Principal or designee or an administrative staff member designated by the Superintendent.

"School-sponsored media" means any material that is prepared, substantially written, published, or broadcast by a student journalist at school, distributed or generally made available to members of the student body, and prepared under the direction of a student media advisor. School-sponsored media does not include media intended for distribution or transmission solely in the classroom in which the media is produced.

"Student journalist" means a student who gathers, compiles, writes, edits, photographs, records, or prepares information for dissemination in school-sponsored media.

"Student media advisor" means an individual employed, appointed, or designated by the district to supervise or provide instruction relating to school-sponsored media.

Student journalists have the right to exercise freedom of speech and of the press in school-sponsored media, regardless of whether the media is supported financially by the district or by use of school district facilities, or produced in conjunction with a class in which the

student is enrolled. Subject to 1. through 5. below, student journalists are responsible for determining the news, opinion, feature, and advertising content of school-sponsored media. N.J.S.A. 18A:36-45.b. and this Policy shall not be construed to prevent student media advisors from teaching professional standards of English and journalism to student journalists.

This Policy does not authorize or protect expression by a student that:

1. Is libelous or slanderous;

2. Constitutes an unwarranted invasion of privacy;

3. Is profane or obscene;

4. Violates Federal or State law; or

5. So incites students as to create a clear and present danger of the commission of an unlawful act, the violation of school district policies, or the material and substantial disruption of the orderly operation of the school.

The district shall not authorize any prior restraint of any school-sponsored media except for the types of expression prohibited under N.J.S.A. 18A:36-45.c. and as listed in 1. through 5. above.

A school official may implement a procedure for prior review of school-sponsored media. Any prior review of school-sponsored media required by the school official shall be communicated to the student journalist by the school official and be conducted within three school days after submission to the school official by the student journalist. If the school official cannot show the school-sponsored media is prohibited under N.J.S.A. 18A:36-45.c. and 1. through 5. above, within the three school days, the student journalist may release the school-sponsored media.

When a school official determines the restraint of student expression is necessary, the school official shall simultaneously identify at least one of the five prohibitions listed in 1. through 5. above under N.J.S.A. 18A:36-45.c. and in this Policy under which the limitation of student expression is appropriate. This determination shall be provided to the student journalist in writing by the school official that made the determination.

A student journalist may appeal, to the Superintendent or designee, a determination by a school official that the restraint of student expression is necessary. An appeal must be submitted in writing to the Superintendent or designee within five school days of the

written determination being communicated to the student journalist. The appeal must include a copy of the written determination and the reasons why the student journalist believes the limitation is not appropriate. The Superintendent or designee may, but is not required to, provide the student journalist an opportunity to present their written appeal in person. The Superintendent or designee will make a determination on the appeal within five school days of receiving the written appeal from the student journalist. The student journalist may appeal a decision of the Superintendent or designee to the Board of Education in writing. The Board of Education will make a decision on the appeal at the first Regular Board Meeting after receiving the written appeal or within ten school days after receiving the written appeal.

A student journalist that violates a provision of this Policy may be subject to appropriate discipline.

The school district shall not sanction a student operating as an independent journalist.

A staff member shall not be dismissed, suspended, disciplined, reassigned, transferred, or otherwise retaliated against solely for acting to protect a student engaged in the conduct authorized under N.J.S.A. 18A:36-44 and N.J.S.A. 18A:36-45 and this Policy, or refusing to infringe upon conduct that is protected by this Policy, the First Amendment to the United States Constitution, or paragraph 6 of Article I of the New Jersey Constitution.

The Superintendent or designee shall determine reasonable provisions for the time, place, and manner of student expression for the purposes of school-sponsored media.

N.J.S.A. 18A:36-44; 18A:36-45

Adopted: 21 September 2022

5750 EQUAL EDUCATIONAL OPPORTUNITY

The Board of Education will ensure all students enrolled in the schools of this district shall be afforded an equitable educational opportunity in strict accordance with law. No student shall be denied access to or benefit from any educational program or activity or from a co-curricular or athletic activity on the basis of any of the protected categories listed at N.J.A.C. 6A:7-1.1(a). The Board shall assure that all students are free from harassment, sexual or otherwise.

The Board directs the Superintendent to allocate faculty, administrators, support staff members, curriculum materials, and instructional equipment supplies among and between the schools and classes of this district in a manner that ensures equivalency of educational opportunity throughout this district. The school district's curricula in the following areas will promote mutual acceptance and respect among students and enable students to interact effectively with others, regardless of any of the protected categories listed at N.J.A.C. 6A:7-1.1(a):

1. School climate/learning environment;
2. Courses of study, including physical education;
3. Instructional materials and strategies;
4. Library materials;
5. Software and audio-visual materials;
6. Guidance and counseling;
7. Extra-curricular programs and activities; and
8. Testing and other assessments.

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

The conduct of teaching staff members shall exemplify the highest principles of equality and democracy. Conduct and attitudes that display discrimination are contrary to the policies of this Board and, further, are destructive to the self esteem that this Board wishes to encourage in all students. A teaching staff member's act of derision or enmity, in any form, against a person or persons on the basis of any of the protected categories listed at N.J.A.C. 6A:7-1.1(a) shall be considered to be conduct unbecoming to a professional staff member of this district and shall be subject to appropriate discipline.

The Superintendent shall develop and promulgate a procedure by which a student or parent may appeal Board policy, district practice, or the act or omission of any district employee that allegedly violates this Policy.

42 U.S.C.A. 12101
N.J.S.A. 10:5-1 et seq.
N.J.S.A. 18A:4A-1 et seq.; 18A:6-5 et seq.; 18A:36-20
N.J.A.C. 6A:7-1.1; 6A:7-1.3; 6A:14-1.2

Adopted: 20 March 2024

5751 SEXUAL HARASSMENT OF STUDENTS

The Board of Education will not tolerate sexual harassment of students by school employees, other students, or third parties. Sexual harassment of students is a form of prohibited sex discrimination. School district staff will investigate and resolve allegations of sexual harassment of students engaged in by school employees, other students (peers), or third parties.

The Board shall establish a grievance procedure through which school district staff and/or students can report alleged sexual discrimination, including sexual harassment which may include quid pro quo harassment and hostile environment.

Definitions:

1. Quid pro quo harassment occurs when a school employee explicitly or implicitly conditions a pupil's participation in an educational program or activity or bases an educational decision on the pupil's submission to unwelcomed sexual advances, requests for sexual favors, or other favors, or other verbal, nonverbal, or physical conduct of a sexual nature. Quid Pro Quo Harassment is equally unlawful whether the pupil resists and suffers the threatened harm or submits and thus avoids the threatened harm.

2. Hostile environment sexual harassment is sexually harassing conduct (which can include unwelcomed sexual advances, requests for sexual favors, or other favors, or other verbal, nonverbal, or physical conduct of a sexual nature) by an employee, by another pupil, or by a third party that is sufficiently severe, persistent, or pervasive to limit a pupil's ability to participate in or benefit from an educational program or activity, or to create a hostile or abusive educational environment.

This Policy protects any "person" from sex discrimination; accordingly both male and female students are protected from sexual harassment engaged in by school district employees, other students, or third parties. Sexual harassment, regardless of the gender of the harasser, even if the harasser and the pupil being harassed are members of the same gender is prohibited. Harassing conduct of a sexual nature directed toward any pupil, regardless of the pupil's sexual orientation, may create a sexually hostile environment and therefore constitute sexual harassment. Nonsexual touching or other nonsexual conduct does not constitute sexual harassment.

The regulation and grievance procedure shall provide a mechanism for discovering sexual harassment as early as possible and for effectively correcting problems.



The Superintendent, or designee, will take steps to avoid any further sexual harassment and to prevent any retaliation against the pupil who made the complaint, was the subject of the harassment, or against those who provided the information or were witnesses. The school district staff can learn of sexual harassment through notice and any other means such as from a witness to an incident, an anonymous letter or telephone call.

This policy and regulation on sexual harassment of students shall be published and distributed to students and employees to ensure all students and employees understand the nature of sexual harassment and that the Board will not tolerate it. The Board shall provide training for all staff and age-appropriate classroom information for students to ensure the staff and the students understand what type of conduct can cause sexual harassment and that the staff know the school district policy and regulation on how to respond.

In cases of alleged harassment, the protections of the First Amendment must be considered if issues of speech or expression are involved. Free speech rights apply in the classroom and in all other programs in the public school. The Superintendent, or designee, will formulate, interpret, and apply the policy so as to protect free speech rights of staff, students and third parties.

In addition, if the Board accepts federal funds, the Board shall be bound by Title IX of the Education Amendments of 1972 prohibiting sexual harassment of students. Title IX applies to all public school districts that receive federal funds and protects students in connection with all the academic, educational, extra-curricular, athletic, and other programs of the school district, whether they take place in the school facilities, on the school bus, at a class or training program sponsored by the school in a school building or at another location.

United States Department of Education - Office of Civil Rights Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties (1997)

Adopted: 1 December 2021



5752 MARITAL STATUS AND PREGNANCY

The Board of Education will not discriminate among students on the basis of their marital status or parenthood. No pupil, male or female, who is married or a parent shall be denied access to or benefit from any educational, co-curricular, or athletic program or activity on the basis of his/her marital status or parenthood.

A pregnant pupil shall not be excluded from any educational program or activity because of her pregnancy or pregnancy-related condition unless the pupil so requests or a physician certifies that her exclusion is necessary for the pupil's physical, mental, or emotional well-being. An excluded pregnant pupil will be provided with adequate and timely opportunity for instruction to continue or make up her schoolwork without prejudice or penalty. Pregnant students will be provided a special instructional program in accordance with Policy No. 2416.

N.J.A.C. 6A:7-1.7(a)6

Adopted: 19 October 2011

5755 EQUITY IN EDUCATIONAL PROGRAMS AND SERVICES

Equity In Pupil Access

It is the policy of the Board of Education to ensure equal and bias-free access to all school facilities, courses, programs, activities, and services, regardless of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation, gender, gender identity or expression, socioeconomic status, or disability.

The school district administration will ensure: that all students will have equal and barrier-free access to all school and classroom facilities, that minority and female students are not under-represented in gifted and talented or accelerated/advanced courses and that minority and male students are not over-represented in detentions, suspensions, expulsions, dropouts, or special needs classifications. Support services will be available to all students and that all limited English-proficient students and students with disabilities will have equal and bias-free access to all school programs and activities. The school district will ensure equal and bias-free access for all students to computers, computer classes, vocational education classes, and technologically-advanced instructional assistance, regardless of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation, gender, gender identity or expression, socioeconomic status, or disability.

The Board of Education will refrain from locating new facilities in areas that will contribute to imbalanced, isolated, or racially identifiable school enrollments. The school district administration will assign students to ensure that the racial/national origin composition of the school's enrollment reflects the composition of the district-wide enrollment and so that school and classroom enrollments are not identifiable on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation, gender, gender identity or expression, socioeconomic status, or disability.

Students will not be separated or isolated by race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation, gender, gender identity or expression, socioeconomic status, or disability within courses, classes, programs, or extracurricular activities. Bias-free multiple measures for determining the special needs of language-minority students and students with disabilities will be utilized. Pregnant students will be permitted to remain in the regular school program and activities and if not permitted to attend school by her doctor, the pupil will be provided equivalent instruction.

Equity in Guidance Programs and Support Services

The school district will ensure the guidance program and support services provides access to adequate and appropriate counseling services for all students, including, but not limited to, minority students, limited English-proficient students, non-college bound students, and students with disabilities. A full range of possible career, professional, and/or vocational choices will be presented to all students.

Equity in Physical Education Training

All school district physical education programs will be co-educational with any exceptions to be in accordance with Federal and State laws and regulations.

Equity in Athletic Programs

The school district's athletic program will provide equitable opportunities for female and male students to participate in athletics and equitable support for cheerleading programs and comparable facilities for male and female teams. The athletic program will have relatively equal numbers of varsity and sub-varsity teams for male and female teams and equitable scheduling of night games, practice times, and numbers of games for male and female teams.

Appeal Procedure

Any student or their parent may appeal school practices involving equity through the procedure established in Regulation 5750.

N.J.A.C. 6:4-1 et seq.
Title IX of the Education Amendments of 1972
N.J.A.C. 6A:7-1.1 et seq.

Adopted: 21 September 2016

5756 TRANSGENDER STUDENTS

The Board of Education strives to provide a safe and supportive environment for all students. In furthering this goal, the Board adopts this Policy to address the needs of transgender and gender nonconforming students enrolled in the school district.

This Policy sets forth guidelines for school district to address the needs of transgender and gender nonconforming students and does not anticipate every situation that might occur with respect to transgender or gender nonconforming students. The needs of each transgender or gender nonconforming student must be assessed on a case-by-case basis. In all cases, the goal is to provide a safe and supportive environment and foster an understanding of gender identity and expression within the school community.

For the purposes of this Policy:

1. "Gender expression" refers to the way a student represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerisms.

2. "Gender identity" means a student's deeply held sense or psychological knowledge of their own gender, regardless of the gender they were assigned at birth.

3. "Gender identity or expression" also means having or being perceived as having a gender-related identity or expression whether or not stereotypically associated with a person's assigned sex at birth.

4. "Gender nonconforming" refers to gender-related identity and/or gender expression which does not conform to the social expectations or norms for a person of the gender assigned at birth. This includes students who identify outside traditional gender categories or identify as both genders.

5. "Transgender" describes students whose gender identity is different from their gender assigned at birth.

6. "Transition" refers to the process in which a person goes from living and identifying as one gender to living and identifying as another.

The Board of Education believes the responsibility for determining a student's gender-related identity rests with the student, or in the case of young students not yet able to advocate for themselves, with the parent. Therefore, the Board will accept a student's assertion of his or her gender identity when there is consistent and uniform assertion of the gender-related identity, or any other evidence that the gender-related identity is sincerely held as a part of the student's core identity. The Board of Education will not question or disregard the assertion of a student's gender identity. However, the Board authorizes the Superintendent or designee to question a student's asserted gender identity when there is a credible basis for believing the student's gender-related identity is being asserted for some improper purpose. Only in cases where there is a credible basis for believing that a student's gender related identity is being asserted for some improper purpose, confirmation of a student's asserted gender must include a letter from a parent to the Superintendent of Schools indicating the student is gender non-conforming or identifies as transgender.

It is the Board of Education's goal to work together with the students, parents and families to accommodate the needs of transgender and gender nonconforming students. The Board also recognizes a transgender student's right to privacy, and, therefore, if a student represents that his/her parent(s)/guardian(s) is unaware of the student's gender identity, the school district shall obtain consent from the student prior to communicating with his/her parent(s)/guardian(s) regarding the student's transgender status. Similarly, students who do not want their parent(s)/guardian(s) to know about their transgender status shall be addressed on a case-by-case basis. The school district shall balance the rights of the student and the right of parent(s)/guardian(s) to be kept informed about their child, especially when the student is a minor. In the event the parent(s)/guardian(s) does not consent to or agree with the student's gender identity or expression, the Superintendent or designee will meet with the parent and the student to determine how the student's gender identity or expression shall be addressed by the school district.

The Board recognizes school-related issues regarding transgender students will vary on a case-by-case basis. Therefore, the Superintendent of Schools or designee will meet with the parent and student to discuss school-related issues such as the name and pronoun to be used by district staff in referring to the student, the gender identification to be used on the student's records, district staff members that should be informed of the student's access and use of restrooms, locker rooms, changing facilities, physical education classes, and other gender issues affecting the transgender student and his/her attendance at school. The school district will make reasonable efforts to accommodate the needs of transgender students.



To assist the school district in taking reasonable measures to accommodate the needs of transgender students, the following guidelines shall be followed:

1. Names/Pronouns – At the request of the student and parent, the school and district staff shall address the student by the name and pronoun corresponding to the student's gender identity that is consistently asserted at school.

2. Student Records – The school district's official, permanent student records shall be maintained in accordance with Federal law, State statutes, and administrative regulations, which will indicate the student's legal name and biological gender. In addition, the student's legal name and biological gender will appear on standardized tests and reports to the Department of Education. However, the school district will use the name and pronoun requested by the student and parent for internal and/or unofficial school records, such as grades books. A student's permanent and official pupil records can be changed upon request from the student and parent, and upon receipt of documentation reflecting legal change of the student's name and/or gender.

3. Privacy – The Superintendent of Schools or designee shall work closely with the student and/or parent to formulate an appropriate plan regarding the confidentiality of the student's transgender status that works for both the student and the school. Disclosure of, or access to, confidential student records, including a student's status as transgender or gender nonconforming, shall be in accordance with Federal law, State statutes, and administrative regulations.

4. Restrooms and Locker Rooms – A transgender student will not be required to use a restroom or locker room that conflicts with the student's gender identity. Generally, transgender students shall have access to the restroom and locker room that corresponds to their gender identity consistently asserted at school. A transgender student who expresses a need or desire for increased privacy will be provided reasonable alternative arrangements. Additionally, the use of a "gender neutral" restroom, if available, shall be a matter of choice by a transgender student.

5. Physical Education and Sports – Transgender students shall be permitted to participate in physical education classes in a manner consistent with their gender identity consistently asserted at school. Participation in competitive athletic activities and contact sports will be resolved on a case-by-case basis and guided by the standards established by the New Jersey Interscholastic Athletic Association (NJSIAA).

6. Gender Segregation in Other Areas – As a general rule, in any other circumstances where students are separated by gender in school activities (i.e. overnight field trips), students may be permitted to participate in accordance with their gender identity consistently asserted at school. Activities that may involve a need for accommodations to address student privacy concerns will be resolved on a case-by-case basis.

7. Dress Code – Students have the right to dress in accordance with their gender identity or expression that is consistently asserted at school and which corresponds to their gender identity, and shall comply with the dress and grooming requirements pursuant to Policy No. 5511.

If a student ceases to identify with his/her asserted gender (different from their gender at birth), a parent of the student must issue a letter or a written correspondence to the Superintendent confirming that the student no longer identifies as a transgender individual or is no longer gender nonconforming. In the event the parent(s)/guardian(s) does not consent to or agree with the student's gender identity or expression, the Superintendent or designee will meet with the parent and the student to determine how the student's gender identity or expression shall be addressed by the school district.

Students have the right to be protected from discrimination in accordance with Policy No. 2260 and are entitled to equal and barrier-free access to all school and classroom facilities pursuant to Policy No. 5755. Any student and/or the parent(s)/legal guardian(s) of a student has the opportunity to report or appeal an alleged violation of the district's Affirmative Action Program for school and classroom practices pursuant to the procedures set forth in Regulation No. 2260. Additionally, pursuant to Policy No. 5750, any student who experiences less than equal educational opportunities or access to educational programs and services or experiences discrimination, the student and/or the parent(s)/legal guardian(s) of the student has the opportunity to report or appeal an allegedly discriminatory practice in the program of this district or an alleged denial of equal educational opportunity under the procedures established in Regulation No. 5750.

If a student feels aggrieved by the decisions made or the actions taken by the Superintendent or designee or Board employee, the student may initiate a grievance procedure under Policy No. 5710. Similarly, if a student deems that the student is the target of Harassment, Intimidation, and Bullying because of the student's gender expression or identity, then the student shall use the procedure outlined in Policy and Regulation No. 5512.

Legal References:

First Amendment to the United States Constitution
N.J.S.A. 10:5-1 et.seq.
N.J.S.A. 18A:36-20
N.J.S.A. 18A:37-13 et.seq.
N.J.S.A. 18A:37-14
N.J.A.C. 6A:7-1,1 et.seq.
N.J.A.C. 6A:32-7.1 et.seq.
20 U.S.C.A. § 1232g
20 U.S.C.A. § 1681 et.seq.
NJSIAA. Constitution, Bylaws, Rules and Regulations, Transgender Policy
http://www.njsiaa.org/resources/njsiaa-handbook

Adopted: 17 April 2019

5770 PUPIL RIGHT OF PRIVACY

The Board of Education recognizes that a pupil's right of privacy may not be violated by unreasonable search and seizure and directs that no pupil be searched without reason or in an unreasonable manner.

Teaching staff members are charged with the responsibility of maintaining order and discipline in the school and of safeguarding the safety and well-being of the students in their care. In the discharge of that responsibility, a teaching staff member may search or request the search of the person or property of a pupil as authorized by this policy, with or without the pupil's consent, whenever he/she has reasonable grounds to suspect that the search is required to discover evidence of a violation of law or of school rules. The extent of the search will be governed by the seriousness of the alleged infraction, the pupil's age, and the pupil's disciplinary history. Except in exigent circumstances, an intrusive search of a pupil's person or intimate personal belongings shall be conducted by a person of the pupil's gender.

The Board acknowledges the need for the in-school storage of students' possessions and shall provide storage places, including desks and lockers, for that purpose. Where locks are provided for such storage places, students may lock them against incursion by other students. In no storage place provided by the Board shall students have such an expectation of privacy as to prevent examination by a school official. Students shall be notified in writing at the beginning of each school year that inspections of their lockers, desks, and other storage facilities on school district property may be conducted. The school Principal or designee is directed to conduct, without further notice, the regular inspection of such facilities provided to students for the storage of property.

Except as required by exigent circumstances, a request for the search of a pupil or a pupil's private possessions will be directed to the Building Principal or designee who shall, whenever feasible, first request the freely offered consent of the pupil to the inspection.

Whenever possible, a search will be conducted by the Principal in the presence of the pupil, the pupil's parent(s) or legal guardian(s) or a representative of the parent(s) or legal guardian(s), and a teaching staff member other than the Principal. Under no circumstances shall any pupil be subjected to a strip search or a body cavity search.

A search prompted by the reasonable belief that the circumstances are exigent and pose an immediate threat, will be conducted by any teaching staff member with as much speed and dispatch as may be required to protect persons and property.

The Principal shall conduct a pupil search on the request of a law enforcement officer only on presentation of a duly authorized search warrant or on the voluntary and knowing consent of the pupil or when the Principal has independent grounds to suspect the presence of an incriminating object.

The Principal shall be responsible for the prompt recording in writing of each pupil search, including the reasons for the search; information received that established the need for the search and the name of the informant, if any; the persons present when the search was conducted; any substances or objects found; and the disposition made of them. The Principal shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or object taken from a pupil.

N.J.S.A. 18A:36-19.2, 18A:37-6

Adopted: 19 October 2011

5830 PUPIL FUND RAISING

The Board of Education will limit the solicitation of funds by and from the students of this district in order to protect students from unnecessary pressures and the instructional program from disruption.

"Pupil fund raising" means the solicitation and collection of money by students, on or off school premises, for any purpose associated directly or indirectly with the school district or under circumstances in which the solicitors are identified as students of this district.

Students may solicit and collect money on behalf of approved school organizations, provided the fund raising has been approved by the Superintendent.

No fund raising activity involving door to door solicitation shall be permitted.

Out-of-school solicitation of money for school organizations must be approved by the Board.

Students may solicit and collect money on behalf of non-school organizations, provided the fund raising has been approved by the Board.

Out-of-school solicitation of money for non-school organizations must be approved by the Board.

No pupil will be permitted to solicit and collect money on school premises or at a school-sponsored event for the pupil's own benefit.

The Superintendent shall develop regulations regarding pupil fund raising that establish times and places in which pupil fund raising may be conducted and ensure adequate accounting of funds collected.

Adopted: 19 October 2011



5841 SECRET SOCIETIES

The Board of Education prohibits certain student organizations declared harmful as defined in N.J.S.A. 18A:42-5 and 18A:42-6.

No student organization will be granted the use of school facilities or permitted the use of the name of the school or this school district unless that organization has first been approved by the Principal or designee. The application for such approval will set forth the purposes, constitution, and bylaws of the organization; its membership qualifications; and the process by which a person becomes a member.

No student organization will be approved if its purposes conflict with the authority and goals of this Board or the best interests of the students of this district; if membership is drawn from outside the currently enrolled student body; if membership qualifications are based on considerations of any of the protected categories listed at N.J.A.C. 6A:7-1.1(a) or any other consideration not appropriate to the purpose of the organization; or if any qualifying student who applies may be denied membership.

Nothing in this Policy shall prevent or otherwise deny participation in constitutionally protected prayer consistent with protections of the First Amendment of the United States Constitution.

A student who seeks to form or is a member of a fraternity, sorority, or other secret organization formed in whole or in part of students enrolled in this district may be disciplined by this Board. The Board reserves the right to require that any student attest as to their membership in a secret organization.

N.J.S.A. 18A:42-5; 18A:42-6
N.J.A.C. 6A:7-1.1; 6A:7-1.3

Adopted: 20 March 2024

5842 EQUAL ACCESS OF PUPIL ORGANIZATIONS

The Board of Education will permit the use of school facilities by student-initiated organizations for non-curricular student activities. A student-initiated organization, regardless of the size of the group, will not be denied an opportunity to meet and use school facilities on the basis of any of the protected categories listed at N.J.A.C. 6A:7-1.1(a) or the political, philosophical, or other content of the speech at their meeting.

An application for permission to meet on school premises shall be made to the Principal or designee, who shall grant permission provided it is determined that:

1. The activity has been initiated by students;

2. Attendance at the meeting is voluntary;

3. The meeting is for a lawful purpose;

4. The meeting does not materially and substantially interfere with the orderly conduct of instructional activities in the school;

5. Nonschool persons do not direct, conduct, control, or regularly attend the activity; and

6. The activity is adequately supervised by appropriately certified school district staff.

A student-initiated group granted permission to meet on school premises shall be subject to the same rules and regulations that govern the meetings of student organizations sponsored by this Board, except as provided by this Policy.

Participation in a student-initiated meeting must be available to all students who wish to attend and cannot be denied on the basis of any of the protected categories listed at N.J.A.C. 6A:7-1.1(a). The Board will not permit the organization of a fraternity, sorority, or secret society in accordance with N.J.S.A. 18A:42-5 and 18A:42-6.

Access to school facilities by student organizations will be provided within the governing principles of the First Amendment of the Constitution of the United States.

School district staff involvement in student organizations shall be in accordance with the governing principles of the First Amendment of the Constitution of the United States.

An appropriately certified staff member shall be assigned to attend a student-initiated meeting in a custodial capacity and shall not participate in the activity while serving in this custodial capacity. No teaching staff member shall be required to attend a student-initiated meeting if the content of the speech at the meeting is contrary to their beliefs.

The Principal or designee may take such actions as may be necessary to maintain order and discipline on school premises and to protect the safety and well-being of students and staff members.

20 U.S.C.A. 1701 et seq.
United State Department of Education – Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools
N.J.A.C. 6A:7-1.1; 6A:7-1.3

Adopted: 20 March 2024

5880 PUBLIC PERFORMANCES BY STUDENTS

The Board of Education recognizes the value to students and to the community of the demonstration of pupil talents and skills in performances of pupil organizations in public events. The Board endorses such performances when they contribute to the instructional program, do not interfere with scheduled school activities, and do not exploit or endanger participating students.

Public performances of pupil organizations must be approved in advance by the Principal. The members of a pupil organization invited to perform shall be polled for their willingness to perform. No pupil may be compelled to participate in an elective public performance or penalized for his/her failure to participate. Approval for a public performance will not be granted unless the staff advisor determines that the number of students who agree to participate is sufficient to represent the school fairly.

When public performances are scheduled as a regular part of a course of study taken for credit, students shall be informed in advance of their obligation to participate; they will be excused from participation only in accordance with Board policy on pupil attendance.

No pupil, pupil organization, or employee of this Board shall receive compensation for the performance in public of students organized for a school activity.

N.J.S.A. 18A:42-2

Adopted: 19 October 2011



6000 FINANCES

Number	Title
6111	Special Education Medicaid Initiative (SEMI) Program (M)
6112	Reimbursement of Federal and Other Grant Expenditures (M)
6113	E-Rate
6115.01	Federal Awards/Funds Internal Controls - Allowability of Costs
6115.02	Federal Awards/Funds Internal Controls -Mandatory Disclosures
6115.03	Federal Awards/Funds Internal Controls -Conflict of Interest
6115.04	Federal Funds – Duplication of Benefits
6141	Tax Revenues
6150	Tuition Income
6160	Grants from Private Sources
6210	Fiscal Planning
6220	Budget Preparation (M)
6230	Budget Hearing (M)
6311	Contracts for Goods or Services Funded by Federal Grants
6320	Purchases Subject to Bid
6340	Multiple Year Contracts
6350	Competitive Contracting
6360	Political Contributions (M)
6362	Contributions to Board Members and Contract Awards (M)
6421	Purchases Budgeted
6422	Budget Transfers (M)
6423	Expenditures for Non-Employee Activities, Meals, and Refreshments
6424	Emergency Contracts
6440	Cooperative Purchasing
6450	Choice of Vendor
6470	Payment of Claims (M)
6470.01	Electronic Funds Transfer and Claimant Certification (M)
6471	School District Travel (M)
6472	Tuition Assistance
6510	Payroll Authorization (M)
6511	Direct Deposit
6520	Payroll Deductions (M)
6620	Petty Cash
6660	Student Activity Fund (M)
6700	Investments
6740	Reserve Accounts
6810	Financial Objectives (M)
6820	Financial Reports (M)
6830	Audit and Comprehensive Annual Financial Report (M)
6831	Withholding or Recovering State Aid
6832	Conditions of Receiving State Aid

6111 SPECIAL EDUCATION MEDICAID INITIATIVE (SEMI) PROGRAM

Every New Jersey school district, with the exception of any district that obtains a waiver of the requirements of N.J.A.C. 6A:23A-5.3(b), shall take appropriate steps to maximize its revenue from the Special Education Medicaid Initiative (SEMI) program by following the policies and procedures to maximize participation in the program as set forth in N.J.A.C. 6A:23A-5.3(d) and to comply with all program requirements as set forth in N.J.A.C. 6A:23A-5.3(e).

The school district may seek, in the prebudget year, a waiver of the requirements of N.J.A.C. 6A:23A-5.3 in accordance with the procedures as outlined in N.J.A.C. 6A:23A-5.3(b). As part of the annual budget information, the New Jersey Department of Education shall provide each district with a projection of available SEMI reimbursement for the budget year, as determined by the New Jersey Department of the Treasury's third-party administrator for SEMI. The district shall recognize as revenue in its annual district budget no less than ninety percent of the projection. The district may seek approval from the Executive County Superintendent to use its own projection of SEMI reimbursement upon demonstration the numbers it used in calculating the projection are more accurate than the projection provided.

The district shall strive to achieve maximum participation in the SEMI program. "Maximum participation" means obtaining a ninety percent return rate of parental consent forms for all SEMI-eligible students. Districts shall enter all students following their evaluations into the third-party system as determined by the New Jersey Department of the Treasury to identify the district's universe of eligible students. This may be done without parental consent.

If the district participates in the SEMI reimbursement program, the district shall comply with program requirements as outlined in N.J.A.C. 6A:23A-5.3(e).

If the district has less than ninety percent participation of SEMI-eligible students in the prebudget year or that has failed to comply with all program requirements at N.J.A.C. 6A:23A-5.3(e), the district shall submit a SEMI action plan to the Executive County Superintendent for review and approval as part of the district's proposed budget submission. The district's SEMI action plan shall include the components as outlined in N.J.A.C. 6A:23A-5.3(g).

If the district does not achieve ninety percent participation, or does not achieve their approved benchmarks in the SEMI program for a given budget year and cannot demonstrate that they fully implemented their New Jersey Department of Education-approved SEMI action plan required at N.J.A.C. 6A:23A-5.3(f) and (g), the district shall be



subject to review for the withholding of State aid by the Commissioner of Education, pursuant to N.J.S.A. 18A:55-3, in an amount equal to the SEMI revenue projection based on their approved benchmark for the budget year, if applicable, less actual SEMI reimbursements for the budget year. The State aid deduction shall be made in the second subsequent year after the budget year.

If the district does not meet the requirement of the cost-settlement components of SEMI, the district may be required to refund all or part of their SEMI reimbursements.

N.J.A.C. 6A:23A-5.3

Adopted: 17 September 2025

6112 REIMBURSEMENT OF FEDERAL AND OTHER GRANT EXPENDITURES

The Cash Management Improvement Act (CMIA) and related Federal regulations require a State to minimize the time elapsing between the transfer of funds from the United States Treasury and the expenditure of funds for program purposes. This requirement applies to grantees such as the State of New Jersey and their subgrantees, such as a school district. The State of New Jersey and school districts must assure funds have been, or will be, spent within a minimal amount of time after having been drawn from the Federal government.

In accordance with this requirement, the New Jersey Department of Education (NJDOE) has implemented a reimbursement request system of payment. The procedures as outlined in the NJDOE Policies and Procedures for Reimbursement of Federal and Other Grant Expenditures shall be followed by school districts in submitting reimbursement requests. Reimbursement requests for entitlement grant awards under the Every Student Succeeds Act (ESSA), the Individuals with Disabilities Education Act (IDEA), the Strengthening Career and Technical Education for the 21st Century Act, and any other program designated by the NJDOE shall be made using the NJDOE's Electronic Web-Enabled Grant (EWEG) System.

Reimbursement requests by the School Business Administrator/Board Secretary or designee shall be made for individual titles and awards using the payment functionality of the EWEG system. Only one reimbursement request per month may be submitted for an individual title, award, or subgrant. Reimbursement requests may only be for expenditures that have already occurred or will occur within three business days of receipt of funds.

The submission of a reimbursement request constitutes a certification by the School Business Administrator/Board Secretary that the school district has previously made the appropriate expenditures and/or will make the expenditures within three business days of receipt of funds and that the expenditures are allowable and appropriate to the cost objective(s) of the subgrant.

The Superintendent or designee is responsible for submitting an amendment application to the NJDOE for approval if a new budget category for which no funds were previously budgeted or approved has been created. The Superintendent or designee is responsible for submitting an amendment application to the NJDOE for approval if cumulative transfers among expenditure categories exceed ten percent of the total award. The Superintendent or designee is responsible for monitoring the cumulative ten percent level of fiscal change.

Reimbursement requests must be in accordance with approved grant applications. A reimbursement request may be submitted at any time after the subgrant has received final NJDOE approval. Reimbursement requests submitted at least ten business days before the end of the month but no later than the fifteenth day of the month will be reviewed and, if approved, processed for payment the first business day of the following month. School districts will normally receive payment by the fifth business day of the month and will be able to track the grant's payment history in EWEG through the payments link of the grant application.

Reimbursement requests must contain a brief description of the expenditures for which reimbursement is being requested. Individual line items need not be detailed. Expenditures must be supported by documentation at the school district level but should not be submitted to the NJDOE with a reimbursement request. The Superintendent or designee is responsible to maintain supporting documentation for seven years and for making it available to the NJDOE, the United States Department of Education, and/or their authorized representatives upon request. Documentation for salary expenditures is subject to the requirements of the Federal Uniform Grant Guidance. Documentation for all other expenditures must include evidence that the expenditures are allowable costs and of the relationship of the expenditure to the subgrant's cost objectives.

The NJDOE staff will review reimbursement requests to determine that they meet the subgrant's criteria. When a reimbursement request is approved or denied, the school district will receive an email notification through the EWEG system. Approval of a reimbursement request by NJDOE does not imply approval of the expenditures as allowable or appropriate to the subgrant's cost objectives as the approval of expenditures will continue to be processed through the final report.

The School Business Administrator/Board Secretary or designee assumes responsibility for assuring that all funds requested through the EWEG system either have already been expended, or will be expended within three business days of receipt of funds.

New Jersey Department of Education Policies and Procedures for
Reimbursement of Federal and Other Grant Expenditures – January 2023

Adopted: 16 September 2026

6113 E-RATE

The Telecommunications Act of 1996 provides for a Federal funded program called the Universal Service Fund (USF) or E-Rate that is designed to provide affordable access to telecommunications services for all eligible schools and libraries in the United States. The program provides discounts on telecommunications services, Internet access and internal connections, and provides discounts of up to ninety percent to assist most schools and libraries in the United States to obtain affordable telecommunications and Internet access. The purpose of this Policy is to provide guidance and direction so the Essex Fells School District can participate in the E-Rate program and this Policy assigns E-Rate responsibilities to school staff members to ensure the school district is in compliance with Federal Communications Commission and E-Rate participation requirements.

Full access to telecommunications and information resources makes possible the rich teaching and learning that take place in schools and libraries. For these institutions to provide the high level of service necessary for their students and patrons to participate fully in American society, the costs can be great. Telecommunications and Internet access, the hardware needed for assembling local networks, and maintenance of systems and machines can stretch budgets that are already under stress.

Universal Service Administrative Company (USAC) is responsible for processing applications for support, confirming eligibility, and reimbursing telecommunications companies and Internet access providers for discounted services delivered to eligible schools and libraries. USAC reviews applications, invoices, and other program information to ensure that applicants and service providers follow rules for the program set by the Federal Communications Commission (FCC). USAC also conducts Schools and Libraries Program beneficiary audits to ensure program compliance.

Eligible participants include public and most non-profit Kindergarten through grade twelve schools as well as all public and many private libraries. All program participants must carry out a competitive bidding process to select the most cost-effective companies to provide the goods and/or services requested.

Once eligible school districts complete the competitive bidding process, applicants submit to USAC all information required to demonstrate compliance with the rules required for receiving support. After approving applications, USAC notifies applicants of a commitment to fund the acquisition of services. When applicants start receiving services, USAC makes payments to the companies selected to provide those services.

Funding may be requested under five categories of service: Telecommunications, Telecommunications Services, Internet Access, Internal Connections, and Basic Maintenance of Internal Connections. Discounts for support depend on the level of poverty and the urban/rural status of the population served and range from twenty percent to ninety percent of the costs of eligible services.

Eligible participants include public and most non-profit Kindergarten through grade twelve schools as well as all public and many private libraries. Guidance on the eligibility requirements to participate in the E-Rate Program is available on the USAC website at www.usac.org.

This Policy provides the steps to be used by this school district to receive E-Rate discounts.

Technology Plan

A Technology Plan is a plan prepared by the school district that explains how telecommunications and information technology will be used to achieve educational goals, curriculum reforms, or library service improvements. School districts applying for Priority 2 services (Internal Connections and Basic Maintenance) must prepare a technology plan.

In general, Technology Plans should not cover more than three years. Technology Plans should be written (at least in draft form) before an FCC Form 470 is posted to the USAC website in order to support the requests for services featured on that form, cover all twelve months of the funding year, and be approved by a USAC-certified Technology Plan Approver (TPA) before an FCC Form 486 is filed and before services start.

Technology Plans must, at a minimum, contain: clear goals and a realistic strategy for using telecommunications and information technology to improve education or library services; a professional development strategy to ensure that members of the staff know how to use these new technologies to improve education or library services; a needs assessment of the telecommunication services, hardware, software, and other services that will be needed to improve education or library services; and an evaluation process that enables the school district to monitor progress toward the specified goals and make mid-course corrections in response to new developments and opportunities as they arise.

In order to be eligible for E-Rate funding, the school district must have its Technology Plan approved for E-Rate use by the New Jersey Department of Education.

The Technology Coordinator shall be responsible for developing the school district's technology plans and submitting the plans for approval to the New Jersey Department of Education. The Technology Coordinator shall submit the district's technology plans to the Superintendent/ Principal and Board of Education for review and approval prior to submitting the plans for approval to the New Jersey DOE.

Competitive Bidding Process

A competitive bidding process is a formal process to identify and request the products and services a school district needs so potential service providers can review these requests and submit bids. To open the process, the school district must post an FCC Form 470 to the USAC website and, if the school district chooses to or if required by the New Jersey Public School Contracts Law, N.J.S.A. 18A:18A-1 et seq., issue a Request for Proposals or prepare bid specifications.

The school district will determine eligible E-Rate funding products and services based on the needs as outlined in the school district's approved New Jersey Department of Education Technology Plan or as identified by the Superintendent, in consultation with school district administrative and technology staff members.

The entity that will run the competitive bidding process (which may be the school district, a State procurement agency, or another entity that the district has authorized to negotiate on its behalf with a Letter of Agency (LOA) or similar document) must file the FCC Form 470 (Description of Services Requested and Certification) and must be prepared to receive and evaluate bids and negotiate with service providers.

The FCC Form 470 for the upcoming funding year is generally available online on the USAC website a year before the start of the funding year. FCC Form 470 can be filed for a particular funding year as soon as it becomes available online. The entity filing the FCC Form 470 must wait at least twenty-eight days after the date that the FCC Form 470 is posted and the date the RFP is issued, whichever is later, before closing the competitive bidding process. Services provided under tariff or on a month-to-month basis require an FCC Form 470 to be posted each year. If, however, a multi-year contract results from the competitive bidding process, it is not necessary to post a new FCC Form 470 until a new contract is required.

After the FCC Form 470 is posted to the USAC website, USAC will issue an FCC Form 470 Receipt Notification Letter (RNL). This letter includes much of the information featured on the form, provides a means to correct certain errors, and discusses the next steps in the application process. The Technology Coordinator or Business Administrator will review the RNL to ensure the products and services included in the RNL are accurate and will notify USAC within fifteen

days of the postmark date of the RNL if there are any required revisions. If an allowable correction on the Form 470 is identified, the district must post and certify a new Form 470 within the filing window. A new Form 470 must be posted at least twenty-eight days prior to signing a contract or selecting a service provider.

The entity filing an FCC Form 470 can issue a Request for Proposals (RFP) in addition to the FCC Form 470. For the purposes of this Policy, an RFP is a formal bidding document that describes the project and requested services in sufficient detail so that potential bidders understand the scope, location, and any other requirements. The district's formal bidding documents must indicate the district will accept bids on equal and/or equivalent goods or services. The district is not required to issue an RFP unless the State or local procurement rules or regulations require the district to do so. If the district issued or intends to issue an RFP, that information must be included on the FCC Form 470 along with information on how to obtain a copy of the RFP.

The entity filing the FCC Form 470 must ensure the competitive bidding process is open and fair. All bidders must be treated the same and no bidder can have advance knowledge of the project information. There shall be no secrets in the bidding process, such as information shared with one bidder but not with others. All bidders shall know what is required of them.

Service providers and potential service providers cannot offer or provide gifts to applicants and no school district employee or official shall solicit or accept a gift of any value from a service provider or potential service provider. These prohibitions are in effect during the entire funding year. In addition, the value of free services (e.g., price reductions, promotional offers, "free" products) must generally be deducted from the pre-discount cost of funding requests.

The competitive bidding process and the FCC 470 RNL process shall be coordinated and supervised by the Technology Coordinator in concert with the Business Administrator. (See the District Business Office Standard Operating Procedures.)

Selecting Service Providers

After the close of the competitive bidding process, the school district shall evaluate the bids received and choose the bid that is the most cost-effective with the price of the E-Rate eligible products and services as the primary factor. The district may consider as many factors in this evaluation as it wants, but the price of the E-Rate eligible products and services must be included as a factor and must be weighted more heavily than any other single factor. The FCC Form 470 and the Request for Proposals (RFP), if issued, must both have been publicly available for a twenty-eight day period, whichever is later, before the district can close its competitive bidding process. Any evaluation of bids shall be in accordance with the New Jersey Public School Contracts Law, N.J.S.A. 18A:18A-1 et seq. and FCC Competitive Bidding Rules.

Preparing a Bid Evaluation Matrix helps evaluate bids and also provides documentation of the process followed to select a service provider. The Bid Evaluation Matrix shall be completed by E-rate Exchange. All copies of bids (successful and unsuccessful), evaluation criteria, vendor contact information, and the signed contract shall be retained in accordance with the document retention guidance outlined in this Policy. The district can receive services:

1. Under tariff or on a month-to-month basis - Services such as basic telephone service or Internet access may not require a contract. The district must post an FCC Form 470 and open a competitive bidding process for these services each year.

2. Under a contract - Tariffed or month-to-month services provided under a contract are considered to be contracted services. Also, internal connections and basic maintenance products and services are generally provided under a contract. If the district posts an FCC Form 470 and signs a multi-year contract resulting from that posting, the district does not have to post an FCC Form 470 or open a competitive bidding process again for the life of that contract.

If the district intends to receive services under contract, the contract must have been preceded by the filing of an FCC Form 470 (NOTE: If the district has an existing contract that was not signed as a result of posting an FCC Form 470, the district can post an FCC Form 470 for the next funding year and consider its existing contract as a bid response. The district must evaluate any other bids received as well, as the district's existing contract may not be the most cost-effective solution.). The entity that filed the FCC Form 470 must also have followed the Schools and Libraries Program's competitive bidding rules and all applicable State and local contract and procurement rules and regulations.

The Board shall approve all contracts for products or services if the products or services were bid in accordance with N.J.S.A. 18A:18A-1 et seq., where an RFP was used to obtain proposals, or any contract to be awarded in excess of $26,000.

The district may sign a contract, which may be for one or more years and may include the option of voluntary extensions. If the district is eligible, it can purchase services from a State master contract; however, the district must file their own FCC Form 470 and use the State master contract pricing as a bid to consider in evaluating all potential bids. If the district is eligible to purchase from a State master contract, but that contract will expire before or during the upcoming funding year, the district and the State of New Jersey should follow the guidance for State replacement contracts (See State Master Contracts section on USAC website at www.usac.org).

The evaluation of bids and the selection of service providers or recommending service providers to the Board of Education, if required, shall be the responsibility of the Technology Coordinator in concert with the Business Administrator. (See the District Business Office Standard Operating Procedures.)

Applying for Discounts

To apply for Schools and Libraries Program discounts, the district must file an FCC Form 471 to provide USAC with information about the services being requested and the eligible discount(s). USAC will review the request, may ask for additional information, and will then issue a funding decision.

All contracts, if contracts are required, must be signed and dated before the FCC Form 471 is submitted to USAC.

The FCC Form 471 must be filed during a specific application window each year. In general, the application filing window opens about six months before the start of the funding year and is open for about two and a half months. All applications received or postmarked before the close of the filing window are considered as having arrived on the same day, and have priority over those submitted after the filing window has closed. The specific opening and closing dates of the filing window are published in advance on the USAC website.

After the FCC Form 471 is certified online or on paper, USAC will issue an FCC Form 471 Receipt Acknowledgment Letter (RAL). The RAL shall be reviewed by the Technology Coordinator within twenty calendar days of the school district's receipt of the RAL. This letter includes much of the information featured on the form, provides a means to correct certain errors, and discusses the next steps in the application process. The information the district must provide on the FCC Form 471 includes the following:

1. Entity numbers (also called Billed Entity Numbers (BENs)) for all entities receiving service (recipients of service), together with specific information for each entity (Block 4 of the form).

2. NCES and/or FSCS codes for entities receiving service (Block 4).

3. Information on telephone and Internet access connections and speeds (Block 2).

Application Review

After the district files an FCC Form 471 and the associated Item 21 attachment(s) within the filing window, Program Integrity Assurance (PIA) reviewers at USAC will check the information on the form for completeness and accuracy and may have additional questions for the district to answer. All applications go through an initial review and a final review, which may involve questions from PIA reviewers on one or more of the following topics:

1. Eligibility of the entities receiving service (this review step generally occurs for entities that have not appeared on a previous application);

2. Eligibility of the services requested;

3. Discount calculations;

4. Contracts;

5. The competitive bidding process; and/or

6. Any discrepancies between the information on the funding request and the associated Item 21 attachment.

The district must indicate the preferred mode of contact on FCC Form 471 Item 6c (telephone), 6d (fax), or 6e (email). Because PIA reviewers send written questions by fax or email, they will call the district and ask for a fax number or email address if the district indicated telephone as the preferred mode of contact. The district will have fifteen days to respond to PIA questions. The district can ask for more time, if needed, but a request for additional time will add more time to the review process.

Some applications undergo additional review - Selective Review is one example - where PIA reviewers may request more detailed responses that can include:

1. Documentation of the competitive bidding and service provider (vendor) selection processes;

2. Documentation of the district's ability to pay the non-discount share (the portion of the cost of eligible products and services not reimbursed by USAC); and/or

3. Proof the district has obtained necessary resources (i.e., hardware, software, staff training, electrical capacity, retrofitting) that are not eligible for Schools and Libraries Program discounts, but that must be in place to make effective use of the discounted services.

As part of the review process, PIA reviewers may be required to change the category of service on a Funding Request Number (FRN). If PIA reviewers discover there are ineligible services in a funding request, the district will be able to remove them or move them to a separate request to avoid denial under the thirty percent rule. After the PIA review process has been completed, USAC issues a Funding Commitment Decision Letter (FCDL) containing USAC's decisions on the district's funding requests. The district should review this letter carefully, as it contains important information both for planning the start of the receipt of services and for completing the additional steps in the application process. If the district disagrees with one or more of the decisions in the FCDL, the district can appeal to USAC or to the Federal Communications Commission (FCC).

The E-rate Exchange shall be responsible for preparing and providing the requested documentation for the application review(s). (See the District Business Office Standard Operating Procedures.)

Starting Services

After the district receives the Funding Commitment Decision Letter (FCDL) and the delivery of services has started, E-rate Exchange shall be responsible for: filing a FCC Form 486 to inform USAC that services for which the district has been approved for discounts have started and invoicing can begin; assuring the district's Technology Plan, if required, has been approved by a USAC-certified Technology Plan Approver and the district is in compliance with the Children's Internet Protection Act (CIPA), 47 CFR 54.520, or CIPA does not apply because the district's application is only for Telecommunications Services and/or Interconnected Voice over Internet Protocol (VoIP) services. CIPA requirements include an internet safety policy, a technology protection measure, a public notice hearing or meeting, the monitoring of online activities of minors, and providing education to minors on appropriate online behavior.

The Business Administrator shall be responsible for reviewing the originating purchase order and/or contract to ensure the products and services on the purchase order or contract have been received in the district, and the invoice from the provider is consistent with the purchase order/contract and products and services received.

In advance of the start of services, the district and its service provider(s) should have a conversation about the details of the services the district will be receiving. The district should also review the contract, if there is a contract. In addition, the district should determine whether the district or its service provider will invoice USAC for the discounted amount of the cost of the services. Under certain circumstances, advanced installation of some Priority 1 components can occur before July 1 of the funding year.

The district can file an FCC Form 486 early (before services have started) if the district:

1. Received its FCDL; and

2. Services will start in the month of July; and

3. The district can truthfully make all of the certifications in Block 4, which include compliance with the technology plan and CIPA requirements; and

4. The district is filing the form on or before July 31.

NOTE: Early filing using Item 6a on the FCC Form 486 is an option if and only if services will start within the month of July of the relevant funding year, all relevant certifications in Block 4 can be accurately made, and the FCC Form 486 is postmarked on or before July 31 of the Funding Year.

The district must be in compliance with the Schools and Libraries Program's technology plan requirements and the requirements of CIPA before services start. USAC cannot pay discounts on services received during a period of time when the district was not in compliance. USAC may review the district's compliance with these requirements either before or after the district's FCC Form 486 is processed.

The FCC Form 486 must be certified no later than one hundred twenty days after the service start date or one hundred twenty days after the date of the FCDL, whichever is later. Filing late can result in a reduction in funding; the later the filing date, the greater the reduction.

After USAC completes the processing of the district's FCC Form 486, USAC will issue an FCC Form 486 Notification Letter. This letter features the information the district



provided on the form and outlines the next steps in the application process. If USAC was required to adjust the service start date for a funding request due to a compliance issue, the service start date in the letter will be marked with an asterisk and followed by an explanation of the reason for the adjustment.

To be eligible for program support, eligible services must be received during a specific period of time related to the particular funding year for which discounts are requested. Recurring services must be delivered during the relevant funding year (July 1 through June 30). In general, non-recurring services must be delivered and installed between July 1 of the relevant funding year and September 30, following the June 30 close of that funding year (i.e., fifteen months after the beginning of the funding year). However, certain recipients have received or may receive extensions of the deadline for delivery and installation of non-recurring services. Such extensions can occur for various reasons, including:

1. A Funding Commitment Decision Letter (FCDL) was issued by USAC on or after March 1 of the funding year for which support was authorized.

2. Operational SPIN changes or service substitutions were approved by USAC on or after March 1 of the funding year.

3. The school district or service provider requested an extension because the service provider was unable to complete delivery and installation for reasons beyond the service provider's control.

4. The school district or service provider requested an extension because the service provider has been unwilling to complete delivery and installation after USAC withheld payment for those services on a properly-submitted invoice for more than sixty days after submission of the invoice.

USAC will automatically extend the service delivery deadline in situations where criteria (1) or (2) listed above are met. Recipients of non-recurring services that wish to satisfy criterion (3) must submit documentation to USAC on or before September 30 following the close of the funding year. A recipient of service that meets criterion (4) must certify to USAC on or before September 30 following the close of the funding year that its service provider was unwilling to deliver or install non-recurring services before the expiration of the deadline after USAC had withheld payment for those services on a properly submitted invoice for more than sixty days after the submission of the invoice.



Technology Coordinator/E-rate Exchange shall be responsible to coordinate the filing of the FCC Form 486. (See the District Business Office Standard Operating Procedures.)

Invoicing

After USAC has processed the district's FCC Form 486, the district or its service provider can begin the process of invoicing USAC for the discount share of the approved eligible services. The Superintendent/Principal, in consultation with the school business office staff member responsible for authorizing the payment of invoices, shall be responsible for reviewing the originating purchase order and/or contract, the products or services on the purchase order or contract have been received by district, and the invoice from the service provider is consistent with the purchase order or contract. The Business Administrator shall only submit reimbursement requests to USAC for eligible products and services once the district's non-discounted portion is paid.

There are two methods that can be used to invoice USAC. Once USAC has processed an invoice for a funding request, that method of invoicing must be used for that particular funding request for the remainder of the invoicing process.

1. Invoice Method #1

   Applicants file FCC Form 472, Billed Entity Applicant Reimbursement (BEAR) Form if the district paid the service provider in full for the services and want to be reimbursed for the discount amount. The service provider must approve the form before it is submitted to USAC. USAC will review the invoice and process a payment to the service provider if payment is approved. The service provider then passes the reimbursement on to the applicant.

2. Invoice Method #2

   Service providers file FCC Form 474, Service Provider Invoice (SPI) Form if they have provided discounted bills to their customer and want to be reimbursed for the discount amount.

Under both invoice methods, USAC will review the invoice and process a payment to the service provider if payment is approved. Applicants are required to pay the non-discount portion of the cost of the services.

The district can file a BEAR Form after all of the following have occurred:

1. The district received a Funding Commitment Decision Letter (FCDL); and

2. The district has filed, and USAC has processed, an FCC Form 486; and

3. The district's service provider has filed an FCC Form 473, Service Provider Annual Certification (SPAC) Form (disbursements cannot be made until the SPAC has been filed with USAC); and

4. The district paid for the service in full; and

5. In general, the services must have been delivered (an exception can be made for progress payments specified in a contract).

The district must file, and the service provider must approve, BEAR Forms no later than one hundred twenty days after the last day to receive service or one hundred twenty days after the FCC Form 486 Notification Letter date, whichever is later. If the deadline is missed the district can request an invoice deadline extension.

After processing the district's BEAR Form, USAC will issue a BEAR Notification Letter with information about the processing of the district's form. If the district needs more information about a reduction or denial of payment, the district should refer to the invoice error code(s) featured on the letter.

After the end of each calendar quarter, USAC issues a Quarterly Disbursement Report that details all invoicing activity, BEAR Forms, and SPI Forms processed during that quarter for all funding years. This report allows the district to track all of the invoicing activity related to the district's Billed Entity Number (BEN). The district can initiate an invoice check if it would like to be notified each time the district's service provider submits a SPI Form.

The Business Administrator shall be responsible to ensure that all eligible E-Rate goods and services have been received, the service provider invoices are correct and the district's non-discounted portion of the invoice has been paid before submitting invoices to USAC. The Business Administrator shall review the eligible reimbursements that are made to any service provider to ensure the amounts being billed to USAC and the school district equal 100% of the invoiced amount. The Business Administrator will notify USAC and the provider in the event there are any problems with this reconciliation. (See the District Business Office Standard Operating Procedures.)

Annual Policy Review

The Superintendent/Principal shall be responsible to ensure this Policy is reviewed annually and make recommendation for any revisions to this Policy as needed.

Document Retention

All documents related to the E-rate Program, including but not limited to, the application process, the competitive bidding/vender selection process, and the invoicing process shall be retained for at least five years after the last date of service delivered for a particular funding year or in accordance with the New Jersey Division of Archives and Records Management Schedules of Record Retention, whichever is longer.

Adopted: 20 February 2013



6115.01 FEDERAL AWARDS/FUNDS INTERNAL CONTROLS – ALLOWABILITY OF COSTS (M)

The Uniform Administrative Requirements, Cost Principals, and Audit Requirements for Federal Awards (UGG), 2 CFR §200.302(b)(7) requires written procedures for determining the allowability of costs in accordance with 2 CFR §200 – Cost Principals. Determining the allowability of costs shall be in accordance with the requirements outlined in 2 CFR §200.403 – Factors Affecting Allowability of Costs. The School Business Administrator/Board Secretary or designee shall be responsible for determining the allowability of costs are in accordance with the provisions of 2 CFR §200.403.

The following procedures shall be used to determine the allowability of costs in accordance with 2 CFR §200.403:

Except where otherwise authorized by statute, the School Business Administrator/Board Secretary or designee will ensure costs meet the following general criteria in order to be allowable under Federal awards:

1. Be necessary and reasonable for the performance of the Federal award and be allocable thereto under these principles.

2. Conform to any limitations or exclusions set forth in these principles or in the Federal award as to types or amount of cost items.

3. Be consistent with policies and procedures that apply uniformly to both Federally-financed and other activities of the non-Federal entity.

4. Be accorded consistent treatment. A cost may not be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to the Federal award as an indirect cost.

5. Be determined in accordance with Generally Accepted Accounting Principles (GAAP), except for State and local governments, which includes school districts, as otherwise provided for in 2 CFR §200.403.

6. Not be included as a cost or used to meet cost sharing or matching requirements of any other Federally-financed program in either the current or a prior period. (See also 2 CFR §200.306 – Cost Sharing or matching 2. above).

7. Be adequately documented. (See also 2 CFR §200.300 – Statutory and National Policy Requirements through 2 CFR §200.309 – Period of Performance).

In the event the School Business Administrator/Board Secretary or designee is not sure if a cost is allowable under 2 CFR Subpart E - §200.403, the School Business Administrator/Board Secretary or designee will contact the New Jersey Department of Education or the United States Department of Education for assistance.

2 CFR §200.302(b)(7)
2 CFR §200.403

Adopted: 1 December 2021

6115.02 FEDERAL AWARDS/FUNDS INTERNAL CONTROLS – MANDATORY DISCLOSURES

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (UGG), 2 CFR 200.113 – Mandatory disclosures requires a non-Federal entity or applicant (a New Jersey Board of Education) for a Federal award must disclose, in a timely manner, in writing to the Federal awarding agency or to the New Jersey Department of Education (NJDOE) all violations of Federal criminal law involving fraud, conflict of interests, bribery, or gratuity violations potentially affecting the Federal award.

If the Board of Education receives a Federal award including the terms and conditions outlined below as per 2 CFR 200 – Appendix XII – Award Term and Condition for Recipient Integrity and Performance Matters shall report certain civil, criminal, or administrative proceedings to the System for Award Management (SAM). Failure to make required disclosures can result in any of the remedies described in 2 CFR 200.338 – Remedies for noncompliance, including suspension or debarment. (See also 2 CFR 180, 31 USC 3321, and 41 USC 2313)

A. General Reporting Requirement

1. If the total value of all Board currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds $10,000,000 for any period of time during the period of performance of this Federal award, then the Superintendent or designee, on behalf of the Board as the recipient during that period of time, must maintain the currency of information reported to the SAM that is made available in the designated integrity and performance system about civil, criminal, or administrative proceedings described in B. below.

2. This is a statutory requirement under section 872 of Public Law 110-417, as amended (41 USC 2313).

3. As required by section 3010 of Public Law 111-212, all information posted in designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.

4. The Superintendent or designee must disclose, in writing, any potential conflict of interest to the Federal agency or pass-through entity in accordance with the established Federal agency policies.

B. Proceedings About Which the Board Must Report

1. The Superintendent or designee must disclose, in writing, to the Federal awarding agency or to the NJDOE information required about each proceeding that:

a. Is in connection with the award or performance of a grant, cooperative agreement, or procurement contract from the Federal government;

b. Reached its final disposition during the most recent five-year period; and

c. Is one of the following:

(1) A criminal proceeding that resulted in a conviction, as defined in E. below;

(2) A civil proceeding that resulted in a finding of fault and liability and payment of a monetary fine, penalty, reimbursement, restitution, or damages of $5,000 or more;

(3) An administrative proceeding, as defined in E. below, that resulted in a finding of fault and liability and the payment of either a monetary fine or penalty of $5,000 or more or reimbursement, restitution, or damages in excess of $100,000; or

(4) Any other criminal, civil, or administrative proceeding if:

(a) It could have led to an outcome described in B.1.c.(1), (2), or (3) above of this award term and condition;

(b) It had a different disposition arrived at by consent or compromise with an acknowledgment of fault on the school district's part; and

(c) The requirement in this award term and condition to disclose information about the proceeding does not conflict with applicable laws and regulations.

C. Reporting Procedures

1. The Superintendent or designee shall enter in the SAM Entity Management area the information that the SAM requires about each proceeding described in B. above.

2. The Superintendent or designee does not need to submit the information a second time under assistance awards the Board received if the Superintendent or designee already provided the information through the SAM because the Board was required to do so under Federal procurement contracts the Board was awarded.

D. Reporting Frequency

1. During any period of time when the Board is subject to the requirement in A. above, the Superintendent or designee must report proceedings information through the SAM for the most recent five-year period, either to report new information about any proceeding(s) the Board has not reported previously or affirm that there is no new information to report.

2. If the Board has Federal contract, grant, and cooperative agreement awards with a cumulative total value greater than $10,000,000, the Board must disclose semiannually any information about the criminal, civil, and administrative proceedings.

E. Definitions

1. For the purpose of this Policy:

a. "Administrative proceeding" for the purpose of 2 CFR 200 – Appendix XII and this Policy means a non-judicial process that is



adjudicatory in nature in order to make a determination of fault or liability. This includes proceedings at the Federal and State level but only in connection with performance of a Federal contract or grant. It does not include audits, site visits, corrective plans, or inspection of deliverables.

b. "Conviction" for the purpose of 2 CFR 200 – Appendix XII and this Policy, means a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of nolo contendere.

c. Total value of currently active grants, cooperative agreements, and procurement contracts includes:

(1) Only the Federal share of the funding under any Federal award with a Board cost share or match; and

(2) The value of all expected funding increments under a Federal award and options, even if not yet exercised.

2 CFR 200.113; 200.212

Adopted: 16 September 2026

6115.04 FEDERAL FUNDS – DUPLICATION OF BENEFITS

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.

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: 16 August 2023

6115.03 FEDERAL AWARDS/FUNDS INTERNAL CONTROLS – CONFLICT OF INTEREST

The Uniform Administrative Requirements, Cost Principals, and Audit Requirements for Federal Awards (UGG), 2 CFR §200.318 – General Procurement Standards addresses standards of conduct covering conflict of interest and governs the actions of school district employees, officers, and agents in the selection, award, and administration of contracts supported by a Federal award.

The Board of Education must use its own documented procurement procedures which reflect applicable State and local laws and regulations, provided that the procurements conform to the applicable Federal law and the standards identified in 2 CFR §200.

The Board of Education must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

The Board of Education must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts supported by a Federal award.

1. No employee, officer, or agent of the Board of Education may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest.

    a. Such a conflict of interest would arise when a Board of Education employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

2. The Board of Education officers, employees, and agents must neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.

3. However, a Board of Education may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value.

4. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity.

The Board of Education's procedures must avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.

To foster greater economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services across the Federal government, the Board of Education is encouraged to enter into State and local intergovernmental agreements or inter-entity agreements where appropriate for procurement of use of common or shared goods and services.

The Board of Education is encouraged to use Federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.

The Board of Education is encouraged to use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lower cost.

The Board of Education must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. (See also 2 CFR §200.213 – Suspension and Debarment).

The Board of Education must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

The Board of Education may use a time and materials type contract only after a determination that no other contract is suitable and if the contract includes a ceiling price

that the contractor exceeds at its own risk. Time and materials type contract means a contract whose cost to a Board of Education is the sum of:

1. The actual cost of materials; and

2. Direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

Since the time and material formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, each contract must set a ceiling price that the contractor exceeds at its own risk. Further, the Board of Education awarding such a contract must assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

The Board of Education alone must be responsible, in accordance with good administrative practice and sound business judgement, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the Board of Education of any contractual responsibilities under its contracts. The Federal awarding agency will not substitute its judgement for that of the Board of Education unless the matter is primarily a Federal concern. Violations of law will be referred to the local, State, or Federal authority having proper jurisdiction.

The Board of Education and its employees shall be required to comply with all New Jersey statutes and administrative codes regarding school ethics and internal controls.

2 CFR §200.318

Adopted: 1 December 2021

6141 TAX REVENUES

The Board of Education believes that the interests of district taxpayers as well as the interests of the educational program are best served by the orderly, planned transfer of tax revenues to the school district as such funds are required to pay the debts of the district.

The Board Secretary shall request the Municipal Treasurer to transfer tax revenues in anticipation of district expenditures in accordance with law and an annual schedule of transfer approved annually by this Board of Education.

N.J.S.A. 18A:17-34
N.J.S.A. 54:4-75

POLICY

ESSEX FELLS
BOARD OF EDUCATION

Adopted: 19 October 2011



6150 TUITION INCOME

The Board of Education will charge and assess tuition for students attending this school district that are not entitled to receive a free public education in this district or from a pupil's sending district for the pupil attending this school district as provided for by State statute.

A receiving public school district Board and a sending public school district Board will establish a written contractual agreement for the ensuing school year with a tentative tuition charge multiplied by the estimated average daily enrollment in accordance with N.J.A.C. 6A:23A-17.1(f). The sending district is required in the contractual agreement to pay ten percent of the tentative tuition charge no later than the first of each month from September through June of the contract year. Adjustments will be made in accordance with N.J.A.C. 6A:23A-17.1(f).

The Board will, with the consent of the Board upon such terms, admit nonresident students on a tuition basis pursuant to N.J.S.A. 18A:38-3.

The School Business Administrator/Board Secretary shall be responsible for the assessment and collection of tuition.

The Executive County Superintendent in the county in which the receiving district is located should be consulted to mediate disputes that arise from tuition matters as defined in N.J.A.C. 6A:23A-17.1(f)5.

N.J.S.A. 18A:38-3; 18A:38-19; 18A:46-21
N.J.A.C. 6A:23A-17.1
N.J.A.C. 6A:14-7.8

Adopted: 19 October 2011

6160 GRANTS FROM PRIVATE SOURCES

The Board of Education encourages the development of proposals to private foundations and other sources of financial aid to subsidize such activities as innovative projects, feasibility studies, long-range planning, and research and development. Any such activity must:

1. Be based on a specific set of project objectives that relate to the established goals of the district;

2. Provide measures for evaluating whether or not project objectives are being achieved; and

3. Conform to applicable state and federal laws and to Board policies.

The Superintendent shall establish regulations for the processing of proposal ideas throughout the district.

Adopted: 19 October 2011

6210 FISCAL PLANNING

The Board of Education shall collect and assemble the information necessary to discharge its responsibility for the fiscal management of the school district and to plan for the financial needs of the educational program. The Board will strive toward maintaining both short and long range perspectives of district financial requirements.

Accordingly, the Board directs the School Business Administrator/Board Secretary to include cost estimates in all ongoing district studies of the educational program, to prepare a long range year-by-year plan for the maintenance and replacement of facilities and equipment, to forecast an estimated expenditure budget for one year in the future, to maintain a plan of anticipated state and federal revenues, and to report to the Board any serious financial forecast that emerges from the district's fiscal planning.

Adopted: 19 October 2011

6220 BUDGET PREPARATION

The annual budget is the financial plan for the effectuation of the educational plan for the district. The budget shall be designed to carry out that plan in a thorough and efficient manner, to maintain school district facilities, and to honor continuing obligations of the district.

A proposed budget requires the critical analysis by every member of the Board of Education during its preparation. The administration shall work with the Board to ensure Board members have a thorough understanding of the budget appropriations, budget revenue, the proposed educational program, and the budget's impact to the local tax levy. The Board shall also provide for community input during the budget development process.

The annual school district budget and supporting documentation shall be prepared in accordance with the provisions of N.J.S.A. 18A:7F; N.J.S.A. 18A:22-7 and 18A:22-8; and N.J.A.C. 6A:23A-8. The Board shall adopt and submit to the Executive County Superintendent for approval, together with Commissioner-prescribed supporting documentation, a budget that provides for a thorough and efficient education pursuant to N.J.A.C. 6A:23A-8.1(a). Pursuant to N.J.A.C. 6A:26-3.7 and 6A:26-3.12, the Board shall obtain approval of the local funding for a non-referendum capital project (school facility project or other capital project) in accordance with N.J.A.C. 6A:23A-8.4.

The budget will be presented to the Board to allow adequate time for review and adoption.

The Board shall include in the budget application to the Executive County Superintendent a complete reporting of revenues and appropriations and other requirements pursuant to N.J.S.A. 18A:22-8-1 et seq. and N.J.S.A. 18A:7F-5 through 63.

The Board, upon submission of its budget application to the Executive County Superintendent or by the statutory submission date, whichever is earlier, shall make available upon request for public inspection all budget and supporting documentation contained in the budget application and all other documents listed in N.J.A.C. 6A:23A-8.1 once the budget application has been submitted to the Executive County Superintendent for approval.

The budget, as adopted for the school year pursuant to N.J.S.A. 18A:7F-5, shall be provided for public inspection on the district's website, if one exists, and made available in print in a "user-friendly," plain language budget summary format in accordance with the provisions of N.J.A.C. 6A:23A-8.1(c).



All budgetary and accounting systems used in the school district must be in accordance with double-entry bookkeeping and Generally Accepted Accounting Principles as required in N.J.A.C. 6A:23A-16.1 et seq.

N.J.S.A. 18A:7F et seq.; 18A:22-7 et seq.
N.J.A.C. 6A:23A-8.1 et seq.; 6A:23A-16.1 et seq.

Adopted: 17 September 2025

6230 BUDGET HEARING

The annual budget adopted by the Board of Education and approved by the County Superintendent represents the Board's position on the allocation of resources required to operate a thorough and efficient system of education. All reasonable means shall be employed by the Board to present and explain that position to residents and taxpayers of the community. A public budget hearing will be conducted in accordance with law. Each member of the Board and each district administrator shall be sufficiently acquainted with the budget and its underlying purposes to answer questions from members of the public.

The approved budget will be made available to the public in the form and at the places required by law. A simplified form of the budget may also be prepared annually and may be sent to each district resident, each parent(s) or legal guardian(s) of a pupil in public school, and representative of community organizations and distributed to each person attending the annual budget hearing.

The simplified budget may include the expenditure in each major category of current expense, capital items, and debt service; any anticipated change in tax rates; a summary of anticipated receipts; information that voters may use in comparing budget provisions in this school district with those in comparable districts; brief explanations of significant increases and decreases from the preceding budget and important transfers of expenditures from one classification to another; and a letter of transmittal from the Board.

N.J.S.A. 18A:7A-51; 18A:22-10 et seq.; 18A:22-37 et seq.

Adopted: 19 October 2011

6311 CONTRACTS FOR GOODS OR SERVICES FUNDED BY FEDERAL GRANTS

Any vendor providing goods or services to the school district to be funded by a Federal grant must be cleared for contract in accordance with the provisions of the Uniform Administrative Requirements, Cost Principals, and Audit Requirements for Federal Awards (UGG), 2 CFR 200.214 – Suspension and Debarment.

The School Business Administrator/Board Secretary shall be responsible to check the web-based System for Award Management (SAM), accessible at www.sam.gov maintained by the United States government – the General Services Administration (GSA). The purpose of the SAM is to provide a single comprehensive list of individuals and firms excluded by Federal government agencies from receiving Federal contracts or Federally approved contracts or Federally approved subcontracts and from certain types of Federal financial and nonfinancial assistance and benefits.

The School Business Administrator/Board Secretary, upon opening of bids or upon receipt of proposals for goods or services to be funded by a Federal grant shall access the SAM to determine if the vendor has been disbarred, suspended, or proposed for disbarment. The School Business Administrator/Board Secretary shall also access the SAM list immediately prior to the award of a bid or contract to ensure that no award is made to a vendor on the list.

In the event a vendor under consideration to be awarded a bid or contract for goods or services to be funded by a Federal grant is on the SAM list or proposed for disbarment, the School Business Administrator/Board Secretary shall comply with the contracting restrictions as outlined in 2 CFR 200.

Continuation of current contracts and restrictions on subcontracting with vendors who are on the SAM list or proposed for disbarment shall be in accordance with the limitations as outlined in 2 CFR 200.

Any rejection of a bid or disqualification of a vendor who has been disbarred, suspended, or proposed for disbarment shall be consistent with the requirements as outlined in N.J.S.A. 18A:18A – Public School Contracts Law and all applicable State laws.

The applicability of the provisions of this Policy apply to covered transactions as defined in 2 CFR 3485.220. A covered transaction is any contract that is awarded by the Board of Education that is covered under 2 CFR 180.210 and the amount of the contract is expected to equal or exceed $25,000, unless the Board chooses a lower threshold.

Compliance with the provisions of 2 CFR 200 and this Policy must be demonstrated by written evidence to be maintained by the School Business Administrator/Board Secretary. Examples of evidence include printouts of searches from the SAM, imprints from an ink stamp, or Avery or similar labels affixed to purchase orders memorializing performance of this verification.

2 CFR 200
2 CFR 3485.220
2 CFR 180.210

Adopted: 16 September 2026

6320 PURCHASES SUBJECT TO BID

The Board of Education directs the establishment and conduct of bidding procedures that serve the public interest and provide each qualified vendor an equal opportunity to furnish goods and services to the district.

Every contract for the performance of work or the purchase or lease of materials or supplies not exempted by law will be subject to public bidding whenever the aggregate value of such a contract within one contract year exceeds the bid threshold established by law and in accordance with N.J.S.A. 18A:18A-3.(a). Whenever possible, purchases will be aggregated; purchases may not intentionally be divided to avoid the requirements for competitive bidding as required in N.J.S.A. 18A:18A-8. The purchase of textbooks and materials that exceed the bid threshold and are approved by the Board pursuant to N.J.S.A. 18A:34-1 shall not require the further adoption of a resolution for purchase.

Bid specifications will be prepared and/or are coordinated by the School Business Administrator/Board Secretary. Each bid specification will offer a common standard of competition and will assert the Board's right to accept reasonable equivalents and to reject all bids and readvertise. The School Business Administrator/Board Secretary is authorized to advertise for bids in accordance with N.J.S.A. 18A:18A-21 without the prior approval of the Board, but shall inform the Board of any such advertisement at the Board meeting next following. Records of advertisements will be kept in detail sufficient to show that a reasonable number of qualified vendors were invited to bid.

Bids shall be opened publicly by the School Business Administrator/Board Secretary or designee before one or more witnesses at a previously designated time and place. Contracts will be awarded, on a resolution duly adopted by the Board, to the lowest responsible bidder who submits the lowest responsible bid, except that the Board may choose to reject all bids, to readvertise, or to purchase under a State contract. The Board may disqualify a bidder who would otherwise be determined to be the lowest responsible bidder in accordance with N.J.S.A. 18A:18A-4. Whenever two or more bids are the lowest bids submitted by responsible bidders, the Board shall determine to which bidder the contract will be awarded.

The bid of a vendor who claims, before bids are opened, a mistake or omission in its preparation will be returned unopened. A bidder who discovers a mistake or omission after bids have been opened may withdraw the erroneous bid provided he or she gives immediate written notice of the mistake or omission and certification, supported by clear evidence, that he or she exercised reasonable care in the examination of the specifications and preparation of the bid. Any bidder who withdraws an opened bid shall forfeit any bid security deposited with the bid in accordance with law.



In accordance with the provisions of N.J.A.C. 6A:23A-5.4, pursuant to the authority granted the Commissioner of Education under N.J.S.A. 18A:55-2 and N.J.S.A. 18A:7F-60, the Commissioner shall subject to review for the withholding of State funds any school district that fails to obey the provisions of the Public Contract law, N.J.S.A. 18A:18A-1 et seq. The amount of funds to be withheld shall equal the amount of the contract awarded in violation of the provisions of N.J.S.A. 18A:18A-1 et seq. except for violations related to the award of contracts under the extraordinary unspecifiable services (EUS) provision which shall be governed by the provisions of N.J.S.A. 18A:18A-46.1.

N.J.S.A. 18A:18A-1 et seq.
N.J.A.C. 6A:23A-5.4; 6A:27-9.1 et seq.

Adopted: 19 October 2011



6340 MULTIPLE YEAR CONTRACTS

The Board of Education may enter a multiple year contract for goods and services permitted by law whenever the extended contract will serve the needs of the district and yield greater return for the expenditure.

The School Business Administrator/Board Secretary is directed to investigate the advantage to the district of multiple year contracts. Investigation should include, but need not be limited to, a comparison of the costs of multiple year and single year contracts, an analysis of trends in the costs and availability of the goods or services to be provided, the projected needs of the district, and an inquiry into the reliability and stability of the vendor.

Except for those contracts exempted from the requirement by law, all multiple year contracts will contain a cancellation clause or a clause conditioning annual extension of the contract on the appropriation of sufficient funds to meet the Board's obligation.

All multiple year contracts must be approved by the Board. When the estimated annual cost of a multiple year contract exceeds the bid threshold established by law and the subject of the contract is not exempt from bidding, the contract shall be advertised in accordance with law and the bidding procedures of this district.

N.J.S.A. 18A:18A-5; 18A:18A-42

Adopted: 19 October 2011

6350 COMPETITIVE CONTRACTING

Competitive contracting may be used in lieu of public bidding for specialized goods or services that exceed the bid threshold provided the process is administered by a purchasing agent, by legal counsel of the Board of Education, or by the School Business Administrator and pursuant to N.J.S.A. 18A:18A-4.1. et seq. Competitive contracting may only be used for the purposes provided in N.J.S.A. 18A:18A-4.1. Unless an exception is provided for under N.J.S.A. 18A:18A-42 permitting a longer contract duration, contracts awarded under competitive contracting may be for a term not to exceed five years.

The purchasing agent will prepare a request for proposal documentation, which will include all requirements deemed appropriate and necessary to allow for full and free competition between vendors, information necessary for potential vendors to submit a proposal, and a methodology by which the Board will evaluate and rank proposals received from vendors. The methodology for the awarding of competitive contracts will be based on an evaluation and ranking and will be developed in a way that is intended to meet the specific needs of the district and where such criteria will not unfairly or illegally discriminate against or exclude otherwise capable vendors. The methodology for awarding competitive contracts will comply with such rules and regulations as the Director of the Division of Local Government Services in the Department of Community Affairs may adopt in accordance with N.J.S.A. 18A-4.4.

Request for Proposal documentation will be published in an official newspaper of the Board at least twenty days prior to the date established for the submission of proposals. The Board may charge a fee for the proposal documentation that will not exceed $50.00 or the cost of reproducing the documentation, whichever is greater.

Each interested vendor will be required to submit a proposal which will include all the information required by the request for proposals. Failure to meet the requirements of the request for proposals may result in the Board disqualifying the vendor from further consideration. Under no circumstances will the provisions of a proposal be subject to negotiation by the Board.

If the Board, at the time of solicitation, utilizes its own employees to provide the goods or perform the services, or both considered for competitive contracting, the Board will, at any time prior to, but no later than the time of solicitation for competitive contracting proposals, notify affected employees of the Board's intention to solicit competitive contracting proposals pursuant to N.J.S.A. 18A:18A-4.5.c. Employees or their representatives will be permitted to submit recommendations and proposals affecting wages, hours, and terms and conditions of employment in such a manner as to meet the goals of the competitive contract. If employees are represented by an organization that has negotiated a contract with the Board, only the bargaining unit will be authorized to submit such recommendations or proposals. When requested by such



employees, the Board will provide such information regarding budgets and the costs of performing the services by such employees as may be available. Nothing will prevent such employees from making recommendations that may include modifications to existing labor agreements in order to reduce such costs in lieu of award of a competitive contract, and agreements implementing such recommendations may be considered as cause for rejecting all other proposals.

The purchasing agent will evaluate all proposals only in accordance with the methodology described in the request for proposals. After proposals have been evaluated, the purchasing agent will prepare a report evaluating and recommending the award of a contract or contracts. The report will be prepared pursuant to N.J.S.A. 18A:18A-4.5.d. The report will be made available to the public at least 48 hours prior to the awarding of the contract, or when made available to the Board, whichever is sooner. The Board will have the right to reject all proposals for any of the reasons set forth in N.J.S.A. 18A:18A-22.

Award of a contract will be made by resolution of the Board within sixty days of the receipt of the proposals, except that the proposals of any vendors who consent thereto, may, at the request of the Board, be held for consideration for such longer period as may be agreed.

The report prepared pursuant to this Policy and Regulation No. 6350 will become part of the public record and will reflect the final action of the Board. Contracts will be executed pursuant to N.J.S.A. 18A:18A-40.

The Secretary of the Board will publish a notice in the official newspaper of the Board summarizing the award of a contract pursuant to N.J.S.A. 18A:18A-4.5g.

N.J.S.A. 18A:18A-1 et seq.

Adopted: 19 October 2011



6360 POLITICAL CONTRIBUTIONS

Political Contribution Disclosure Requirements

In accordance with the requirements of Section 2 of P.L. 2005, Chapter 271 (N.J.S.A. 19:44A-20.26), the Board of Education shall have on file, to be maintained with other documents related to a contract, the following documents to award a contract to any business entity receiving a contract with an anticipated value in excess of $17,500, regardless of the basis upon which the contract is awarded:

1. A Political Contribution Disclosure (PCD) form submitted by the business entity (at least ten days prior to award); and

2. A Business Registration Certificate (anytime prior to award).

"Business entity" means a for-profit entity that is a natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of New Jersey or any other State or foreign jurisdiction.

The $17,500 contract amount is not related to the Board's bid threshold and does not exempt the district from the requirements of the Public School Contracts Law or other applicable purchasing statutes.

The $17,500 contract amount threshold is subject to the principle of aggregation rules in accordance with the Division of Local Government Services guidance. Unlike the Public School Contracts Law, aggregation thresholds for this Policy and Chapter 271 purposes shall be calculated at the vendor level – meaning, when a vendor receives more than $17,500 in a school district's fiscal year, a PCD form shall be required.

The disclosure provisions of N.J.S.A. 19:44A-20.26 do not apply in cases where there is a "public emergency" that requires the immediate delivery of goods or services.

Insurance companies and banks are prohibited under State law from making political contributions. However, because the PCD form reflects contributions made by partners, Boards of Directors, spouses, etc., PCD forms are required ten days prior to the approval of a depository designation resolution or insurance company contract awarded by the Board. A PCD form is also required when a contract in excess of $17,500 is made to an insurance broker. A PCD form is required from the company receiving the contract, regardless of the entity issuing an insurance policy.



PCD forms are required for Board of Education contracts in excess of $17,500 with a New Jersey Department of Education "Approved In-State Private School for the Disabled." Chapter 271 also applies to in-State private special education schools, educational services under any federally funded program, early childhood school providers – DHS approved, and other similar programs.

If the school district spends more than $17,500 in a school year with a newspaper, the selection of the newspaper is subject to the provisions of Chapter 271.

PCD forms are not required for regulated public utility services, as the Board is required by the Board of Public Utilities to use a specific utility. This exception does not apply to non-regulated public utility services, such as generated energy (not tariffed), or long-distance telephone services where other procurement practices are used.

PCD forms are not required for membership to the New Jersey School Boards Association.

A non-profit organization having proper documentation from the Internal Revenue Service (IRS) showing it is registered with the IRS as a 501(c) type corporation is not required to file a PCD form.

A PCD form is not required for contracts with governmental agencies, including State colleges and universities.

If the original contract provided for the possibility of an extension(s), Chapter 271 compliance is not required if the extension/continuation is based on that original contract.

N.J.S.A. 19:44A-1 et seq.
N.J.A.C. 6A:23A-6.3
New Jersey Department of Community Affairs Local Finance Notices - 6/4/07 & 1/15/10

Adopted: 19 October 2011

6362 CONTRIBUTIONS TO BOARD MEMBERS AND CONTRACT AWARDS

As a condition of receiving State aid, the school district shall comply with the provisions of N.J.A.C. 6A:23A-6.3 to ensure the school district maintains honest and ethical relations with vendors and shall guard against favoritism, improvidence, extravagance, and corruption in its contracting processes and practices.

For the purposes of this Policy, "business" means any corporation, partnership, firm, enterprise, franchise, trust, association, sole proprietorship, union, political organization, or other legal entity but shall not include a local public school district or any other public entity. "Business entity" means any natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of this State or of any other state or foreign jurisdiction. "Interest" means the ownership or control of more than ten percent of the profits or assets of a business entity or ten percent of the stock in the case of a business entity that is a corporation for profit, as appropriate.

In accordance with the provisions of N.J.A.C. 6A:23A-6.3:

1. No Board of Education will vote upon or award any contract in the amount of $17,500 or greater to any business entity which has made a contribution reportable by the recipient under P.L. 1973, c. 83 (N.J.S.A. 19:44A-1 et seq.) to a member of the Board of Education during the preceding one-year period.

2. Contributions reportable by the recipient under P.L. 1973, c. 83 (N.J.S.A. 19:44A-1 et seq.) to any member of the Board of Education from any business entity doing business with the school district are prohibited during the term of a contract.

3. When a business entity referred to in 2. above is a natural person, a contribution by that person's spouse or child that resides therewith shall be deemed to be a contribution by the business entity. Where a business entity is other than a natural person, a contribution by any person or other business entity having an interest therein shall be deemed to be a contribution by the business entity.

4. The disclosure requirement set forth in section 2 of P.L. 2005, c. 271 (N.J.S.A. 19:44A-20.26) also shall apply when the contract is required by law to be publicly advertised for bids.

A Business Entity Disclosure Certification (BED-C) shall be submitted by the business entity for all contracts of $17,500 or greater in order to facilitate disclosure of contributions to Board members by a business entity. The BED-C shall be reviewed prior to the award of any contract in excess of $17,500 to ensure the Board of Education's compliance with N.J.A.C. 6A:23A-6.3(a).

The requirements of N.J.A.C. 6A:23A-6.3 shall not apply to a contract when a district emergency requires the immediate delivery of goods or services. With the exception of districts previously subject to the requirements of N.J.A.C. 6A:10-2.1(e), N.J.A.C. 6A:23A-6.3 shall not apply to contributions made prior to its effective date.

N.J.A.C. 6A:23A-6.3

Adopted: 19 October 2011

6421 PURCHASES BUDGETED

The Board of Education directs the establishment of procedures for the purchase of budgeted goods and services that will make prudent use of district resources and yield the maximum value for the school district. The School Business Administrator/Board Secretary shall authorize all purchases that are within a budget line item and are consistent with the purpose for which the funds were appropriated.

No purchase order may be placed until the School Business Administrator/Board Secretary has determined whether the proposed purchase is subject to bid, whether sufficient funds exist in the line item, and whether the goods are available elsewhere in the district.

Whenever the estimated value of a purchase or contract for goods or services other than professional services N.J.S.A. 18A:18A-5(1) and work by employees of the Board N.J.S.A. 18A:18A-5(3) is fifteen percent or more of the bid threshold established in accordance with N.J.S.A. 18A:18A-3 and N.J.S.A. 18A:18A-37 and is not made through an approved cooperative purchasing process under a state contract, the purchasing agent shall, whenever practicable, solicit at least two quotations from independent vendors. All quotations received will be attached to and retained with a copy of the voucher used to pay the vendor.

All contracts that are in the aggregate less than fifteen percent of the bid threshold may be awarded by the School Business Administrator/Board Secretary without soliciting competitive quotations.

The purchase or contract may be awarded on the basis of the lowest responsible quotation received or to the vendor who submits the quotation most advantageous to the Board on the basis of price and other factors. If it is determined that it is impractical to seek quotations for an extraordinary, unspecifiable service or that the purchase or contract for which quotations were sought should not be awarded on the basis of the lowest quotation received, the reasons for that determination will be set forth in writing and attached to the resulting purchase order or contract.

Supplies commonly used in the school will be standardized to the extent that it is educationally feasible to do so. Alternate suggestions will be made to a requisitioner if better service, delivery, economy, or utility can be achieved by a change in the proposed order.

When a purchase order is placed or a contract entered, the School Business Administrator/Board Secretary or designee shall commit the expenditure against a specific budget line item or project category in order to guard against the creation of liabilities in excess of appropriations.

N.J.S.A. 18A:18A-1 et seq.; 18A:18A-37; 18A:22-8
N.J.A.C. 5:34-2.1; 5:34-2.2

Adopted: 19 October 2011



6422 BUDGET TRANSFERS

Except as otherwise provided pursuant to N.J.S.A. 18A:22-8.1 and N.J.A.C. 6A:23A-13.1 et seq., whenever the school district desires to transfer amounts among line items and program categories, the transfers shall be by resolution of the Board approved by a two-thirds affirmative vote of the authorized membership of the Board. Each resolution shall indicate the exact amount of the transfers and from the applicable accounts or fund balance.

However, this Board of Education in accordance with the provisions of N.J.S.A. 18A:22-8.1 and this Policy as adopted by the Board, designates the Superintendent to approve such transfers as are necessary between meetings of the Board. Transfers approved by the Superintendent shall be reported to the Board, ratified and duly recorded in the minutes at a subsequent meeting of the Board, but not less than monthly.

Transfers from line accounts that include waiver amounts approved by the Commissioner and expenditures and/or reallocations directed by the Commissioner are prohibited unless approved in writing by the Executive County Superintendent and in accordance with the provisions of N.J.S.A. 18A:22-8.1. The Board shall submit written requests for transfers including the amount to be transferred, the account(s) to be reduced, the account(s) to be increased, the purpose, and justification. These transfers shall not be requested or made prior to December 1 of the applicable budget year and shall only be approved for an emergent circumstance(s).

Whenever the Executive County Superintendent shall, pursuant to N.J.S.A. 18A:7-8, disapprove a portion of the school district's proposed budget because the district has not implemented all potential efficiencies in its administrative operations or because the budget includes excessive non-instructional expenses, the school district shall not transfer funds back into those accounts during the budget year.

Transfers of surplus amounts or any other unbudgeted or underbudgeted revenue to line items and program categories shall require the approval of the Commissioner of Education and shall only be approved between April 1 and June 30 for line items and program categories necessary to achieve the thoroughness standards established pursuant to section 4 of P.L.2007, c.260 (N.J.S.A. 18A:7F-46); except that upon a two-thirds affirmative vote of the authorized membership of the Board, the Board may petition the Commissioner of Education for authority to transfer such revenue prior to April 1 due to an emergent circumstance and the Commissioner may authorize the transfer if he determines that the transfer is necessary to meet such emergency.

Transfers from any general fund appropriation account that, on a cumulative basis, exceed 10% of the amount of the account included in the school district's budget as certified for taxes shall require the approval of the Commissioner of Education. In a school district wherein the Commissioner of Education has directed an in-depth evaluation pursuant to N.J.S.A. 18A:7A-14, the Board shall obtain the written approval of the Executive County Superintendent of Schools prior to implementing any Board authorized transfer of funds.



No transfer may be made under N.J.S.A 18A:22-8.1 from appropriations or surplus accounts for interest and debt redemption charges, capital reserve account or items classified as general fund expenses except to other items so classified, or to the capital projects fund to supplement the proceeds from a bond authorization or lease purchase agreement upon application to and a formal finding by the Commissioner that the transfer is in the best interest of both the students and taxpayers of the district after consideration of alternative corrective actions.

N.J.S.A. 18A:22-8.1; 18A:22-8.2
N.J.A.C. 6A:23A-13.1; 6A:23A-13.2; 6A:23A-13.3

Adopted: 19 October 2011

6423 EXPENDITURES FOR NON-EMPLOYEE ACTIVITIES, MEALS AND REFRESHMENTS

There may be school district activities where expenditures for non-employee activities, meals, and refreshments may occur. Expenditures for non-employee activities, meals, and refreshments for school district activities are allowed provided the expenses are in accordance with the provisions of N.J.A.C. 6A:23A-5.8. For the purposes of this Policy, unless the context clearly indicates otherwise, "activities" means events or functions provided or held for the benefit of students, dignitaries, and other "non-district" employees (e.g. parents) which are paid from public funds. "Dignitary" means a notable or prominent public figure; a high level official; or one who holds a position of honor. A dignitary, for purposes of this Policy, is not a school district employee or Board of Education member.

Allowable expenditures for non-employee school district activities shall include:

1. All reasonable costs, including light meals and refreshments, directly related to activities that benefit students and are part of the instructional program including expenditures for field trips and extracurricular programs that are not solely for entertainment. Nothing in this Policy or N.J.A.C. 6A:23A-5.8 shall preclude the district from using student activity funds or accepting donations to support pupil activities that are solely for pupil entertainment;

2. All reasonable costs directly related to activities of dignitaries and other "non-district" employees (e.g. parents), including light meals and refreshments and any other directly related expense. Expenditures for this purpose shall be minimal and infrequent;

3. All reasonable costs of commencement and convocation activities for students; and

4. Expenditures related to district employees to the extent such employees are essential to the conduct of the activity.

The Board shall, at a minimum, take actions regarding pupil activities as follows:

1. Pre-approve field trip destinations;

2. Establish dollar thresholds for awards to recognize special accomplishments; and



3. Establish a budget supported by general fund revenues for each category of activity in a non-discriminatory manner (e.g. football, boys soccer, girls soccer, photography club). Student activity funds are excluded.

Pursuant to N.J.S.A. 18A:11-12 and State of New Jersey Department of Treasury, Office of Management and Budget Circular 08-19-OMB and 06-14-OMB, the following costs shall not be permitted using public funding:

1. Receptions, dinners, or other social functions held for or honoring any employee or group of employees of the district (e.g. breakfast, luncheon, dinner, or reception for retirees or award recipients). This does not prohibit the district from honoring employees without a social function or using public funds to support reasonable costs of employee recognition awards (e.g. teacher of the year awards, years of service awards). Use of public funds for reasonable costs of employee awards is a local discretionary expenditure;

2. Meals or refreshments served to guests at any athletic event or other games or contests; and/or

3. Expenses for alcoholic beverages.

The School Business Administrator/Board Secretary and/or designee shall maintain documentation to support activities, meals, and refreshments at district events. The documentation shall include a description of the activity, the purpose/justification of the activity, expressed in terms of the goal(s) or objective(s) of the district, the make-up of the group participating in the activity, and the names and titles of Board members or employees included in the group.

N.J.A.C. 6A:23A-5.8

Adopted: 19 October 2011

6424 EMERGENCY CONTRACTS

Any contract may be negotiated or awarded for a Board of Education without public advertising for bids and bidding notwithstanding that the contract price will exceed the bid threshold when an emergency affecting the health or safety of occupants of school property requires the immediate delivery of goods or the performance of services.

An actual or imminent emergency must exist requiring the immediate delivery of the goods or the performance of the service. Emergency contracts may not be used unless the need for the goods or services could not have been reasonably foreseen or the need for such goods or services has arisen notwithstanding a good faith effort on the school district to plan for the purchase of any goods or services required by the school district. Under no circumstance shall emergency purchasing procedures be used to enter into a multi-year contract.

If the School Business Administrator/Board Secretary is satisfied that an emergency exists, he/she shall be authorized to award a contract or contracts for such purposes as may be necessary to respond to the emergent needs pursuant to the provisions of N.J.S.A. 18A:18A-7 et seq.

If conditions permit, the School Business Administrator/Board Secretary shall seek quotations from more than one source. If the expenditures are expected to be in excess of the bid threshold, the School Business Administrator/Board Secretary shall attempt to obtain no fewer than three quotations.

As soon as possible, but within three days of declaring the emergency, the Superintendent of Schools shall notify the Executive County Superintendent of the nature of the emergency and the estimated need for goods or services necessary to respond to it.

When emergency conditions have eased, the School Business Administrator/Board Secretary shall utilize the regular purchasing system to obtain estimates from suppliers, vendors, and contractors for materials and/or services that will eliminate the circumstances that created the emergency.

The School Business Administrator/Board Secretary shall prepare and submit a final report to the Board on every occasion an emergency contract is negotiated or awarded in accordance with the provisions of N.J.S.A. 18A:18A-7.

N.J.S.A. 18A:18A-7
N.J. A.C. 5:34-6.1

Adopted: 15 February 2012



6440 COOPERATIVE PURCHASING

The Board of Education recognizes that centralized, cooperative purchasing may maximize the value received for each dollar spent. The Board of Education is encouraged to seek savings that may accrue to the school district by means of joint agreements for the purchase of goods or services with the governing body of any municipality or county.

For the purpose of this Policy, "cooperative pricing system" means a purchasing system in which the lead agency advertises for bids, awards a master contract to the vendor providing for its own quantities and the estimated quantities submitted by the individual registered members.

For the purpose of this Policy, "cooperative purchasing system" means a cooperative pricing system, joint purchasing system, commodity resale system, county cooperative contract purchasing system, or regional cooperative pricing system which has been approved and registered subject to N.J.A.C. 5:34-7.1 et seq.

For the purpose of this Policy, "electronic data processing" means the storage, retrieval, combination, or collation of items of information by means of electronic equipment involving the translation of words, numbers, and other symbolic elements into electrical impulses or currents.

For the purpose of this Policy, "joint purchasing system" means a cooperative purchasing system in which the lead agency serves as the purchasing agent for the membership of the system with all of the duties and responsibilities attendant. The lead agency advertises for bids and awards a single contract to a vendor providing for the payment to the contractor for its own needs and for the needs of the participating registered members of the system. The only contractual relationship is between the lead agency and the vendor.

For the purpose of this Policy, "lead agency" means the contracting unit which is responsible for the management of the cooperative purchasing system.

For the purpose of this Policy, "registered members" means Boards of Education who have been approved by the Director of the New Jersey Department of Community Affairs for participation in the cooperative purchasing system.

When the lead agency is a Board of Education or Educational Service Commission and the entire membership of the cooperative purchasing system established and properly

registered with the New Jersey Division of Local Government Services in the Department of Community Affairs are Boards of Education, the provision and performance of goods

or services shall be conducted pursuant to the Public Schools Contract Law. (N.J.S.A. 18A:18A-11 et seq.)

The School Business Administrator/Board Secretary is hereby authorized to negotiate such joint agreements for goods and services which the Board may determine to be required and which the Board may otherwise lawfully purchase for itself with such approved contracting units as may be appropriate in accordance with State law, the policies of this Board, and the dictates of sound purchasing procedures.

In accordance with the provisions of N.J.S.A. 18A:18A-12, a cooperative or joint purchase agreement(s) shall be entered into by resolution adopted by each participating Board of Education, municipality, or county, and shall set forth the categories of goods or services to be provided or performed; the manner of advertising for bids and the awarding of contracts; the method of payment by each participating Board of Education, municipality or county, and other matters deemed necessary to carry out the purposes of the agreement. Agreements for cooperative and joint purchasing will be subject to all bidding requirements imposed by law. Purchases made through the State Treasury Department may be made without bid.

Each participant's share of expenditures for purchases under any such agreement shall be appropriated and paid in the manner set forth in the agreement and in the same manner as for other expenses of the participant.

In accordance with the provisions of N.J.S.A. 18A:18A-14.2, the Board may by contract or lease provide electronic data processing services for the Board of Education of another school district; and may undertake with such other Board, the joint operation of electronic data processing of their official records and other information relative to their official activities, services and responsibilities. The records and other information originating with any Board participating in such contract or lease may be combined, compiled, and conjoined with the records and other information of any and all participating local units for the purposes of such electronic data processing; and any provisions of law requiring such records to be kept confidential or to be retained by any Board or any officer or agency thereof shall be deemed to be isolated thereby.

A contract or lease to provide electronic data processing services shall set forth the charge for all services provided, or in the case of a joint undertaking the proportion of the cost each party thereto shall assume and specify all the details of the management of the joint undertaking, and any other matters that may be deemed necessary for insertion



therein, and may be amended from time to time by the contracting parties in accordance with N.J.S.A. 18A:18A-14.3.

For the purpose of carrying into execution a contract or lease for a joint enterprise under N.J.S.A. 18A:18A-14.4, any party to such contract may act as agent for any or all parties in acquiring, by lease, purchase or otherwise, any property, facilities or services, in appointing such officers and employees as may be necessary and directing its activities, to the same extent as a Board of Education is authorized to do separately.

In the event that any controversy or dispute shall arise among the parties (except a municipality or county) to any such contract, the same shall be referred to the Executive County Superintendent of the county in which the districts are situated for determination and the determination shall be binding, subject to appeal to the Commissioner of Education pursuant to law. In the event the districts are in more than one county, the controversy or dispute shall be referred to the Executive County Superintendents of the counties for joint determination, and if they shall be unable to agree upon a joint determination within thirty days, the controversy or dispute shall be referred to the Commissioner of Education for determination.

N.J.S.A. 18A:18A-11 through 14
N.J.S.A. 40A:11-1 et seq.
N.J.A.C. 5:34-7
N.J.A.C. 6A:23A-21.5

Adopted: 18 November 2020

6450 CHOICE OF VENDOR

The Board of Education recognizes its position as a major purchaser of goods and services in the community served by the school district. It is the intention of the Board to purchase goods and services of the requisite quality at the lowest possible cost and to invite widespread competition in order to achieve this end. Where all other considerations are equal, however, the Board will exercise a preference for dealing with established local merchants and service providers from within the boundaries of the school district.

The School Business Administrator/Board Secretary is authorized to place purchase orders with local merchants and providers when their prices and terms are competitive with other vendors. Nothing in this policy shall be deemed to circumvent the requirements of law regarding public purchasing.

All vendors shall supply assurances that they do not practice discrimination as described in the administrative code. All vendors shall be informed that harassment of any kind, of district students or employees by their representatives is prohibited.

N.J.S.A. 18A:6-8; 18A:12-2; 18A:18A-15(b)

Adopted: 19 October 2011



6470 PAYMENT OF CLAIMS

The Board of Education directs the prompt payment of legitimate claims by suppliers of goods and services to the school district, provided that each bill or obligation of this Board is fully itemized and verified before a warrant is drawn for its payment.

When an invoice is received, the School Business Administrator/Board Secretary or designee shall verify the voucher is properly submitted, acceptable goods were received or satisfactory services rendered, the expenditure is included in the Board's budget and funds are available for its payment, and the amount of the invoice is correct.

The School Business Administrator/Board Secretary shall identify and investigate, if necessary, the reason for any increase to a purchase order. If it is found by the School Business Administrator/Board Secretary that an increase to a purchase order is warranted, the School Business Administrator/Board Secretary shall either approve a revision to the original purchase order with the reason noted, approve the issuance of a supplemental purchase order for the difference, or cancel the original purchase order and issue a new purchase order. If it is found an increase is not warranted, the purchase order shall be cancelled and the goods returned. In no instance shall an adjustment be made to a purchase order that changes the purpose or vendor of the original purchase order or a bid award price.

The school district's financial systems shall be programmed to:

1. Limit system access so that only appropriate Business office staff may make purchase order adjustments;
2. Reject adjustments in excess of any established approval thresholds;
3. Prevent unauthorized changes to be processed;
4. Reject payments where the sum of the invoice amount plus any previous invoices charged to the purchase order exceeds the sum of the original purchase order amount plus any authorized adjustments;
5. Reject duplicate purchase order numbers;
6. Reject duplicate invoice numbers; and
7. Prepare an edit/change report listing all payments made in excess of the originally approved purchase order amount.

The School Business Administrator/Board Secretary shall review on a monthly basis edit/change reports listing all payments made in excess of the originally approved purchase order amount to ensure that all payments made are properly authorized.

If funds are not available in the budget line account to which the expenditure will be charged, funds may be transferred in accordance with Policy 6422.

The Board must approve all claims for payment, except such payments that are to be paid from funds derived from athletic events or other activities of pupil organizations.

All claims shall be fully itemized, verified, and shall be submitted for Board review and approval or ratification. Claims must be submitted to the Board in the form of a list that includes the number, amount, and date of the warrant; the payee; the reason for the expenditure; and the account charged. All claims that equal or exceed fifteen percent of the bid threshold amount established pursuant to N.J.S.A. 18A:18A-3, except for payrolls and debt service, shall be verified by affidavit or by signed declaration in writing in accordance with the provisions of N.J.S.A. 18A:19-3.

The list of claims must be accompanied by the original records that include copies of the purchase order, the receiving report, the vendor's invoice. The list of approved warrants will be included in the minutes of the Board meeting.

When a claim for payment is duly approved in accordance with this Policy, the School Business Administrator/Board Secretary and/or a designated staff member shall promptly prepare a warrant for payment, cancel the commitment placed against the appropriate account, and post the actual expenditure. All warrants shall be signed by the Board President, Board Secretary, Superintendent of Schools, and/or Treasurer of School Moneys, as appropriate to the district.

N.J.S.A. 18A:17-36; 18A:18A-3; 18A:19-1 et seq.; 18A:19-3;
18A:19-4; 18A:19-4.1; 18A:22-8.1
N.J.A.C. 6A:23A-6.10

Adopted: 20 September 2012

6470.01- ELECTRONIC FUNDS TRANSFER AND CLAIMANT CERTIFICATION

The Board of Education permits the School Business Administrator/Board Secretary to use standard electronic funds transfer (EFT) technologies for EFTs for payment of claims pursuant to N.J.A.C. 5:30-9A.1 et seq. and 5:31-4.1, implementing N.J.S.A. 40A:5-16.5.

"Electronic funds transfer" for the purpose of Policy and Regulation **6470.01** means any approved method of transferring moneys permitted by N.J.A.C. 5:30-9A.1 et seq. that does not involve the physical presentation of a paper check, draft, or similar paper instrument including, but not limited to, wire transfers, e-checks, automated clearing house (ACH) transfers, and transactions initiated by phone or fax.

In accordance with N.J.S.A. 40A:5-16.5.b.(1), the Board of Education authorizes the use of only the forms of standard EFT technologies that are approved to be used by a Board of Education for EFTs for payment of claims. A Board of Education may not utilize procurement cards, charge cards, charge accounts, or any payment services such as PayPal or Venmo.

In accordance with N.J.S.A. 40A:5-16.5.b.(2), the Board designates the School Business Administrator/Board Secretary as being responsible for the oversight and administration of the provisions of N.J.S.A. 40A:5-16.5, N.J.A.C. 5:30-9A.1 et seq.; N.J.A.C. 5:31-4.1, and Policy and Regulation **6470.01**.

The Board of Education will only initiate and approve electronic funds in accordance with N.J.A.C. 5:30-9A.1 et seq. Standard EFT technologies shall incorporate, at a minimum, the features and safeguards outlined in N.J.A.C. 5:30-9A.4(a). The Board will only utilize standard EFT technologies upon instituting, at a minimum, the fiscal and operational controls outlined in N.J.A.C. 5:30-9A.4(b).

The School Business Administrator/Board Secretary shall initiate a claim for payment by presenting a claim that has been approved by the Board, to be paid using an EFT technology. The School Business Administrator/Board Secretary shall submit the claim for payment with all supporting documentation to the Superintendent of Schools or a designee who is not under the direct supervision of the School Business Administrator/Board Secretary, who shall review the claim for payment and authorize, in writing, the EFT claim using an EFT method.

The Board of Education shall annually approve the School Business Administrator/Board Secretary as the person authorized to initiate a claim for payment and the Superintendent of

Schools or a designee not under the direct supervision of the School Business Administrator/Board Secretary as the person responsible to review a claim for payment presented

by the School Business Administrator/Board Secretary and authorize payment using an approved EFT method.

On no less than a weekly basis, activity reports on all transactions utilizing standard EFT technologies shall be reviewed by an individual designated and approved by the Board that is not under the direct supervision of the School Business Administrator/Board Secretary and is not empowered to initiate or authorize EFTs.

Claimant certification for a Board of Education shall be in accordance with the provisions of N.J.S.A. 18A:19-3 and rules promulgated by the New Jersey Department of Education.

Providers of Automated Clearing House (ACH) and wire transfer services must be financial institutions chartered by a State or Federal agency, with the further requirement that these financial institutions providing ACH and wire transfer services be covered under the Governmental Unit Deposit Protection Act (GUDPA), N.J.S.A. 17:9-41 et seq.

EFTs through ACH must utilize Electronic Data Interchange (EDI) technology, which provide transaction related details including invoice numbers, pay dates, and other identifying information as appropriate for each transaction. The Board must approve an ACH Origination Agreement with the financial institution(s).

N.J.S.A. 18A:19-3
N.J.S.A. 40A:5-16.5
N.J.A.C. 5:30-9A.1 et seq.

Adopted: 18 November 2020

6471 SCHOOL DISTRICT TRAVEL

The Board of Education shall implement a Policy and Regulation pertaining to travel expenditures for its employees and Board of Education members that is in accordance with N.J.S.A. 18A:11-12, N.J.A.C. 6A:23A-7, and other rules and procedures the Board of Education deems appropriate pursuant to N.J.A.C. 6A:23A-7.2(a). The Policy and Regulation pertaining to school district travel expenditures incorporates either expressly, in whole or in part, and/or by reference, the laws and regulations contained in N.J.S.A. 18A:11-12 and N.J.A.C. 6A:23A-7.

The Board of Education ensures the effective and efficient use of funds by adopting and implementing policies and procedures that are in accordance with N.J.S.A. 18A:11-12 and New Jersey Department of the Treasury, Office of Management and Budget (OMB) current circulars and any superseding circulars pertaining to travel, meals, events and entertainment, and the additional requirements set forth in N.J.A.C. 6A:23A-7. If any superseding circulars of the OMB conflict with the provisions of these rules, the provisions of the superseding circulars shall govern.

Any sections of State travel regulations as established by the OMB presented as OMB Travel, Entertainment, Meals, and Refreshments Circulars, that conflict with N.J.S.A. 18A:1-1 et seq. shall not be included in Policy and Regulation 6471 nor authorized under N.J.A.C. 6A:23A-7. This includes, but is not limited to, the authority to issue travel charge cards as allowed under the OMB Circulars, but which is not authorized for school districts under New Jersey school law.

The Board of Education shall ensure, through Policy and Regulation 6471, that all travel by its employees and Board of Education members is educationally necessary and fiscally prudent. Policy and Regulation 6471 shall include the requirement that all school district travel expenditures are:

1. Directly related to and within the scope of the employee's or district Board member's current responsibilities and, for school district employees, the school district's professional development plan, the school professional development plan, and employee’s individual professional development plan;

2. For travel that is critical to the instructional needs of the school district or furthers the efficient operation of the school district; and

3. In compliance with State travel payment guidelines as established by the OMB and with guidelines established by the Federal Office of Management and Budget; except any State or Federal regulations and guidelines that conflict with the provisions of Title 18A of the New Jersey Statutes shall not be applicable, including, but not limited to, the authority to issue travel charge cards. The Board of Education shall specify in its travel policy the applicable restrictions and requirements set forth in the State and Federal guidelines, including, but not limited to, types of travel, methods of transportation, mileage allowance, subsistence allowance, and submission of supporting documentation including receipts, checks, or vouchers.

School district travel expenditures shall include, but shall not be limited to, all costs for transportation, meals, lodging, and registration or conference fees directly related to participation in the event.

School district travel expenditures subject to N.J.A.C. 6A:23A-7 shall include costs for all required training and all travel authorized in school district employee contracts and Policy and Regulation 6471. This includes, but is not limited to, required professional development, other employee training and required training for Board members, and attendance at specific conferences authorized in existing employee contracts, provided the travel meets the requirements of N.J.A.C. 6A:23A-7. All such expenditures are subject to the rules in N.J.A.C. 6A:23A-7, including, but not limited to, inclusion in the annual travel limit, prior Board of Education approval, separate tracking as described at N.J.S.A. 18A:11-12.q., and per diem reimbursements.

Travel reimbursements will only be paid upon compliance with all provisions of N.J.A.C. 6A:23A-7 and Policy and Regulation 6471. The Board of Education will not ratify or approve payments or reimbursements for travel after completion of the travel event, except as provided at N.J.A.C. 6A:23A-7.4(d).

The Board of Education shall establish a maximum travel budget in accordance with the requirements outlined in N.J.A.C. 6A:23A-7.3.

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

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

A Board member must recuse himself or herself from voting on travel if the Board member, a member of his or her immediate family, or a business organization in which he or she has an interest has a direct or indirect financial involvement that may reasonably be expected to impair his or her objectivity or independence of judgment. Policy and Regulation 6471 prohibit a Board member from acting in his or her official capacity in any matter in which he or she or a member of his or her immediate family has a personal involvement that is or creates some benefit to the school district Board member or member of his or her immediate family; or undertaking any employment or service, whether compensated or not, that may reasonably be expected to prejudice his or her independence of judgment in the execution of his or her official duties.

The Board of Education requires documentation required in N.J.A.C. 6A:23A-7.5(b) that justifies the number of employees attending an event and the benefits derived from their attendance. Pursuant to N.J.A.C. 6A:23A-7.5(c), the school district shall maintain documentation on file that demonstrates compliance with the Board of Education's travel policy, including travel approvals, reports, and receipts for all school district funded expenditures, as appropriate.

The School Business Administrator/Board Secretary shall be responsible for the accounting requirements for travel in accordance with the provisions of N.J.A.C. 6A:23A-7.6.

The Superintendent of Schools is the final approval authority for travel.

Sanctions for a violation of the provisions of N.J.A.C. 6A:23A-7 or this Policy are outlined in N.J.A.C. 6A:23A-7.7 and Regulation 6471.

The Board of Education prohibits the types of travel expenditures not eligible for reimbursement as listed in N.J.A.C. 6A:23A-7.8. and Regulation 6471.

Travel methods shall be in accordance with the provisions of N.J.A.C. 6A:23A-7.9 and Regulation 6471 and the routing of travel shall be in accordance with the provisions of N.J.A.C. 6A:23A-7.10 and Regulation 6471.

Any subsistence allowance shall be in accordance with the provisions of N.J.A.C. 6A:23A-7.11 and Regulation 6471. Meal allowances and incidental expenditures shall be in accordance with N.J.A.C. 6A:23A-7.12 and Regulation 6471.

Reimbursement for out-of-State and high-cost travel shall be made pursuant to N.J.S.A. 18A:11-12, N.J.A.C. 6A:23A-5.9, and Policy and Regulation 6471.

Records and supporting documentation must be completed and maintained as required in N.J.A.C. 6A:23A-7.13 and outlined in Regulation 6471.

The Board of Education shall approve the mileage reimbursement amount to be paid to an employee who has been approved by the Superintendent or designee to use their personal vehicle for school-related business.

N.J.S.A. 18A:11-12
N.J.A.C. 6A:23A-5.9; 6A:23A-7

Adopted: 6 October 2021



6472 TUITION ASSISTANCE

The Board of Education recognizes the importance of advanced educational experience, coursework, and degrees for employees. The Board of Education may provide tuition assistance to an employee in accordance with contract provisions in a collective bargaining agreement, an individual employment contract, or as per any other employment agreement or contract approved by the Board

In accordance with the provisions of N.J.S.A. 18A:6-8.5, in order for the Board of Education to provide tuition assistance to an employee for coursework taken at an institution of higher education or additional compensation upon the acquisition of additional academic credits or completion of a degree program at an institution of higher education, the institution shall be a duly authorized institution of higher education as defined in Section 3 of P.L.1986, c.87 (C.18A:3-15.3).

The employee shall be required to obtain approval from the Superintendent of Schools prior to enrollment in any course for which tuition assistance is sought. In the event the Superintendent denies the approval, the employee may appeal the denial to the Board of Education. In the case of tuition assistance for the Superintendent of Schools, the approval shall be obtained from the Board of Education.

In accordance with the provisions of N.J.S.A. 18A:6-8.5.c., tuition assistance or additional compensation shall be provided only for a course or degree related to the employee's current or future job responsibilities.

Nothing in N.J.S.A. 18A:6-8.5 shall be construed to limit the authority of the Board to establish more stringent requirements for the provision of tuition assistance of additional compensation. The provisions of this Policy and N.J.S.A. 18A:6-8.5 shall not be deemed to impair an obligation set forth in a collective negotiations agreement or an individual contract of employment in effect on May 6, 2010.

N.J.S.A. 18A:6-8.5

Adopted: 15 February 2012



6510 PAYROLL AUTHORIZATION

The most substantial allocation of public funds for the operation of the school district is that made to the employees of the Board of Education for their services. Compensation will be tendered only to persons duly employed by this Board and only for services rendered.

Each Board resolution to employ or reemploy a person will include the person's name, position, and the salary or rate of pay the person is to receive, the method of payment, the wage guide from which wages are derived, and the period of time for which employment is authorized.

No person may be assigned duties as a substitute employee whose employment has not been approved by the Board. The list to be approved by the Board will include the names of recommended substitutes, the duties to which each may be assigned, and the rate of pay. Substitute authorization will ordinarily be valid for one school year.

The minutes of Board meetings will record personnel actions of the Board, to include, but not be limited to, the appointment, promotion, resignation, retirement, death, discharge, compensation, or leave of absence for each employee. The minutes will also include effective dates for personnel action.

Certain categories of staff members designated by the Superintendent, shall be required to use a time clock or sign in and out of work daily in order to verify days and hours worked. The service of extra-duty personnel must be certified by the appropriate supervisor before payment can be made.

The School Business Administrator/Board Secretary is authorized to withhold salary or wages for services not rendered, in accordance with Board policy.

Staff members shall be paid in accordance with the provisions in their collective bargaining agreement and/or in accordance with a schedule provided to all employees prior to the beginning of the contract or school year.

In accordance with N.J.A.C. 6A:23A-5.7, at least once every three years, between the months of September through May, the Superintendent shall require each district employee to report to a central location(s) and produce picture identification and sign for release of his or her paycheck or direct deposit voucher. The accepted picture identification shall be in the form of a district-issued identification card, valid drivers' license, official passport, or other picture identification issued by a State, county, or other local government agency.



The Superintendent or his/her designee shall designate an appropriately qualified staff member to match the picture identification to the position control roster maintained by the office of personnel or human resources prior to release of the pay check or direct deposit voucher. Where no appropriate identification can be produced, the School Business Administrator/Board Secretary shall withhold paychecks or stop direct deposits until such time the payee/district employee can produce appropriate identification or until an investigation and corrective action is concluded, as appropriate to the circumstances.

Upon completion of the payroll check distribution verification procedures set forth in this Policy and N.J.A.C. 6A:23A-5.7, the Superintendent or his/her designee shall submit a certification of compliance, in a form prescribed by the Department of Education, to the Executive County Superintendent. Verification of the district's compliance with the provisions of N.J.A.C. 6A:23A-5.7 will be required as part of the annual audit.

The payroll journal will be certified by the Board Secretary, the President of the Board, and approved by the Superintendent.

N.J.S.A. 18A:17-35; 18A:19-9 et seq.
N.J.A.C. 6A:23A-5.7

Adopted: 19 October 2011

6511 PAYROLL AUTHORIZATION

The Board of Education may determine to have the net pay of all school district employees directly deposited in a specific banking institution in a checking account, savings account, or share account designated in writing by the employee in accordance with the provisions of N.J.S.A. 52:14-15h.

If the Board approves a direct deposit program, compliance by an employee shall be mandatory. However, the Board may grant an exemption from the mandatory requirements of N.J.S.A. 52:14-15h on such terms and conditions as the Board deems necessary. The Board may grant an exemption for seasonal and temporary employees as the Board deems necessary.

The Board shall make available for those employees required to have their net pay direct deposited in accordance with the provisions of N.J.S.A. 52:14-15h, all information concerning net pay, any accompanying information approved for distribution with net pay, and W-2 forms in accordance with applicable Federal law, only on the Internet with restricted access and policies and procedures to protect the integrity and confidentiality of the information. The Board will continue to complete the payroll check distribution verification process as required in N.J.A.C. 6A:23A-5.7 and Policy 6510.

In the event the Board of Education determines to implement a mandatory direct deposit program in accordance with N.J.S.A. 52:14-15h, the Board shall annually adopt a resolution to implement the direct deposit requirements of N.J.S.A. 52:14-15h. The Board approved resolution shall designate the school district's banking institution that shall be used to implement the direct deposit program and shall indicate any employee group or category that are exempt from the Board's direct deposit requirements.

N.J.S.A. 52:14-15h
N.J.A.C. 6A:23A-5.7

Adopted: 17 September 2014

6520 PAYROLL DEDUCTIONS

The Board of Education shall, in accordance with law or employee authorization, make deductions from an employee's paycheck and remit the amounts deducted to the agent designated by the employee.

Deductions will routinely be made as required for federal income tax, social security and medicare; New Jersey income tax, unemployment assistance, and other miscellaneous taxes; and by the New Jersey Division of Pensions.

Deductions may also be made, provided they have been duly authorized by the employee in writing, for contributions on the employee's behalf for:

1. The payment of premiums for group life, accidental death or dismemberment, hospitalization, medical, surgical, major medical, health and accident, and legal insurance plans, N.J.S.A. 18A:16-13;

2. Tax sheltered annuities or custodial accounts, N.J.S.A. 18A:66-127;

3. An approved charitable fund raising campaign, N.J.S.A. 52:14-15.9c; and

4. Bona fide organizational dues, N.J.S.A. 52:14-15.9e.

Contributions shall be made as soon as is reasonably possible after the funds have been deducted from an employee's salary. No contribution shall be made on behalf of an employee until the amount contributed has been deducted from the employee's salary.

The Board will permit the remittance of funds for annuities and mutual funds only to those insurers and custodial accounts authorized by law and expressly approved by this Board.

No more than three accounts will be approved for remittance at any one time.

No Board employee shall withhold or pay to another or purchase or have assigned, other than by court order, any compensation for the services rendered by an employee of this district.

N.J.S.A. 18A:16-9; 18A:66-19; 18A:66-30; 18A:66-78; 18A:66-128
N.J.S.A. 43:3C-9
N.J.S.A. 52:14-15.9; 52:18A-107 et seq.
N.J.S.A. 54:8A-9
N.J.A.C. 6A:23-2.8; 6A:23-2.10

Adopted: 19 October 2011



6620 PETTY CASH

The Board of Education authorizes the establishment of petty cash funds in accordance with this policy. The Board directs the implementation of appropriate controls to protect the funds from abuse.

The Board hereby establishes imprest petty cash funds in the care of the following persons and in the following amounts:

Account Title	Custodian(s)	Amount	Maximum Single Expenditure
Petty Cash	School Business Administrator/Board Secretary	$300	$50

Petty cash funds may be disbursed only for the immediate payment of comparatively small expenditures and may not be used to circumvent the regular purchasing procedures of this district. Each request for petty cash funds must be in a written document that is signed by the person making the request; supporting documents, if any, will be affixed to the request.

A request for replenishment of petty cash moneys shall be made by the Board Secretary by way of a voucher for approval by the Board. The voucher will include disbursement slips to support the amount of the replenishment and its allocation to any account.

The petty cash box must be secured daily. The petty cash fund will be closed out for audit at the end of the school year, and unused funds will be returned to the depository.

N.J.S.A. 2C:21-15
N.J.S.A. 18A:19-13; 18A:23-2
N.J.A.C. 6A:23-2.9 et seq.

Adopted: 19 October 2011

6660 STUDENT ACTIVITY FUND

The Board of Education authorizes the establishment of a student activity account for funds derived from events and activities of pupil organizations and to account for the accumulation of money to pay for pupil group activities. The Board of Education may establish individual student activity accounts within a student activity account by Board resolution.

Student activity funds are maintained under the jurisdiction of the Board of Education and are under the supervision of the School Business Administrator/Board Secretary.

Funds collected for a student activity shall be turned into the Business office and deposited in the bank within forty-eight hours after collection. Student activity funds shall be maintained in a secured and locked location prior to being deposited in the bank.

The student activity funds shall be maintained in an interest-bearing bank account separate from all other Board of Education funds.

All student activity fund receipts shall be detailed and recorded by the individual student activity showing the date, source, purpose, and amount. The administrator of the student activity account shall provide a written receipt to the individual student activity advisor or coordinator when any student activity funds are turned in for deposit. A copy of these written receipts shall be maintained by the administrator of the student activity account and shall be traceable to the actual receipts or groups of receipts. All bank deposits shall agree with the copies of the written receipts for all deposits.

All requests for disbursements from the student activity account shall be submitted to the school's administrator of the student activity account and must be supported by a claim, bill, invoice, or written order. All disbursements from the student activity account shall be recorded chronologically by individual student activity showing date, vendor, check number, purpose, and amount. All disbursements shall be made by check requiring at least two signatures as authorized and approved by Board of Education resolution.

The student activity account shall be reconciled with the student activity bank account on a monthly basis. The bank account reconciliation shall be completed in accordance with the procedures and requirements established by the School Business Administrator/Board Secretary. Copies of canceled checks, bank statements, and bank account reconciliations shall be retained for examination by the licensed public school accountant as part of the annual audit required under N.J.S.A. 18A:23-1 et seq. and stated in N.J.A.C. 6A:23A-16.2(i).

Borrowing funds from any student activity account is prohibited. In addition, the Board of Education shall not be responsible for the protection of and the accounting for funds collected by any teacher or pupil for an outside school organization. In addition, the Board of Education shall not approve such funds for deposit in a student activity account.

Any funds accumulated in an individual student activity account that are unexpended or unallocated for use after the student activity is no longer active, discontinuance of the activity or a class has graduated shall revert to a program to benefit students as a future student activities expense.

N.J.S.A. 18A:19-14; 18A:23-2
N.J.A.C. 6A:23A-16.12

Adopted: 19 October 2011

6700 INVESTMENTS

The Board of Education directs the prompt investment at interest of any unencumbered funds available for the discretionary use of the Board. Such funds may be invested in bonds or other obligations of the United States; bonds of those federal agencies in which such investment is permitted by law; the New Jersey Cash Management Fund; bonds or obligations of a county, municipality, or school district; and public depositories located within the boundaries of the State of New Jersey that secure public funds in accordance with statute.

The School Business Administrator/Board Secretary is authorized to invest district funds in accordance with this policy.

Any interest earned on the investment of district funds will be combined with general district revenues.

The Treasurer shall report to the Board each month the cash in all accounts on deposit and all investment assets. The Board Secretary shall report to the Board each month the amount of funds in investments, investment interest earned, and all investment transactions.

N.J.S.A. 17:9-41 et seq.; 17:12B-241
N.J.S.A. 18A:17-34; 18A:17-36; 18A:20-37; 18A:24-47
N.J.S.A. 40:3-7
N.J.S.A. 40A:5-14; 40A:5-15.1

Adopted: 19 October 2011

6740 RESERVE ACCOUNTS

The Board of Education may at any time establish by Board resolution a capital reserve account, pursuant to N.J.S.A. 18A:21-2 and 3, and 18A:7G-31.

Funds in the capital reserve account shall not be used for current expenses, pursuant to N.J.S.A. 18A:22-8.2, and shall only be used for purposes as outlined in N.J.A.C. 6A:23A-14.1(b). The Board of Education may increase the balance in the capital reserve account by appropriating funds in the annual general fund budget certified for taxes to meet the needs of the Long-Range Facilities Plan (LRFP) that are not met by State support. The balance in the account may also be increased by requesting approval from the Executive County Superintendent, as the Commissioner's designee, to appropriate any excess unreserved general fund balance as calculated in the supporting documentation of the proposed budget into capital reserve in the proposed budget pursuant to N.J.S.A. 18A:7F-7b only when the Board of Education has formally established a capital reserve account and obtained an approved LRFP in accordance with N.J.A.C. 6A:26-2. The Board of Education, at its option, may satisfy the withdrawal approval requirements set forth in N.J.A.C. 6A:23A-14.1(h) in accordance with the procedures as outlined in N.J.A.C. 6A:23A-14.1(d).

The Board of Education may request express approval of the voters for appropriation of additional amounts into the capital reserve in accordance with the procedures as outlined in N.J.A.C. 6A:23A-14.1(e). The Board of Education shall not deposit into a capital reserve account audited excess undesignated, unreserved general fund balance. The Board of Education shall reserve and designate such funds in the subsequent year's budget pursuant to N.J.A.C. 6A:23A-8.5(b). The Board of Education shall maintain an amount of funds in the capital reserve account that does not exceed the amount needed to implement capital projects in a school district's LRFP that are not met by State support.

The Board of Education may withdraw funds from the capital reserve account at any time in accordance with the provisions of N.J.A.C. 6A:23A-14.1(h). However, the Board of Education may at any time, apply to the Commissioner for approval to withdraw funds from its capital reserve account for uses authorized in N.J.A.C. 6A:23A-14.1(b). The Board of Education may make a withdrawal pursuant to N.J.A.C. 6A:23A-14.1(i) only upon receipt of written approval of the Commissioner and the Board of Education shall establish to the satisfaction of the Commissioner that an emergent condition exists necessitating an immediate withdrawal of capital reserve account funds.



The Board of Education shall administer and account for the capital reserve account in accordance with the requirements of N.J.A.C. 6A:23A-14.1(j). Funds in capital reserve accounts in existence prior to July 18, 2000 are subject to the Educational Facilities Construction and Financing Act (EFCFA), P.L. 2000, c. 72, and N.J.A.C. 6A:23A-14, and the Board of Education shall only use such funds for the original purpose for which the funds were deposited and as outlined in N.J.A.C. 6A:23A-14.1(k)1. and (k)2.

The Board of Education may establish, by resolution, a maintenance reserve account in accordance with the provisions of N.J.A.C. 6A:23A-14.2 to be used to implement required maintenance of the school district's facilities. The Board of Education is prohibited from using such funds for routine or capital maintenance and the account shall be established and maintained in accordance with Generally Accepted Accounting Principles (GAAP) and shall be subject to annual audit pursuant to N.J.S.A. 18A:23-1 et seq. The balance in the maintenance reserve account may be increased by appropriating funds in the annual general fund budget certified for taxes. Funds may be withdrawn from the maintenance reserve account and appropriated into the required maintenance account lines at budget time or any time during the year for use on required maintenance activities for a school facility as reported in the comprehensive maintenance plan pursuant to N.J.A.C. 6A:26A-4 in accordance with the provisions of N.J.A.C. 6A:23A-14.2(d). In any year that maintenance reserve account funds are withdrawn, the Board of Education shall restore any unexpended required maintenance appropriations, up to the amount of maintenance reserve account funds withdrawn, to the maintenance reserve account at year-end.

The Board of Education shall, by resolution, transfer to the general fund on an annual basis any interest earned on the investments in the maintenance reserve account. Such interest may be transferred on a more frequent basis at the discretion of the Board of Education. The Board of Education shall ensure the maintenance reserve account balance does not, at any time, exceed four percent of the replacement cost of the school district's school facilities for the current year. If the account exceeds this maximum amount at June 30, the Board of Education shall reserve and designate such excess in the subsequent year's budget.

The Board of Education may supplement a capital reserve account in accordance with requirements as outlined in N.J.A.C. 6A:23A-14.3. The Board of Education may through the adoption of a Board resolution, establish a current expense emergency reserve account, a debt service reserve account, and a tuition adjustment reserve account in accordance with requirements as outlined in N.J.A.C. 6A:23A-14.4.



All reserve accounts shall be recorded in accordance with GAAP and subject to annual audit. Any capital gains or interest earned shall become part of the reserve account. A separate bank account is not required; however, a separate identity for each reserve account shall be maintained.

N.J.S.A. 18A:7G-31; 18A:21-2
N.J.A.C. 6A:23A-14.1; 6A:23A-14.2; 6A:23A-14.3; 6A:23A-14.4; 6A:23A-14.5

Adopted: 19 October 2011

6810 FINANCIAL OBJECTIVES

The Board of Education recognizes its responsibility to the taxpayers of the district and the State to expend public moneys wisely and prudently for the maintenance of a thorough and efficient system of public education and to institute appropriate controls and accounting procedures.

The Board shall use accounting and reporting directives as prepared, published and distributed by the Commissioner of Education in addition to any books, materials or bulletins, for the guidance of school officials in establishing and maintaining the double entry bookkeeping and accounting system mandated in N.J.A.C. 6A:23-2.1.

The Board shall develop a system of accounting and reporting objectives that make it possible to present fairly and with full disclosure the funds and activities of the district and to determine and demonstrate compliance with finance-related legal and contractual matters. The Board shall develop an accounting system that is organized and operated on a fund basis and shall report governmental, proprietary and fiduciary funds in the fund financial statements to the extent they have activities that meet the criteria for using those funds. The Board shall establish and maintain those funds required by law and sound financial administration (only the minimum number of funds consistent with legal and operating requirements should be established) and use the modified accrual or accrual basis of accounting as appropriate in measuring financial position and operating results in accordance with GAAP and regulatory provisions. Transfers shall be recognized in the accounting period in which the interfund receivable and payable arise.

The Board shall adopt an annual budget and include the adopted annual budget in the minutes of the Board. A detailed budget statement, which includes the classification of expenditures by program and function shall be prepared on a fund basis in accordance with N.J.S.A. 18A:22-8 and on a form prescribed by the Commissioner. A detailed budget shall be prepared for each special project, capital project, and Federal or State grant. This budget shall be maintained, along with all authorized revisions, on file in the district Board of Education or Charter School Board of Trustees business office. The Board shall take appropriate action, as necessary, to maintain a balanced budget.

The Board shall ensure the accounting system provides the basis for appropriate budgetary control, and that budgetary comparison schedules are included in the appropriate financial statements and schedules for governmental funds in accordance with GAAP.

The Board shall use a common terminology and classification consistently throughout the budget, the accounts, and the financial reports of each fund, and shall adopt a chart of accounts prepared in conformity with N.J.A.C. 6A:23-2.2(g)1.

N.J.S.A. 18A:4-14; 18A:4-14.1; 18A:18A-1 et seq.;
18A:19-1 et seq.; 18A:22-7 et seq.
N.J.A.C. 6A:23-2.2 et seq.

Adopted: 19 October 2011



6820 FINANCIAL REPORTS

The Board of Education directs the School Business Administrator/Board Secretary and the Treasurer of School Moneys, or designee, to make such accurate and timely reports to county, State, and Federal offices as required by law and rules of the State Board of Education. In addition, the School Business Administrator/Board Secretary and Treasurer, or designee, shall report to the Board on the financial condition of the school district in accordance with law and in the manner and form required by the State Department of Education. There shall be a common terminology and classification system used consistently throughout the budget, the accounts, and the financial reports of each fund. The district will establish and implement an adequate internal control structure and procedures for financial reporting.

The School Business Administrator/Board Secretary shall prepare monthly financial statements, reports of financial condition, operating results, and other pertinent information in accordance with directions issued by the Commissioner of Education, to facilitate management control of financial operations, legislative oversight and, where necessary or desired, for external reporting purposes.

In the event the Board has approved a budget with an expanded coding structure, the School Business Administrator/Board Secretary shall present the financial report in two forms. One form shall use the minimum level chart of accounts established by the State Department of Education and the other shall use the expanded chart of accounts approved by this Board in accordance with Policy No. 6220.

If no line item account has encumbrances and expenditures that in total exceed the line item appropriation in violation of N.J.A.C. 6A:23A-16.10(a), the School Business Administrator/Board Secretary shall so certify to the Board each month. If a violation has occurred, corrective action as outlined in N.J.A.C. 6A:23A-16.10(c)3.i shall be taken by the Board.

The Board of Education, after review of the monthly financial reports and upon consultation with the appropriate district officials, shall certify in the minutes of the Board each month that no fund has been overexpended in violation of N.J.A.C. 6A:23A-16.10(b) and that sufficient funds are available to meet the district's financial obligations for the remainder of the fiscal year. If the Board is unable to make such a certification, the Superintendent of Schools shall initiate the steps outlined in N.J.A.C. 6A:23A-16.10(b) and shall reflect such directive in the minutes of the Board. If the Board makes such certification but one or more Board members vote no to the certification, the Board shall provide to the Executive County Superintendent the Board vote, names of the members that voted no, and the reason for the no vote.



If the reports of the School Business Administrator/Board Secretary and the Treasurer differ in cash receipts or expenditures, the School Business Administrator/Board Secretary shall resolve the difference prior to the next meeting of the Board. Any difference that cannot be rectified shall be referred immediately to the Auditor. In the event the School Business Administrator/Board Secretary is more than two months behind in submitting the financial report to the Board pursuant to N.J.S.A. 18A:17-9, the Superintendent of Schools shall report this non-compliance to the Executive County Superintendent.

N.J.S.A. 18A:17-9; 18A:17-36
N.J.S.A. 54:4-75
N.J.A.C. 6A:23A-16.2; 6A:23A-16.9; 6A:23A-16.10

Adopted: 19 October 2011

6830 AUDIT AND COMPREHENSIVE ANNUAL FINANCIAL REPORT

The Board of Education will prepare and publish a Comprehensive Annual Financial Report (CAFR) in accordance with the requirements of N.J.S.A. 18A:23-1 through 18A:23-7 and N.J.A.C. 6A:23A-16.2(i).

The Board shall annually cause an audit to be made of the school's accounts and financial transactions. The audit will be conducted in accordance with law by the public school accountant appointed by the Board. The Board will engage only a licensed public school accountant to conduct the audit in accordance with N.J.S.A. 18A:23-1 et seq. who has an external peer/quality report performed in accordance with the requirements of N.J.A.C. 6A:23A-16.2(i).

The audit shall include test measures to assure that documentation prepared for income tax purposes complies fully with the requirements of Federal and State laws and regulations regarding the compensation which is required to be reported and the requirements of N.J.A.C. 6A:23A-4.2 and 6A:23A-4.3.

The Board Secretary will receive the audit report and recommendations of the public school accountant and prepare or have prepared a synopsis or a summary of the annual audit and recommendations prior to the holding of the Board meeting where the Board will take action on the report. Copies of the synopsis or summary will be available for distribution to interested parties at the meeting.

Within thirty days of the receipt of the audit report, the Board will, at a regularly scheduled public meeting, cause the recommendations of the public school accountant to be read and discussed and the discussion duly noted in the minutes of the Board meeting.

The Board will implement the audit recommendations and report such implementation to the Commissioner.

In the event the school has repeat audit findings in the Auditor's Management Report submitted with the CAFR in any year shall, within thirty days of the CAFR submission, submit to the Executive County Superintendent or State fiscal monitor, as applicable, a specific corrective action plan for addressing the repeat audit findings in accordance with the provisions of N.J.A.C. 6A:23A-4.4.

The Board directs the Superintendent and other appropriate school officers and employees to cooperate fully with the public school accountant and to keep faithfully such records and reports as will assist in the audit process.

N.J.S.A. 18A:23-1; 18A:23-2; 18A:23-2.1; 18A:23-3; 18A:23-4;
18A:23-5; 18A:23-8
N.J.A.C. 6A:23A-4.2; 6A:23A-4.3

Adopted: 19 October 2011

6831 WITHHOLDING OR RECOVERING STATE AID

In the event the New Jersey Department of Education identifies ineffective or inefficient expenditure(s) by any school district, including, but not limited to the practices prohibited in N.J.A.C. 6A:23A-5.2 through 5.9, the Commissioner shall, except as otherwise provided in N.J.A.C. 6A:23A-5.1(h) provide the school district the opportunity to be heard as to why the amount of the ineffective or inefficient expenditure(s) shall not be withheld from State aid or refunded to the Department of Education.

The proceeding shall be instituted by an Order to Show Cause filed by the petitioner. The filing shall include a statement of factual findings along with a letter memorandum setting forth the basis for the position that the expenditure(s) was ineffective or inefficient. The respondent(s) to whom the order is directed shall file, within fifteen days, a response to the letter memorandum and an answer that meets the filing, service, and format requirements for answers as set forth in N.J.A.C. 6A:3, Controversies and Disputes. The petitioner may file a reply to the response within ten days.

Upon review of the filings, the Commissioner may decide to hear the matter directly pursuant to N.J.S.A. 52:14F-8 or refer the matter to the Office of Administrative Law. If the Commissioner decides to transmit the matter to the Office of Administrative Law, such transmission shall be done on an expedited basis. If the Commissioner is hearing the matter directly, upon receipt of the filings set forth above, or upon expiration of the time for their submission, the Commissioner shall review the total record before him or her and render a written decision. The Commissioner's decision shall include a determination of whether the expenditure was ineffective or inefficient and, if so, the amount of funds to be withheld from State aid or refunded by the district.

Nothing shall preclude the Commissioner from immediately and summarily withholding State aid, consistent with N.J.S.A. 18A:55-2, if, at any time, it is determined that the fiscal practices, actions, or expenditures of a school official, Board member, Board, or any other party under the Commissioner's jurisdiction are in violation of any statute, regulation, rule, or directive of the State Board of Education or Commissioner of Education.

N.J.A.C. 6A:23A-5.1

Adopted: 19 October 2011

6832 CONDITIONS OF RECEIVING STATE AID

The school district, as a condition of receiving State Aid, will comply with the standards set forth at N.J.S.A. 18A:55-3 and the requirements set forth in N.J.A.C. 6A:23A-6 concerning nepotism, contributions to Board members and contract awards, and the internal control requirements in N.J.A.C. 6A:23A-6.

In addition, in accordance with the provisions of N.J.A.C. 6A:23A-6.1, the school district shall be required to examine, no less than once every three years, all available group options for every insurance policy held by the district, including the self-insurance plan administered by the New Jersey School Boards Association (NJSBA) Insurance Group on behalf of districts, and the district shall participate in the most cost-effective plan. This examination shall include the review of annual claims data and other experience rating information, as applicable.

The district shall also: take steps to maximize participation in the Federal Universal Service Program (E-rate) and the ACT telecommunications program offered through the New Jersey School Business Officials; participate in the Alliance for Competitive Energy Services (ACES) Program offered through NJSBA, unless the school district is able to demonstrate to the Commissioner of Education that it receives goods or services at a cost less than or equal to the cost achieved by participants of the program based on an analysis of the prior two years; and take appropriate steps to maximize the local public school district's participation in the Special Education Medicaid Initiative (SEMI) Program pursuant to N.J.A.C. 6A:23A-5.3.

The district shall refinance all outstanding debt in accordance with the provisions of N.J.S.A. 18A:24-61.1 et seq. for which a three percent net present value savings threshold is achievable. This refinance provision of N.J.A.C. 6A:23A-6.1(b)5 shall also be monitored by the Executive County Superintendent or State Monitor, if applicable, pursuant to N.J.A.C. 6A:23A-9.11.

N.J.S.A. 18A:55-3
N.J.A.C. 6A:23A-6.1

Adopted: 19 October 2011

7000 PROPERTY

Number	Title
7100	Long-Range Facilities Planning (M)
7101	Educational Adequacy of Capital Projects
7230	Gifts, Grants, and Donations
7243	Supervision of Construction
7300	Disposition of Property
7410	Maintenance and Repair (M)
7420	Hygienic Management (M)
7421	Indoor Air Quality Standards
7422	School Integrated Pest Management Plan (M)
7424	Bed Bugs
7425	Lead Testing of Water in School
7432	Eye Protection (M)
7433	Hazardous Substances
7434	Smoking on School Grounds (M)
7435	Alcoholic Beverages on School Premises
7436	Drug Free Workplace (M)
7440	Security District Security
7441	Electronic Surveillance In The School Building and On School Grounds
7446	School Security Program
7450	Property Inventory
7460	Energy Conservation
7461	District Sustainability Policy
7480	Motor Vehicles on School Property
7481	Unmanned Aircraft Systems (UAS also known as Drones)
7490	Animals on School Property
7510	Use of School Facilities
7513	Recreational Use of Playgrounds
7520	Loan of School Equipment
7522	School District Provided Technology Devices to Staff Members
7523	School District Provided Technology Devices to Students
7540	Joint Use of Facilities
7610	Vandalism
7650	School Vehicle Assignment, Use, Tracking, Maintenance, and Accounting (M)

7100 LONG-RANGE FACILITIES PLANNING

The Board of Education recognizes that sound planning based on accurate information is essential to the provision of suitable educational facilities. In order to ensure that future district construction is planned on the basis of need, the Board, in accordance with N.J.S.A. 18AG-4 and N.J.A.C. 6A:26-2.1 et seq., will maintain and submit a Long-Range Facilities Plan (LRFP) to the New Jersey Department of Education. Except as provided in N.J.A.C. 6A:26-3.14, no school facilities project will be considered or approved unless the district's LRFP has been submitted to and approved by the Commissioner of Education.

Long-range facilities planning by the school district shall be in accordance with the provisions of N.J.A.C. 6A:26-2 et seq.
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N.J.S.A. 18A:7G-1 et seq.; 18A:33-1 et seq.
N.J.A.C. 6A:26-2.1 et seq.

Adopted: 15 November 2017

7101 EDUCATIONAL ADEQUACY OF CAPITAL PROJECTS

Capital projects that affect any of the criteria for educational adequacy shall be reviewed and approved by the Division of Administration and Finance (Division) in accordance with N.J.A.C. 6A:26-5 et seq. The criteria are the number, configuration, size, location, or use of educational spaces within a school facility. The review for educational adequacy shall take into consideration the suitability of the number, configuration, size, location, and use of educational spaces; built-in furniture and equipment; and provisions for the disabled.

Projects requiring approval for educational adequacy, as defined in N.J.A.C. 6A:26-5.1 are new school facilities including pre-fabricated facilities; additions to existing school facilities; alterations to the total number, dimension in volume and/or area, configuration or location of educational spaces or the number of any one kind of educational space; and installation of temporary facilities.

New Jersey Schools Development Authority (Development Authority), Regular Operating District (ROD), along with other capital projects, are subject to educational adequacy reviews pursuant to N.J.A.C. 6A:26-5.1(b). The Executive County Superintendent shall approve any change of use of instructional space that is not a capital project.

Educational specifications for educational adequacy reviews shall be prepared and submitted in accordance with N.J.A.C. 6A:26-5.2. Educational specifications shall detail the educational program activities and requirements for each space proposed in the capital project, and shall refer to the New Jersey Student Learning Standards wherever appropriate. The educational specifications shall include an itemized list of furniture, equipment, and support spaces required to conduct the educational program specified for each space, together with their net areas in square feet, as well as the net of the total room area required for each space. The educational specifications shall also include specific technical and environmental criteria, adjacencies and other requirements for the educational program and a building-space program that indicates the number and net area in square feet of each instructional, specialized instructional, administrative, and support space in each existing or proposed building included in the capital project and/or temporary facility.

Schematic plans and other related project documents will be prepared and submitted in accordance with N.J.A.C. 6A:26-5.3.

A project cost estimate on a form provided by the Commissioner of Education, a project schedule, a copy of the dated transmittal letter to the Executive County Superintendent indicating project document submission to the Division, and a copy of the transmittal letter indicating the date of plan submission to the local planning board shall be submitted in accordance with N.J.A.C. 6A:26-5.3(b)4.

In the case of a Development Authority school facilities project, upon completion of detailed plans and specifications, the Development Authority on behalf of the district shall apply, upon completion of detailed plans and specifications, for final approval of the project's educational adequacy of the project in accordance with N.J.A.C. 6A:26-5.4(a). In the case of a ROD school facilities project or another capital project, the school district shall apply upon the completion of final plans and specifications for final approval of the educational adequacy of the project in accordance with N.J.A.C. 6A:26-5.4(b). In the case of a temporary facility, the school district or the Development Authority on behalf of the school district for Development Authority school facilities projects, shall apply upon the completion of detailed plans and educational specifications for approval of the temporary facility's adequacy in accordance with N.J.A.C. 6A:26-5.4(c).

The Division shall collect fees for its reviews according to N.J.A.C. 6A:26-5.5.

For a Development Authority school facilities project not subject to educational adequacy review, the Division shall issue a preliminary project report and shall forward the report to the Department of Community Affairs in accordance with N.J.A.C. 6A:26-5.6(a). The review shall require the documentation required by the Uniform Construction Code (UCC) in accordance with N.J.A.C. 5:23-2.15.

For a ROD school facilities project or other capital project, not subject to educational-adequacy review, the Division shall make a determination of the project's final eligible costs and shall forward their determination to the Department of Community Affairs in accordance with N.J.A.C. 6A:26-5.6(b). The review shall include the documentation required by the UCC in accordance with N.J.A.C. 5:23-2.15.

N.J.A.C. 6A:26-5.1 et seq.; N.J.A.C. 5:23-2.15

Adopted: 15 November 2017



7230 GIFTS, GRANTS AND DONATIONS

The Board of Education accepts its responsibility to provide from public funds sufficient supplies and equipment for an effective instructional program. The Board recognizes, however, that from time to time individuals or organizations in the community may wish to contribute additional supplies or equipment to enhance or extend the instructional program.

The Board may accept by resolution duly passed at a public meeting any gift or grant of land, with or without improvement, and of money or other personal property, except that the Superintendent may accept on behalf of the Board any such gift less than $500 in value. Grants of land are subject to the appropriate legal limitations and approvals.

The Board reserves the right to refuse to accept any gift that does not contribute toward the achievement of the goals of this district or any gift the ownership of which would tend to deplete the resources of the district. The Board shall not provide public moneys for the purchase of any school property on a matching fund basis.

Any gift accepted by the Board shall become the property of the Board, may not be returned without the approval of the Board, and shall be subject to the same controls and regulations as are other properties of the Board. The Board shall be responsible for the maintenance of any gift it accepts, subject to any joint agreement with another governmental body.

The Board will respect the intent of the donor in its use of a gift, but reserves the right to utilize any gift it accepts in the best interests of the students and the educational program of the district. In no case shall acceptance of a gift be considered to be an endorsement by the Board of a commercial product or business enterprise or institution of learning.

The Superintendent shall:

1. Counsel potential donors on the appropriateness of contemplated gifts and encourage such donors to choose as gifts supplies or equipment not likely to be purchased with public funds;

2. Encourage individuals and organizations considering a contribution to the school to consult with the Principal or Superintendent before appropriating funds to that end;

3. Report to the Board all gifts that have been accepted on behalf of the Board;

4. Acknowledge the receipt of any gift accepted by the Board; and

5. Prepare fitting means for recognizing or memorializing gifts to the school district.

N.J.S.A. 18A:20-4; 18A:20-11 et seq.

Adopted: 19 October 2011

7243 SUPERVISION OF CONSTRUCTION

The Board of Education directs that the School Business Administrator/Board Secretary be responsible for the supervision of all building construction in this school district. Supervision shall include field inspection of the construction contractor's operations, administrative review of the activities of the architect relating to the construction, and any other construction matters relating to the interests of the school district.

The School Business Administrator/Board Secretary shall report periodically to the Board on the progress of the work of the construction contractor(s).

The Board shall not employ for pay or contract for the paid services of any person serving in a position which involves regular contact with students unless the Board has first determined, consistent with the requirements and standards of N.J.S.A. 18A:6-7.1 et seq., that no criminal history record information exists on file in the Federal Bureau of Investigation, Identification Division, or the State Bureau of Identification which would disqualify the individual from being employed or utilized in such capacity or position.

The Superintendent shall direct the School Business Administrator/Board Secretary or designee to act as liaison to all construction contractors for school facility and construction projects to obtain a list of the individuals who will have regular contact with students and will be employed by or working for the contractor on a school district project that will be undergoing a criminal history record check pursuant to the requirements of N.J.S.A. 18A:6-7.1 et seq. The liaison shall provide the list of those contracted employees to the Superintendent or designee and the Human Resources Director. The Superintendent or designee and the Human Resources Director who receive any adverse action correspondence from the New Jersey Department of Education (NJDOE) related to the criminal history record check process shall review the contracted company list in order to determine if the subject of that correspondence is either a school employee or an employee of any contract service provider and take appropriate action. No employee of a contracted service provider shall commence work at a school facility without having first obtained an approval for employment from the NJDOE. Approvals for employment of these contracted employees shall be maintained with the liaison and copies forwarded to the Superintendent’s office.

A change order involving additional cost will be submitted to the Board for review and approval.

A change order not involving monetary considerations may be acted upon solely by the School Business Administrator/Board Secretary or designee and reported to the Board.

Upon completion of a building project and a final inspection of all its aspects by the architect, contractors, and school officials, a recommendation for acceptance shall be made to the Board by the School Business Administrator/Board Secretary or designee.

N.J.S.A. 18A:6-7.1 et seq.; 18A:18A-16; 18A:18A-43; 18A:18A-44

Adopted: 19 August 2020

7300 DISPOSITION OF PROPERTY

The Board of Education believes the efficient administration of the district requires the disposition of property and goods no longer necessary for school purposes. The Board directs the periodic review of all district property and authorizes the disposition by sale, donation, or discard of any property no longer required for the maintenance of the educational program or the efficient management of the school district. The disposition of any school property will be in accordance with this Policy and applicable laws.

Real estate property will be disposed of by sale or otherwise, in accordance with N.J.S.A. 18A:20-5 through 18A:20-7 and N.J.A.C. 6A:26-7.4. If an approved site, or interest therein, is to be altered or disposed of through sale, transfer or exchange of all or part of the total acreage, including facilities, if applicable, a written request for approval of the disposal will be made to the Division of Administration and Finance (Division) in accordance with the requirements of N.J.A.C. 6A:26-7.4. The Division will notify the district of its approval or disapproval.

The Board may, by resolution and by sealed bid or public auction, authorize the sale of its personal property not needed for school purposes, and disposal of any property declared scrap or waste. If the estimated fair value of the property to be sold exceeds fifteen percent of the bid threshold in any one sale and it is neither livestock nor perishable goods, it shall be sold at public sale, together with a description of the items to be sold and the conditions of sale, shall be published once in an official newspaper. By resolution of the Board, the purchasing agent may include the sale of personal property no longer needed for school purposes as part of specifications to offset the price of a new purchase. In the event no bids are received for personal property or the personal property is not sold at private sale pursuant to, N.J.S.A. 18A:18A-45, the Board may declare the personal property as scrap or waste and dispose of it locally.

Personal property may be sold to the United States, the State of New Jersey, or to any body politic in the State of New Jersey, or any foreign nation which has diplomatic relations with these United States by private sale without advertising for bids.

Notwithstanding anything to the contrary in this Policy, property acquired with Federal funds for use in a Federally funded program will be disposed of in accordance with applicable law and guidelines.

The Superintendent shall develop regulations for the disposition of district property that provide for the review of the continued usefulness of all property in conjunction with the periodic inventory of property; the recommendation for Board designation of property for sale, donation, or discard; and the disposition of property in a fair and open manner consistent with the public interest and applicable laws.

N.J.S.A. 18A:18A-5; 18A:18A-45; 18A:20-5 through 18A:20-7
N.J.A.C. 6A:26-7.4

Adopted: 15 November 2017

7410 MAINTENANCE AND REPAIR

The Board of Education recognizes the fixed assets of the school district represent a significant investment of this community and maintenance is a prime concern to the Board.

The school district is required to develop, approve, and implement a comprehensive maintenance plan in accordance with the requirements of N.J.A.C. 6A:26-20.5. A "comprehensive maintenance plan" means a school district's multi-year maintenance plan covering required maintenance activities for each school facility in the school district adopted pursuant to N.J.A.C. 6A:26.

Required maintenance activities include those activities outlined in N.J.A.C. 6A:26-20.3. The school district shall determine the required maintenance activities to reasonably maintain each school facility in the school district, and shall report the activities in its annual comprehensive maintenance plan pursuant to N.J.A.C. 6A:26-20.5.

In accordance with N.J.A.C. 6A:267-20.4(a), expenditures for required maintenance activities set forth in N.J.A.C. 6A:26-20.3 shall qualify as investments in maintenance for purposes of calculating the required maintenance expenditure in N.J.A.C. 6A:26-20.4(d) and (e), the annual required maintenance budget amount pursuant to N.J.A.C. 6A:26-20.8, and the maintenance factor (M) in N.J.S.A. 18A:7G-9. Expenditures that qualify as required maintenance shall be in accordance with the provisions of N.J.A.C. 6A:26-20.4.

The school district's comprehensive maintenance plan shall be submitted to the Executive County Superintendent by a Board of Education resolution every school year, pursuant N.J.A.C. 6A:26-20.5(a)1.

The required annual maintenance budget amount as reported in its comprehensive maintenance plan shall be included in the district's annual budget certified for taxes in accordance with the provisions of N.J.A.C. 6A:26-20.8(a). The required annual maintenance budget amount shall be calculated and adjusted in accordance with the provisions of N.J.A.C. 6A:26-20.8(b). The Executive County Superintendent shall not approve the school district's budget that does not comply with the provisions of N.J.A.C. 6A:26-20.1 et seq.

Commencing September 1, 2002, no person shall be employed by the Board of Education as a buildings and grounds supervisor, as defined in N.J.S.A. 18A:17-49, unless the person is a certified educational facilities manager pursuant to N.J.S.A. 18A:17-49 and 18A:17-50.

Maintenance and repair requests and repairs shall be processed in accordance with the procedures as outlined in Regulation 7410.

N.J.S.A. 18A:7G-9; 18A:17-49; 18A:17-50;
18A:18A-43; 18A:21-1
N.J.A.C. 6A:23A-6.9; 6A:26-1.1 et seq.; 6A:26-20.3;
6A:26-20.4; 6A:26-20.5; 6A:26-20.6; 6A:26-20.8

Adopted: 21 September 2022



7420 HYGIENIC MANAGEMENT

The Board of Education recognizes that the health and physical well-being of the students and staff of this district depend in large measure upon the cleanliness and sanitary management of the school.

The Board directs that a program of hygienic management be instituted in the school and explained annually to all staff members. The school shall be inspected for cleanliness and sanitation by the School Business Administrator/Board Secretary and Supervisor of Facilities not less than once each year.

The Board will cooperate with the local board of health in the sanitary inspection of the school's toilets, washrooms, food vending machines, water supply, and sewage disposal systems.

The Superintendent shall prepare, in consultation with the school medical inspector or nurse, regulations, first aid and emergency medical procedures that utilize universal precautions in the handling and disposal of blood and body fluids, whether or not students or staff members with HIV infection are present. School staff members and volunteers shall be provided the supplies for implementing the procedures. In particular, school nurses, custodians, and teachers shall be trained in proper handling procedures. These regulations and procedures will comply with the regulations of the State Department of Health and State Department of Labor (OSHA Standards for Occupational Exposure to Bloodborne Pathogens) and recommendations of the Centers for Disease Control and Prevention.

Bloodborne Pathogens

The Board recognizes that school employees may in the performance of their duties reasonably anticipate contact with human blood or other potentially infectious body fluids that may expose them to bloodborne pathogens such as Hepatitis B Virus (HBV) and Human Immunodeficiency Virus (HIV). In accordance with federal OSHA regulations, the Board will establish a written Exposure Control Plan designed to eliminate or minimize employee exposure to such infection. The plan shall list all job classifications and tasks in which exposure occurs; describe and require the implementation of workplace controls to eliminate or minimize exposure; require the provision of hepatitis B vaccination to employees who have occupational exposure; and require the provision of a training program for employees who have occupational exposure. The plan shall be updated annually and as required to include new or revised employee positions with occupational exposure. A copy of the plan shall be made accessible to employees.

Disposal of Medical Waste

The Superintendent shall prepare, in consultation with the school medical inspector or school nurse, a medical waste disposal program to ensure all medical waste, including needles and sharps, are disposed of in accordance with the rules and regulations of the New Jersey Department of Health.

Chemical Hygiene

The Board also recognizes that certain school employees who work in laboratories may be exposed to hazardous chemicals in the course of their duties. In accordance with federal OSHA regulations, the Board will establish practices that are capable of protecting employees from health hazards presented by hazardous chemicals used in the workplace. The plan shall contain the locations of hazardous chemicals and shall enunciate a plan capable of protecting employees from associated health hazards and keeping exposure of employees below specified limits. The Chemical Hygiene Plan shall be readily available to employees and shall contain at least the following elements:

1. Standard operating procedures for using hazardous chemicals in laboratory work;

2. Criteria that the Board will use to determine and implement control measures to reduce employee exposure;

3. The requirement that fume hoods and other protective equipment are functioning properly and that measures are taken to ensure adequate performance of such equipment;

4. Provision for employee information and training;

5. The circumstances under which a particular laboratory operation, procedure or activity shall require prior approval from the Supervisor of Facilities before implementation;

6. Provisions for medical consultation;

7. Designation of personnel responsible for implementation of the chemical hygiene plan; and

8. Provisions for additional employee protection for work with particularly hazardous substances.

The Board directs that the program of chemical hygiene be implemented by the Chemical Hygiene Officer. The Supervisor of Facilities will serve as Chemical Hygiene Officer for the school and shall be responsible for the examination of all school facilities to determine where hazardous chemicals are used and to ensure compliance of all school facilities with the Chemical Hygiene Plan.

The Superintendent shall develop and supervise a program for the cleanliness and sanitary management of the school building, school grounds, and school equipment pursuant to statute, rules of the State Board of Education, and regulations of the State Board of Health.

The day to day monitoring of the cleanliness of the school building shall be the responsibility of the Superintendent.

29 C.F.R. 1910
N.J.A.C. 6:3-8.1; 6A:16-1.4; 6A:16-2.3(e); 6A:26-12.4

Adopted: 19 October 2011

7421 INDOOR AIR QUALITY STANDARDS

The Board of Education will provide air quality for school employees in the school building that meet the standards established by the New Jersey Department of Labor pursuant to N.J.A.C. 12:100-13.

The Board will designate the Facilities Supervisor as the individual, who is responsible to assure compliance with New Jersey Department of Labor standards. The designated person will assure that preventative maintenance programs for heating, ventilating and air conditioning (HVAC) systems are implemented and documented and that general and local exhaust ventilation is used for employees working with equipment or products that could reasonably be expected to result in hazardous chemicals or particulate exposure. The designated person shall check to make sure HVAC systems are working properly when the building temperatures are outside of the range of 68 to 79 degrees Fahrenheit and make sure buildings without mechanical ventilation have operable windows, doors, vents, stacks and other portals designated or used for natural ventilation are operational. The designated person will also promptly investigate all employee complaints of signs or symptoms that may be associated with building-related illnesses.

The Board will make sure air quality will be maintained at acceptable standards during renovation and remodeling that results in the diffusion of dust, stone and other small particles, toxic gases or other harmful substances in quantities hazardous to health. The designated person will notify employees at least twenty-four hours in advance, or promptly in emergency situations of work to be performed on the building that may induce air contaminants into their work area.

The designated person will respond to a complaint received by the Department of Labor within fifteen working days of receipt of the complaint.

N.J.A.C. 12:100-13.2 et seq.
N.J.A.C. 5:23

Adopted: 19 October 2011

7422 SCHOOL INTEGRATED PEST MANAGEMENT PLAN

The New Jersey School Integrated Pest Management Act of 2002 requires school districts to implement a school integrated pest management policy that includes an Integrated Pest Management Plan. In accordance with the requirements of the Act, the Board shall ensure implementation of Integrated Pest Management (IPM) procedures to control pests and minimize exposure of children, faculty, and staff to pesticides. These procedures shall be applicable to all school property in the Essex Fells School District.

IPM Coordinator (IPMC)

The Supervisor of Facilities shall be designated as the district's Integrated Pest Management Coordinator (IPMC) and is responsible for the implementation of the school integrated pest management policy.

Integrated Pest Management Procedures in the School

Implementation of Integrated Pest Management (IPM) procedures will determine when to control pests and whether to use mechanical, physical, cultural, biological, or chemical methods. Applying IPM principles prevents unacceptable levels of pest damage by the most economical means and with the least possible hazard to people, property, and the environment.

The Integrated Pest Management Coordinator (IPMC) shall consider the full range of management options, including no action at all. Non-pesticide pest management methods are to be used whenever possible. The choice of using a pesticide shall be based on a review of all other available options and a determination that these options are not effective or not reasonable. When it is determined that a pesticide must be used, low impact pesticides and methods are preferred and shall be considered for use first.

Development of IPM plans

The Superintendent, in collaboration with the IPMC, shall be responsible for the development of the IPM Plan for the school district. The school district's Integrated Pest Management (IPM) Plan is a blueprint of how the school district will manage pests through IPM methods. The school district's IPM Plan will state the school district's goals regarding the management of pests and the use of pesticides for all school district property. The Plan will reflect the school district's site-specific needs and a description of how each component of the school district's Integrated Pest Management Policy and Regulation will be implemented for all school property.

Education/Training

The school community will be educated about potential pest problems and IPM methods used to achieve the pest management objectives.

The IPMC, other school staff, and pesticide applicators involved with implementation of the district's IPM policy will be trained in appropriate components of IPM as it pertains to the school environment.

Students and parents/legal guardians will be provided information on this policy and instructed on how they can contribute to the success of the IPM program.

Recordkeeping

Records of pesticide use shall be maintained on site to meet the requirements of the State regulatory agency and the Board.

Records shall also include, but are not limited to, pest surveillance data sheets and other non-pesticide pest management methods and practices utilized.

Notification/Posting

The School Business Administrator/Board Secretary, working with the IPMC, is responsible for timely notification to students, parents or legal guardians and the school staff of pesticide treatments pursuant to the School Integrated Pest Management Act.

Re-entry

Re-entry to a pesticide treated area shall conform to the requirements of the School Integrated Pest Management Act.

Pesticide Applicators

The IPMC shall ensure that applicators follow State regulations, including licensing requirements and label precautions, and must comply with all components of the School Integrated Pest Management Policy.

Evaluation

The Superintendent will report annually to the Board on the effectiveness of the IPM Plan and make recommendations for improvement as needed.

The school district's Integrated Pest Management Plan, Policy and Regulation shall be implemented not later than June 12, 2004. The Board directs the Superintendent to develop Regulations/Procedures for the implementation of School Integrated Pest Management Plan.

N.J.S.A. 13:1F-19 through 13:1F-33

Adopted: 19 October 2011

7424 BED BUGS

The Board of Education is concerned for students who may have bed bugs in their home with the potential for these students to bring bed bugs into the school building. Bed bugs can be transmitted from one location to another in backpacks, clothing, books, and other items. A bed bug infestation is unlikely in a school and the Board adopts this Policy as a proactive action to prevent infestation and to stop bed bugs from spreading within the school setting if a bed bug is transmitted into a school.

Bed bugs are parasitic insects that feed exclusively on blood and are mainly active at night, but are not exclusively nocturnal. A common bed bug prefers human blood and typically feeds on their hosts without being noticed. Bed bugs are not known to transmit disease, but cause reasonable distress and health concerns for many people. The presence of bed bugs in a home does not mean the home is unclean, bed bugs can be found in any home.

Bed bugs typically do not infest people as they hide during the day and come out during the night. Bed bugs are attracted to humans primarily by carbon dioxide, warmth, and by some chemicals. Bed bugs prefer exposed skin, preferably the face, neck, and arms of a sleeping person. Bed bug bites may lead to a range of skin manifestations from no visible effects to prominent blisters. The bite usually produces a swelling with no red spots, but when many bugs feed on a small area, reddish spots may appear after the swelling subsides. Effects also may include skin rashes, psychological effects, and allergic symptoms.

Any staff member who observes what may be bed bug bites on a student shall send the student to the school nurse. The school nurse shall examine the student to determine if there are any bed bugs present on the student or if the bites may be bed bug bites. The school nurse will inform the Principal and contact the student's parent on the results of the examination.

In the event the school nurse observes what appears to be a bed bug on the student or on the student's possessions, the school nurse will inform the Principal who 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 in the classroom area. 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 and when finished 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, sealed, and discarded into a receptacle outside the school

building. 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.

In the event the inspection determines bed bugs are in the school, the area(s) where bed bugs have been found or could be found will be treated by a licensed pest management professional.

The parent of any student who is found to have a live bed bug on them will be contacted by the school nurse and the parent will be required to pick-up their child to arrange for the child to return home to change clothes and to inspect any items the student brings to school. Upon the student's return to school, the student will be required to report to the school nurse who will examine the child and the child's possessions. If there are no signs of bed bugs on the student or in or on the student's possessions, the student will be able to resume their school day. The school nurse may determine to examine the child subsequent to their initial return to school to ensure the student and possessions are free of bed bugs. In the event the nurse finds live bed bugs on the student or in or on the student's possessions upon 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.

The Principal, in consultation with the school nurse, will determine if the parents of other students should be informed of the presence of bed bugs in an area of the school where their child may have been or is during the school day. This determination will be made on a case-by-case basis. Parents of other students may 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. The school district will comply with all notification requirements and other requirements of the New Jersey Pest Management Act, the district's Pest Management Plan, and any other applicable law.

Any student suspected of having bed bugs in their home or on or in their possessions will be treated with discretion, dignity, and respect. The district will offer the student counseling, if needed. The Principal or designee will work sensitively with parents of any student living in an infested home to develop strategies for preventing the further spread of bed bugs.

Adopted: 4 October 2017

7425 LEAD TESTING OF WATER IN SCHOOLS

The health, safety, and welfare of the children in the school district are of utmost importance to the Board of Education. The potential exposure to lead-contaminated drinking water poses serious health problems, particularly for children, as well as for teachers and school personnel, since the risk of lead contamination can come from pipe and plumbing fixtures in school facilities or on school grounds. The Board shall assure the availability of potable drinking water through sanitary means in school facilities or on school grounds. The Board of Education shall provide, in accordance with N.J.A.C. 6A:26-12.4, testing for lead in all district sources of drinking water.

The Board shall conduct lead sampling and analysis in all drinking water outlets to which a student or staff member has or may have access in each school facility, other facility, or temporary facility, as soon as practicable, but no later than July 13, 2017, unless the district qualifies for an exemption in accordance with N.J.A.C. 6A:26-12.4(i). This lead sampling and analysis shall be conducted with a lead sampling plan in accordance with N.J.A.C. 6A:26-12.4(d)1, 2, and 3, and shall be in accordance with the Safe Drinking Water Act, N.J.S.A. 58:12A-1.

The Superintendent of Schools or designee shall complete a review of the final laboratory results within seventy-two hours of receipt. Within twenty-four hours after the Superintendent or designee has completed a review of final laboratory results in accordance with the provisions of N.J.A.C. 6A:26-12.4(e), the test results shall be made publicly available at the school facility and on the Board of Education's website. If any results exceed the permissible lead action level, the Board shall provide written notification to the parents of all students attending the facility, facility staff, and the New Jersey Department of Education. This written notification shall include: a description of the measures taken by the Superintendent or designee to immediately end the use of each drinking water outlet where the water quality exceeded the permissible lead action level; any additional remedial action taken or planned by the Board of Education: the measures taken to ensure that alternate drinking water has been made available to all students and staff members; where the water outlet(s) is located: and information regarding the health effects of lead in accordance with N.J.A.C. 6A:26-12.4(e)1 and 2. Notwithstanding the results or date of any prior testing, the Board shall continue to test drinking water outlets in the designated Statewide required testing year, which shall be every third school year beginning with the 2021-2022 school year and subsequently occurring in the 2024-2025 school year. By no later than June 30 of the designated Statewide required testing year, the Board shall test all drinking water outlets in accordance with N.J.A.C. 6A:26-12.4(g)1. The Board shall sample for lead after the

replacement of any drinking water outlet or any other alteration to plumbing or service lines that may impact lead levels at the outlet, in accordance with N.J.A.C. 6A:26-12.4(f)1 and 2.

The Board shall submit to the New Jersey Department of Education by June 30 of each year a statement of assurance, that the school district completed lead testing in accordance with N.J.A.C. 6A:26-12.4; that notifications were provided consistent with N.J.A.C. 6A:26-12.4; and that alternative drinking water continues to be made available to all students and staff, if necessary, pursuant to N.J.A.C. 6A:26-12.4(g).

The Board may apply for reimbursement for the costs of any water supply testing and analysis conducted, in accordance with N.J.A.C. 6A:26-12.4(j).

N.J.S.A. 58:12A-1 et seq.
N.J.A.C. 6A:26-12.4

Adopted: 7 March 2018

7432 EYE PROTECTION

The Board of Education requires each student, staff member, and school visitor, including individuals present for evening adult-school programs, to wear appropriate eye protective devices while participating in educational activities and programs as defined in N.J.A.C. 6A:7-1.3. Appropriate eye protective devices must be worn by anyone engaged in a process or activity where exposure to which might have a tendency to cause damage to the eyes pursuant to N.J.A.C. 6A:26-12.5(a) and N.J.S.A. 18A:40-12.1.

The term "appropriate eye protective device" shall include plain or prescription lenses provided the lenses and other portions of the device meet or exceed the prescribed specifications for the device. Specifications for appropriate eye protection for various activities shall meet or exceed standards described in the American National Standard Practice for Occupational and Educational Eye and Face Protection, ANSI Z87.1-1989; American National Standard Practice for the Safe Use of Lasers, ANSI Z136.1-1986; and eye protective procedures recommended by the manufacturer of the laser device.

The Superintendent or designee shall be responsible for the continual monitoring of the school program, including, but not limited to, all vocational education, industrial arts education, science education, technology education and arts education, for conditions under which students, staff members, or visitors are exposed to a process or activity that might have a tendency to cause damage to the eyes.

The appropriate eye protective device shall be supplied by the Board, except that the student, staff member, or visitor, including individuals present for evening adult-school programs, may wear personal eye wear that is appropriate to the activity and certified, in writing, by a licensed optician or other qualified licensed eye professional to meet or exceed those standards. District-owned appropriate eye protective devices shall be inspected regularly by the appropriate staff member, and defective or poorly fitting devices shall be returned to the Principal for repair or discard. Any shared appropriate eye protective devices shall be disinfected between uses by the method prescribed by the school medical inspector.

Each classroom, shop, laboratory, and other area of the school in which students or staff members are exposed to caustic materials that can cause damage to the eyes shall be equipped with an emergency eye wash fountain in accordance with standards established by the New Jersey Department of Education.

The Building Principal or designee shall ensure that each area in the school identified as housing an activity hazardous to the eyes shall be posted with conspicuous signs that warn participants that an appropriate eye protective device must be worn during the activity. Staff members of such activities are responsible for instructing students in appropriate eye safety practices and for serving as exemplary models in the implementation of such practices.

The Board authorizes each staff member responsible for an activity or process hazardous to the eyes to compile and maintain, for the duration of the course of study, a list of students in the course who wear contact lenses.

The school district shall provide annual training and appropriate supplies and equipment to all school personnel responsible for implementing the eye-safety policies and program. The training shall cover all aspects of eye protection in schools as described in N.J.A.C. 6A:26-12.5(a) through (f).

N.J.S.A. 18A:40-12.1; 18A:40-12.2
N.J.A.C. 6A:7-1.3
N.J.A.C. 6A:26-12.5

Adopted: 1 December 2021

7433 HAZARDOUS SUBSTANCES

The Board of Education will enforce the law governing hazardous substances in the school district. Employees of this district shall be informed of the hazards related to the handling of certain substances and trained to work with hazardous substances.

Hazardous substance means any substance or substance in a mixture included on the hazardous substance list developed by the New Jersey Department of Health and Senior Services. Hazardous substances shall not include:

1. Any article containing a hazardous substance if the hazardous substance is present in a solid form which does not pose any acute or chronic health hazard to any person exposed to it;

2. Any hazardous substance constituting less than one percent of a mixture unless the hazardous substance is present in an aggregate amount of five hundred pounds or more in a container in a public or private school or child care center building;

3. Any hazardous substance which is a special health hazardous substance constituting less than the threshold percentage established by the Department of Health and Senior Services pursuant to P.L.1983, c.315 (C.34:5A-1 et seq.), for that special health hazardous substance when present in a mixture;

4. Any hazardous substance present in the same form and concentration as a product packaged for distribution and use by consumers and which is not a product intended primarily for commercial use;

5. Any fuel in a motor vehicle;

6. Tobacco or tobacco products;

7. Wood or wood products;

8. Foods, drugs, or cosmetics;

9. Hazardous substances which are an integral part of a building's structure or furnishings;

10. Products which are personal property and are intended for personal use; and

11. Any substance used in the routine maintenance of a public or private school or child care center building or its grounds, any substance used in a classroom science laboratory, any substance used in a school occupational training facility, including laboratories and shops, and any substance used in the normal operation of the classrooms or administrative offices of a public or private school or child care center, including any substance used in the heating or cooling of the school or child care center.

No person shall use or allow the use of any hazardous substance in or on any building or grounds used as a public school or child care center when children are expected to be present.

The Superintendent may delegate authority for the maintenance of hazardous substances and for the development of safety and training standards for the handling of such substances to a safety officer.

The School Business Administrator/Board Secretary shall conduct periodic audits of hazardous substances in use in the district, ascertain that such substances are being handled in accordance with appropriate safety requirements, and determine that the employees who are required to handle hazardous substances are properly equipped to do so.

The School Business Administrator/Board Secretary shall inform the Superintendent of all hazardous substances in use in the district, the purpose of each, and the precautions required for each. The Superintendent shall take such action as may be necessary and feasible to minimize the use of hazardous substances in the district.

The Superintendent shall report periodically to the Board on hazardous substances in district use and the purpose of each.

N.J.S.A. 34:5A-1 et seq.; 34:5A-10.1 et seq.
N.J.A.C. 6A:16-1.4; 6A:19-10.5
N.J.A.C. 8:59-1 et seq.

Adopted: 19 October 2011

7434 SMOKING IN SCHOOL BUILDINGS AND ON SCHOOL GROUNDS

The Board of Education believes that the right of persons to smoke must be balanced against the right of nonsmokers to breathe air untainted by tobacco smoke.

For purposes of this Policy, "smoking" means the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe, or any other matter or substance which contains tobacco or any other matter that can be smoked, including the use of smokeless tobacco and snuff, or the inhaling or exhaling of smoke or vapor from an electronic smoking device.

For the purpose of this Policy, "electronic smoking device" means an electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, or pipe.

For the purposes of this Policy, "school buildings" and "school grounds" means and includes land, portions of land, structures, buildings, and vehicles owned, operated or used for the provision of academic or extracurricular programs sponsored by the district or community provider and structures that support these buildings, such as school wastewater treatment facilities, generating facilities, and other central facilities including, but not limited to, kitchens and maintenance shops. "School buildings" and "school grounds" also includes athletic stadiums; swimming pools; any associated structures or related equipment tied to such facilities including, but not limited to, grandstands; greenhouses; garages; facilities used for non-instructional or non-educational purposes; and any structure, building, or facility used solely for school administration. "School buildings" and "school grounds" also includes other facilities as defined in N.J.A.C. 6A:26-1.2; playgrounds; and 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 such land.

In accordance with N.J.S.A. 26:3D-58 and N.J.A.C. 8:6-7.2, the Board prohibits smoking at all times anywhere in school buildings or on school grounds.

Notwithstanding any provision of this Policy, smoking by students is prohibited and governed by Policy No. 5533.

A sign indicating smoking is prohibited in school buildings and on school grounds will be posted at each public entrance of a school building in accordance with law. The sign shall also indicate violators are subject to a fine. Students and district employees who violate the provisions of this Policy shall be subject to appropriate disciplinary measures and may be subject to fines in accordance with law.



The Superintendent or designee may order the departure and removal of any person who continues to smoke in violation of this Policy and the law after being ordered to stop smoking in school buildings or on school grounds and may request the assistance of law enforcement to accomplish this departure and removal.

In the event the person is found to have violated this Policy and the law, the Superintendent or designee may file a complaint with the appropriate Municipal Court or other agency with jurisdiction as defined in N.J.A.C. 8:6-9.1(c).

The Board of Education will comply with any provisions of a municipal ordinance which provides restrictions on or prohibitions against smoking equivalent to, or greater than, those provided in N.J.S.A. 26:3D-55 through N.J.S.A. 26:3D-63.

N.J.S.A. 26:3D-55 through 26:3D-63
N.J.A.C. 6A:16-1.3
N.J.A.C. 8:6-7.2; 8:6-9.1 through 8:6-9.5

Adopted: 18 September 2013

7435 ALCOHOLIC BEVERAGES ON SCHOOL PREMISES

The knowing possession, without legal authority, or knowing consumption of any alcoholic beverage by any person on school premises is a disorderly persons offense.

The Board of Education prohibits the possession and consumption of an alcoholic beverage, without the express written permission of the Superintendent, by any person in any school building and on school property or at any school sponsored activity.

The Board will report to law enforcement officials and prosecute as appropriate any person who violates law and this policy, except that any pupil who possesses or uses or is under the influence of alcohol on school premises or at any school sponsored activity will be treated in accordance with law and Policy Nos. 3218, 4218, and 5530.

School district employees who violate this policy or are present on school premises or at any school sponsored activity while under the influence of alcohol will be subject to discipline, which may include dismissal or certification of tenure charges, as appropriate.

N.J.S.A. 2C:33-15 et seq.
N.J.S.A. 18A:40A-12
N.J.S.A. 24:21-2 et seq.

Adopted: 19 October 2011

7436 DRUG FREE WORKPLACE

The Board of Education prohibits the unlawful manufacture, distribution, dispensing, possession or use of any controlled dangerous substance by any person in any school building, on school grounds, or during any activity or event sponsored by the Board.

Every employee of this district must, as a condition of employment, agree to be bound by this policy. An employee who violates the prohibitions or reporting requirements of this policy will be subject to discipline, which may include dismissal, or certification of tenure charges, as appropriate. An employee whose involvement with drugs results in a conviction for a crime of the third degree or above or for an offense touching his/her position will be deemed to have forfeited his/her public employment, pursuant to N.J.S.A. 2C:51-2.

An employee who is convicted of a drug related offense must report the conviction to the Superintendent within five days of its occurrence. The Superintendent will, within ten days of the date on which notice of the conviction is received, report any such conviction resulting from drug use in the workplace to any federal agency from which the district has received funds through a grant.

The Board directs the Superintendent to establish and maintain a program to:

1. Alert employees as to the dangers of drug abuse in the workplace;
2. Inform employees of the prohibitions against drugs set forth in this policy;
3. Inform employees of available drug counseling, rehabilitation, and assistance programs; and
4. Warn employees of the penalties that may be imposed for violations of prohibitions set forth in this policy.

The Board will report to law enforcement officials and prosecute as appropriate any employee or visitor who violates the prohibitions of this policy. A pupil or employee who violates this policy will be treated in accordance with law and Policy Nos. 3218, 4218, and 5530.

This policy will be distributed to each district employee, including all those engaged in the performance of services under a federal grant, and will be prominently posted in the district.

41 U.S.C.A. Chapter 10
34 CFR 85.600 et seq.
N.J.S.A. 2C:33-15 et seq.
N.J.S.A. 24:21-2 et seq.

Adopted: 19 October 2011

7440 SCHOOL DISTRICT SECURITY

The Board of Education believes the buildings and facilities of the school district represent a substantial community investment. The Board directs the development and implementation of a plan for school district security to protect the school community's investment in the school buildings and facilities. The Board will comply with the security measures required in N.J.S.A. 18A:7G-5.2 for new school construction and for existing school buildings.

The school district security program will include: maintenance of facilities that are secure against unwelcome intrusion; protection against fire hazards and faulty equipment; and compliance with safe practices in the use of electrical, plumbing, heating, and other school building equipment.

As used in this Policy and N.J.S.A. 18A:41-7.1, "critical incident mapping data" means information provided in electronic or digital form to assist first responders in an emergency including, but not limited to: aerial images of schools; floor plans, including room and suite numbers; building access points; locations of hazardous materials and utility shut-offs; and any other relevant location information.

The Board shall provide to local law enforcement authorities critical incident mapping data for all schools and school grounds. In the case of a school building located in a municipality in which there is no municipal police department, critical incident mapping data shall be provided to an entity designated by the Superintendent of the New Jersey State Police. The Board shall provide revised mapping data to the applicable law enforcement authorities or designated entities any time that there is a change to the critical incident mapping data.

Critical incident mapping data provided pursuant to N.J.S.A. 18A:41-7.1.a. shall be: compatible with all platforms and applications used by local, State, and Federal law enforcement authorities; provided in a printable format; and verified for accuracy through an annual walkthrough of school buildings and school grounds.

Nothing in this Policy or N.J.S.A. 18A:41-7.1 shall be construed to require local law enforcement authorities or designated entities to access critical incident mapping data using third party viewing software.

The Board directs close cooperation of district officials with law enforcement, fire officials, and other emergency agencies.



Each public elementary and secondary school building shall be equipped with at least one panic alarm for use in a school security emergency pursuant to N.J.S.A. 18A:41-10 through 13 and this Policy and Regulation 7440.

The Superintendent of Schools shall designate a school administrator, or a school employee with expertise in school safety and security, as a School Safety Specialist for the district in accordance with the provisions of N.J.S.A. 18A:17-43.3 and this Policy and Regulation 7440. The School Safety Specialist shall be required to acquire a New Jersey Department of Education School Safety Specialist certification in accordance with the provisions of N.J.S.A. 18A:17-43.2 and this Policy and Regulation 7440. The School Safety Specialist shall also serve as the school district liaison with local law enforcement and national, State, and community agencies and organizations in matters of school safety and security.

Access to school buildings and grounds outside the hours school is in session shall be limited to personnel whose employment requires their presence in the facility. An adequate key control system will be established to limit building access to authorized personnel and guard against the potential of intrusion by unauthorized persons who have obtained access improperly.

In accordance with N.J.S.A. 18A:7G-5.2.b.(15), propping open doors to buildings on school grounds is strictly prohibited and students and staff shall not open a door for any individual. All persons seeking entry into the building shall be directed to the main entrance.

Building records and funds shall be kept in a safe place and secured as appropriate and necessary.

Protective devices designed to be used as safeguards against illegal entry and vandalism may be installed when appropriate. The Board may approve the employment of school resource officers, school security officers, and/or law enforcement officers in situations in which special risks are involved.

The school district shall annually conduct a school safety audit for each school building in accordance with the provisions of N.J.S.A. 18A:41-14.

N.J.S.A. 18A:7G-5.2; 18A:17-43.1; 18A:17-43.2; 18A:17-43.3;
18A:41-7.1; 18A:41-10; 18A:41-11; 18A:41-12;
18A:41-13; 18A:41-14
N.J.A.C. 6A:16-1.3; 6A:26-1.2

Adopted: 16 August 2023

7441 ELECTRONIC SURVEILLANCE IN THE SCHOOL BUILDING AND ON SCHOOL GROUNDS

The Board of Education authorizes the use of electronic surveillance systems in school buildings and on school grounds to enhance the safety and security for school district staff, students, community members, and other building occupants and to protect the school district's buildings and grounds.

The content produced by the surveillance system under certain circumstances may be considered a student record and if so it will be subject to the Board policy and regulation regarding confidential student records. If the content of the surveillance system becomes the subject of a disciplinary proceeding, it shall be treated like other evidence in the proceeding.

In accordance with the provisions of N.J.S.A. 18A:41-9, if at least one school building of the school district is equipped with video surveillance equipment that is capable of streaming live video wirelessly to a remote location, the Board shall enter into a Memorandum of Understanding (MOU) with local law enforcement authorities providing the authorities with the capacity to activate the equipment and view live streaming video during an emergency situation. The MOU shall include the provisions of N.J.S.A. 18A:41-9 and any additional information required by law enforcement officials. In the event the parties to the MOU are unable to reach an agreement regarding any provision required to be included in the MOU as per N.J.S.A. 18A:41-9a, the County Prosecutor shall make the final determination regarding that provision. Nothing in N.J.S.A. 18A:41-9 shall be construed as to require the installation of video surveillance equipment capable of streaming live video wirelessly to a remote site from a school building that does not have the ability to have live streaming video.

The Board shall post signage in a prominent, public place in buildings and on school grounds where electronic surveillance equipment may be used.

In addition to posting, the district shall notify school staff members, parent(s), and students that electronic surveillance may be used in school buildings and on school grounds through publication in student and staff handbooks, school calendars, notice sent home with students, or any other effective means to publish the district's use of electronic surveillance equipment in school buildings and on school grounds.



POLICY

ESSEX FELLS
BOARD OF EDUCATION

Electronic Surveillance In the School Building
and On School Grounds

N.J.S.A. 18A:41-9
A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials – 2023 Revisions

Adopted: 19 March 2025

7446 SCHOOL SECURITY PROGRAM

The safety of students, staff members, and visitors on school grounds is an important concern for the Board of Education.

School Resource Officer Program

The Board of Education authorizes a School Resource Officer Program in partnership with the municipality and local law enforcement. The Program is designed for municipal officials, law enforcement officers, and school authorities to work together to identify major problems faced by their schools and to create a more secure school environment through the presence of law enforcement officers within the school district. A School Resource Officer assigned to the school district shall remain an employee of the municipality and its Police Department.

The School Resource Officer may be a full-time Police Officer or a Class Three Special Law Enforcement Officer employed by the municipality in accordance with the provisions of N.J.S.A. 40A:14-146.11. A Class Three Special Law Enforcement Officer is authorized to exercise full powers and duties similar to those of a permanent regularly appointed full-time police officer while providing security at a public school during hours when school is normally in session or when occupied by students or school staff members. The use of a firearm by a Class Three Officer is authorized pursuant to the provisions of N.J.S.A. 40A:14-146.14. A Class Three Officer shall not carry a firearm except when engaged in the actual performance of the Officer's official duties as a School Resource Officer and when specifically authorized by the Chief of Police or in the absence of the Chief, a designee. The Board of Education and the municipality shall enter into a partnership agreement that sets forth the respective obligations of the municipality, local law enforcement, and the school district. The agreement shall include, but is not limited to, the following terms: the number of police officers assigned to the school district; the school(s) to be covered; the days of police coverage in the school district; the process for the Police Department to assign and the process for the Board of Education to approve a School Resource Officer(s); the duties of the assigned School Resource Officer(s); the reporting requirements for the School Resource Officer; and the financial obligations of the parties. The School Resource Officer Program Agreement shall be approved by the Board of Education.

A School Resource Officer who is a full-time Police Officer or a Class Three Special Law Enforcement Officer must comply with all statutes and codes regarding their law enforcement status and all other statutory and administrative code responsibilities.

This Policy will be reviewed and approved by the Board attorney for compliance with applicable statutes and administrative code provisions before initial adoption and subsequent re-adoptions by the Board.

N.J.S.A. 2C:39-4; 2C:39-5; 2C:39-6; 2C:58-4;
40A:14-146.10; 40A:14-146.11;
40A:14-146.14

Adopted: 18 January 2023

7450 PROPERTY INVENTORY

The Board of Education recognizes that efficient management and the replacement of lost, damaged, or stolen property depends upon an accurate inventory and properly maintained records.

The district shall maintain a complete inventory by physical count of all district-owned equipment.

For the purpose of this Policy, "equipment" shall mean any instrument, machine, apparatus, or set of articles which meets all of the following criteria and the cost is above $2,000:

1. It retains its original shape, appearance, and character with use;

2. It does not lose its identity through fabrication or incorporation into a different more complex unit or substance;

3. It is nonexpendable; that is, if the item is damaged or some of its parts are lost or worn out, it is more feasible to repair the item than to replace it with an entirely new unit; and

4. Under normal conditions of use, including reasonable care and maintenance, it can be expected to serve its principal purpose for at least one year.

Unless otherwise bound by Federal, State, or local law, the school district will use the criteria above for their equipment classification decisions.

The School Business Administrator/Board Secretary or designee shall ensure that inventories are systematically and accurately recorded and that property records of equipment are adjusted annually. Major items of equipment shall be subject to annual spot check inventory. A major loss shall be reported to the Board.

Property records of supplies shall be maintained on a continuous inventory basis. An item should be classified as a "supply" if it does not meet all the stated equipment criteria outlined above and the cost is not more than the capitalization threshold of $2,000.

The School Business Administrator/Board Secretary or designee shall maintain a system of property records that show, as appropriate to the item recorded, description and identification, manufacturer, year of purchase, initial cost, location, condition and depreciation, and current evaluation in conformity with insurance requirements.

POLICY

ESSEX FELLS
BOARD OF EDUCATION

N.J.S.A. 18A:4-14
New Jersey Department of Education – "The Uniform Minimum Chart of Accounts for New Jersey Public Schools and Approved Private Schools for Students with Disabilities" 2020-2021 Edition

Adopted: 18 November 2020

7460 ENERGY CONSERVATION

The Board of Education is committed to the conservation of natural as well as fiscal resources and directs the Superintendent to develop and implement regulations for the conservation of energy in the management of the school building.

The Board further directs all employees of this district to cooperate in the program of energy conservation.

Adopted: 19 October 2011

7480 MOTOR VEHICLES ON SCHOOL PROPERTY

The school grounds owned and maintained by this Board of Education are subject to damage by motor vehicles. Accordingly, the Board has provided areas, adjacent to the school building, in which employees of the district and visitors to the school may drive and park motor vehicles.

The Board prohibits the use or presence of any motor vehicle, including motorcycles, all-terrain vehicles, snow mobiles, and mopeds, for any purpose on any part of the school property owned by the Board other than the driving and parking areas established by the Board except as expressly permitted by the Superintendent or School Business Administrator/Board Secretary.

The Board directs the Superintendent to have conspicuous notices posted forbidding the parking of motor vehicles in undesignated areas of the school grounds. There shall be no overnight parking on Board of Education property. The local authorities may enforce violators of this policy.

The Board reserves the right to prosecute in a court of competent jurisdiction any person whose violation of this rule results in damage to the property of this district.

N.J.S.A. 2C:17-3
N.J.S.A. 18A:37-3

Adopted: 19 March 2014

7481 UNMANNED AIRCRAFT SYSTEMS (UAS also known as DRONES)

The Board of Education is concerned for the safety of all staff members, students, parents, community members, and visitors while on school grounds. The Board of Education recognizes the operation of an unmanned aircraft system (UAS) on school grounds or flying an unmanned aircraft on or over school grounds presents a public safety issue as school grounds are populated many hours of the day by students, staff members, parents, and community members.

An unmanned aircraft system is the unmanned aircraft and all the associated support equipment, control station, data links, telemetry, communications and navigation equipment, etc. necessary to operate the unmanned aircraft. The unmanned aircraft is the flying portion of the system by a pilot via a ground control system, or autonomously through the use of an on-board computer, communication links and any additional equipment that is necessary for the unmanned aircraft to operate safely. A model aircraft is considered an unmanned aircraft.

The Board of Education prohibits the operation of an unmanned aircraft system on school grounds, the launching or landing of an unmanned aircraft on school grounds, or the flying of an unmanned aircraft over school grounds at all times.

However, the Board of Education may authorize the use of an unmanned aircraft system on school grounds for an approved school district purpose.

The use of an unmanned aircraft system on school grounds for school district purposes that is owned and operated by a contractor must be approved by the Board of Education. Such request must include documentation (to include: the pilot's certificate, medical certification, aircraft registration, etc.) supporting the contractor's compliance with all applicable Federal Aviation Administration regulations and any State and local laws for the operation of an unmanned aircraft system and proof of insurance coverage for the specific use as required by the Board of Education. The minimum insurance coverage shall be determined by the Board after consultation with the Board's insurance company and Board Attorney.

The use of an unmanned aircraft system on school grounds for school district purposes that is owned and operated by the Board of Education or owned and operated by a student and used in an approved school district program must be operated under the supervision of a school district staff member(s). The unmanned aircraft system shall only be operated on school grounds and the unmanned aircraft shall only be launched or landed on school grounds or flown over school grounds. The Superintendent or designee shall approve the specific activity(ies) or event(s) in which an unmanned aircraft system may be used. The Superintendent or designee shall ensure the use of a school district-owned or student-owned unmanned aircraft system is in compliance with all applicable Federal Aviation Administration regulations and State and local laws for the operation of an unmanned aircraft system. In addition, the Superintendent or designee shall ensure the Board of Education has insurance coverage for the use or operation of an unmanned aircraft system. The insurance coverage shall be determined by the Board after consultation with the Board's insurance company and Board Attorney.

The Board of Education may post signage on school grounds indicating the operation of an unmanned aircraft system or flying an unmanned aircraft over school grounds without Board of Education approval is prohibited at all times.

The Board of Education will take appropriate action in accordance with Federal Aviation Administration regulations and/or any State and local laws against any violations of the provisions of this Policy.

Adopted: 16 November 2016

7490 ANIMALS ON SCHOOL PROPERTY

The Board of Education will make every reasonable effort to maintain school grounds in a condition appropriate for the activities of school students.

Pet animals are not permitted on school district grounds, except by the express permission of the Superintendent. Without such permission, a pet owner who brings or permits his/her animal on school grounds has committed an act of trespass. If an animal is found running at large on school grounds, its owner will be deemed to have permitted the animal to enter school property.

The Board directs the Superintendent to give notice regarding the prohibition of pets by posting appropriate signs on school property. The Superintendent shall report to the appropriate municipal authorities any pet that runs at large on school property and any pet owner whose animal is present on school property is in violation of this policy.

Adopted: 19 October 2011

7510 USE OF SCHOOL FACILITIES

The Board of Education believes the school facilities of this district should be made available for community purposes, provided that such use does not interfere with the educational and co-curricular programs of the school district. For the purpose of this policy, "school facilities" also includes school grounds.

The Board will permit the use of school facilities when such permission has been requested in writing and has been approved by the Superintendent and/or Board of Education. The Board reserves the right to withdraw permission after it has been granted in the event circumstances change requiring such school facilities or school grounds will be needed for a school district purpose or due to a school closing due to weather or other emergency.

In weighing competing requests for the use of school facilities, the Board will give priority to the following uses, in the descending order given:

1. Uses and groups directly related to the schools and the operations of the schools, including pupil and teacher groups;

2. Uses and organizations indirectly related to the schools, including the P.T.A., P.T.O., Home-School Association, and other school-parent related organizations;

3. Departments and agencies of the municipal government;

4. Governmental agencies;

5. Community organizations formed for charitable, civic, social, or educational purposes;

6. Community political organizations;

7. Community church groups;

8. Private groups and organizations;

The use of school facilities will not be granted for the advantage of any commercial or profit-making organization, partisan political activity, or any private social function.

The use of school facilities will not be granted for any purpose that is prohibited by law.

Each user shall present evidence of the purchase of organizational liability insurance to the limit as prescribed by district regulations. Each user shall inspect any facility or school grounds to be used prior to such use and shall notify a district representative of any existing safety or dangerous conditions. In the event such conditions exist, the district may cancel or modify the user's access to the school facility until such conditions are addressed. Users shall be financially liable for damage to the facilities and for proper chaperonage as required by the school district administration.

Use of school equipment in conjunction with the use of school facilities must be specifically requested in writing and may be granted in accordance with Policy No. 7520. The users of school equipment must accept liability for any damage or loss to such equipment that occurs while it is in their use, regardless of any assignment of negligence. Where rules so specify, certain items of equipment may only be used by a qualified operator approved by the school district administration.

The Board shall approve annually a schedule of fees for the use of school facilities based upon the following guidelines:

1. The use of school facilities for activities directly related to the educational program and district operations and use by (including but not limited to) EF Borough – Council, EFPD, EFFD, Recreation Dept., PTA, EFFEE, Boy Scouts, Cub Scouts, Girl Scouts, Brownies/Daisies, WEFE. Alumni Groups, Garden Club shall be without cost to the user except that the user shall be responsible for any custodial costs incurred by the use and any fees charged by a law enforcement agency in connection with the use.

2. All other organizations or persons granted the use of school shall pay in advance the scheduled fee and the cost of any additional staff services required by the use.



The school district shall provide a copy of Policy and Regulation 2431.4 – Prevention and Treatment of Sports-Related Concussions and Head Injuries to all youth sports team organizations that operate on school grounds or in school facilities. In accordance with the provisions of N.J.S.A. 18A:40-41.5, the school district shall not be liable for the injury or death of a person due to the action or inaction of persons employed by, or under contract with, a youth sports team organization that uses school facilities or operates on school grounds if the youth sports team organization provides the school district proof of an insurance policy in the amount of not less than $50,000 per person, per occurrence; insuring the youth sports team organization against liability for any bodily injury suffered by a person. The youth sports team organization must also provide a statement of compliance with the school district's Policy and Regulation 2431.4 - Prevention and Treatment of Sports-Related Concussions and Head Injuries.

For the purpose of this Policy, a "youth sports team organization" means one or more sports teams organized pursuant to a nonprofit or similar charter or which are member teams in a league organized by or affiliated with a county or municipal recreation department.

The Board shall provide to all persons who supervise youth programs that are not sponsored by the school district, but operate a program in a district building before or after school hours, on the weekend, or during a period when school is not in session, information on the district's

school practices and procedures in the event of a school safety or security incident at a school including non-confidential information on evacuation procedures, emergency response protocols, and emergency contact information in accordance with the provisions of N.J.S.A. 18A:41-7.

The Superintendent shall develop regulations for the use of school facilities; such regulations shall be distributed to every user of the facilities and every applicant for the use of school facilities. Permission to use school facilities shall be granted only to persons and organizations that agree to the terms of Policy and Regulation 7510, the requirements as outlined in the use of school facilities application, and in accordance with the terms outlined in the approval granted by the school district.

N.J.S.A. 18A:20-20; 18A:20-34

Adopted: 18 November 2020

7513 RECREATIONAL USE OF PLAYGROUNDS

The Board of Education requires that the playground of the school affords residents with a recreational area when school is not in session. The Board reserves the right to determine, in the interest of the safety of district residents and the integrity of the school facility, the uses to which the playground may be put and the hours when it may be used.

The Board will publish rules of conduct, which shall govern all persons who use the facilities of this district. Students and employees of this district who violate those rules will be subject to discipline. The Board directs that any other person who violates a rule of this Board be requested to leave the school premises.

Because of its potential for hazard, no object that is powered by fuel or battery shall be brought onto the school grounds for any purpose that is primarily recreational without the express permission of the Principal. Such objects include, but are not limited to, mini-bikes, mopeds, motorized model airplanes, and rockets.

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

Adopted: 19 October 2011

7520 LOAN OF SCHOOL EQUIPMENT

The Board of Education believes that district owned equipment is a valuable resource that may be loaned for community use under certain conditions and when such use does not interfere with the educational program of the school.

The Board may lend specific items of equipment on the written request of the user when approval has been granted by the Superintendent and when such equipment is unobtainable elsewhere.

School equipment may be removed from school property by students or staff members only when such equipment is necessary to accomplish a task arising from their school or job responsibilities. The consent of the Superintendent is required for such removal. The removal of school equipment from school property by students or employees for personal use is prohibited.

The user of school owned equipment shall be fully liable for any damage or loss occurring to the equipment during the period of its use, regardless of any assignment of negligence, and shall be responsible for its safe return. When equipment authorized for loan requires the services of a qualified operator, the user shall employ the services of a person designated by this district and shall pay such costs as may have been set for such services.

Adopted: 19 October 2011

7522 SCHOOL DISTRICT PROVIDED TECHNOLOGY DEVICES TO STAFF MEMBERS

The Board of Education may provide technology devices to staff members for the express purpose of enhancing productivity and improving operational efficiency. The purpose of this Policy is to establish general guidelines for the issuance and utilization of any school district technology device provided to staff members. For the purposes of this Policy, "technology device" or "device" shall include, but not be limited to, portable devices such as computers, laptops, tablets, cellular telephones, or any other computing or electronic devices the school district provides to staff members to be used in their school business related responsibilities.

A technology device provided by the school district to a staff member may include pre-loaded software. A staff member shall not download additional software onto the technology device or tamper with software included on the technology device. Only school district authorized staff members may load or download software onto a school district provided technology device. A staff member(s) will be designated to administer and implement the issuance of school district technology devices to staff members.

In the event the Board of Education provides a technology device to a staff member, the staff member shall be required to sign an agreement with the Board of Education requiring the staff member to comply with certain provisions. These provisions may include, but are not limited to:

1. A technology device provided to a staff member shall be used for the sole and express purpose of conducting official school district business;

2. Use of all such devices is subject to the school district's acceptable use of technology policies and any other Board policies regarding appropriate and acceptable conduct by a staff member;

3. All technology devices are considered the personal property of the Board of Education and shall be returned upon termination of employment with the school district or immediately upon request by the Superintendent of Schools or designee;

4. Technology devices provided by the school district to staff members may include the school district's software image and pre-loaded software for specific tasks. The installation of other software images or software on such technology devices may only be done by school district authorized staff members;



5. Staff members that are provided technology devices are expected to take all appropriate measures and precautions to prevent the loss, theft, damage, and/or unauthorized use of such technology devices. These appropriate measures and precautions for school district provided technology devices to staff members shall include, but are not limited to, the following:

   a. Keep the technology device in a locked and secured environment when not being used;

   b. Do not leave the technology device in a vehicle for prolonged periods of time, especially in extreme temperatures;

   c. Keep food and drinks away from all technology devices and work areas;

   d. Prohibit the use of any technology device by any other person except as authorized by the Superintendent or designee;

   e. Do not leave the technology device unattended at any time in an unsecured location (e.g., an unlocked empty classroom or office); and

   f. Keep the technology device in sight at all times while in public places, such as public transportation, airports, restaurants, etc.

6. Should the staff member have reason to believe the technology device may have been stolen, the staff member must:

   a. Immediately report the incident to his/her immediate supervisor;

   b. File an official police report documenting the theft; and

   c. Provide a copy of the police report to his/her immediate supervisor.

   If a staff member fails to adhere to these procedures, the staff member will be held legally and financially responsible for the replacement of such technology device. A staff member may be financially responsible for the loss or damage of a technology device;



7. A staff member must contact the district designated staff member in the event the technology device is not functioning properly or for repairs and/or required maintenance within 48 hours;

8. The Board of Education is under no legal, financial, or other obligation to provide a replacement technology device to any employee whose device is lost, stolen, or damaged;

9. Any technology device provided to a staff member is the property of the Board of Education. As such, the staff member shall have no expectation of privacy in the use of such device. The technology device may have security settings, monitoring or auditing software, tracking technology, and any other software that could monitor the use of the technology device;

10. The staff member(s) designated to administer and implement the issuance of technology devices to staff members shall:

    a. Maintain direct oversight of the inventory of devices, service contracts, agreements, and internal controls for all school district provided technology devices provided to staff members; and

    b. Ensure compliance with regulatory policies and procedures as applicable.

11. Any violation of Board of Education policies or procedures including, but not limited to, school district provided technology devices to staff members; acceptable use of computer networks, computers, and resources; and/or inappropriate staff conduct may result in appropriate disciplinary action.

12. All Board of Education purchased devices must be brought to school every work day.

A copy of this Policy shall be attached to the agreement that shall be signed by any staff member who receives a technology device in accordance with the provisions of this Policy.

Adopted: 18 September 2013

7540 JOINT USE OF FACILITIES

The Board of Education supports the joint expenditure of school district funds and municipal or county funds to provide facilities from which the community may derive benefits.

The Board may, as the opportunity or need arises, and is permissible by law, join with the local municipal governing body or each or all of the governing bodies of municipalities comprising the school district in acquiring, improving, equipping, operating, or maintaining jointly used facilities in accordance with applicable law.

N.J.S.A. 18A:20-19; 18A:20-34

Adopted: 2 March 2022

7523 SCHOOL DISTRICT PROVIDED TECHNOLOGY DEVICES TO STUDENTS

The Board of Education may provide technology devices to students in the district for school district authorized use only. The purpose of this Policy is to establish general guidelines for the issuance and utilization of any school district technology device provided to students of this district. For the purposes of this Policy, "technology device" or "device" shall include, but not be limited to, portable devices such as computers, laptops, tablets, cellular telephones, or any other computing or electronic devices the school district provides to students to be used as part of their educational program.

A technology device made available to students will not be considered a textbook or supply, as defined in N.J.S.A. 18A:34-1, mandatory to a successful completion of the classroom curriculum. Therefore, because a technology device defined in this Policy is not mandatory to a successful completion of a pupil's classroom curriculum, a pupil will not be required to obtain a technology device provided by the school district as defined in this Policy. In the event the school district provides a technology device that is deemed mandatory to a successful completion of the classroom curriculum, the district will provide students with such a technology device consistent with its textbook or supply policies. Nothing in this Policy prohibits a pupil from using their personal technology device in accordance with school rules and regulations.

A technology device provided by the school district may include pre-loaded software. A pupil is prevented from downloading additional software onto the technology device or tampering with software installed on the technology device. Only school district authorized staff members may load or download software onto a school district provided technology device.

To receive a school district provided technology device, the parent and pupil must sign a School District Provided Technology Device Form requiring the parent and the pupil to comply with certain provisions. These provisions may include, but are not limited to:

1. A school district provided technology device must be used only by the pupil for school district authorized use;

2. A pupil shall comply with the school district's acceptable use of technology policies, which shall be attached to the School District Provided Technology Device Form, in their use of any school district provided technology device;

3. Any school district provided technology device loaned to a pupil must be returned to the school district in the condition it was initially provided to the pupil considering reasonable use and care by the pupil;

4. The parent or pupil shall be responsible to reimburse the school district the cost of any technology device that is lost, damaged beyond reasonable use or beyond its value, abandoned, missing, stolen, or cannot be returned to the district in accordance with the terms of the School District Provided Technology Device Form;

5. A pupil will be required to report any hardware or software problems in the operation of the device to the school district staff member, designated on the School District Provided Technology Device Form, within two school days of the commencement of the problem;

6. A pupil must report to the school district staff member designated on the School District Provided Technology Device Form within two school days in the event the technology device has been damaged or is missing;

7. A parent or pupil is required to immediately file a police report in the event it is believed the technology device has been stolen. Within one school day after filing a police report, a parent or pupil shall complete the School District Provided Technology Device Loss Form and submit the completed Loss Form and a copy of the police report to the Principal or designee;

8. A pupil shall be required to provide routine cleaning and care of the device in accordance with school district cleaning and care guidelines;

9. The pupil shall have the technology device in their possession in school as required; and

10. Any other provisions the Superintendent of Schools determines should be included on the School District Provided Technology Device Form.



The school district will provide the pupil and parent with written or electronic notification that the technology device provided by the school district may record or collect information on the pupil's activity or the pupil's use of the technology device if the device is equipped with a camera, global positioning system, or other feature capable of recording or collecting information on the pupil's activity or use of the device. This notification shall also include a statement that the school district shall not use any of the capabilities in a manner that would violate the privacy rights of the pupil or any individual residing with the pupil. The parent shall be required to acknowledge receipt of this notification and the parent acknowledgement shall be retained by the Principal or designee for as long as the pupil retains the use of the school district provided technology device. The parent acknowledgement and a signed School District Provided Technology Device Form shall be required before the issuance of a technology device to a pupil. In accordance with the provisions of P.L. 2013, Chapter 44, a school district failing to provide this notification shall be subject to a fine of $250 per pupil, per incident. The fine shall be remitted to the New Jersey Department of Education, and shall be deposited in a fund that shall be used to provide laptop or other portable computer equipment to at-risk students as defined in N.J.S.A. 18A:7F-45.

Students shall comply with all school district policies for the use of a school district provided technology device. A pupil shall be subject to consequences in the event the pupil violates any school district policy, including the district's acceptable use policies; pupil code of conduct; any provision of this Policy; or any provision of the School District Provided Technology Device Form.

N.J.S.A. 18A:34-1
P.L. 2013, Chapter 44 – "The Anti-Big Brother Act"

Adopted: 18 September 2013

7610 VANDALISM

The Board of Education believes all school district property should be respected and all persons who use or have access to school district property should respect such property and take pride in the institutions of this community and the schools of this district.

Any person who purposely or knowingly damages school district property or damages school district property recklessly or negligently in the employment of fire, explosives, or another dangerous means listed in accordance with N.J.S.A. 2C:17-2 or purposely or recklessly tampers with the tangible property of the school district so as to endanger school district property shall be reported to the appropriate law enforcement agency. Pursuant to N.J.S.A. 18A:37-3, the parent(s) of any minor who shall injure any public or nonpublic school property shall be liable for damages for the amount of injury to be collected by the Board or the owner of the premises in any Court of competent jurisdiction, together with costs of suit.

A person convicted of an offense of criminal mischief that involves an act of graffiti may, in addition to any other penalty imposed by the Court, be required to pay the school district monetary restitution in the amount of the pecuniary damage caused by the act of graffiti and to perform community service, which may include removing the graffiti from the property, in accordance with N.J.S.A. 2C:17-3.c. If community service is ordered by the Court, it shall be for either not less than twenty days or not less than the number of days necessary to remove the graffiti from the property.

A person who purposely defaces or damages district property with any symbol that exposes persons to violence, contempt, or hatred on the basis of any of the protected categories listed at N.J.A.C. 6A:7-1.1(a) may have committed a crime and shall be reported to the appropriate law enforcement agency in accordance with Policy and Regulation 8465, N.J.A.C. 6A:16-6.3, and the Memorandum of Agreement with Local Law Enforcement.

The Board may also report to the appropriate law enforcement agencies any person whose vandalism of school property is serious or chronic.

N.J.S.A. 2C:33-10
N.J.S.A. 18A:34-2; 18A:37-3
N.J.A.C. 6A:7-1.1; 6A:7-1.3; 6A:16-6.3

Adopted: 20 March 2024

7650 SCHOOL VEHICLE ASSIGNMENT, USE, TRACKING, MAINTENANCE, AND ACCOUNTING

The Board of Education does not own any school vehicles.

N.J.A.C. 6A:23A-6.11; 6A:23A-6.12

Adopted: 19 October 2011

8000 OPERATIONS

Number	Title
8130	School Organization (M)
8140	Pupil Enrollments (M)
8210	School Year
8220	School Day
8310	Public Records
8311	Managing Electronic Mail
8320	Personnel Records (M)
8330	Pupil Records (M)
8335	Family Educational Rights and Privacy Act
8350	Records Retention
8420	Emergency and Crisis Situations (M)
8431	Preparedness for Toxic Hazard
8441	Care of Injured and Ill Persons (M)
8442	Reporting Accidents
8451	Control of Communicable Disease (M)
8453	HIV/AIDS
8454	Management of Pediculosis
8461	Reporting Violence, Vandalism, Harassment, Intimidation, Bullying, Alcohol, and Other Drug Offenses (M)
8462	Reporting Potentially Missing or Abused Children (M)
8465	Bias Crimes and Bias-Related Acts (M)
8467	Weapons (M)
8468	Crisis Response
8470	Response to Concerted Job Action
8505	Wellness Policy/Nutrient Standards for Meals and Other Foods (M)
8506	School Lunch Program Biosecurity Plan (M)
8600	Student Transportation (M)
8601	Pupil Supervision After School Dismissal (M)
8630	Bus Driver/Bus Aide Responsibility (M)
8660	Transportation by Private Vehicle (M)
8670	Transportation of Special Needs Students (M)
8710	Property Insurance
8740	Bonding
8750	Employee Indemnification
8760	Pupil Accident Insurance
8770	School Board Insurance Group
8820	Opening Exercises
8860	Memorials

8130 SCHOOL ORGANIZATION

The Board of Education directs the organization of the instructional program of this district in the following school and grades:

School	Grades
Essex Fells Elementary	Pre-K - 6

The Superintendent shall continually monitor the effectiveness of the district organizational plan and recommend to the Board such modifications in the plan as may be in the best interest of students, make most effective use of district resources, and serve the educational goals of the Board.

Adopted: 19 October 2011

8140 PUPIL ENROLLMENTS

The Board of Education recognizes that efficient district operations require an accurate and up to date accounting of the number of students resident in this district and enrolled in district classes and programs.

Student attendance shall be recorded in the school register during school hours on each day in session pursuant to N.J.A.C. 6A:32-8.3. A staff member designated by the Superintendent shall keep in the school register, attendance of all students, and shall maintain the attendance records in accordance with N.J.A.C. 6A:32-8 and N.J.A.C. 6A:32-8.1(c).

In accordance with N.J.A.C. 6A:32-8.1(e), a student who has been placed on home instruction shall have their attendance status recorded on the regular register for the program in which the student is enrolled. The student shall be marked absent for the period beginning the first day the student is unable to attend school and ending the day before the first instructional day at the student's place of confinement. Absences shall not be recorded for the student while on home instruction, provided the hours of instruction are no less than required by N.J.A.C. 6A:14-4.8 and 4.9 and N.J.A.C. 6A:16-10.1 and 10.2. The number of possible days in membership for a student on home instruction shall be the same as for other students in the program in which the student is enrolled.

Such records shall be made and maintained as will enable the Board to plan program and facilities development, to make appropriate allocation of district resources, and receive the district's maximum amount of State and Federal aid.

The Superintendent or designee shall annually and in accordance with the timelines established by the Commissioner, file a report with the Commissioner stating the school district's enrollment.

N.J.S.A. 18A:25-4
N.J.A.C. 6A:14-4.8; 6A:14-4.9; 6A:16-10.1; 6A:16-10.2;
6A:32-8.1; 6A:32-8.2; 6A:32-8.3

Adopted: 15 February 2023

8210 SCHOOL YEAR

The Board of Education recognizes that the preparation of a school calendar is essential to orderly educational planning and to the efficient operation of the district.

The Board shall annually approve the days when the school will be in session for instructional purposes. The school calendar will provide no fewer than one hundred eighty days of instruction in accordance with N.J.S.A. 18A:7F-9. Days on which school is closed for holidays, teachers' institutes, and inclement weather shall not be considered as days in session.

A half-day class or shortened school day shall be considered the equivalent of a full day only if school is in session for four or more hours, exclusive of recess periods or lunch periods.

A school day shall consist of not less than four hours, except that one continuous session of two and one-half hours may be considered a full day for Kindergarten in accordance with N.J.A.C. 6A:32-8.3(b).

An approved Kindergarten shall meet the requirements set forth in N.J.A.C. 6A:32-8.3(c).

The Commissioner of Education shall annually prescribe a list of religious holidays on which it shall be mandatory to excuse students for religious observance upon the written request signed by the parent or person standing in loco parentis. Staff members shall avoid, whenever possible, scheduling a test on a religious holiday commonly observed by residents of the district.

The Superintendent shall in consultation with the West Essex Regional High School District and the three other constituent districts, annually prepare and submit to the Board a school calendar for the next school year no later than May 1. The Board reserves the right to alter the school calendar when: such alteration is feasible and serves the best interests of the students of this district; the number of school closings during the school year extend the school year past a reasonable closing date in June; there is an extended school closing during the school year due to an unforeseen circumstance; and/or due to any reason deemed in the best interest of students.

N.J.S.A. 18A:25-3; 18A:36-2; 18A:36-16
N.J.A.C. 6A:32-8.3

Adopted: 19 August 2020

8220 SCHOOL DAY

The Board of Education shall annually approve the times that school(s) will be in session, including the starting and ending time of a shortened day. A school day shall be in accordance with N.J.A.C. 6A:32-8.3.

The schools of the district will be in session for students on those days and times recommended by the Superintendent and annually approved by the Board.

The Superintendent may close school, delay the opening of school, or dismiss school early when such alteration in the regular session is required for the protection of the health and safety of students and staff members or other good cause. A shortened school day, whether it is planned or emergent (as in the case of inclement weather), must meet certain requirements in order to count toward the one hundred eighty day requirement of N.J.S.A. 18A:7F-9.

The Superintendent shall inform the Board President of any such alteration as soon as possible and shall prepare rules for the proper and timely notification of concerned persons in the event of any delayed opening or emergency school closing.

N.J.A.C. 6A:32-8.3

Adopted: 19 August 2020

8310 PUBLIC RECORDS

The Board of Education recognizes its responsibility to maintain the public records of this school and to make such records available to residents of New Jersey for inspection and reproduction. The Board designates the School Business Administrator/Board Secretary as the custodian of government records for the school.

Government Record or Record (N.J.S.A. 47:1A-1.1)

"Government records" or "records" pursuant to N.J.S.A. 47:1A-1.1 include any record that has been required by law to be made, maintained, or kept on file by the Board, its officials, or its employees. Except as such records that may be exempted by law or this policy, a "government record" or "record" means any paper, written or printed book, document, drawing, map, plan, photograph, microfilm, data processed or image processed document, information stored or maintained electronically or by sound-recording or in a similar device, or any copy thereof, that has been made, maintained or kept on file in the course of the official business of the Board of Education or that has been received in the course of the official business of the Board of Education.

Board meeting minutes may be inspected and copied as soon as they are prepared; unapproved minutes will be so labeled. Minutes of executive/closed session Board meetings conducted in accordance with the Open Public Meetings Act will be preserved separately and will not be available for immediate public inspection. These minutes will be integrated with minutes of public meetings only after the matter discussed at the executive/closed session meeting has been made public.

A "government record" or "record" does not include inter-agency or intra-agency advisory, consultative, or deliberative material.

A "government record" or "record" does not include excluded information as outlined in N.J.S.A. 47:1A-1.1. The excluded information includes, but is not limited to, information which is deemed to be confidential as per N.J.S.A. 47:1A-1 et seq. Victims' records; trade secrets and proprietary commercial or financial information; any record within the attorney-client privilege; administrative or technical information regarding computer hardware, software and networks which, if disclosed, would jeopardize computer security; emergency or security information or procedures for any building or facility which, if disclosed, would jeopardize security; security measures and surveillance techniques and information which, if disclosed, would give an advantage to competitors or bidders are examples of excluded government records.

Information generated by or on behalf of the Board or Board employees in connection with any sexual harassment complaint filed within the Board or with any grievance filed by or against an individual or in connection with collective negotiations, including documents and statements of strategy or negotiating position; information which is a communication between the school and its insurance carrier, administrative service organization or risk management office; information which is to be kept confidential pursuant to court order and that portion of any most documents which discloses the social security number, credit card number, unlisted telephone number or driver license number of any person; and personnel and pension records of an individual, except the individual's name, title of position, salary, payroll record, length of service, date of separation and the reason therefore, the amount and type of pension he/she receives, and data, other than detailed medical or psychological information, that shows conformity with qualifications for employment and pensions are examples of excluded government records.

Test questions, scoring keys, and other examination data pertaining to the administration of an examination for employment or academic examination; information concerning individual pupil records; grievance or disciplinary proceedings against a pupil to the extent disclosure would reveal the identity of the pupil; and all other information defined as not being a government record in N.J.S.A. 47:1A-1 et seq. are not government records.

Records of Investigation In Progress (N.J.S.A. 47:1A-3 et seq.)

Records which are sought to be inspected, copied, or examined pertain to an investigation in progress by the Board and/or administration will be inspected, copied and/or examined pursuant to N.J.S.A. 47:1A-3.

Inspection, Examination and Copying (N.J.S.A. 47:1A-5 et seq.)

The custodian will permit the government record to be inspected, examined, and copied pursuant to N.J.S.A. 47:1A-5 et seq. by any person during regular business hours. In the case of a Board of Education having a total school enrollment of 500 or fewer, the custodian will permit the records to be inspected, examined and copied during not less than six regular business hours over not less than three business days per week or the entity's regularly-scheduled business hours, whichever is less, unless the government record is exempt from public access as per N.J.S.A. 47:1A-1 et seq.

Copy Purchase (N.J.S.A. 47:1A-5 et seq.)

Except as otherwise provided by law or regulation, the fee assessed for the duplication of a government record embodied in the form of printed matter shall be $.05 per letter size page or smaller, and $.07 per legal size page or larger. If the school can demonstrate that its actual costs for duplication of a government record exceed the per page rates, the school shall be permitted to charge the actual cost of duplicating the record. The actual cost of duplicating the record, upon which all copy fees are based, shall be the cost of materials and supplies used to make a copy of the record, but shall not include the cost of labor or overhead expenses associated with making the copy except as provided for in N.J.S.A. 47:1A-5.c.

Actual copy costs for special copies, such as color printing or blueprints copied within the school, shall be calculated separately. Access to electronic records and non-printed materials shall be provided free of charge, but the school may charge for the actual costs of any needed supplies such as computer discs.

If the school's calculated per copy actual cost exceeds the enumerated rates set forth in N.J.S.A. 47:1A-5.b. the school, if challenged, must demonstrate its actual costs are indeed higher than those enumerated rates and are therefore justified.

Whenever the nature, format, manner of collation, or volume of a government record embodied in the form of printed matter to be inspected, examined, or copied pursuant to this policy is such that the record cannot be reproduced by ordinary document copying equipment in ordinary business size or involves an extraordinary expenditure of time and effort to accommodate the request, the school may charge, in addition to the actual cost of duplicating the record, a special service charge that will be reasonable and will be based upon the actual direct cost of providing the copy or copies. The custodian will provide the requestor an opportunity to review and object to the charge prior to it being incurred.

A custodian will permit access to a government record and provide a copy thereof in the medium requested if the school maintains the record in that medium. If the school does not maintain the record in the medium requested, the custodian will either convert the record to the medium requested or provide a copy in some other meaningful medium. If a request is for a record in a medium not routinely used by the school; not routinely developed or maintained by the school or requiring a substantial amount of manipulation or programming of information technology, the school may charge, in addition to the actual cost of duplication, a special charge that will be reasonable and based on the cost for any extensive use of information technology, or for the labor cost of personnel providing the service, that is actually incurred by the school or attributable to the school for the programming, clerical, and supervisory assistance required, or both.

Immediate access ordinarily will be granted to budgets, bills, vouchers, contracts, including collective negotiations agreements and individual employment contracts, and public employee salary and overtime information.

The custodian will adopt a form for the use of any person who requests access to a government record held or controlled by the school. The request form will include information in accordance with the requirements of N.J.S.A. 47:1A-5.f. Requests for access to a government record shall be in writing and hand-delivered or mailed to the custodian. The custodian will promptly comply with a request in accordance with N.J.S.A. 47:1A-5.g.

Any officer or employee of the school who receives a request for access to a government record will forward the request to the custodian of the record or direct the requestor to the custodian of the record.

The custodian will grant access to a government record or deny a request for access to a government record in accordance with N.J.S.A. 47:1A-5.i and as soon as possible, but not later than seven business days after receiving the request, provided that the record is currently available and not in storage or archived.

A custodian will post prominently in public view in the part of the office of the custodian that is open to or frequented by the public a statement that sets forth in clear, concise and specific terms the right to appeal a denial of, or failure to provide, access to a government record by any person for inspection, examination, or copying or for purchase of copies thereof and the procedure by which an appeal may be filed.

Challenge to Access Upon Denial (N.J.S.A. 47:1A-6)

A person who is denied access to a government record by the custodian, at the option of the requestor, may institute a proceeding to challenge the custodian's decision by filing an action in Superior Court or in lieu of filing an action in Superior Court, file a complaint with the Government Records Council established pursuant to Section 8 of P.L.2001, c. 404 (C.47:1A-7). If it is determined that access was improperly denied, the court or agency head shall order that access be allowed. A requestor who prevails in any proceeding shall be entitled to a reasonable attorney's fee. A public official, officer, employee, or custodian who knowingly and willfully violates N.J.S.A. 47:1A-1 et seq. and is found to have unreasonably denied access under the totality of the circumstances, shall be subject to the penalties and disciplinary proceedings in accordance with N.J.S.A. 47:1A-11.

Government Records Council (N.J.S.A. 47:1A-7 et seq.)

The Board and the custodian of records will comply with the requirements and guidelines from the Government Records Council in accordance with N.J.S.A. 47:1A-7.

Common Right Law Right of Access (N.J.S.A. 47:1A-8)

Nothing contained in N.J.S.A. 47:1A-1 et seq. will be construed as limiting the common law right of access to a government record, including criminal investigative records of a law enforcement agency.

Construction with Other Laws (N.J.S.A. 47-1A-9 et seq.)

The provisions of this policy and N.J.S.A. 47:1A-1 et seq. shall not abrogate any exemption of a public or government record from public access heretofore made pursuant to N.J.S.A. 47:1A-1 et seq.; any other statute; resolution of either or both Houses of the Legislature; regulation promulgated under the authority of any statute or Executive Order of the Governor; Executive Order of the Governor; Rules of Court; any Federal law; Federal regulation; or Federal order.

The provisions of this policy and N.J.S.A. 47:1A-1 et seq. shall not abrogate or erode any executive or legislative privilege or grant of confidentiality heretofore established or recognized by the Constitution of this State, statute, court rule or judicial case law, which privilege or grant of confidentiality may duly be claimed to restrict public access to a public or government record.

N.J.S.A. 10:4-14
N.J.S.A. 47:1A-1.1 et seq.

Adopted: 19 October 2011

8311 MANAGING ELECTRONIC MAIL

School district e-mail messages, like paper records, must be retained and destroyed according to established records management procedures as required by New Jersey's Division of Archives & Records Management (NJDARM). E-mail messages are electronic documents created and sent or received by a computer system. This definition applies equally to the contents of the communication, the transactional information, and any attachments associated with such communication. Thus, e-mail messages are similar to other forms of communicated messages, such as correspondence and memoranda.

N.J.S.A. 47:3-16, as amended, defines public records as follows:

> "Public records" mean any paper, written or printed book, document or drawing, map or plan, photograph, microfilm, data processed or image processed document, sound recording or in a similar device, or any copy thereof, that has been made or required by law to be received for filing, indexing, or reproducing by any officer, commission agency, or authority of the State or any political subdivision thereof, including any subordinate boards thereof, or that has been received in the course of his/her or its official business by such officer, commission, agency, or authority of the State or of any political subdivision thereof, including subordinate boards thereof, in connection with the transaction of public business and has been retained by such recipient or its successor as evidence of its activities or because of the information contained therein.

An e-mail message that meets the criteria of the definition of public records per N.J.S.A. 47:3-16, as amended, whether it is subject to access by the general public or not, must be retained according to records retention and disposition schedules approved by the State Records Committee. No public record e-mail may be destroyed without prior consent of the NJDARM and the State Records Committee, even if the retention period for a record has expired.

Retention or disposition of e-mail messages must be related to the information they contain or the purpose they serve. The content of e-mail messages may vary considerably and therefore, the content must be evaluated to determine the length of time the message must be retained.

For the purposes of this Policy, there are non-record e-mail messages and public record e-mail messages.

Non-record e-mail messages are personal correspondence that do not meet the criteria of public records as per N.J.S.A. 47:3-16, as amended, and may be deleted at any time unless they become part of some official record as a result of a special circumstance. These types of messages may include personal correspondence not received or created in the course of school district business and may be deleted at any time since it is not an official public record. Non-record e-mail messages are also non-governmental publications that are publications, promotional material from vendors, and similar materials that are publicly available to anyone. These e-mail messages are not public records as defined by N.J.S.A. 47:3-16, as amended, unless specifically incorporated into other official public records, and may also be deleted at any time. However, if an e-mail message is used to justify an expenditure or is included in a proposal, the e-mail message becomes an official public record and must be retained according to records retention and disposition schedules in accordance with the appropriate retention schedules.

All public record e-mail messages shall be maintained by the individual who sends the e-mail message and the primary recipient. The sender and primary recipient are encouraged to print a hard copy of a public record e-mail and file the e-mail in school district files for continued access. The district may establish a district-wide system to facilitate public record e-mail management for continued access and retention. All public record e-mails shall be retained according to records retention and disposition schedules approved by the State Records Committee and no public record e-mail may be destroyed without prior consent of the NJDARM and the State Records Committee, even if the retention period for a record has expired.

An e-mail message that meets the criteria of the definition of a "government record" per N.J.S.A. 47:1A-1.1 must be made available to the public upon request under New Jersey's Open Public Records Act during the required retention period, unless the content of the message falls under one of the exceptions contained in the Act or any other statute, regulation, Executive Order by the Governor, rule of Court, or Federal law, regulation or order.

State of New Jersey – Circular Letter 03-10-ST – Managing Electronic Mail: Guidelines and Best Practices – 7/11/02

Adopted: 19 October 2011

8320 PERSONNEL RECORDS

The Board of Education believes that the orderly operation of the school district requires the retention of all records bearing upon an employee's qualifications for employment and employment history.

The Board requires that sufficient records be compiled and maintained to demonstrate an employee's qualifications for the position assigned; compliance with federal, state, and local benefit programs; conformity to district rules; the proper conduct of evaluations; and the employee's entitlement, as appropriate, to tenure and seniority.

The Superintendent shall be responsible for the custody and maintenance of personnel records. A single, central file of documents shall be maintained; temporary, subsidiary records will be permitted for ease in data gathering only. An employee's personnel file shall be maintained for six years following his/her termination of district service, provided the employment history record card is maintained a minimum of eighty years.

A Board of Education and private agencies that provide educational services by means of public funds shall make employee records and information available for public access pursuant to N.J.S.A. 47:1A-10, the Open Public Records Act, but in accordance with N.J.S.A. 18A:6-120.(d) and 121.(d), and as provided in Policy and Regulation 8320 - Section H.

Personnel records may be inspected by school administrators to the extent that such inspection is required in the performance of the inspector's duties.

Board members may have access to confidential information in the personnel files of only those employees recommended for or subjected to an employment action requiring a vote of the Board or where access to the information is essential for the performance of the Board member's duties. Board member access to personnel files is limited to the relevant portion of the file and is available only through the Superintendent. Board members may freely inspect employment applications filed by candidates for district positions.

An employee may inspect his/her personnel file provided that the employee requests such access in writing, reviews the record in the presence of the administrator designated to maintain the file, makes no alteration or addition to the file nor removes any material from it, and signs a log attached to the file indicating the date on which it was inspected.



An employee may appeal to the Superintendent the inclusion or exclusion of records or for appropriate administrative review of the accuracy of any record in his/her personnel file.

The Superintendent shall prepare rules enumerating the records to be maintained for each employee of this district, including, as a minimum and as appropriate to the position, the completed application form, employment contract(s), a copy of the employee's qualifying certification, transcripts, report of an employment physical examination, oath of allegiance, criminal background check, income tax forms, retirement registration, hospitalization forms, annuity forms, rate of compensation, attendance record, assignments to positions, completed evaluations, reports of disciplinary incidents, records of special awards or distinctions, and reports of annual or special physical and mental examinations.

N.J.S.A. 18A:18A-14.2; 18A:40-19; 18A:66-32
N.J.S.A. 47:1A-1 et seq.
N.J.A.C. 6A:32-4.3

Adopted: 23 September 2020

8330 STUDENT RECORDS

The Board of Education believes that information about individual students must be compiled and maintained in the interest of the student's educational welfare and advancement. The Board will strive to balance the student's right to privacy against the district's need to collect, retain, and use information about individual students and groups of students. The Board authorizes the establishment and maintenance of student files that include only those records mandated by law, rules of the State Board of Education, authorized administrative directive, and those records permitted by this Board.

The Superintendent shall prepare, present to the Board for approval, and distribute regulations that implement this Policy and conform to applicable State and Federal law and rules of the State Board of Education.

General Considerations

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

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

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

Student Information Directory

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

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

School Contact Directory for Official Use

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

Mandated and Permitted Student Records

Mandated student records are those records districts have been directed to compile by State statute, regulations, or authorized administrative directive in accordance with N.J.A.C. 6A:32-7.3.

Permitted student records are those student records not mandated pursuant to N.J.A.C. 6A:32-7.3, but authorized by the Board to promote the student's educational welfare. The Board shall authorize the permitted records to be collected by adopting this Policy and Regulation 8330, which will list such permitted records.

Maintenance and Security of Student Records

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

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

Student health records, whether stored on paper or electronically, shall be maintained in accordance with N.J.A.C. 6A:32-7.1(l). Records shall be accessible during the hours in which the school program is in operation.

Any district website shall not disclose any personally identifiable information about a student in accordance with N.J.S.A. 18A:36-35 and N.J.A.C. 6A:32-2.1.

Access to Student Records

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

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

The district shall control access to, disclosure of, and communication regarding information contained in student health records to assure access only to people permitted by Federal and State statute and regulations in accordance with N.J.A.C. 6A:32-7.5(c).

Access to and disclosure of a student's health record shall meet the requirements of FERPA.

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

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

In complying with N.J.A.C. 6A:32-7 – Student Records, the district shall adhere to requirements pursuant to N.J.S.A. 47:1A-10, the Open Public Records Act (OPRA) and FERPA.

Conditions for Access to Student Records

All authorized organizations, agencies, and persons defined in N.J.A.C. 6A:32-7 et seq. shall have access to a student record, subject to conditions outlined in N.J.A.C. 6A:32-7.6.

Rights of Appeal for Parents and Adult Students

Student records are subject to challenge by parents and adult students on the grounds of inaccuracy, irrelevancy, impermissible disclosure, inclusion of improper information, or denial of access to organizations, agencies, and persons in accordance with N.J.A.C. 6A:32-7.7(a).

To request a change in the student record or to request a stay of disclosure pending final determination of the challenged procedure, the parent or adult student shall follow the procedures pursuant to N.J.A.C. 6A:32-7.7(b).

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

Regardless of the outcome of any appeal, a parent or adult student shall be permitted to place in the student record a statement commenting upon the information in the student record or setting forth any reasons for contesting a portion of the student record, including the decision made in the appeal. The parent's or adult student's statement shall be maintained as part of the student record, as long as the contested portion of the student record is maintained. If the contested portion of the record is disclosed to any party, the statement commenting upon the information shall also be disclosed to that party.

Retention and Disposal of Student Records

A student record is considered to be incomplete and not subject to the provisions of the Destruction of Public Records Law, N.J.S.A. 47:3-15 et seq., while the student is enrolled in the district. The Board shall retain the student health record and the health history and immunization record according to the School District Records Retention Schedule, as determined by the New Jersey State Records Committee.

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

Upon graduation or permanent departure of a student from the district, the parent or adult student shall be notified in writing that a copy of the entire student record will be provided to them upon request. Information in student records, other than that described in N.J.A.C. 6A:32-7.8(f), may be disposed of, but only in accordance with the Destruction of Public Records Law, N.J.S.A. 47:3-15 et seq. Such disposition shall be in accordance with the provisions of N.J.A.C. 6A:32-7.8(c)2.

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

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

N.J.S.A. 18A:36-19; 18A:36-19.1; 18A:40-4; 18A:40-19

N.J.A.C. 6A:32-7.1; 6A:32-7.2; 6A:32-7.3; 6A:32-7.4; 6A:32-7.5;
6A:32-7.6; 6A:32-7.7; 6A:32-7.8
20 U.S.C. §8528

Adopted: 15 February 2023

8335 FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

The Board of Education policies and regulations will be in compliance with the requirements of the Family Educational Rights and Privacy Act (FERPA). FERPA affords parents and adult students certain rights with respect to the pupil's education records. FERPA requires the district to provide parents and adult students the right to inspect and review the pupil's education records within forty-five days of the day the school district receives a request for access, to request an amendment(s) of the pupil's education records the parent or adult pupil believes are inaccurate, and to consent to disclosures of personally identifiable information contained in the pupil's education records, except to the extent that FERPA authorizes disclosure without consent.

FERPA permits disclosure of pupil records without consent if the disclosure is to school officials with legitimate educational interests. FERPA permits the school district to disclose education records without a parent's or adult pupil's consent to officials of another school district in which a pupil seeks or intends to enroll. FERPA requires a school district to make a reasonable attempt to notify the parent or adult pupil of the records request unless it states in its annual notification that it intends to forward records on request.

The parent or adult pupil has the right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5901

The New Jersey Administrative Code 6A:32-7 – Pupil Records adopted by the New Jersey Department of Education incorporates the requirements of FERPA and Board of Education Policy 8330 ensures parents and adult students are afforded certain rights with respect to the pupil's education records as required by FERPA.

20 U.S.C. Sec. 1232g. – The Family Educational Rights and Privacy Act
N.J.A.C. 6A:32-7

Adopted: 19 October 2011

8350- RECORDS RETENTION

The New Jersey Department of the Treasury - Records Management Services places all public records on Records Retention Schedules that list the minimum legal and fiscal time periods public records must be retained by State and local governmental and educational agencies. Records Management Services determines these retention periods in conformance with State and Federal codes, regulations, and statutes of limitation. Final approval of the schedules comes from the State Records Committee, which is comprised of representatives of the Attorney General, State Treasurer, State Auditor, Director of Local Government Services, and the director of the division.

Part and parcel to a good records management program is the timely destruction of records once their retention period has expired. This pertains to the destruction of paper records as well as those that are microfilmed, have been imaged, or are electronic. Unique records disposal request (such as the disposal of fire damaged records which have not yet outlived their retention period) require specific authorization from the State Records Committee.

As per the Destruction of Public Records Act of 1953 (P.L. 1953, c. 410), the Board of Education must receive prior written authorization from Records Management Services to dispose of their public records regardless of the medium in which the information is maintained. Authorization to dispose public records shall be submitted electronically by the school district custodian of such records to Records Management Services. Records must be retained in accordance with the Records Retention Schedules and shall not be disposed until approval for such disposal is obtained from Records Management Services.

Adopted: 17 May 2017

8420 EMERGENCY AND CRISIS SITUATIONS

The Board of Education recognizes its responsibility to provide for the safety and security in each school building in the district. The district shall develop and implement comprehensive plans, procedures, and mechanisms that provide for safety and security in the district's public elementary and secondary schools. Plans and procedures, which shall be in written form, and mechanisms shall provide for, at a minimum: the protection of the health, safety, security, and welfare of the school population; the prevention of, intervention in, response to, and recovery from emergency and crisis situations; the establishment and maintenance of a climate of civility; and support services for staff, students, and their families, in accordance with N.J.A.C. 6A:16-5.1(a).

Pursuant to N.J.S.A. 18A:41-6, "school security drill" means an exercise, other than a fire drill, to practice procedures that respond to an emergency situation including, but not limited to, a bomb threat, non-fire evacuation, lockdown, or active shooter situation and that is similar in duration to a fire drill.

The Superintendent of Schools or designee shall consult with law enforcement agencies, health and social services provider agencies, emergency management planners, and school and other community resources, as appropriate, in the development of the district's plans, procedures, and mechanisms for school safety and security in accordance with N.J.A.C. 6A:16-5.1(b). The plans, procedures, and mechanisms shall be consistent with the provisions of N.J.A.C. 6A:16-5.1 and the format and content established by the Domestic Security Preparedness Task Force, pursuant to N.J.S.A. App. A:9-64 et seq., and the Commissioner of Education. The plans, procedures, and mechanisms shall be reviewed annually and updated as appropriate.

Pursuant to N.J.S.A. 18A:41-15, in developing its districtwide school safety and security plan, the district shall: demonstrate that it has considered the individual needs of each student with a disability, as enumerated in the students' individualized education programs (IEP), individualized health care plans, 504 plans, or, in the case of students with disabilities enrolled in nonpublic schools, service plans pursuant to N.J.S.A. 18A:46-2.15; and incorporate protocols into the districtwide school safety and security plan for communicating the individual needs of each student with a disability, when appropriate and in compliance with the "Family Educational Rights and Privacy Act of 1974," (20 USC §1232g), to third parties including, but not limited to, first responders and emergency management agencies.

A copy of the school safety and security plan shall be disseminated to all employees pursuant to N.J.A.C. 6A:16-5.1(c). New employees shall receive a copy of the school

safety and security plan, as appropriate, within sixty days of the effective date of their employment. All employees shall be notified in writing, as appropriate, regarding updates and changes to the school safety and security plan.

The district shall develop and provide an in-service training program for all employees to enable them to recognize and appropriately respond to safety and security concerns, including emergencies and crises, consistent with the district's plans, procedures, and mechanisms for school safety and security and the provisions of N.J.A.C. 6A:16-5.1. New employees shall receive the in-service training within sixty days of the effective date of their employment. The in-service training program for all employees shall be reviewed annually and updated as appropriate.

The Board shall ensure individuals employed in the district in a substitute capacity are provided with information and training on the district's practices and procedures on school safety and security including instruction on school security drills, evacuation procedures, and emergency response protocols in the district and the school building where the individuals are employed in accordance with the provisions of N.J.S.A. 18A:41-7.b. In the event an individual is employed in a substitute capacity in the district at the time the school safety and security training is being provided to full-time employees pursuant to N.J.S.A. 18A:41-7.a., the district shall include the individual in the training.

Any information or training provided pursuant to N.J.S.A. 18A:41-7 shall address the unique needs of students with disabilities in the event of a fire drill, school security drill, or actual emergency situation. All full-time employees and individuals employed in the district in a substitute capacity shall be made aware of any anticipated mobility, sensory, medical, social, communication, emotional, regulatory, and decision-making support needs of students in the care of the employee and any supports, modifications, accommodations, and services to be provided to students, as enumerated in their IEPs, individualized health care plans, 504 plans, or service plans pursuant to N.J.S.A. 18A:46-2.15.

The district shall ensure a student's unique mobility, sensory, medical, social, communication, emotional, regulatory, and decision-making needs in the event of a fire drill, school security drill, or an actual emergency situation that may occur on school grounds is maintained in the student record. The documentation maintained in the student record shall indicate whether or not the student is able to safely and fully participate in fire drills or school security drills without the use of supplementary supports, modifications, accommodations, or services, or if any accommodations are needed, including determining areas of refuge during an emergency, in accordance with N.J.S.A. 18A:46-2.15.a.



If it is determined a student requires supplementary supports, modifications, accommodations, or services in order to safely and fully participate in a fire drill or school security drill, a written plan shall be maintained in the student record, pursuant to N.J.S.A. 18A:46-2.15.b. The written plan shall: describe the anticipated mobility, sensory, medical, social, communication, emotional, regulatory, and decision-making support needs of the student during a fire drill or school security drill and during an actual emergency situation; describe the supports, modifications, accommodations, and services to be provided to the student during a fire drill or school security drill and during an actual emergency situation; and describe the role of school employees in supporting the student during a fire drill or school security drill and during an actual emergency situation, including the need for any specific training of school employees. The district shall on a regular basis, but not less than once annually, perform a review of any determinations made pursuant to N.J.S.A. 18A:46-2.15 to evaluate the school security needs of a student.

Every Principal of a school of two or more rooms, or of a school of one room when located above the first story of a building, shall have at least one fire drill and one school security drill each month within the school hours, including any summer months during which the school is open for instructional programs. Employees of the district, whether occupying buildings of one or more stories, shall keep all exterior doors and exits locked at all times except when necessary to comply with the requirements set forth in the Uniform Fire Code, including applicable requirements during an emergency lockdown or an emergency lockdown drill. All students and staff shall fully participate in each drill conducted to the greatest extent practicable and, when appropriate, utilize procedures for assisting in the rescue of persons unable to use the general means of egress to ensure that participation does not pose a safety risk. Where school buildings have been provided with fire escapes, they shall be used by a part or all of the students performing every fire drill. An actual school security emergency that occurs at a school during the month that includes activities which are the equivalent of a drill shall be considered a school security drill for the purposes of meeting the requirements of N.J.S.A. 18A:41-1.

Every school in the district shall conduct a school security drill within the first fifteen days of the beginning of the school year. In accordance with N.J.S.A. 18A:41-7a., notwithstanding any other provision of law to the contrary, the district shall ensure that a school security drill that occurs when students are present:

1. Includes clear, developmentally and age-appropriate messaging to students and staff at the conclusion of the drill that the event is a drill and that no current danger exists;

2. Does not expose students to content or imaging that is not developmentally or age-appropriate;

3. Is paired with trauma-informed approaches to address any student inquiries or concerns which may arise as a result of a school security drill;

4. Does not include the use of fake blood, real or prop firearms, or the simulations of gun shots, explosions, or other sounds or visuals that may induce panic or a traumatic response from a student or school district employee;

5. Does not require a student to role play as a victim, but may include first aid training in which students participate; and

6. Is accessible to students with disabilities and mental health conditions, and provides all necessary accommodations for these students.

The Principal or designee shall provide written notification to the parent of a student enrolled in the school following completion of a school security drill, which notice shall be provided to the parent by no later than the end of the school day on which the school security drill is conducted.

The Principal or designee will provide local law enforcement or other emergency responders, as appropriate, with a friendly notification at least forty-eight hours prior to holding a school security drill. A law enforcement officer shall be present at a minimum of one school security drill in each school year in order to make recommendations on any improvements or changes to school security drill procedures that the officer may deem advisable in accordance with N.J.S.A. 18A:41-1. The district may permit emergency personnel access to the buildings and grounds of its schools for school security drills that are scheduled outside of school hours and during such times as students are not present, pursuant to N.J.S.A. 18A:41-7a.c.

The district shall review and update its school security drill procedures using a process that coincides with the review of the school safety and security plan developed pursuant to N.J.A.C. 6A:16-5.1 and collects input from emergency personnel; parents of students enrolled in the district; teachers and staff employed in the district; mental health professionals; and student government representatives from multiple grade levels, pursuant to N.J.S.A. 18A:41-7a.d.

The district shall annually track data on such measures and information as required by the Commissioner of Education, and shall report the data to the Commissioner, pursuant to N.J.S.A. 18A:41-7a.e.

Such drills and in-service training programs shall be conducted in accordance with a building security drill guide and training materials that educate school employees on proper evacuation and lockdown procedures in a variety of emergency situations on school grounds in accordance with N.J.A.C. 6A:16-5.1.

The district will be required to annually submit a security drill statement of assurance attesting to the completion of monthly school security drills to the New Jersey Department of Education/County Office of Education by June 30 of each school year, in accordance with N.J.A.C. 6A:30 App.A. Each school in the district will be required to complete and retain a security drill record form as required by the New Jersey Department of Education.

N.J.S.A. 2C:33-3
N.J.S.A. App.A.:9-86
N.J.S.A. 18A:41-1; 18A:41-2; 18A:41-6; 18A:41-7; 18A:41-7a.;
18A:41-15; 18A:46-2.15
N.J.A.C. 6A:16-5.1; 6A:30 App.A.

Adopted: 18 September 2024

8431 PREPAREDNESS FOR TOXIC HAZARD

The Board of Education is concerned for the safety of the students and staff members assigned to the district school and will take reasonable steps to protect students and staff members from hazards that may result from industrial accidents beyond the control of school officials.

The Board will appoint an employee to serve as Toxic Hazard Preparedness (THP) Officer. The THP Officer will, in accordance with procedures prepared by the Superintendent, identify potential sources of toxic hazard and develop a plan that includes preventive and remedial measures to be followed in the event students and staff members are exposed to a toxic hazard. The plan will also include a system for the periodic evaluation of school environments.

The THP Officer will enlist the aid of county and municipal authorities and, if possible, the owners or operators of identified potential sources of toxic hazard. The Board may, in its discretion, appoint and charge an ad hoc committee of community representatives to assist the THP Officer.

The plan for toxic hazard preparedness developed by the THP Officer and approved by this Board will be disseminated to the public. Teaching staff members will be instructed in the specific measures to be taken when toxic hazard is present and in the recognition of toxic hazards in the environment. A teaching staff member who detects a toxic hazard in school shall immediately notify the school Principal and the school nurse or, in the absence of either, the person authorized to perform that office.

Nothing in this policy should be construed in any way as an assumption of liability by the Board of Education for any death, injury, or illness that is the consequence of an accident or equipment failure or negligent or deliberate act beyond the control of the Board or its officers and employees.

N.J.S.A. 13:1K-19 et seq.
N.J.S.A. 34:5A-1 et seq.
N.J.A.C. 6A:16-1.4
N.J.A.C. 7:1G-2.1
N.J.A.C. 8:59-1.4

Adopted: 19 October 2011

8441 CARE OF INJURED AND ILL PERSONS

The Board of Education will provide the prompt and appropriate medical attention for students, staff members, or visitors who are injured or become ill on school grounds or during a school sponsored event, activity, or field trip.

Any injury or illness shall be reported immediately to the school nurse or, in the absence of the school nurse, the Building Principal or designee. Immediate steps may be taken as necessary to remove the injured or ill person from danger and/or to prevent exacerbation of the injury or illness. Basic first aid may be administered by district personnel to ensure the safety and comfort of the injured or ill person until the school nurse or other medical professional arrives on the scene.

The parent of an injured or ill student and, if necessary, the family of an injured or ill staff member or visitor will be notified promptly of the injury or illness and the ongoing health status of the injured or ill person. If the school nurse or school physician or, in the absence of both, the Principal or designee determines the injured or ill person should receive a medical examination from their medical professional, the parent or family member will be required to remove the injured or ill person from the school or school event or activity. In the event a serious health emergency occurs on school grounds or during a school sponsored event, activity, or field trip, emergency medical assistance will be contacted.

In the event it is determined by the school nurse and/or a medical professional that a student shall be immediately transported to a hospital or other emergency medical facility, a school staff member, if a parent or their designee is not on the scene, shall accompany the student to a hospital or other emergency medical facility.

The school nurse(s), in consultation with the school physician, will develop basic emergency first aid procedures for the emergency treatment of an injury or illness in the event a school staff member may be in the position to provide emergency first aid until the school nurse or other medical professional arrives on the scene.

Injuries and disabilities that occur in the course of the athletic program are subject to the provisions of Policy 2431 and implementing regulations. Student disabilities attributable to substance abuse will be handled in accordance with Policy 5530. Injuries that occur in the course of school bus transportation will be handled in accordance with regulations implementing Policy 8630.

N.J.A.C. 6A:16-2.1(a)4

Adopted: 16 November 2016

8442 REPORTING ACCIDENTS

The Board of Education directs that all reasonable efforts be made to ensure a safe learning and working environment for the students and employees of this district. To that end and to the end that legitimate employee claims for worker's compensation be expedited, the Board requires that accidents be reported and evaluated. Any accident that results in an injury, however slight, to a pupil, an employee of the Board, or a visitor to the school must be reported promptly and in writing to the district business office. Injured persons shall be referred immediately to the school nurse for such medical attention as may be appropriate.

The injured employee or visitor or the staff member responsible for an injured pupil shall complete a form, available in the office of the Building Principal, that includes the date, time and place of the incident; the names of persons involved; the nature of the injury, to the extent that it is known; and a description of all relevant circumstances. Pupil reports must be accompanied by parent or designee contact and signature of document.

A copy shall be retained by the Building Principal and a copy shall be sent to the business office.

Any employee of the Board who suffers a job-related injury must report the injury and its circumstances to the Building Principal or job supervisor, as appropriate, no later than twenty-four hours following the occurrence of the injury. The failure of an employee to comply with this mandate may result in disciplinary action.

Adopted: 4 October 2017



8451 CONTROL OF COMMUNICABLE DISEASE

The Board of Education recognizes that control of the spread of communicable disease is essential to the well-being of the school community and to the efficient operation of the school.

The Board shall be bound by the statutes and by rules of the State Board of Education for the exclusion and readmission of students who have contracted a communicable disease and of teachers and students who have been exposed to a communicable disease and for the instruction of teachers in health and the prevention of disease. The Board shall comply with regulations of the New Jersey Department of Health and the County Board of Health governing the prevention, control, and reporting of communicable disease.

The teacher may exclude from the classroom and the Principal may exclude from the school building any pupil who appears to be ill or has been exposed to a communicable disease. A pupil may be isolated in school to await the arrival of or instructions from an adult member of his/her family. If the school medical inspector or the school nurse is present in the building, his/her recommendation shall be sought before any such exclusion or isolation is ordered.

Any pupil retained at home or excluded from school by reason of having or being suspected of having a communicable disease shall not be readmitted to his/her classroom until he/she presents written evidence of being free of communicable disease. That evidence may be supplied by the school medical inspector or another qualified physician who has examined the pupil.

Any pupil or adult who has weeping skin lesions that cannot be covered shall be excluded from school.

The Superintendent shall develop procedures for the control of communicable disease that include the instruction of teaching staff members in the detection of disease and measures for its prevention and control; the removal from school premises to the care of a responsible adult for students identified and excluded in accordance with this policy; the preparation of standards for the readmission of students who have recovered from communicable disease; the provision of appropriate home instruction to excluded students in accordance with law; and the filing of reports as required by law.

N.J.S.A. 18A:40-3; 18A:40-7 et seq.
N.J.S.A. 26:4-4; 26:4-6
N.J.A.C. 6A:16-1.4
N.J.A.C. 8:57-1.3; 8:57-1.6; 8:57-2.1 et seq.

Adopted: 19 October 2011

8453 HIV/AIDS

The Board of Education will comply with rules of the State Board of Education and the State Department of Health and Senior Services with regard to the admission and employment of persons who may be diagnosed with Acquired Immune Deficiency Syndrome (AIDS) or infected with Human Immunodeficiency Virus (HIV). "AIDS" means a condition affecting a person who has a reliably diagnosed disease that meets the criteria for AIDS specified by the Center for Disease Control of the United States Public Health Services. "HIV infection" means infection with the human immunodeficiency virus or any other related virus identified as a probable causative agent of AIDS. Laboratory results indicative of infection with HIV shall mean laboratory results showing the presence of HIV or components of HIV, or laboratory results showing the presence of antibodies to HIV, or results from laboratory tests conducted to measure the presence of HIV RNA (viral load tests), such as quantitative PCR tests.

AIDS or HIV infection shall not be considered a communicable disease for purposes of admission to or attendance in a school or for eligibility for educational transportation.

In accordance with N.J.A.C. 6A:16-1.4(a)8, no person, pupil or employee, will be excluded from school solely because he/she is infected with HIV or lives with or is related to a person infected with HIV. Students infected with HIV, including those who may be symptomatic or diagnosed with AIDS, may be excluded from school only as a pupil not infected with HIV or diagnosed with AIDS may be excluded from school. A school employee infected with HIV may be restricted in his/her employment only if the employee has another illness that would affect his/her employment.

Any pupil excluded from the regular school program will be provided with home instruction in accordance with rules of the State Board of Education and Policy No. 2412.

No pupil, staff member, or visitor may attend or visit school if he/she has an uncoverable and/or uncovered weeping skin lesion, whether or not the person has been screened for HIV.

It is not required that anyone in the school be especially notified that an HIV-infected pupil or employee is present. School employee physicals, pupil physicals and athletic physicals do not require disclosure of HIV status. Records of health and medical examinations should not include information about an individual's infection with HIV. Therefore, HIV/AIDS status is an exception to records required pursuant to pupil physical examinations, N.J.A.C. 6A:16-2.2, and school employee physical examinations, N.J.A.C. 6A:32-6.1 et seq. In the event the school nurse or a school official is apprised that a pupil or employee is HIV-infected, the fact of the infection will be held in strict confidence and will not be classified as a communicable disease for admission, local health reporting or educational transportation.



Information that identifies a pupil as having an HIV infection or AIDS shall be shared only with prior written informed consent of the pupil age twelve or greater, or of the pupil's parent(s)/legal guardian(s) as required by N.J.S.A. 26:5C-1 et seq. and only for the purpose of determining an appropriate educational program for the pupil. The person who receives such information shall not reveal it to any other person without the express written consent of the minor pupil's parent(s) or legal guardian(s), or the adult pupil.

The Board shall annually provide students, parent(s) or legal guardian(s), staff members, school volunteers, and members of the community with information intended to increase awareness of HIV and AIDS, including information regarding the nature of the disease and its prevention. The Board will cooperate with other agencies to provide HIV/AIDS awareness information to the community.

N.J.S.A. 26:5C-5; 26:5C-6; 26:5C-7; 26:5C-8;
26:5C-9; 26:5C-10; 26:5C-11;
26:5C-12; 26:5C-13; 26:5C-14
N.J.A.C. 6A:16-1.3; 6A:16-1.4; 6A:16-1.5; 6A:16-3.2; 6A:32-9.1
N.J.A.C. 8:57-2.1 et seq.

Adopted: 19 October 2011

8454 MANAGEMENT OF PEDICULOSIS

The Board of Education recognizes the need to maintain a healthy learning environment for all children in the school district. One way to maintain this healthy learning environment is to manage pediculosis, a condition of a person having head lice. Head lice are very small insects that have claws that cling to hair and spend their entire life cycle on the heads of people. Head lice do not spread any diseases and having head lice is not prevented by personal or household cleanliness, use of shampoos, or length of hair. All social and economic groups can be affected by head lice. Because it is very difficult to totally prevent head lice infestations in schools where children come into close head-to-head contact with each other frequently, the Board of Education authorizes appropriate steps to manage pediculosis.

A student who is found to have active head lice will not be permitted to attend school until there are no active lice in the student's hair, proof of treatment has been provided to the nurse, and until all live and/or dead head lice are removed from the student's hair as confirmed by an examination by the school nurse.

The presence of nits (the eggs of lice) will prohibit a child from attending school until the parent has provided proof of treatment to the school nurse and there is no evidence of nits in the student's hair.

The Board recognizes parents have the primary responsibility for the detection and treatment of head lice and school staff members will work in a cooperative and collaborative manner to assist all families in managing pediculosis. The school nurse will compile a Management of Pediculosis Information Packet. The Board of Education's Management of Pediculosis Information Packet and this Policy will be provided to parents of children identified with active head lice or nits and be made available to all parents upon request. The Information Packet will include information about identifying, treating, and managing pediculosis.

If the school nurse determines a student has active head lice or nits, the parent shall be notified by the school nurse as soon as reasonably possible. The parent will be provided a copy of the district's Management of Pediculosis Information Packet and this Policy. The school nurse will advise the parent that prompt treatment of active head lice and/or nits is in the best interest of their child and treatment shall be required before the student can return to school. The school nurse will determine to send the child home or have the child remain at school for the remainder of the school day based on the comfort of the child, the degree of the infestation, and the likelihood of the spread of head lice to other students.



If the school nurse cannot contact the parent a letter from the school nurse informing the parent of the presence of active head lice or nits will be sent home with the student. In the event the parent cannot be reached on the day it is determined their child has active head lice or nits, the parent will be required to contact the school nurse the next school day to review the Board Policy, the Management of Pediculosis Information Packet, and treatment options.

The following action will be taken to prevent the spread of head lice in district schools:

1. Grades Preschool through Six – When a single case of active head lice has been identified by the school nurse, parents of all children in a class will be notified by the school nurse. The Principal will send home a copy of a Head Lice Alert Notice, the school district's Management of Pediculosis Information Packet, and this Policy to all parents of children in the class.

    a. The information provided to parents will clearly notify parents that treatment should only be performed on their child if active head lice or nits are found in their child's scalp and treatment should not be applied as a preventative measure. This notification will inform parents they are expected to notify the school nurse if they find active head lice or nits in their child's scalp. The school nurse will perform a head check of any student if requested by the parent.

    b. The school nurse will perform head checks of all students in a classroom where there are active head lice cases or nits in the same classroom within a two week period.

When a case of active head lice has been identified by the school nurse, the school nurse shall perform a head check of any of the infested student's siblings in the school. In addition, anytime the school nurse has identified active head lice, the school nurse may conduct a head check of other students in the school who are most likely to have had head-to-head contact with the infested child. All other students to be checked shall be identified by the school nurse in consultation with the school administration. Parental notification shall be made by the Principal or designee or school nurse.

Each school in the district will make available to parents the district's Management of Pediculosis Policy.

All school staff members will maintain a sympathetic attitude and will not stigmatize and/or blame families who experience difficulty with control measures. All school staff members will act responsibly and respectfully when dealing with members of the school and broader community regarding issues of head lice.

The school will educate and encourage children and parents to learn about head lice in an attempt to remove any stigma or to prevent any harassment, intimidation, and bullying associated with this issue. Any instances of harassment, intimidation, and bullying shall be reported and investigated in accordance with the provisions of the district's Harassment, Intimidation, and Bullying Policy.

A student excluded from school for reasons outlined in this Policy shall be re-admitted only upon the examination and approval of the Principal or designee and the school nurse. The examination for re-admittance to school by the school nurse may be, but is not required to be, in the presence of the student's parent.

Cases of active head lice will be recorded by the school nurse for the purpose of tracking incident rates and mandatory reporting of outbreaks will be done according to the New Jersey Department of Health criteria for reporting outbreaks.

Adopted: 16 November 2016

8461 REPORTING VIOLENCE, VANDALISM, HARASSMENT, INTIMIDATION, BULLYING, ALCOHOL, AND OTHER DRUG OFFENSES

The Board of Education shall observe "School Violence Awareness Week" during the week beginning with the third Monday in October of each year by organizing activities to prevent school violence. Activities shall include, but are not limited to, age-appropriate opportunities for pupil discussion on conflict resolution, issues of pupil diversity, and tolerance. The Board shall invite law enforcement personnel to join members of the teaching staff in the discussions and provide programs for school employees that are designed to help them recognize warning signs of school violence and to instruct them on recommended conduct during an incident of school violence. The Board of Education shall disseminate to students' parents an informational pamphlet prepared by the New Jersey Department of Education (NJDOE) on how a parent can limit a child's exposure to violence on television, cell phones, computers, and other electronic devices, on an annual basis pursuant to N.J.S.A. 18A:40-44.

Any school employee who observes or has direct knowledge from a participant or victim of an act of violence; including harassment, intimidation, and bullying; or the possession or distribution of alcohol or other drugs on school grounds, and any school employee who reports a pupil for being under the influence of alcohol or other drugs, according to the requirements of N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3, shall file a report describing the incident to the school Principal, in accordance with N.J.S.A. 18A:17-46. The report shall be on a form adopted by the Board to include all of the incident detail and offender and victim information that are reported on the Student Safety Data System (SSDS).

A report alleging an incident of harassment, intimidation, or bullying shall be made in accordance with the provisions of N.J.S.A. 18A:37-13.1 and Policy 5512.

The Building Principal, for each incident of violence; including harassment, intimidation, and bullying, vandalism and alcohol and other drug offenses, shall review the incident report for accuracy; forward a copy of the incident report to the Superintendent; and notify the Superintendent of the action taken regarding the incident. The Board shall not discharge or subject to any manner of discrimination any school employee who files a report pursuant to N.J.A.C. 6A:16-5.3.



The majority representative of the school employees' bargaining units shall have access monthly to the number and disposition of all reported acts of school violence; including harassment, intimidation, and bullying and vandalism, pursuant to N.J.S.A. 18A:17-46. Personally identifying information may be provided to the majority representative of the school employees' bargaining units only in instances when school administrators have reason to believe that the safety of a school staff member is at risk.

Twice each school year, once between September 1 and January 1 and once between January 1 and June 30, the Superintendent shall report to the Board at a public meeting all acts of violence, including harassment, intimidation, and bullying, vandalism, and alcohol and other drug offenses that occurred during the previous reporting period, according to the provisions of N.J.S.A. 18A:17-46 and N.J.A.C. 6A:16-5.3. The report shall include the number of reports of harassment, intimidation, or bullying, the status of all investigations, the nature of the bullying based on one of the protected categories identified in section 2 of P.L.2002, c.83 (C.18A:37-14), the names of the investigators, the type and nature of any discipline imposed on any student engaged in harassment, intimidation, or bullying, and any other measures imposed, training conducted, or programs implemented, to reduce harassment, intimidation, or bullying. The information shall also be reported once during each reporting period to the NJDOE. The report must include data broken down by the enumerated categories as listed in section 2 of P.L.2002, c.83 (C.18A:37-14), and data broken down by each school in the district, in addition to district-wide data. It shall be a violation to improperly release any confidential information not authorized by Federal or State law for public release.

The report shall be used to grade each school for the purpose of assessing its effort to implement policies and programs consistent with the provisions of P.L. 2002, c.83 (C.18A:37-13 et seq.). The district shall receive a grade determined by averaging the grades of all the schools in the district. The Commissioner shall promulgate guidelines for a program to grade schools for the purposes of N.J.S.A. 18A:17-46. The grade received by a school and the district shall be posted on the homepage of the school's website. The grade for the district and each school of the district shall be posted on the homepage of the district's website. A link to the report shall be available on the district's website. The information shall be posted on the websites within ten days of the receipt of a grade by the school and district.

Whenever it is alleged a school employee has knowingly falsified reported information on acts of violence or vandalism, or any incident included in the annual report on violence and vandalism required under N.J.S.A. 18A:17-46, the Board shall make a determination regarding whether the employee committed the act. The Board shall provide written notice of the allegations to the employee and the employee shall be entitled to a hearing before the Board in accordance with the

provisions of N.J.A.C. 6A:16-5.3(f). Upon a determination by the Board that an employee has knowingly falsified reported information, the Board may take appropriate action.

The Board of Education shall submit and implement corrective action plans for high incidences of violence, vandalism, or alcohol or other drug abuse upon notification by the Commissioner of Education.

The Board shall provide ongoing staff training, in cooperation with the NJDOE, in fulfilling the reporting requirements of N.J.S.A. 18A:17-46.

N.J.S.A. 18A:17-46; 18A:36-5.1; 18A:40-44
N.J.A.C. 6A:16-5.2; 6A:16-5.3

Adopted: 12 June 2019



8462 REPORTING POTENTIALLY MISSING OR ABUSED CHILDREN

The Board of Education recognizes early detection of missing, abused, or neglected children is important in protecting the health, safety, and welfare of all children. In recognition of the importance of early detection of missing, abused, or neglected children, the Board of Education adopts this Policy pursuant to the requirements of N.J.S.A. 18A:36-24 and 18A:36-25. The Board provides this Policy for its employees, volunteers, or interns for the early detection of missing, abused, or neglected children through notification of, reporting to, and cooperation with the appropriate law enforcement and child welfare authorities pursuant to N.J.S.A. 18A:36-24 and 18A:36-25 et seq., N.J.A.C. 6A:16-11.1, N.J.S.A. 9:6-8.10, and N.J.A.C. 6A:22-4.1(d).

Employees, volunteers, or interns working in the school district shall immediately notify designated child welfare authorities of incidents of alleged missing, abused, and/or neglected children. Reports of incidents of alleged missing, abused, or neglected children shall be reported to the New Jersey State Central Registry (SCR) at 1-877 NJ ABUSE or to any other telephone number designated by the appropriate child welfare authorities. If the child is in immediate danger a call shall be placed to 911 as well as to the SCR.

The school district shall prominently display information about the Department of Children and Families' State Central Registry, a toll-free hotline for reporting child abuse, in each school of the district. The information shall give instructions to call 911 for emergencies and shall include directions for accessing the Department of Children and Families' website or social media platforms for more information on reporting abuse, neglect, and exploitation.

The information shall be in a format and language that is clear, simple, and understandable. The information shall be on a poster and displayed at each school in at least one high-traffic, highly and clearly visible public area that is readily accessible to and widely used by students, pursuant to N.J.S.A. 18A:33.28.

The person having reason to believe that a child may be missing or may have been abused or neglected may inform the Principal or other designated school official(s) prior to notifying designated child welfare authorities if the action will not delay immediate notification. The person notifying designated child welfare authorities shall inform the Principal or other designated school official(s) of the notification, if such had not occurred prior to the notification. Notice to the Principal or other designated school official(s) need not be given when the person believes that such notice would likely endanger the reporter or student involved or when the person believes that such disclosure would likely result in retaliation against the student or in discrimination against the reporter with respect to his or her employment.

The Principal or other designated school official(s) upon being notified by a person having reason to believe that a child may be missing or may have been abused or neglected, must notify appropriate law enforcement authorities. Notification to appropriate law enforcement authorities shall be made for all reports by employees, volunteers, or interns working in the school district. Confirmation by another person is not required for a school district employee, volunteer, or intern to report the suspected missing, abused, or neglected child situation.

School district officials will cooperate with designated child welfare and law enforcement authorities in all investigations of potentially missing, abused, or neglected children in accordance with the provisions of N.J.A.C. 6A:16-11.1(a)5.

The district designates the Superintendent as the school district's liaison to designated child welfare authorities to act as the primary contact person between the school district and child welfare authorities with regard to general information sharing and the development of mutual training and other cooperative efforts. The district designates the Superintendent or designee as the school district's liaison to law enforcement authorities to act as the primary contact person between the school district and law enforcement authorities, pursuant to N.J.A.C. 6A:16-6.2(b)1, consistent with the Memorandum of Agreement, pursuant to N.J.A.C. 6A:16-6.2(b)13.

An employee, volunteer, or intern working in the school district who has been named as a suspect in a notification to child welfare and law enforcement authorities regarding a missing, abused, or neglected child situation shall be entitled to due process rights, including those rights defined in N.J.A.C. 6A:16-11.1(a)9.

The Superintendent or designee shall provide training to school district employees, volunteers, or interns on the district's policy and procedures for reporting allegations of missing, abused, or neglected child situations. All new school district employees, volunteers, or interns working in the district shall receive the required information and training as part of their orientation.

There shall be no reprisal or retaliation against any person who, in good faith, reports or causes a report to be made of a potentially missing, abused, or neglected child situation pursuant to N.J.S.A. 9:6-8.13.

N.J.S.A. 18A:33-28; 18A:36-24; 18A:36-25 et seq.
N.J.A.C. 6A:16-11.1

Adopted: 19 August 2020

8465 BIAS CRIMES AND BIAS-RELATED ACTS

The Board of Education is committed to providing a safe and healthy environment for all children in the school district. Bias crimes and bias-related acts involving students can lead to further violence and retaliation. Bias crimes and bias-related acts, by their nature are confrontational, inflame tensions, and promote social hostility and will not be tolerated by the school district. School district employees will work closely with local law enforcement and the county prosecutor's office to report or eliminate the commission of bias crimes and bias-related acts.

Definitions

A "bias crime" means any criminal offense where the person or persons committing the offense acted with a purpose to intimidate an individual or group of individuals because of race; color; religion; gender; disability; sexual orientation; gender identity or expression; national origin; or ethnicity.

A "bias-related act" means an act directed at a person, group of persons, private property, or public property that is motivated in whole or in part by racial; gender; disability; religion; sexual orientation; gender identity or expression; national origin; or ethnic prejudice. A bias-related act need not involve conduct that constitutes a criminal offense.

All bias crimes are also bias-related acts, but not all bias-related acts will constitute a bias crime.

Required Actions

School employees shall immediately notify the Principal and the Superintendent or designee when in the course of their employment they develop reason to believe a bias crime or bias-related act has been committed or is about to be committed in accordance with N.J.A.C. 6A:16-6.3(e).

The Superintendent or designee shall promptly notify the local police department and the bias investigation officer for the county prosecutor's office when a bias crime or bias-related act has been committed or is about to be committed in accordance with N.J.A.C. 6A:16-6.3(e)1.

The Superintendent or designee shall immediately notify the local police department and the bias investigation officer for the county prosecutor's office where there is reason to



believe that a bias crime or bias-related act that involves an act of violence has been or is about to be physically committed against a student, or there is otherwise reason to believe that a life has been or will be threatened in accordance with N.J.A.C. 6A:16-6.3(e)2.

It is understood a referral to the local police department or county prosecutor's office pursuant to the Memorandum of Agreement between Education and Law Enforcement Officials is only a transmittal of information that might be pertinent to a law enforcement investigation and is not an accusation or formal charge.

Unless the local police department or the county prosecutor's office request otherwise, the school district may continue to investigate a suspected bias crime or bias-related act occurring on school grounds and may take such actions as necessary and appropriate to redress and remediate any such acts.

School officials will secure and preserve any such graffiti or other evidence of a suspected bias crime or bias-related act pending the arrival of the local police department or the county prosecutor's office. The school officials, where feasible, will cover or conceal such evidence until the arrival of the local police department or county prosecutor's office.

N.J.S.A. 2C:16-1
N.J.A.C. 6A:16-6.1; 6A:16-6.2; 6A:16-6.3
State Memorandum of Agreement approved by the Department
of Law & Public Safety and the Department of Education

Adopted: 2 March 2022

8467 WEAPONS

The Board of Education prohibits the possession, use, or exchange of any firearm or weapon in any school building, on school grounds, at any school-sponsored event, and on school sanctioned transportation except as the possession and use of a firearm or weapon is authorized by law and required in the performance of the possessor's duty.

For the purpose of this Policy, "weapon" means items enumerated in N.J.S.A. 2C:39-1(r), except a firearm as defined by N.J.S.A. 2C:39-1(f). For the purpose of this Policy, "firearm" means those items enumerated in N.J.S.A. 2C:39-1(f) and 18 USC §921.

Pursuant to N.J.A.C. 6A:16-6.3(b), whenever a school employee develops reason to believe a firearm, as defined in N.J.S.A. 2C:39-1(f) and 18 USC §921, or other deadly weapon, whether enumerated in N.J.S.A. 2C:39-1(r), except a firearm as defined in N.J.S.A. 2C:39-1(f) and 18 USC §921, has unlawfully been brought onto school grounds or a student or other person is in unlawful possession of a firearm or other deadly weapon on or off school grounds, or a student or other person has committed an offense with or while in possession of a firearm on or off school grounds or during school operating hours, the matter shall be reported as soon as possible to the Principal or designee, or in the absence of the Principal or designee, to the staff member responsible at the time of the alleged violation. Either the Principal or designee or the responsible staff member shall notify the Superintendent, who in turn shall notify as soon as possible the county prosecutor or other law enforcement official designated by the county prosecutor to receive such information. The Superintendent or designee shall provide to the county prosecutor or designee all known information concerning the matter, including the identity of the student or staff member involved.

The Principal or designee shall conduct an appropriate search in accordance with Policy 5770 – Student Right of Privacy and, if appropriate and feasible, confiscate any firearm or weapon discovered in the course of the search. The Principal or designee may summon the aid of law enforcement officials in the conduct of the search. Any school employee who confirms the presence of a firearm or weapon under circumstances that place persons at serious risk may confiscate the firearm or weapon immediately and may use such force as is reasonable and necessary to obtain possession.

Unless the firearm or weapon has been taken into custody by a law enforcement official, the Principal or designee shall immediately secure the confiscated firearm or weapon in a secure and locked location and report the presence of the firearm or weapon to the Superintendent. Pursuant to N.J.A.C. 6A:16-6.3(b), the Superintendent shall promptly notify local law enforcement that a firearm or weapon is present on school premises and

request removal of the firearm or weapon by an authorized law enforcement official. The Superintendent shall obtain and file a receipt for any firearm or weapon removed by a law enforcement official.

Any student who possesses, uses, or exchanges a firearm or weapon in violation of this Policy shall be subject to stringent discipline. Any student or school employee who suspects or knows of the presence of a firearm or weapon in violation of this Policy and fails to report the same shall be subject to discipline. Pursuant to N.J.A.C. 6A:16-6.3(b), any person who possesses a firearm or weapon on school premises or school transportation or at a school-sponsored function shall be reported to the appropriate law enforcement agency.

The Board shall immediately remove a student who is convicted or adjudicated delinquent for possession of a firearm on school grounds; convicted or adjudicated delinquent for committing a crime while in possession of a firearm on school grounds; or found knowingly in possession of a firearm on school grounds from the school's general education program for a period of not less than one calendar year, in accordance with N.J.A.C. 6A:16-5.5(a) and Policy and Regulation 5611 – Removal of Students for Firearms Offenses.

The Board shall immediately remove a student who commits an assault, as defined under N.J.S.A. 2C:12-1a(1), with a weapon, which includes, but is not limited to, items enumerated in N.J.S.A. 2C:39-1(r), except a firearm as defined by N.J.S.A. 2C:39-1(f) and 18 USC §921, upon a teacher, administrator, other school board employee, district Board of Education member, or another student on school grounds, pursuant to N.J.S.A. 18A:37-2.2 through 2.5, from the school's general education program for a period not exceeding one calendar year, in accordance with N.J.A.C. 6A:16-5.6(a) and (b) and Policy and Regulation 5613 – Removal of Students for Assaults with Weapons Offenses.

Students with disabilities violating the provisions of this Policy shall be addressed in accordance with the provisions of N.J.A.C. 6A:14-2.8.

Nothing in this Policy shall be construed to prohibit the reporting of a crime committed by a child with a disability to the appropriate law enforcement or judicial authorities, or to prevent such authorities from exercising their responsibilities with regard to the application of Federal or State law to crimes committed by a child with disabilities.

The procedures for removal from and return to the general education program of a student for firearms offenses and assaults with weapons offenses shall be in accordance with Policy



and Regulation 5611 – Removal of Students for Firearms Offenses and Policy and Regulation 5613 – Removal of Students for Assaults with Weapons Offenses.

The Superintendent or designee shall prepare regulations to implement this Policy for the guidance of school staff in dealing with incidents involving firearms or weapons in the school district.

The school district's reporting requirements to law enforcement officials and the handling of firearms and weapons outlined in this Policy and Regulation 8467 and in accordance with N.J.A.C. 6A:16-3 and N.J.A.C. 6A:16-4 shall be in addition to any reporting and handling requirements included in the current Memorandum of Agreement Between Education and Law Enforcement Officials.

N.J.S.A. 2C:12-1(a)1; 2C:39-1; 2C:58-6.1; 2C:58-15
N.J.S.A. 18A:6-1; 18A:37-2.2; 18A:37-2.3; 18A:37-2.4; 18A:37-2.5
N.J.S.A. 23:4-16
N.J.A.C. 6A:14-2.8 et seq.; 6A:16-5.5; 6A:16-5.6; 6A:16-6.3; 6A:16-6.4
Chapters 127 and 128 of 1995, The Zero Tolerance for Guns Act
18 USC 921
20 USC 1415

Adopted: 18 September 2024

8468 CRISIS RESPONSE

The Board of Education recognizes its responsibility to be prepared to confront circumstances in which the physical and/or mental well-being of students, staff and other individuals on school grounds is threatened or overtly impacted upon by an individual or group of individuals. Situations at issue include, but are not limited to, acts of terrorism, hostage situations and other threats or acts of a violent nature. The Board further recognizes there is a need to deal with the aftermath of such events and circumstances, and to contend with the psychological trauma, pain and confusion which may ensue as the result of these events.

The Board establishes through the person of the Superintendent or his/her designee, a Crisis Team whose responsibility it shall be to act:

1. As a source of information;

2. As a vehicle through which direct services may be delivered;

3. In an advisory capacity to the Superintendent, or his/her designee, and/or other agents or agencies dealing with the crisis situation.

The Crisis Team may consist of the following membership:

1. The Superintendent, or his/her designee;

2. An administrator from the school;

3. School Psychologist(s);

4. Guidance Counselor(s);

5. School Social Worker(s);

6. Director of Special Services and/or Guidance;

7. Director of Buildings and Grounds;

8. Teacher representative(s);

9. A representative of local/State Police;

10. A representative of local medical facility/hospital;

11. School Nurse;

12. Others as deemed appropriate to the function of the Crisis Team; e.g., a fire department representative, EMT specialist, other school or community representatives.

The Crisis Team shall be convened at least on an annual basis:

1. To review established policy and procedures;

2. To orient new members as to their responsibilities;

3. To maintain and reinforce lines of communication between the various disciplines and specialists who make up the Crisis Team.

Adopted: 19 October 2011

8470 RESPONSE TO CONCERTED JOB ACTION

The Board of Education opposes the use of strikes by district employees as a tactic to pressure the Board to make concessions for settlement of a collective bargaining contract because strikes by public employees are illegal.

The Board believes that school employee strikes are harmful to the public interest; are coercive in nature; are attempts to achieve immediate material gains for employees by depriving students of the education to which they are entitled; and have a long term negative impact on the perception by the students of the professionalism and dedication of the district's staff, and on the relations between the Board and the striking employees, and between the administration and the striking employees.

In the event that a strike is under consideration by any district employee organization, all staff are requested not to permit any discussions with students regarding a strike to interfere with carrying out their regular teaching responsibilities. If students raise questions regarding any potential strike, staff are instructed to deal with the questions in accordance with the district's controversial issues policy.

Staff are prohibited from requesting students to carry messages, oral or printed, to their parent(s) or legal guardian(s) that promote the position or carry an explanation of any employee organization that is engaged in or contemplating a strike.

It is the intention and resolve of the Board of Education to keep the schools open during any strike in the interest of the students and the public, so long as the safety and welfare of the students and the security of district property is maintained.

The Superintendent is directed to develop a plan for the safe operation of the district's school in the event of a strike, and shall annually review and update this plan if needed.

In the event of a strike, including a partial strike, a coordinated, mass use of sick leave, or other concerted refusal by staff to perform their assigned duties, the Superintendent is authorized to take whatever emergency steps are deemed necessary for the safety of students, reporting staff, and district property. Such steps shall be reported to the Board of Education as soon thereafter as administratively possible.

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

Adopted: 19 October 2011



8505 WELLNESS POLICY/NUTRIENT STANDARDS FOR MEALS AND OTHER FOODS

The Board of Education recognizes child and adolescent obesity has become a major health concern in the United States. The Healthy, Hunger Free Kids Act of 2010 (HHFKA), funds child nutrition programs and establishes required nutrition standards for school lunch and breakfast programs. In accordance with the requirements of the HHFKA each school in the district shall implement this Wellness Policy that includes goals for nutrition promotion, nutrition education, physical activity, and other school-based activities that promote student wellness.

A. Wellness Policy Goals

The goals as outlined below shall apply to each school in the district.

1. Goals for Nutrition Promotion – The following activities will be coordinated in each school in the district:

   a. Age-appropriate posters will be posted on the walls where food and beverages are served to students highlighting and encouraging the value of good nutrition.

   b. The school lunch program will have promotional days during the school year where at least one new nutritional alternative menu item will be featured as part of the menu pattern meal component. The food service staff members will promote this nutritional alternative during meal service with posters, flyers, and/or hand-outs regarding the nutritional menu item alternative.

   c. The Principal or designee will encourage food products that meet the nutrition standards of the HHFKA when used as an incentive or reward for student accomplishments, club or activity achievements, and/or success in competitions within the school.

   d. Food service staff, in consultation with the Principal or designee, will coordinate obtaining student input on menu planning that will include taste testing of new nutritional food, satisfaction surveys, and other activities that will promote nutrition awareness.

e. Food service staff will place the healthier food items in the service line where students are more likely to choose them.

f. Parents will be provided the nutritional standards of the HHFKA and encourage parents to pack lunches and snacks that meet the HHFKA nutritional standards.

2. Goals for Nutrition Education – The following activities will be coordinated in each school in the district:

a. The Principal will ensure each student receives at least one presentation per school year that promotes good nutrition and nutrition education. These presentations may be provided through classroom visits from school staff members trained in nutrition, school-wide or group assembly programs, during health/physical education classes during the school year, or any other presentation manner. This requirement may be provided as part of nutrition education provided to students as part of the district's curriculum.

b. The Principal or designee will post the nutritional guidelines of the HHFKA in the area of the school building where food and beverages are served.

c. The school lunch menu will include nutritional information, activities, recipes, and/or any other information that encourages the selection of healthy food items.

3. Goals for Physical Activity

a. The following activities will be coordinated in each elementary school in the district:

(1) All students shall receive health/physical education under the supervision of a properly certified teaching staff member as required by the New Jersey Department of Education.

(2) The Principal or designee will ensure there is age-appropriate equipment and supplies available during recess time for students to participate in physical activities.

(3) Students will be encouraged by school staff members supervising student recess time to participate in some type of physical activity, which may include, but not be limited to: walking; playing games that require physical activity, such as kick ball, volleyball, baseball, basketball, etc.; rope jumping; and/or using playground equipment.

(4) The Principal will encourage classroom teachers to incorporate brief, physical activity breaks into the school day to establish an environment that promotes regular physical activity throughout the school day.

(5) The Principal or designee will coordinate special events that highlight physical activity, which may include field days, walk-a-thons, and activity tournaments or competitions. The Principal or designee may involve parents, community members, and students in the planning of these events.

b. The following activities will be coordinated in each middle school in the district:

(1) All students shall receive health/physical education under the supervision of a properly certified teaching staff member as required by the New Jersey Department of Education.

(2) The Board of Education may offer middle school students opportunities to participate in after-school intramural and/or interscholastic team activities coordinated and under the supervision of school staff members.

(3) The Board of Education will support after-school activities and clubs where physical activity for students is included as a key component to the activity's or club's purpose. These clubs may include, but not be limited to, gardening clubs, walking clubs, and exercise classes.

c. The following activities will be coordinated in each high school in the district:



(1) All students shall receive health/physical education under the supervision of a properly certified teaching staff member as required by the New Jersey Department of Education.

(2) The Board of Education will offer high school students opportunities to participate in after-school intramural and/or interscholastic team activities coordinated and under the supervision of school staff members.

(3) The Board of Education will support after-school activities and clubs where physical activity for students is included as a key component to the activity's or club's purpose. These clubs may include, but not be limited to, gardening clubs, walking clubs, and exercise classes.

4. Goals for Other School-Based Activities - The following activities will be coordinated in each school in the district:

a. Each school in the district will establish a Wellness Committee comprised of the Principal or designee, at least one health/physical education teacher, a school nurse, at least two parents, at least two students, and at least one food service staff member.

b. The Principal or designee will coordinate information being disseminated to students and parents promoting the school lunch program, nutrition, and nutrition education.

c. The school district will celebrate a School Wellness Week, as determined by the Superintendent of Schools, where schools will have special activities throughout the week to promote nutrition and physical activity. These special activities will be planned and coordinated by each school's Wellness Committee.

d. The Principal will encourage fund-raising activities that promote physical activity such as walk-a-thons, teacher-student activity competitions, family activity nights, and school dances.

5. Annual School Progress Report



a. The goals for nutrition promotion, nutrition education, physical activity, and other school-based activities that promote student wellness shall be evaluated annually by the Principal or designee of each school and the school's Wellness Committee in an Annual School Progress Report provided to the Superintendent of Schools before June 30.

b. The Annual School Progress Report shall present the extent to which each school is in compliance with this Policy, the progress made in attaining the goals of this Policy, any recommended changes to this Policy, and an action plan for the following school year to achieve the school's annual goals and objectives.

6. Annual District Summary Progress Report

a. Upon receiving the Annual School Progress Report from each school, the Superintendent or designee will compile an Annual District Summary Progress Report to be presented to the Board of Education at a public meeting before the beginning of the school year. The public will be provided an opportunity to review and comment on the Annual District Summary Progress Report at the Board meeting.

b. Revisions to this Policy will be recommended by the Superintendent or designee to be approved by the Board of Education before September 30 of each school year.

7. Additional Wellness Policy Goals

a. Nothing in this Policy shall prevent an individual school in the district from developing and implementing additional activities, approved by the Superintendent or designee, to those required in this Policy.

B. Nutrition Guidelines for All Foods and Beverages

1. The Board of Education requires each school in the district to comply with the Federal school meal nutrition standards and the smart snacks in accordance with the requirements HHFKA. The nutritional standards shall apply to all foods and beverages sold in each school in the district as part

of the menu pattern meal, a la carte, in school stores, snack bars, or vending machines. The food requirements for any food sold in schools must meet a range of calorie and nutrient requirements as outlined in the HHFKA.

2. The school district will comply with the HHFKA beverage requirements and beverage portion requirements for elementary, middle, and secondary schools. Each school will make potable water available to children at no charge in the place where breakfast, lunch, and afterschool snacks are served during meal service.

3. On-campus fundraisers involving food or beverage items must meet the Smart Snack standards of the HHFKA. The nutrition standards of the HHFKA do not apply to non-school hours, weekends, and off-campus fundraising events. The United States Department of Agriculture defines school day as starting from midnight to thirty minutes after the end of the school day. Fundraisers involving the sale of food or beverages must be submitted to the Principal or designee for approval.

C. District Coordinator

The Superintendent or designee shall be the school district official responsible to ensure each school in the district complies with the requirements as outlined in this Policy.

D. Publication/Dissemination

This Policy will be made available to staff members, students, and parents by being posted on the school district and/or school websites.

The Healthy, Hunger-Free Kids Act of 2010

Adopted: 21 January 2015

8506 SCHOOL LUNCH PROGRAM BIOSECURITY PLAN

The Board of Education is committed to protecting the health of the children and adults in the school building by strengthening the safety of foodservice operations. Therefore, the Board requires the creation and implementation of a School Lunch Program Biosecurity Plan that will keep school meals free from intentional contamination and enable the foodservice to respond to threats or incidents of bioterrorism.

The School Lunch Program Biosecurity Plan shall be a document that spells out school lunch program policies and procedures that minimize the risk of intentional contamination of food and reduce the risk of illness or death in the school community. The Plan shall describe strategies for preventing threats and incidents of product tampering and food contamination. The Plan shall also include appropriate response actions to be taken should an incident occur. There may be a general Plan for the school; however, the Plan will address the specific roles and responsibilities for the school or locations where food is served.

The School Lunch Program Biosecurity Plan shall be prepared, revised, and updated in accordance with the requirements of N.J.A.C. 2:36-1.13 - Biosecurity for School Food Service and the U.S. Department of Agriculture, "A Biosecurity Checklist for School Food Service Programs," March 2004 version, as amended and supplemented, as New Jersey's Biosecurity Policy for Child Nutrition Programs.

N.J.A.C. 2:36-1.13

Adopted: 19 October 2011



8600 STUDENT TRANSPORTATION

The Board of Education shall transport eligible students to and from school and school related activities in accordance with N.J.S.A. 18A:39-1 et seq., N.J.A.C. 6A:27-1 et seq., and Board policy. Transportation shall be provided only to eligible public and nonpublic school students, authorized school staff members, and adults serving as approved chaperones.

Nonpublic school transportation or aid in lieu of transportation shall be provided for resident students in accordance with N.J.S.A. 18A:39-1 et seq. and N.J.A.C. 6A:27-2.1 et seq.

Charter or renaissance school transportation or aid in lieu of transportation shall be provided for resident students in accordance with N.J.S.A. 18A:39-1 et seq. and N.J.A.C. 6A:27-3.1 et seq.

The Board will transport students certified by a physician as temporarily physically disabled regardless of the distance between their home and school.

Students with special needs shall be provided transportation in accordance with N.J.S.A. 18A:39-1 et seq., and with their Individualized Education Program (IEP) pursuant to N.J.A.C. 6A:27-5.1.

The Board shall utilize cooperative/coordinated transportation services in accordance with the provisions of N.J.S.A. 18A:39-11.1 et seq. and N.J.A.C. 6A:27-10.1 et seq. The Board shall utilize one of the agencies prior to determining to pay aid in lieu of transportation if in the prior year payments in lieu of transportation were provided. The Board will provide to the cooperative/coordinated transportation services any unique limitations or restrictions of the required transportation.

Vehicles used to transport students to and from school or school related activities shall meet standards, registration, and inspection requirements of the New Jersey Department of Education (NJDOE), the New Jersey Motor Vehicle Commission (NJMVC), and any applicable Federal regulations. The operation and fiscal management of the district's transportation system shall be conducted in strict accordance with rules of the New Jersey State Board of Education and the NJDOE.

In addition to the provisions of any State law, rule, or regulation containing more stringent requirements, provided that those requirements are compatible with Federal law, and notwithstanding the provisions of any State law, rule, or regulation to the contrary, school bus operations in the State shall comply with the requirements outlined in N.J.S.A. 39:3B-27.

N.J.S.A. 18A:18A-1 et seq.; 18A:39-1 et seq.;18A:39-11.1 et seq.
N.J.S.A. 27:15-16
N.J.S.A. 39:3B-1 et seq.; 39:3B-2.1; 39:3B-10; 39:3B-27
N.J.A.C. 6A:27-1.1 et seq.; 6A:27-2.1 et seq.;
6A:27-3.1 et seq.; 6A:27-4.1 et seq.; 6A:27-5.1;
6A:27-6.2 through 6.5;
6A:27-7.1 et seq.; 6A:27-9.1 et seq.;
6A:27-10.1 et seq.; 6A:27-11.1 et seq.;
6A:27-12.1 et seq.

Adopted: 20 November 2019

8601 PUPIL SUPERVISION AFTER SCHOOL DISMISSAL

The Board of Education adopts this Pupil Supervision After School Dismissal Policy as a result of the New Jersey Supreme Court's decision in Joseph Jerkins, an infant by his Guardian Ad Litem, Charles Jerkins; Charles Jerkins and Toni Jerkins, individually, v. Soweto Anderson; Kemba N. Anderson; John Does 1-10 (fictitious individuals) and ABC Corporations 1-10 (fictitious entities), and Board of Education of Pleasantville Public Schools and Rosemay Clarke.

The New Jersey Supreme Court, in Jerkins, indicated dangers exist for younger students at dismissal as children are susceptible to numerous risks, including negligent conduct, when leaving school property. Because of these risks, the Board of Education adopts and requires the implementation of Policy 8601 for the supervision of younger students after dismissal. The supervision provisions of Policy Guide 8601 are applicable to parents or legal guardians of students attending the districtoperated school or programs in grades Kindergarten to six who are not eligible for district-provided transportation after dismissal or are eligible and elect not to use district-provided transportation after dismissal.

Any parent(s) or legal guardian(s) of a pupil attending a district-operated school or program in grades Kindergarten to six, where the pupil is not eligible for district-provided transportation or is eligible and elects not to use district-provided transportation after dismissal may request the school or program not release the pupil to walk home after dismissal unless the pupil is released to the parent(s) or legal guardian(s) or escort(s) designated by the parent(s) or legal guardian(s). The parent(s) or legal guardian(s) requesting their child(ren) only be released to a parent(s) or legal guardian(s) or parent(s) or legal guardian(s)-designated escort after dismissal must submit a completed Request for Supervision at Dismissal from School Form to the Principal or designee, or program administrator.

The Form shall be made available to parent(s) or legal guardian(s) in the beginning of the school year.

Only those parents or legal guardians requesting the school or program not release their child(ren) to walk home after school dismissal unless the child(ren) is released to the parent(s) or legal guardian(s) or designated escort need to complete the Request Form.

In order for the school administration to effectively implement the requirements of this Policy and to ensure the safety and security of students that will be released to a parent(s) or legal guardian(s) or designated escort, the parental request shall be applicable for every school day and shall apply for a duration period of the entire school year. The Request Form must be re-submitted at the end of the duration period. In addition, a parent(s) or legal guardian(s) may



rescind their Request by submitting a written request to the Principal or program administrator indicating the date in which the parent(s) or legal guardian(s) no longer requests the school provide supervision of their child(ren) after school dismissal. The child(ren) will be dismissed in accordance with typical dismissal protocol effective the date indicated in the rescinding request.

The Principal or designee, or program administrator upon receiving the Request for Supervision at Dismissal from School Form, shall notify the appropriate school staff member(s) who has supervision of the pupil at dismissal time at the end of the school day of the parent's or legal guardian's request. The supervising staff member that receives such notice shall retain supervision of the pupil when other students are dismissed from school at the end of the school day.

The Principal or program administrator will develop and implement a written Pupil Supervision After School Dismissal Plan for their school building or program location. This Plan shall include the school building's or program's supervision procedures for students at the end of the school day to the designated area in the school building or program and the location of the designated area in the school building or program. The Plan shall be based on the school's or program's ability to provide supervision, the accessibility for the parent(s) or legal guardian(s) or designated escort to pick-up the child without disrupting dismissal of the remaining school population, and other considerations unique to the school building or program location. The school's or program's Pupil Supervision After School Dismissal Plan shall be provided to all parent(s) or legal guardian(s) that have submitted a Request Form.

In the event of an emergency such that, when an unforeseen event prevents a parent(s), legal guardian(s) or designated escort from arriving for the child(ren) at dismissal within the time period designated by the Principal or program administrator, the Principal or program administrator will attempt to contact the parent(s), legal guardian(s), or designated escort using the District's emergency call procedures. If the Principal or program administrator is unable to contact the parent(s), legal guardian(s), or designated escort to confirm their immediate arrival, the student will be escorted by school staff and shall remain under the supervision of the a certified teaching staff member until the parent(s), legal guardian(s), or designated escort arrives and signs the student out of school. In this circumstance, the parent(s) or legal guardian(s) will be required to reimburse the Board for the fee, or a proportionate share thereof if other students are supervised by the same staff member.

In order to ensure the safety of other students being dismissed from school in accordance with typical school dismissal protocol, to limit interaction of parent(s) or legal guardian(s) or designated escorts with other students within the building, and to avoid traffic and vehicular safety problems outside the school building, the Principal or program administrator may prohibit the parent(s) or legal guardian(s) or designated escort from entering the school building



until a time period after school has dismissed or until school buses and other vehicular traffic have cleared the school site. This determination shall be made by the Principal or program administrator after considering the unique circumstances at the school building and the building's typical dismissal protocol.

The school will provide parent(s) or legal guardian(s) information regarding any supervised afterschool services, if any, that may be available to students at the school's facilities after formal school dismissal.

This Policy shall be published in pupil/school handbooks. In addition, the school district shall provide to parent(s) or legal guardian(s) in the beginning of the school year, the school's calendar to include the starting and dismissal times for full session, half-session, and early dismissal days due to weather or other emergencies. Parent(s) or legal guardian(s) shall be required to return to the school a signed acknowledgement of receipt of the pupil/school handbook, which shall include this Policy and the school calendar. In addition, any changes to the school's calendar made during the school year shall also be provided to parent(s) or legal guardian(s).

Adopted: 15 March 2023

8630 BUS DRIVER/BUS AIDE RESPONSIBILITY

The Board of Education requires all school bus drivers and bus aides employed by the district or employed by a contracted school bus company to be reliable persons of good moral character who possess the qualifications necessary to perform the duties of the position. Anyone driving a school bus used to transport students to and from school and school related activities must meet all requirements of N.J.S.A. 18A, N.J.A.C. 6A, and all New Jersey Motor Vehicle Commission (NJMVC) rules governing school bus drivers. All school bus drivers must possess the appropriate license and endorsement(s) to drive a school bus in the State of New Jersey and are subject to all the Federal and State requirements to maintain the appropriate license.

"Employer" for the purposes of this Policy and Regulation means a Board of Education or a contractor that provides student transportation services under contract with the Board of Education. In the event the school district employs school bus drivers and bus aides and/or uses a contractor for transportation services, the "employer" for school district employed school bus drivers and bus aides shall be the Board of Education and the "employer" for contracted school bus drivers and bus aides shall be the contractor that provides student transportation under contract with the Board of Education.

School bus drivers and bus aides shall meet criminal history background check requirements pursuant to N.J.S.A. 18A:6-7.1(c) and tuberculin testing requirements pursuant to applicable State statutes and administrative codes. School bus drivers and bus aides shall be considered under the Federal Family Educational Rights and Privacy Act (FERPA) to be school officials who have a legitimate educational interest to parts of a student's record relating to transportation, without parental consent, as outlined in N.J.A.C. 6A:27-12.1(j)1.

In addition to the medical examination required of every holder of a special license issued for the transporting of children to and from schools pursuant to N.J.S.A. 39:3-10.1 et seq., any school bus driver who is seventy years of age or older shall annually furnish, to the employer for review by the NJMVC at the NJMVC's biannual inspection, satisfactory evidence of continuing physical fitness in the form of a medical examination by a licensed medical doctor or licensed osteopathic physician. In addition, any school bus driver who is seventy-five years of age or older shall every six months furnish, to the employer for review by the NJMVC at the NJMVC's biannual inspection, satisfactory evidence of continuing physical fitness in the form of a medical examination by a licensed medical doctor or licensed osteopathic physician. In addition, any person applying for a special license and any person who is the holder of a special license for the transporting of children to and from schools, pursuant to N.J.S.A. 18A:39-1 et seq., shall



comply with the provisions of Section 2 of N.J.S.A. 39:3-10.1a and Section 6 of N.J.S.A. 18A:39-19.1. The Chief Administrator of the NJMVC may suspend or revoke a license pursuant to N.J.S.A. 39:3-10.1.

All drivers of buses or other vehicles used by the Board for the transportation of students to and from school shall, in addition to any exam required by law, submit to a medical exam for the presence of alcohol, narcotics, or habit-producing drugs within the scope of the "New Jersey Controlled Dangerous Substances Act," (N.J.S.A. 24:21-1 et seq.).

All drivers of buses or other vehicles used by the Board for the transportation of students to and from school shall, in addition to any exam required by law, submit to a medical exam that includes hearing and visual acuity tests that are in accordance with the provisions of the "Motor Carrier Safety Improvement Act of 1999," 49 U.S.C. § 113.

A Commissioner of Education-developed training program on proper procedures for interacting with students with special needs shall be administered by the employer to all school bus drivers and bus aides in accordance with the requirements of N.J.S.A. 18A:39-19.2. This training program must be administered in accordance with the provisions of N.J.S.A. 18A:39-19.3.a. and all school bus drivers and bus aides must file a certification with their employer that the individual has completed the training program within five business days of its completion. The employer shall retain a copy of the certificate for the duration of the individual's employment and shall file a copy of the certification to the New Jersey Department of Education (NJDOE) in accordance with the provisions of N.J.S.A. 18A:39-19.3.b.

School bus drivers and bus aides shall receive training in the use of a student's educational records and in their responsibility to ensure the privacy of the student and his or her records N.J.A.C. 6A:27-12.1(j)2. In addition, permanent and substitute school bus drivers and bus aides shall be trained for the functions of their positions and in a safety education program as outlined in N.J.A.C. 6A:27-11.1 et seq.

In accordance with the provisions of N.J.S.A. 18A:39-28, school bus drivers must visually inspect the school bus they are assigned at the end of the transportation route to determine that no student has been left on the bus.

The school bus driver shall be in full charge of the school bus at all times and shall be responsible for maintaining order. The school bus driver will never exclude a student from the school bus, but if unable to manage a student, the school bus driver will report the unmanageable student to the Principal or designee of the school in which the student attends.



The Principal or designee, upon such report from the school bus driver, may assign appropriate discipline. The discipline may include excluding the student from the bus. The student's parent shall provide for the student's transportation to and from school during the time of exclusion.

Upon notification from the NJDOE that a school bus driver employed by the Board has had his or her bus driver's license suspended or revoked, the Board, within one business day of the notification, shall provide a statement to the NJDOE verifying that the school bus driver no longer operates a school bus for the Board in accordance with N.J.S.A. 18A:39-19.6.

In the event of an emergency, school bus drivers shall follow procedures established by this Board. School administrators shall organize and conduct emergency exit drills at least twice within the school year for all students who are transported to and from school. All other students shall receive school bus evacuation instruction at least once per year. School bus drivers and bus aides shall participate in the emergency exit drills, which shall be conducted on school property and shall be supervised by the Principal or person assigned to act in a supervisory capacity. Drills shall be documented in the minutes of the Board of Education at the first meeting following completion of the emergency exit drill in accordance with the provisions of N.J.A.C. 6A:27-11.2(d).

In accordance with the provisions of N.J.S.A. 18A:39-19.4, a Commissioner-developed student information card shall be completed by a parent of a student with an Individualized Education Plan (IEP), who receives transportation services, when the IEP is developed or amended. Upon receiving consent from the parent, the student information card shall be provided to a school bus driver and bus aide for each student on the bus route to which the school bus driver or bus aide is assigned for whom a student information card has been completed by the parent.

The school bus driver will immediately inform the Principal of the receiving school and the School Business Administrator or designee of the district providing the transportation following an accident that involves injury, death, or property damage. The school bus driver must also complete and file within ten days of the accident the Preliminary School Bus Accident Report prescribed by the Commissioner of Education. In addition to the Preliminary School Bus Accident Report, the driver of a school bus involved in an accident resulting in injury or death of any person, or damage to property of any one person in excess of $500, shall complete and file within ten days after such accident a motor vehicle accident report in accordance with N.J.S.A. 39:4-130.



School bus drivers are prohibited from using a cellular telephone or other electronic communication device while operating a school bus unless the school bus is parked in a safe area off a highway or in an emergency situation pursuant to N.J.S.A. 39:3B-25. A school bus driver who violates this Policy provision is subject to fines pursuant to N.J.S.A. 39:3B-25.

School bus drivers are responsible for the safety of their students and shall rigorously observe all motor vehicle laws and regulations and State Board of Education rules in the operation of their school bus pursuant to N.J.S.A. 39:3B-27.

N.J.S.A. 18A:6-7.1 et seq.; 18A:25-2; 18A:39-17; 18A:39-18;
18A:39-19.1; 18A:39-19.2; 18A:39-19.3; 18A:39-19.4;
18A:39-19.6; 18A:39-28
N.J.S.A. 39:3-10.1 et seq.
N.J.S.A. 39:3B-25; 39:3B-27
N.J.A.C. 6A:27-11.1 et seq.; 6A:27-12.1 et seq.

Adopted: 20 November 2019

8660 TRANSPORTATION BY PRIVATE VEHICLE

The Board of Education authorizes the transportation by private vehicle of students of this district between the school and a school activity approved by this Board in accordance with this policy.

Any such transportation must be approved in advance and in writing by the Superintendent. The writing must set forth the date, time, and reason for the transportation; the places from and to which students will be transported; the name and address of the driver; the names of the students to be transported; a brief description of the transportation vehicle; and the signature of the driver. The parent(s) or legal guardian(s) of a participating pupil will be given, on request, the name of the driver and the description of the vehicle.

No person shall be approved as driver for the transportation of students in a private vehicle who is not an employee of this Board or the parent(s) or legal guardian(s) of a pupil enrolled in this district and the holder of a currently valid license to operate a motor vehicle in the State of New Jersey.

The Board may withdraw the authorization of any private vehicle driver.

Any private vehicle used for the transportation of students must be owned by the approved driver or the spouse of the approved driver; have the capacity to hold not more than eight persons; and must conform to registration, inspection, and insurance requirements of the State of New Jersey for privately owned vehicles. Seat belts shall be worn by the driver and the passengers while the vehicle is in motion. No vehicle may be used to transport more persons than its normal load capacity.

The responsibility of teaching staff members for the discipline and control of students will extend to their transportation of students in a private vehicle. Drivers who are not teaching staff members are requested to report pupil misconduct to the Building Principal.

Expenses incurred by drivers of private vehicles in the course of transporting students will be reimbursed by the Board at the approved mileage rate and upon presentation of evidence of costs for tolls and parking fees.

N.J.S.A. 18A:16-6; 18A:25-2; 18A:39-20.1
N.J.A.C. 6A:27-7.6; 6A:27-7.7

Adopted: 19 October 2011

8670 TRANSPORTATION OF SPECIAL NEEDS STUDENTS

The Board of Education shall provide transportation services for students with special needs in accordance with N.J.S.A. 18A:39-1 et seq., N.J.A.C. 6A:27-5.1, and with their Individualized Education Program (IEP). The Board will provide transportation in accordance with N.J.A.C. 6A:27-5.1 as a related service for a student with special needs pursuant to N.J.A.C. 6A:14-3.9(a)7. Such transportation services may include, but are not limited to, special transportation equipment, transportation aides, and special arrangements for other assistance to and from school.

When an out-of-district placement for educational reasons is made, transportation shall be provided consistent with the school calendar of the receiving school. A copy of the school calendar shall be submitted to the resident district by May 15 preceding the year in which transportation is required, or at the time of placement if it occurs after May 15.

When necessary, the student's case manager shall provide the transportation coordinator or responsible staff member and the bus driver with specific information about the student including safety concerns, mode of communication, and health and behavioral characteristics of a student for whom transportation services are to be provided.

Students with special needs below the age of five shall be transported in vehicles equipped with safety belts or other child restraint systems, in accordance with applicable Federal and State regulations.

The transportation of students with special needs to special education programs approved by the Board and located outside the State will conform to guidelines established by the New Jersey State Department of Education pursuant to N.J.A.C. 6A:27-2.2(c)1.

State aid will be sought for the services provided in accordance with law and this Policy. The Board directs that appropriate records be maintained and all relevant documentation be preserved in order that the district be properly reimbursed for the costs of transportation.

N.J.S.A. 18A:39-1 et seq.; 18A:39-2.1; 18A:46-19.6; 18A:46-23
N.J.A.C. 6A:14-3.9(a)7; 6A:27-2.2; 6A:27-5.1

Adopted: 16 October 2019

8710 PROPERTY INSURANCE

The Board of Education recognizes its responsibility under law to insure the replacement value of the property of this school district, both real and personal, against loss or damage by fire and expressly extends such insurance coverage to loss or damage caused by theft, water, glass breakage, explosion, boiler failure, smoke, windstorm, vandalism, and other hazards.

In placing property insurance coverage, the Board shall be guided by the price of the coverage, the ability of the insurer to meet obligations promptly and fully, the reputation and past performance of the insurer's agent, and the goal of distributing the insurance coverage of the district through an insurance broker.

The Board shall annually appoint an insurance advisor who shall review the insurance program of the district, consider alternatives, and report recommendations to the Board; recommend specific insurance placement and prepare specifications; assist the Board in the establishment and maintenance of property valuation and insurance records; provide annual safety and fire inspections; process all claims; provide workshops and lectures on fire safety and prevention and safety precautions to the appropriate staff members; and recommend such measures as may reduce the cost of insurance premiums.

To be eligible to represent this Board an insurance agent must write all insurance through a company whose minimum financial status, so far as loss paying ability is concerned, is rated by A.M. Best and Company to be no less than A+; and must derive over fifty percent of his/her income from insurance premium commissions or receive no less than $100,000 annually in premium income from sources other than this school district.

The Board may, in accordance with law, enter a joint contract for the purchase of property insurance.

N.J.S.A. 18A:18A-42(e); 18A:20-25
N.J.S.A. 40A:10-52 et seq.

Adopted: 19 October 2011

8740 BONDING

The Board of Education recognizes that the prudent trusteeship of the resources of this district dictates that employees responsible for the safekeeping of district moneys and property be bonded.

The Board directs the indemnification of the district against loss of money and property by the bonding of the Treasurer of School Moneys in accordance with the requirements of N.J.A.C. 6A:23A-16.4 and by the bonding of the Board Secretary in accordance with the requirements of N.J.S.A. 18A:17-6. If the district does not have a Treasurer of School Moneys, the Board will ensure surety bonds are obtained in accordance with the rules of the State Board of Education. All other employees may be covered under a blanket bond in an amount to be determined by the Board or as required by the rules of the State Board of Education.

The Board shall bear the cost of bonding each employee required to be bonded by law or by this policy.

N.J. Consti., Art. 7, §1, 4
N.J.S.A. 18A:6-58; 18A:17-6; 18A:17-26; 18A:17-32
N.J.A.C. 6A:23A-16.4

Adopted: 19 October 2011

8750 EMPLOYEE INDEMNIFICATION

The Board of Education recognizes that officers and employees of this district are exposed to certain risks in the course of the performance of their duties and will provide insurance coverage against losses that may be incurred by such risks.

The Board shall in accordance with law, insure employees of the school district against injury and death arising out of or in the course of their employment.

The Board shall provide indemnification to any person holding any office, position or employment under the jurisdiction of the Board, including any student teacher/intern, or person assigned to other professional pre-teaching field experience, for damages, losses, and costs incurred as a result of a civil or administrative action or other legal proceeding brought against any such persons for any acts or omissions arising out of and in the course of their employment, student teaching, or other assignment to professional field experience with this Board. This indemnification will include all costs of defending such action, including reasonable counsel fees and expenses, together with costs of appeal, if any, and will hold harmless and protect such person from any financial loss resulting from such action. No employee will be held harmless or have his/her defense costs defrayed in a disciplinary proceeding instituted against him/her by the Board or when the employee is appealing an action taken by the Board. Indemnification for exemplary or punitive damages is not required and will be governed by the standards and procedures set forth in N.J.S.A. 59:10-4. The Board may arrange for and maintain appropriate insurance to cover all such damages, losses and expenses.

The Board shall provide indemnification to any person holding any office, position or employment under the jurisdiction of the Board, including any student teacher/intern, or person assigned to other professional pre-teaching field experience, for the costs of defense against any criminal or quasi-criminal action for any such act or omission when such prosecution is dismissed or results in a final disposition favorable to the officer or employee. This indemnification will include the cost of defending such proceeding, including reasonable counsel fees and expenses of the original hearing or trial and all appeals. No employee will be held harmless or have his/her defense costs defrayed as a result of a criminal or quasi-criminal complaint filed against the employee by or on behalf of the Board. The Board may arrange for and maintain appropriate insurance to cover all such damages, losses and expenses.

The Board shall insure against any liability arising out of the use of motor vehicles in the course of the conduct of automobile driver training courses and against any liability arising from the use of a motor vehicle by a person duly appointed by the Board to transport students and while in the course of such transportation.

The Board may insure against any major liability arising from the use of a motor vehicle by an employee or pupil of the district in the performance of district business.

The Board may, in accordance with law, enter a joint contract for the purchase of liability insurance.

N.J.S.A. 18A:16-6; 18A:16-6.l; 18A:18A-3.2;
18A:18A-42(e); 18A:18B-1; 18A:18B-2;
18A:39-6; 18A:39-6.1; 18A:39-20.1
N.J.S.A. 40A:10-52

Adopted: 19 October 2011

8760 PUPIL ACCIDENT INSURANCE

The Board of Education recognizes injuries to students may occur from accidents occurring in the course of attendance at school and participation in the athletic and co-curricular programs of the school district.

In accordance with the provisions of N.J.S.A. 18A:43-1, the Board is not required to, but may arrange for, maintain, and may pay the premiums for insurance coverage by a qualified insurer for loss sustained by students through accidental means while participating in those school activities insured by the Board's insurance provider. This insurance coverage, if purchased by the Board, will not cover all school activities and will be secondary insurance requiring all claims be submitted to the pupil's parent's or legal guardian's insurance provider before being submitted to the school district's insurance provider. All claim decisions and payment amounts will be made by the school district's insurance provider in accordance with the terms of the insurance policy purchased by the Board. The insurance coverage provided under this program will be based on a payment schedule and may not provide for full payment of such claims.

The Board, if such insurance is provided, may require payment to the Board by students to whom the benefit of such insurance is extended, of a proportional share of premiums or any part thereof in accordance with the provisions of N.J.S.A. 18A:43-2. In the event the Board requires such payment, the amount to be paid by students shall be established by a schedule determined by the Board, but no pupil electing not to participate in the accident insurance coverage shall be required to make any payment toward the cost of the premiums.

The Board may provide parent(s) or legal guardian(s) the opportunity to purchase insurance coverage, at no cost to the Board, for injury resulting from accidents sustained by students occurring in the course of attendance at school and participation in the athletic and co-curricular programs of the school district.

The Superintendent and/or designee will recommend suitable and qualified insurance providers for Board consideration and approval. Parent(s) or legal guardian(s) of students who may be eligible for such insurance coverage will be notified of its availability.

In accordance with the provisions of N.J.S.A. 18A:43-3, in the event the Board elects to provide this pupil accident insurance, it shall not be construed to impose any liability on the part of the Board for an injury sustained by a pupil as a result of or in connection with any activities outlined in N.J.S.A. 18A:43-1 or as a result of or in connection with the conduct of the physical education program of the school district.

N.J.S.A. 18A:43-1; 18A:43-2; 18A:43-3

Adopted: 19 October 2011

8770 SCHOOL BOARD INSURANCE GROUP

The Board of Education shall provide insurance for loss or damage to school district property, real or personal; loss or damage from liability resulting from the use of district property; loss or damage from liability for the acts and omissions of school district officers or employees; loss or damage from liability established by the workers' compensation statutes; and the expenses of defending any claim against the Board members, officers, or employees of this district arising out of and in the course of the performance of their duties.

The Board recognizes the benefits to the school district of joining with other Boards of Education in providing coverage for the insurance needs of this district and in participating in programs of risk management to prevent loss and to control liability.

The Board may, upon formal resolution duly adopted, become a member of a school board insurance group in order to participate in any joint self-insurance fund or funds, risk management programs, or related services offered or provided by the group. The Board's membership in the group will be governed by the bylaws of the insurance group, which must be reviewed and approved by the Commissioner of Insurance in accordance with State law.

Trustees of the school board insurance group shall be selected in accordance with the bylaws of the insurance group; if the bylaws do not provide for the manner of a trustee's election, the trustee or trustees representing this Board of Education shall be elected by a plurality vote of those Board members present and voting.

N.J.S.A. 18A:18B-1 et seq.

Adopted: 19 October 2011

8820 OPENING EXERCISES

The morning opening exercises will include the Pledge of Allegiance. Those students who have religious or conscientious objections may be excused from participating, but must not disrupt the exercises.

Appropriate recognition shall be given in all schools on the last school day preceding (or the following Monday in the case of Constitution Day and Citizenship Day if September 17 falls on a Sunday):

A. Martin Luther King Jr.'s Birthday;

B. Lincoln's Birthday;

C. Washington's Birthday;

D. Memorial Day;

E. Constitution Day and Citizenship Day (Sept. 17);

F. Columbus Day;

G. Veterans' Day; and

H. Thanksgiving Day.

Suitable exercises are also required by law in all New Jersey public schools in observance of Flag Day (June 14, day of adoption of the American flag by the Continental Congress in 1777), Arbor Day (last Friday in April), and Commodore John Barry Day (September 13). The Board authorizes the Superintendent to conduct school observances in commemoration of other persons and events of special historical significance.

Students shall be encouraged to develop and/or take part in events and activities in connection with special "days", "weeks" or "months" proclaimed by the nation, State or community.

Holidays and special events may be recognized in the district's school so long as such recognition respects the rights and feelings of others and is consistent with law.

Songs and customs which have come to us from the various elements of our national population may be used to broaden our students' awareness of the many elements that make up our American culture.

The Board shall not prevent, or otherwise deny participation in, constitutionally protected prayer in the district school, consistent with guidance issued by the United States Department of Education and applicable judicial decisions interpreting the religion clauses of the First Amendment of the U.S. Constitution.

This policy supersedes any other Board policy that is inconsistent with it.

N.J.S.A. 18A:36-3

Adopted: 19 October 2011

8860 MEMORIALS

The Board of Education recognizes that each officer and employee of this district is important not only to the school district but to the community at large. The loss of any officer or employee of this Board by death is a loss that the Board and the district share with the community.

In order to memorialize that loss in a fitting manner, the Board directs that, whenever notice is received of the death of a Board member or a person employed by the Board, the flag of the United States at the school district building shall be flown at half mast for one school day. Written notice shall be posted in an appropriate manner in each district building on that day in order that students, staff members, and visitors are informed of the purpose of the memorialization.

The Superintendent may, in his/her discretion, grant an employee of this district a brief absence without loss of pay or personal leave for the purpose of attending the funeral of his/her direct supervisor or subordinate provided that no disruption in the educational program will be caused by any such absence.

The Superintendent shall recommend to the Board and the Board may approve appropriate recognition measures beyond those provided for in this policy when the deceased Board officer or employee has, by length of service or extraordinary accomplishment, especially distinguished his/her service to this school district.

Adopted: 17 April 2019

9000 COMMUNITY

Number	Title
9120	Public Relations Program (M)
9130	Public Complaints
9140	Citizens Advisory Committees (M)
9150	School Visitors
9160	Causing Disturbances
9180	School Volunteers
9190	Community Resources/Organizations
9200	Cooperation Between Parents and School
9205	Communication between Parents and Staff Members
9210	Parent/School-Connected Organizations
9230	Parental Responsibilities
9240	Rights of Parents
9242	Use of Electronic Signatures
9260	Parental Liability for Vandalism
9270	Home Schooling and Equivalent Education Outside the School (M)
9280	Parent Conferences
9320	Cooperation with Law Enforcement Agencies (M)
9323	Notification of Juvenile Offender Case Disposition
9324	Sex Offender Registration and Notification
9400	Media Relations
9500	Cooperation With Educational Agencies
9541	Student Teachers/Interns
9550	Educational Research Projects
9560	Administration of School Surveys
9700	Special Interest Groups
9700.1	Public Activities Involving Staff, Students, or School Facilities
9713	Recruitment by Special Interest Groups (M)
9720	Solicitations by Vendors

9120 PUBLIC RELATIONS PROGRAM

The Board of Education believes all reasonable means should be employed to keep the community served by the school district informed on matters of importance regarding district programs, finances, personnel, policies, and operations.

The Board will determine which of its official actions have sufficient community impact and interest to warrant special release; the Board alone will release to the news media information about those matters of importance. The Board President may release information regarding Board actions of lesser importance as they have been recorded in the minutes of the Board meetings and upon the request of media representatives. The release of all other publications, photographs, and documents depicting the accomplishments of the students and staff of the district shall be approved by the Superintendent or designee.

The school district will not release or publish photographs or release other personal identifying information of an individual district pupil without the prior written permission of the parent(s) or legal guardian(s) or from the adult pupil. Written permission slips for such release from each parent(s) or legal guardian(s) or adult pupil will be obtained by the Principal or designee for the students in their school building or by the Program Administrator for students in programs where a Principal is not assigned. These written permission forms shall be maintained by the Principal or Program Administrator. Group photographs may be released by the district without permission, but in no event will an individual pupil in a group photograph be identified by name and/or by other personal identifier without written permission from the parent(s) or legal guardian(s) or adult pupil.

The Superintendent shall direct an information program designed to acquaint residents of the community and the public generally with the achievements and the needs of the school. As a minimum, information shall be disseminated regarding the district's educational goals; the district's guarantee of equal educational opportunity; the district's programs for basic skills improvement, special education, bilingual education, and English as a second language; and summary reports of the administration of statewide assessment tests. Every effort shall be made to foresee and avoid problems caused by misunderstanding or lack of information.

The public information program may include the publication and distribution of a district newsletter, meetings with parent(s) or legal guardian(s) and interested residents, a presentation and interpretation of the proposed annual budget, periodically distributed calendars and notices of events, the Superintendent's annual report, and a pupil handbook, as well as the release of news and photographs of school activities for publication. Notices, publications, and other written materials may be prepared in languages other than English when necessary and appropriate for understanding.



The Board of Education adopts the following strategies to minimize the cost of public relations as defined in N.J.A.C. 6A:23A-9.3(c)14 in accordance with N.J.A.C. 6A:23A-5.2.

School district publications shall be produced and distributed in the most cost-efficient manner possible that will enable the school district to inform and educate the target community. The use of expensive materials or production techniques where lower cost methods are available and appropriate, such as the use of multi-color glossy publications instead of suitable, less expensive alternatives, is prohibited.

The school district will not distribute, via mass mailings or other means to the district community at large, publications that include the picture(s) of any members of the Board of Education within ninety days before any election in which any Board member is seeking any elective office or any election relating to school district operations held in the district. Any publication(s) distributed by the Board via mass mailings or other means to the district community at large within sixty days before any election in which any Board member is seeking any elective office or any election relating to school district operations held in the district must be submitted to the Executive County Superintendent for review prior to distribution to ensure that the public funds are being expended in a reasonable and cost-effective manner.

Public relations activities, such as booths at Statewide conferences, marketing activities and celebrations for opening the school and community events, and TV productions that are not part of the instructional program or do not provide information about district or Board operations to the public, that are excessive in nature are prohibited. All activities involving promotional efforts to advance a particular position on school elections or any referenda are prohibited.

Nothing in N.J.A.C. 6A:23A-5.2 and this Policy shall preclude the school district from accepting donations or volunteer services from community members, local private education foundations and local business owners to conduct or assist in public relations services. Examples include, but are not limited to: providing school district flyers, newsletters, or other materials containing school-related information of public concern to local businesses, public meeting places, or other local organizations to display or make available for dissemination; making school district related information of public concern available to local newspapers to publish related articles; and utilizing volunteered services of local community members, district employees, members of parent organizations or local businesses with expertise in related areas such as printing, advertising, publishing, or journalism.



The Board of Education will establish annually prior to budget preparation, a maximum dollar limit for public relations, as defined in N.J.A.C. 6A:23A-9.3(c)14. In the event it becomes necessary to exceed the established maximum dollar limit for public relations, the Superintendent shall recommend to the Board of Education an increase in the maximum dollar amount for public relations. Any increase in the maximum dollar amount shall require formal Board action.

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

Adopted: 19 October 2011

9130 PUBLIC COMPLAINTS

The Board of Education shall establish procedures for the hearing and settlement of complaints concerning district staff members, the educational program, instructional or resource materials, or the operations of the district. Complaints regarding library material as defined in N.J.S.A. 18A:34A-3 shall be addressed in accordance with Policy and Regulation 2535. The procedures for the hearing and settlement of complaints shall provide a means for resolving complaints fairly and impartially and permit appropriate resolution.

The grievance procedure outlined in Regulation 9130 shall not be utilized by a district staff member or Board member unless the district staff member or Board member is doing so in their capacity as a parent of a student currently enrolled in the district.

When a Board member is confronted with a complaint concerning district staff members, the educational program, instructional or resource materials, or the operations of the district, the Board member will withhold comment and refer the complaint to the Superintendent in accordance with N.J.S.A. 18A:12-24.1.j., who shall review the complaint in accordance with Regulation 9130.

Any misunderstandings or disputes between the public and district staff members should, whenever possible, be settled by direct, informal discussions among the interested parties. It is only when such informal meetings fail to resolve differences that more formal procedures shall be employed.

Procedures for the resolution of complaints regarding district staff members, the educational program, instructional and resource materials, and the operations of the district shall be governed by Regulation 9130.

Adopted: 25 February 2026



9140 CITIZENS ADVISORY COMMITTEES

The Board of Education encourages communication between the school district and the community at large. Citizens advisory committees may be useful in keeping the Board and the administration informed with regard to community opinion and in representing the community.

The Board may establish a citizens advisory committee to provide input to the Board and the administration from the community for funded programs as the law requires and as the Board sees fit.

In creating a new citizens advisory committee, the Board may appoint: members of the community who are able and interested in the subject and concerned about the schools; members who represent a wide range of community interests and backgrounds; a chairperson; one or more Board members; and school staff members. The Board President or designee and the Superintendent or designee shall serve as members of the citizens advisory committee.

In charging a new citizens advisory committee, the Board shall define the citizens advisory committee assignment in writing, set a date for report(s) to the Board, and establish a budget, if needed. Expenditures of district funds by a citizens advisory committee shall be made upon the approval of the Superintendent.

Recommendations of citizens advisory committee shall not reduce the responsibility of the Board, which may accept, reject, or modify a citizens advisory committee's recommendation(s) in the exercise of its statutory discretion.

Meetings of citizens advisory committee that are attended by fewer than a majority of the members of the Board are not subject to the Open Public Meetings Act and need not be open to the public, except as expressly permitted by the Board.

Adopted: 16 August 2023

9150 SCHOOL VISITORS

The Board of Education welcomes and encourages visits to school by parent(s) or legal guardian(s), other adult residents of the community, and interested educators. In order for the educational program to continue undisturbed when visitors are present and to prevent the intrusion of disruptive persons into the school, the Board directs the enforcement of rules governing school visits.

The Superintendent and Building Principal each possess the authority to prohibit the entry of any person into a school of this district or to expel any person from the school when there is reason to believe the presence of such person would be inimical to the good order of the school. If such a person refuses to leave the school grounds or creates a disturbance, the Principal is authorized to request from the local law enforcement agency whatever assistance is required to remove the individual.

Visitors shall be required to register their presence in the school. No staff member shall transact business with or permit the continuing presence in the school of a visitor who has not been duly registered. Board members must follow the same visitor requirements provided in this policy.

No visitor may confer with a pupil in school without the approval of the Principal; any such conference may take place only in the presence of a teaching staff member and/or administrator.

The Superintendent shall develop regulations that will protect students and employees of the district from disruption to the educational program and the efficient conduct of their assigned tasks.

N.J.S.A. 2C:18-3
N.J.S.A. 18A:17-42; 18A:20-1; 18A:20-34

Adopted: 19 October 2011

9160 CAUSING DISTURBANCES

In order to ensure the orderly process of education and business matters connected with the school and the safety of persons and property, the Essex Fells Board of Education directs the establishment of procedures to be followed in case of any disturbance on school property. The Board welcomes the attendance of members of the community at athletic and other public events held by the school, but the Board also acknowledges its duty to maintain order and preserve the facilities of the district during the conduct of such events. The Board holds the legal authority to bar the attendance of any person whose conduct may constitute a disruption at a school event. In compliance with law, the Board directs that no alcoholic beverage be consumed at any function sponsored by the district nor any betting occur on school premises.

In the event of a disturbance, the Superintendent or designee shall:

1. Notify the person/group orally that anyone not a pupil or employee of the district will be allowed a specified time in which to remove themselves from school property; students or employees will be allowed a specified time to report to their regular scheduled activity or to remove themselves from the school property. Names of any employees or students shall be given to school authorities. The Superintendent or designee will also alert the President of the Board of Education and the Police Department at his/her discretion.

2. If the property has not been cleared at the expiration of the time limit, the Superintendent or designee will ask the police to remove the demonstrators and the Board of Education and the Police Department may file appropriate charges.

3. The Board Attorney shall be immediately notified of any demonstration and shall prepare, as directed by the Board of Education, whatever charges are deemed to be appropriate for legal or criminal action.

Adopted: 19 October 2011



The Board of Education welcomes the attendance of members of the community at athletic and other public events held by the school and acknowledges its duty to maintain order and preserve the facilities of the district during the conduct of such events.

The Board may bar the attendance of any person at a school event whose conduct constitutes a disruption. The Board prohibits the possession and consumption of alcoholic beverages at any function sponsored by the district, and, further, prohibits wagering on school premises.

Adopted: 19 October 2011

9180 SCHOOL VOLUNTEERS

The Board of Education recognizes the services of volunteers can enrich the educational program, assist teaching staff members in the performance of their duties, and enhance the relationship between the school district and the community. The Board authorizes a program for the utilization of volunteer services in the school district.

An unpaid volunteer is not required to complete a criminal history record check. A volunteer is not required to be approved by the Board.

Volunteers must be persons of known character, responsibility, and integrity.

Neither the Superintendent nor any Principal shall be obligated to utilize the proffered services of a volunteer whose abilities or interests do not serve the needs of students.

Each school volunteer shall be given a copy of this Policy and the rules of conduct.

The following guidelines shall govern the service of school volunteers:

1. Volunteers may serve only under the direction and supervision of an appropriately certified or licensed staff member;

2. Volunteers should clearly understand their duties and responsibilities and perform no service outside those duties;

3. Volunteers serve only in a support capacity; only appropriately certified or licensed staff members are responsible for educational planning and decisions and the teaching of new concepts;

4. Volunteers shall respect the individuality, dignity, and worth of each child;

5. Volunteers are not permitted access to pupil records;

6. Volunteers should exercise discretion in discussing their school activities with others in the community and must maintain confidential any information that if disclosed would violate Federal and State laws;

7. Volunteers may consult with the Principal regarding their duties and responsibilities; and

8. Volunteers shall receive no financial remuneration from the Board.

The Superintendent shall report periodically to the Board on the number of volunteers serving in the school, the duties performed by volunteers, and the number of volunteer hours served, by school.

N.J.S.A. 18A:6-7.1

Adopted: 27 March 2012

9190 COMMUNITY RESOURCES/ORGANIZATIONS

The Board will draw on the knowledge and opinions of the community in developing mandated policies and programs in compliance with statute and administrative code, and to aid in meeting the district's identified needs.

The Board of Education encourages local businesses and individual residents who are especially qualified because of training, experience or interest to take an active part in the district's educational programs. Those persons and representatives of businesses identified by the Superintendent and the staff and approved by the Board may be invited to act as advisors in groups or individually in appropriate circumstances and situations.

The district shall also take advantage of the physical and financial resources of the community and of organizations including businesses when such facilities or locations provide learning and enrichment opportunities not otherwise available to our students. Pupil safety shall be a primary concern in making use of such resources.

In accordance with law, the administration shall identify and establish working relationships with licensed community agencies that are involved in evaluation and treatment of drug/alcohol problems.

Adopted: 19 October 2011

9200 COOPERATION BETWEEN PARENTS AND SCHOOL

The Board of Education believes that the education of children is a joint responsibility that the Board shares with the parent(s) or legal guardian(s) of students. To ensure that the best interests of the child are served in this process, a strong program of communication between home and school must be maintained.

It is the position of the Board that parent(s) or legal guardian(s) bear the ultimate responsibility for their children's in-school behavior, including the behavior of students who have reached the legal age of majority, but are still for all practical purposes under parental authority.

The Board directs that cooperation be encouraged by parent-teacher conferences that permit two-way communication between home and school; open houses in the district school that provide parent(s) or legal guardian(s) with the opportunity to see the school facilities, meet the faculty, and observe the program on a first hand basis; meetings of staff members and groups of the parent(s) or legal guardian(s) of those students having special abilities, needs, or problems; and special events of a cultural, ethnic, or topical nature, which are initiated by parent groups, involve the cooperative effort of students and parent(s) or legal guardian(s), and are of general interest to the school or community.

Adopted: 19 October 2011

9205 COMMUNICATION BETWEEN PARENTS AND STAFF MEMBERS

The Board of Education adopts this Policy to establish standards regarding parent/staff member communications. The Board recognizes the importance of successful parent/staff member relationships and values those partnerships in the provision of a thorough and efficient education to all students. To that end, the Board believes that its educational mission is served by collaboration and positive communication between home and school. The Board seeks to facilitate mutually supportive and respectful communications between parents and staff members to ensure the shared goal of creating an optimal educational environment.

The Board will take appropriate action consistent with law and Board Policy to uphold and enforce this Policy. Parents and staff members shall be guided by the following standards for interacting with each other.

When communicating with staff members, parents shall:

1. Refrain from disrupting the staff member during instructional or duty time;

2. Avoid confrontations, profanity, aggressive, abusive, threatening, disrespectful, and intimidating communication and behavior when interacting with staff members; and

3. Avoid otherwise negative and inappropriate behaviors that may detract from a positive and successful learning environment.

When communicating with parents, staff members shall:

1. Respond to communication from parents in a professional and timely manner that does not interfere with the staff member's instructional or duty time;

2. Avoid communications that can be interpreted as demeaning and derogatory.

4. Document each instance of communication with parents.

All communications between parents and staff members shall be conducted:

1. In a formal, professional, and respectful manner;

2. Via email using the school district's email system and server or by phone call to the main office. Text messages and personal email accounts or other personal messaging platforms shall not be used for communications between parents and staff members; and

3. During the staff member's contracted work hours pursuant to the following schedule, to the greatest extent possible and reasonable under the circumstances: 8:20 AM – 3:20 PM on full days and 8:20 AM – 12:45 PM on minimum days. In case of emergency or if a parent cannot reasonably communicate with a staff member during those times, the parent may direct communication to the staff member at a reasonable time outside of the staff member's contracted work hours, in a manner and mode that is consistent with the standards set forth above.

References: Board Policy No. 9150, "School Visitors"

Adopted: 16 December 2020
Revised: 15 November 2022
Revised: 5 January 2023
Adopted: 18 January 2023

9210 PARENT/SCHOOL-CONNECTED ORGANIZATIONS

The Board of Education will encourage and support parent organizations whose objectives are to promote the educational interests of district students.

Parent organizations are organizations independent from the Board of Education. Therefore, parent organizations shall not make any representations their organization or activities are sponsored or endorsed by the Board of Education without prior approval of the Board of Education. A parent organization shall submit a request for sponsorship or endorsement of a specific activity to the Board of Education.

In Essex Fells, any organization consisting of parent(s) or legal guardian(s), school staff and friends of the school may be a Board-approved voluntary organization. It shall not establish educational policy, participate in the administration of the school, or authorize management and direction of school affairs. Any and all programs/activities by the sponsoring organization must be approved through the administration prior to any direct contact with school faculty.

Such organizations shall have as their objectives the promotion of pupil welfare; the development of close relationships between the home and the school; and the development between educators and the public of such united efforts as will secure for every pupil in the school the best kind of educational program possible.

Organizations shall not use the district's name in their titles without the Board's express consent. Such permission to use the district's name does not constitute permission to act as the district's representative. A parent organization may not organize students, sponsor school activities, or solicit money in the name of this school district or of any school in the district without the prior approval of the Superintendent or designee. Such approval must be sought by written application to the Superintendent or designee.

The Board shall make it a practice not to interfere in the internal workings of such groups. The Board of Education encourages such organizations to inform parent(s) or legal guardian(s), school staff and friends of the school of regularly scheduled meetings and of any special meetings to the extent possible.

Representatives of recognized parent organizations shall be treated by district employees as interested friends of the schools and as supporters of public education in the school district. Representatives of recognized parent organizations shall comply with all applicable Board policies.

The Board recognizes the Essex Fells Parent Teacher Association (PTA) and the Essex Fells Foundation for Educational Excellence (Foundation) as official parent organizations. As such, the district's insurance shall cover the activities of the PTA and Foundation, providing said activities fully comply with all applicable policies of the Board.

Permission to hold regular meetings of such associations in school facilities will be extended by the Board of Education.

The Board welcomes officials of the parent-teacher association to its Board meetings. The Board from time to time will request the good offices of the parent-teacher association for purposes of communication with the public. The Board, as a matter of practice, sends to the President of the parent-teacher association a notification of its regularly scheduled monthly meetings. Teachers and other staff personnel are urged to support the activities of the parent-teacher association.

The Board relies upon parent organizations to operate in a manner consistent with public expectations for the schools and reserves the right to withdraw recognition from any parent organization, at will, whose actions are inimical to the interests of the school district and the students of this district.

A professional staff member may serve as advisor to the general parent/teacher organization. All members of the professional staff shall be encouraged to join the organization and to participate in its activities.

Adopted: 16 October 2019

9230 PARENTAL RESPONSIBILITIES

The Board believes that the education of children is a joint responsibility, one it shares with the parent(s) or legal guardian(s) of the school community. To ensure that the best interests of the child are served in this process, a strong program of communication between home and school must be maintained and parental involvement in district concerns encouraged.

The Board recognizes the vital role of parent(s) or legal guardian(s) in the welfare and education of their children and the pivotal part they play in shaping character and values. Because parent(s) or legal guardian(s) are familiar with the needs, problems, gifts and abilities of their children, staff should seek to involve parent(s) or legal guardian(s) as much as possible in the planning of the individual program.

Parent(s) or legal guardian(s) can support their children's educational efforts by:

A. Being familiar with the rules of the district;

B. Ensuring their child's regular attendance at school, on time, properly dressed and in a condition of physical health and mental alertness to benefit from instruction;

C. Cooperating with school staff in educational and disciplinary matters;

D. Communicating to appropriate school staff changes in the child's home life that may affect conduct or performance. Parent(s) or legal guardian(s) are specifically requested to inform the school of any changes in legal custody of the child;

E. Taking an active part, when possible, in the affairs of the school and the district;

F. Maintaining an active interest in the students' daily work and making it possible for the pupil to complete assigned homework through providing a quiet place and suitable conditions for study; and

G. Reading all communications from the school, and signing and returning them promptly when required.

The Superintendent shall develop procedures and regulations to implement this policy. These regulations shall include use of the parent(s) or legal guardian(s)' native language when necessary.

Adopted: 19 October 2011

9240 RIGHTS OF PARENTS

The Board of Education recognizes that the parent(s) or legal guardian(s) of each child are ultimately responsible for the care and custody of that child, and that both parent(s) or legal guardian(s) share that responsibility equally. The Board recognizes as well that, where only one parent has legal custody of a child, the rights and responsibilities of the other parent may be limited. The Board believes that the interests of the child are best served by the continuing involvement of both parents in the child's life and well-being.

The Board will presume that each natural or adoptive parent(s) or legal guardian(s) of a pupil enrolled in this district possesses full parental rights of access to the pupil and to information about the pupil, notwithstanding any separation of the parent(s) or legal guardian(s) or dissolution of their marriage. Accordingly, and in the absence of notice to the contrary, the Board directs that school administrators accommodate the needs of both parent(s) or legal guardian(s) for access to their child, to their child's teachers, and to information about their child.

Every parent, except as prohibited by federal and state law, shall have access to records and information pertaining to his/her unemancipated child, including, but not limited to, medical, dental, insurance, child care and educational records, whether or not the child resides with the parent, unless that access is found by the court to be not in the best interest of the child or the access is found by the court to be sought for the purpose of causing detriment to the other parent.

The place of residence of either parent shall not appear on any records or information released pursuant to the provisions of this section.

A child’s parent(s), guardian(s) or legal custodian(s) may petition the court to have a parent’s access to the records limited. If the court, after a hearing, finds that the parent’s access to the record is not in the best interest of the child or that the access sought is for the purpose of causing detriment to the other parent, the court may order that access to the records be limited. Proper notice of court action consists of the custodial parent's sworn affidavit or certification supported by a copy of the pertinent portion of a legal agreement or court order that awards custody and establishes the rights and limitation of the noncustodial parent or terminates the parental rights of the noncustodial parent.

Nothing in this policy shall be construed as limiting in any way the rights of the noncustodial parent whose parental rights have not been terminated to full access to his/her child's records.

N.J.S.A. 18A:35-4.6 et seq.; 18A:47-4; 18A:47-8
N.J.A.C. 6A:14-1.3; 6A:14-2.9; 6A:32-7.1; 6A:32-7.5

Adopted: 19 October 2011



9242 USE OF ELECTRONIC SIGNATURES

The New Jersey Uniform Electronic Transactions Act (UETA) authorizes a Board of Education to use electronic forms, filings, and signatures to conduct official business with the public. The use of electronic forms, filings, and signatures may save school district resources and will provide a convenient and cost-efficient option for parents to receive, review, and acknowledge receipt of information from the school district. Therefore, the Board of Education authorizes the use of electronic forms, filings, and signatures in communications between the school district and parents pursuant to the UETA.

For the purposes of this Policy, "electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

For the purposes of this Policy, "electronic record" means a record created, generated, sent, communicated, received, or stored by electronic means.

For the purposes of this Policy, "electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

For the purposes of this Policy, "information processing system" means an electronic system for creating, generating, sending, receiving, storing, displaying, or processing information.

The school district may electronically send documents to parents of students enrolled in the school district. These documents may include, but are not limited to: informational notices; school or school related events or activities; periodic updates on a student's progress; school district forms; requests for information; and any other communications between the school district and home. Some documents electronically sent to parents may require the parent to: acknowledge receipt of a document; provide parental consent for such matters as student compliance with the district's acceptable use of school district computers and administration of surveys; and/or acknowledge receipt and acceptance of terms of a Board of Education policy, regulation, or practice. Any document sent to parents of students enrolled in the school district must be capable of retention by the recipient. To be capable of retention, the recipient at the time of receipt, must be able to retain and accurately reproduce the document for later reference by all persons who are entitled to retain the record. A record is not capable of retention by the recipient if the sender of its information processing system inhibits the ability of the recipient to print or store the electronic record.

The Board of Education authorizes documents may be electronically sent to parents of students enrolled in the school district only with the approval of the Superintendent of Schools. The Superintendent shall establish an information processing system to include a process for parents to electronically send, sign, and return documents to the school district. The school district shall make accommodations for a parent who is unable or unwilling to conduct business electronically. In addition, a parent may refuse to conduct business electronically for any reason and at any time. In this event, the school district shall make available a hard copy of the document(s) to the parent to review, maintain, and any document(s) requiring signatures to be returned to the district. The Superintendent will only implement an information processing system in accordance with the provisions of the UETA.

Documents that are electronically signed and returned to the school district may be maintained by the school district in electronic or non-electronic form. Documents returned to the district that are not electronically signed shall be maintained by the district in non-electronic form. However, nothing shall prevent the school district from converting a non-electronic document to an electronic document and for such document to be stored in electronic form. All electronic or non-electronic documents returned to the school district shall be maintained by the school district in accordance with the New Jersey Department of the Treasury - Records Management Services - Records Retention Schedules and in accordance with N.J.S.A. 12A:12-12.

N.J.S.A. 12A:12-1 et seq.

Adopted: 7 March 2018



9260 PARENTAL LIABILITY FOR VANDALISM

The school property held in trust by this Board of Education represents a substantial investment of the taxpayers of the school district; liability for the willful and malicious destruction of that property should be borne by those directly and indirectly responsible.

The Board further believes that parent(s) or legal guardian(s) are ultimately responsible for the supervision and discipline of students and that the knowledge that they are vicariously liable for the acts of their children and wards will encourage parent(s) or legal guardian(s) to exercise that responsibility more vigorously.

Where any property, real or personal, owned by this Board has been willfully and maliciously damaged by any minor, whether or not the person is enrolled in this district, the Board shall bring civil action against the parent(s) or legal guardian(s) having legal custody and control of the person at the time the damage was caused, for the full amount of the damage.

N.J.S.A. 18A:37-3

Adopted: 19 October 2011

9270 HOME SCHOOLING AND EQUIVALENT EDUCATION OUTSIDE THE SCHOOLS

The Board of Education encourages the enrollment of all children of school age resident in the district in the public school or in approved private schools so that they may enjoy the benefits of a well-planned educational program and the socialization possible in a group environment.

Every parent, legal guardian or other person having custody and control of a child between the ages of six and sixteen years shall cause such child regularly to attend the public school or a day school in which there is given instruction equivalent to that provided in the public school for children of similar grades and attainments or to receive equivalent instruction elsewhere than at school. The Board recognizes its responsibility for assuring that every child of school age resident in the district is enrolled in a public or private school or is offered an equivalent thorough and efficient education elsewhere than at school. The Board acknowledges that a parent, guardian, or other person having custody and control of a child has a constitutional right to choose the type and character of education they feel is best suited for their children, be it secular or sectarian. Home schooling is an option and when chosen this option will be carried out in the pupil's home rather than the school.

In the event the Superintendent determines there is credible evidence the parent, legal guardian, or other person having custody and control of a school-aged child is not causing the child to receive equivalent instruction elsewhere than at school, the Superintendent may request a letter of intent from the parent, legal guardian, or other person confirming the child is receiving equivalent instruction elsewhere than at school. The Superintendent may report to the appropriate municipal authorities children whom he/she has reason to believe are not receiving an education in accordance with N.J.S.A. 18 A:38-25. The New Jersey Department of Education encourages the parent, legal guardian, or other person having custody and control of a school-aged child to notify the Superintendent of the intent to educate the child elsewhere than at school to avoid questions with respect to compliance with the compulsory education laws.

The parent or legal guardian or other person having custody and control of a child between the ages of six and sixteen, who fails to comply with any of the compulsory education provisions of N.J.S.A. 18A:38 et seq. relating to his/her duties, shall be deemed to be a disorderly person and shall be subject to a fine.

If a child seeks admission to this school district from a program of home schooling, the school district will evaluate the work of the child to determine his/her appropriate grade placement. The Superintendent or designee will objectively evaluate the child's skill and achievement levels, as



it would with any transfer pupil, before making a determination as to the acceptability of credits and/or the appropriate grade level placement.

When children are home schooled and are not enrolled in a school, the school district is not required to provide any of the entitlements or privileges of students enrolled in the school district unless an entitlement of privilege is specifically provided in Board Policy or required by Federal law, or State statute or administrative code. The school district's curriculum and other public record information will be provided to the parent, legal guardian, or other person having custody and control of a child upon request in accordance with the Open Public Records Act and Policy and Regulation 8310.

A child educated at home shall not receive a State endorsed high school diploma from the Board of Education.

N.J.S.A. 18A:38-25 through 18A:38-31
U.S.C.A. 1401 et seq.

Adopted: 16 May 2012



9280 PARENT CONFERENCES

The Board of Education endorses the parent-teacher conference as an effective means of permitting parent(s) or legal guardian(s) and teachers to share information about students and the educational program in a constructive setting.

The Superintendent is directed to schedule parent-teacher conferences at such times as will permit the maximum attendance of parent(s) or legal guardian(s), including working parent(s) or legal guardian(s); to encourage the participation of parent(s) or legal guardian(s); and to provide in-service training to teachers to assist them in making most effective use of the conference.

The Board believes that the information exchanged in parent-teacher conferences can be of great importance to the pupil's ability to profit educationally; such conferences are, therefore, an essential part of the instructional program and an integral part of a teacher's professional responsibility. Accordingly, all teachers are required to attend the parent conferences scheduled for the children assigned to them. A teacher's failure to observe this policy may be cause for discipline.

The Board regards parent-teacher conferences as non-adversarial meetings in which all persons present are united in a common interest in the educational well-being of the pupil. The parent(s) or legal guardian(s) of the pupil may bring to the conference additional persons who share that interest and wish to aid the parent(s) or legal guardian(s) and the teacher. When a parent(s) or legal guardian(s) desires the representation of legal counsel at the conference, however, the Board may wish to be similarly represented. Accordingly, the parent(s) or legal guardian(s) who plans to bring legal counsel to a parent-teacher conference shall notify the Superintendent/Principal of that intention no later than five working days in advance of the conference in order that the Superintendent/Principal may secure such legal representation as he/she may deem advisable.

The purposes of the parent-teacher conference are best served when all persons present share freely and candidly their knowledge of the pupil's educational progress and information relating to that progress. Any person present may make and preserve notes, for his/her benefit, of the information shared and may, if permitted, make a tape recording of the conference as an aid to memory or to share with an absent parent or legal guardian. Because the presence of the tape recorder may act to impede the free exchange necessary to an effective conference, however, either the parent(s) or legal guardian(s) or the teacher may refuse the other's request that a tape recorder be used.

Adopted: 19 October 2011



9320 COOPERATION WITH LAW ENFORCEMENT AGENCIES

The Board of Education recognizes that keeping students and staff safe and helping children understand and respect the law is best served by a close and cooperative relationship with local law enforcement.

The Board adopts this Policy and Regulation 9320 in accordance with N.J.A.C. 6A:16-6.1. to ensure cooperation between school staff and law enforcement authorities in all matters relating to the unlawful possession, distribution and disposition of controlled dangerous substances or other drugs, including anabolic steroids, as defined in N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2, drug paraphernalia as defined in N.J.S.A. 2C:36-1, alcoholic beverages; firearms, as defined in N.J.S.A. 2C:39-1.f.; and other deadly weapons as defined in N.J.S.A. 2C:39-1.r.

The Board adopts Policy and Regulation 9320 in accordance with N.J.A.C. 6A:16-6.1. to ensure cooperation between school district staff and law enforcement authorities in all matters relating to the planning and conduct of law enforcement activities and operations occurring on school grounds, including arrest procedures, undercover school operations, and mandatory reporting the offenses listed in the Memorandum of Agreement between Education and Law Enforcement Officials (MOA).

The Superintendent or designee shall institute a program of such communication and cooperation with law enforcement in accordance with N.J.A.C. 6A:16-6.1.

This Policy and Regulation 9320 shall be submitted for review and approval to the Executive County Superintendent in accordance with N.J.A.C. 6A:16-6.2(a)2.

The Superintendent or designee shall annually review the MOA as adopted by the Board to ensure this Policy and Regulation 9320 are in accordance with the requirements outlined therein.

N.J.A.C. 6A:16-6.1.; 6A:16-6.2; 6A:16-6.4.

Adopted: 19 March 2025

9323 NOTIFICATION OF JUVENILE OFFENDER CASE DISPOSITION

Principals have a need to receive and have access to juvenile justice proceedings involving juveniles who are registered students in the school building. The Principal or designee shall have access to information relating to juvenile justice proceedings in accordance with N.J.S.A. 2A:4A-60.

The Principal or designee, on a confidential basis, may request from law enforcement agencies at the time of charge, adjudication, or disposition, information as to the identity of a juvenile student charged, the offense charged, the adjudication, and the disposition. The Principal or designee may inform school staff members of this information if the Principal or designee deems it appropriate for maintaining order, safety, or discipline in the school or for planning programs relevant to the juvenile's educational and social development. This information will not become part of the juvenile student's permanent school record and shall not be maintained except as authorized by regulation of the New Jersey Department of Education (NJDOE).

A law enforcement or prosecuting agency shall, at the time of a charge, adjudication, or disposition, send written notice to the Principal or designee of the school where the juvenile is enrolled, of the identity of the juvenile charged, the offense charged, the adjudication, and the disposition if:

1. The offense occurred on school property or a school bus, occurred at a school-sponsored function, or was committed against an employee or official of the school;

2. The juvenile was taken into custody as a result of information or evidence provided by school officials; or

3. The offense, if committed by an adult, would constitute a crime, and the offense:

    a. Resulted in death or serious bodily injury or involved an attempt or conspiracy to cause death or serious bodily injury;

    b. Involved the unlawful use or possession of a firearm or other weapon;

    c. Involved the unlawful manufacture, distribution, or possession with intent to distribute a controlled dangerous substance or controlled substance analog;

d. Was committed by a juvenile who acted with a purpose to intimidate an individual or group of individuals because of race, color, religion, sexual orientation, or ethnicity; or

e. Would be a crime of the first, second, or third degree.

Information provided to the Principal or designee pursuant to N.J.S.A. 2A:4A-60.d. shall be treated as confidential but may be made available to such members of the staff and faculty of the school as the Principal or designee deems appropriate for maintaining order, safety, or discipline in the school or for planning programs relevant to a juvenile's educational and social development. This information will not become part of the juvenile student's permanent school record and shall not be maintained except as authorized by regulation of the NJDOE.

Law enforcement or the prosecuting agency may provide the Principal or designee with information identifying one or more juvenile students who are under investigation or have been taken into custody for the commission of any act that would constitute an offense if committed by an adult when the law enforcement or prosecuting agency determines that the information may be useful to the Principal or designee in maintaining order, safety, or discipline in the school or in planning programs relevant to the juvenile's educational and social development. Information provided in accordance with N.J.S.A. 2A:4A-60.e. shall be treated as confidential, but the Principal or designee may inform school staff members of this information if the Principal or designee deems it appropriate for maintaining order, safety, or discipline in the school or for planning programs relevant to the juvenile's educational and social development. No information provided pursuant to N.J.S.A. 2A:4A-60 shall be maintained.

The Principal or designee who requests and/or receives information as specified in this Policy shall notify the Superintendent or designee within twenty-four hours of the request being made. In accordance with N.J.S.A. 53:1-20.6, the Principal or designee shall notify the Superintendent or designee of any applicable fees associated with the request.

The school district shall comply with the NJDOE rules and regulations concerning the creation, maintenance, and disclosure of student records regarding Principal or designee notification of juvenile offender case disposition and this Policy.

N.J.S.A. 2A:4A-60
N.J.S.A. 53:1-15; 53:1-20.6
N.J.A.C. 6A:7-1.1; 6A:7-1.3

Adopted: 20 March 2024

9324 SEX OFFENDER REGISTRATION AND NOTIFICATION

The Board of Education and administration will comply with the guidelines developed by the New Jersey Attorney General's Office and will work cooperatively with the County Prosecutor's Office and the Essex Fells Police Department regarding the requirements of N.J.S.A. 2C:7-1 et seq. (Megan's Law).

The Megan's Law notification statute applies to all sex offenders who are required to register pursuant to N.J.S.A. 2C:7-1 et seq. The offenses requiring registration by persons convicted, an adjudicated delinquent or a person acquitted by reason of insanity are as indicated in New Jersey Statutes Annotated.

Definitions

A. Tier One offenders encompass those that are a "low risk of re-offense", thus constituting a low risk of harm to the community. This offender is one who, because of the type of crime, the lack of violence in his/her behavior, the lack of a substantial criminal history and the existence of ties to the community presents no more than a possible risk of re-offense.

B. Tier Two offenders encompass those who are a "moderate risk of re-offense", thus constituting a moderate risk of harm to the community in that the pertinent documents demonstrate that they are reasonably likely to re-offend, warranting limited notice for the protection of the public.

C. Tier Three offenders encompass those who are a "high risk of re-offense" in that the available record demonstrates that there is a probable risk of re-offense, warranting notice to the community likely to encounter the offender.

The County Prosecutors Office determines the specific schools, community organizations and residences to receive notification.

The School District is automatically included on the notification list and is not required to register to be notified under Tier Two or Tier Three notifications. Where the risk of re-offense is determined by the County Prosecutor's Office to be moderate or high in accordance with the law, the County Prosecutor's Office and/or the appropriate law enforcement office will notify the Superintendent and the Principal of the targeted school(s). The Superintendent should not notify the target school(s), but may contact the Prosecutor's Office if the Superintendent thinks that a

school in the notification area has been inadvertently omitted. The school district is entitled to receive the offender's name and a recent photograph, along with a physical description, the offense of which he/she was convicted, their address, place of employment and/or schooling, and vehicle license number.

The Board of Education shall take appropriate steps to educate and alert those staff members who are charged with the care and supervision of children, emphasizing that this information is intended to assist such staff members in the protection of their charges, not to provide notification to the community at large. All sex offender notification information to the community must be released by the appropriate law enforcement agency or the County Prosecutor's Office. The school district and/or any school staff member shall keep all sex offender notification information confidential. In the event the school district is notified a pupil is a Tier One or Two sex offender, the school district will cooperate with the local law enforcement and the County Prosecutor's Office on community notification consistent with the law and guidelines of the New Jersey Attorney General's Office.

The County Prosecutor's Office will be asked to provide guidance to the school district staff members. The Board of Education, working in conjunction with the County Prosecutor's Office and/or a local law enforcement office, will hold meetings and other educational programs at a particular school for staff regarding the safeguarding of the school district's children. There will be a strong emphasis on providing pertinent information, constructive knowledge and guidance to the community, as well as advice concerning the consequences of vigilante activity.

The Superintendent/Principal notified by the Prosecutor's Office will have the discretion to make the determination as to which employees within the school should be informed of the notification. The Superintendent/Principal should share the notice with any person who in the course of the duties of his/her employment or assignment is regularly in a position to observe unauthorized persons in or near the property of the notified school. If any persons to be notified by the Superintendent/Principal are employees of private contractors, the Superintendent/ Principal will notify the private vendor who will provide notice to the employees. The Superintendent/Principal shall only notify school appropriate district staff of Tier Two or Tier Three notifications and not to provide notification to the community at large. Guidance to the school district in providing this information to staff members will be obtainable from the County Prosecutor's Office.

N.J.S.A. 2C:7-1 et seq.
Guidelines - New Jersey Office of the Attorney General

Adopted: 19 October 2011

9400 MEDIA RELATIONS

The maintenance of a good working relationship with the media is essential to meeting the objectives of the school district's community relations program.

The Board of Education must give formal approval to all basic practices governing relations between the media and the school district and reserves the right to negotiate, on terms most favorable to the school district, for the broadcasting, filming, or sound recording of any school event by an outside agency.

The Superintendent or designee shall be the chief communications representative of the school district. The chief communications representative shall be readily available to: provide media representatives with all appropriate and necessary information; suggest or supply feature articles or stories; prepare information to be released to the media; assist school and parent organizations with media relations; meet periodically with media representatives; protect school personnel from any unnecessary demands on their time by media representatives; and provide additional information as appropriate.

The Superintendent or designee must authorize in advance interviews between staff members and media representatives when the staff member is representing or speaking on behalf of the Board of Education or the school district.

A school district staff member not designated by the Superintendent or designee to assist in any of the media responsibilities outlined in this Policy, including speaking to a representative of the media, is not prohibited from doing so on their own behalf as a private citizen provided the staff member does not indicate or imply they represent or are speaking on behalf of the Board of Education or the school district and indicate they are speaking on their own behalf as a private citizen.

A staff member who is acting on their own behalf as a private citizen should be cognizant of their obligations to protect the privacy and confidentiality of students and school operations in accordance with Federal and State laws.

The Board of Education reserves its right to regulate the exercise of school district staff members' First Amendment rights of the United States Constitution in such situations to the extent that such exercise may interfere with the safe and orderly operation of the schools and the learning environment.

The Superintendent or designee must authorize the release of any image of district subjects, personnel, or students.

Any image of a student with a disability shall not be disseminated or used in print or media in any way if they are identified as a student with a disability unless permission is granted by the parent(s). Any image of a child placed in the district by the New Jersey Department of Children and Families, Division of Child Protection and Permanency shall not be published without permission of the Department case worker. Where the release of any image may violate the privacy of any student or staff member, the Superintendent or designee must first secure the written permission of the staff member or the student's parent(s).

Adopted: 19 October 2011

9500 COOPERATION WITH EDUCATIONAL AGENCIES

The Board of Education recognizes the need for communication between this district and other districts and educational institutions that provide programs, training, and services not otherwise available to children residing in this district.

The Board acknowledges the responsibility for the education and conduct of the pupil in the school district in which he/she is enrolled.

The Board will attempt to meet periodically with the governing boards of other educational institutions that receive from this district a significant number of students or that send to this district a significant number of students.

In order to maintain a cordial and constructive relationship with the West Essex Regional District, the Superintendent shall cooperate with the professional staff in articulation studies to assure that students of this district are properly prepared to enter the schools of the receiving district; inform students in their final year in this district of program options in the receiving district and counsel them regarding their program choices; provide an orientation program to students in their final year in this district to familiarize them with the facilities, procedures, and rules of the receiving district; develop procedures to follow the progress of our students during their careers in the receiving school; and keep the Board informed of any problems of an individual or group nature that may be a threat to the educational progress of our students.

In order to maintain cordial and constructive relationships with nonpublic schools, the Superintendent shall maintain liaison with the administration of all nonpublic schools located within this school district in order to be aware of any program changes that may be planned that could affect this district; determine how this district can advance the education of resident students attending parochial or private schools by the provision in this school of special programs; and cooperate fully in the implementation of all state and federal programs administered by this district that benefit, in whole or in part, eligible students attending such nonpublic school.

The Board will expend public funds only in the discharge of its responsibility to provide a thorough and efficient education for students of this district, either through programs offered in this district or by payment of tuition for students assigned by the Board to programs outside this district. No public funds may be spent to reimburse tuition costs for students privately enrolled in a public or private program of education elsewhere and no donations of public funds shall be made to any private program.

20 U.S.C.A. §3066
N.J.S.A. 18A:38-13.1 et seq.; 18A:40-23 et seq.;
18A:46-19.1 et seq.; 18A:46A-1 et seq.;
18A:58-37.1 et seq.
N.J.A.C. 6A:23-6.1 et seq.; 6A:14-6.2 et seq.

Adopted: 19 October 2011

9541 STUDENT TEACHERS/INTERNS

The Board of Education encourages cooperation with the state colleges and universities in the education of teachers, because the public school offers an experience essential to their training, interaction with students and teachers at work in the classroom. Accordingly, the school will accept students from accredited institutions of higher learning as junior or senior student teachers/interns.

The Board, upon the recommendation of the Superintendent, shall approve all student teachers/interns.

Student teachers/interns shall be selected and assigned by the Superintendent. The Superintendent shall assign student teachers/interns throughout the district in a manner that assures that no single group of students will be subject to excessive student teacher/intern classroom hours.

Student teachers/intern shall comply with the health examination required by rules of the State Board of Education and that required for teaching staff members by this Board.

The Board of Education requires every student teacher/intern possess a county substitute credential issued in accordance with N.J.A.C. 6A:9B-7.1.

Student teachers shall at all times be subject to the policies of this Board. Student teachers serving in the school shall be responsible to the Principal for their conduct and to the cooperating teacher for their performance.

Students and other affiliates of educational institutions will be offered the opportunity to visit and observe our district in the course of teacher training programs and educational research projects. Such students will be treated as visitors and will be under the direct supervision of the Principal.

N.J.A.C. 6A:9A-4 et seq;
6A:9A-5 et seq; 6A:9B-7.1

Adopted: 19 October 2016

9550 EDUCATIONAL RESEARCH PROJECTS

The Board of Education will cooperate, whenever appropriate and feasible, with organizations and individuals conducting bona fide educational research involving students enrolled in the school.

All educational research by persons other than district employees must be approved in advance by the Board. A written application for approval must state the purpose of the research, the specific ways in which students will be involved, the estimated duration of the project, the persons who will conduct the research project and their relevant affiliations, and any possible benefits to students or to the school district. Approval will be granted only to those projects that will serve the interests of students and the educational program; approval will not be granted to projects that will impede or significantly disrupt the instructional program approved by the Board.

Parent(s) or legal guardian(s) will be informed of any educational research project that involves their children and may request the removal of their children from the project.

The conduct of research activities must rigorously protect students' privacy. Approved researchers may be given access to pupil records in accordance with rules of the State Board of Education and Board Policy No. 8330, but shall not abuse this privilege by using information in any way that may embarrass or harm individual students or their families. The Board must be satisfied that strict standards of anonymity and confidentiality will be observed.

N.J.A.C. 6A:32-7.5

Adopted: 19 October 2011



9560 ADMINISTRATION OF SCHOOL SURVEYS

The Board of Education believes the administration of school surveys may be necessary and valuable to the educational program in the school district. The Board recognizes certain student information is personal and some students or parents may not want this information shared with the school district. Therefore, the Board shall ensure school surveys are administered in accordance with N.J.S.A. 18A:36-34 and 18A:36-34.1 and this Policy.

A. School Surveys, Certain, Parental Consent Required Before Administration – N.J.S.A. 18A:36-34

1. Unless the school district receives prior written informed consent from a student's parent and provides for a copy of the document to be available for viewing at convenient locations and time periods, the school district shall not administer to a student any academic or nonacademic survey, assessment, analysis, or evaluation which reveals information concerning:

a. Political affiliations;

b. Mental and psychological problems potentially embarrassing to the student or the student's family;

c. Sexual behavior and attitudes;

d. Illegal, anti-social, self-incriminating, and demeaning behavior;

e. Critical appraisals of other individuals with whom a respondent has a close family relationship;

f. Legally recognized privileged or analogous relationships, such as lawyers, physicians, and ministers;

g. Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under a program; or

h. Social security number.

3. A student shall not participate in any survey, assessment, analysis, or evaluation that concerns the issues listed in A.1. above and N.J.S.A. 18A:36-34.a. unless the school district has obtained prior written informed consent from the student's parent.

B. Voluntary Survey for Students with Prior Parental Written Notification – N.J.S.A. 18A:36-34.1

1. In accordance with N.J.S.A. 18A:36-34.1 and notwithstanding, N.J.S.A. 18A:36-34 and A. above, or any other law, rule, or regulation to the contrary, if the school district sends prior written notification to the parent of the student, the school district may administer an anonymous, voluntary survey, assessment, analysis, or evaluation to the student which reveals information concerning any of the following issues:

   a. Use of alcohol, tobacco, drugs, and vaping;

   b. Sexual behavior and attitudes;

   c. Behaviors that may contribute to intentional or unintentional injuries or violence; or

   d. Physical activity and nutrition-related behaviors.

2. Written notification provided by the school district to the parent of the student shall be delivered to the parent by regular mail, electronic mail, or a written acknowledgement form to be delivered by the student at least two weeks prior to administration of the survey, assessment, analysis, or evaluation. Written notification shall contain, at minimum, the following information:

   a. A description of the survey, assessment, analysis, or evaluation;

   b. The purpose for which the survey, assessment, analysis, or evaluation is needed;

   c. The entities and persons that will have access to the information generated by the survey, assessment, analysis, or evaluation;

   d. Specific instruction as to when and where the survey, assessment, analysis, or evaluation will be available for parental review prior to



its administration;

e. The method by which the parent can deny permission to administer the survey, assessment, analysis, or evaluation to the student; a form specifically providing for such denial shall be included with this notice;

f. The names and contact information of persons to whom questions can be directed; and

g. A statement advising that failure to respond indicates approval of participation in the survey, assessment, analysis, or evaluation.

3. Information obtained through a survey, assessment, analysis, or evaluation administered to a student in accordance with N.J.S.A. 18A:36-34.1 and B. above, shall be submitted to the New Jersey Department of Education and the New Jersey Department of Health. Information may be used to develop public health initiatives and prevention programs. Information shall not be used for marketing or other commercial purposes that are not related to student health.

C. Violations – N.J.S.A. 18A:36-34.d.

A violation by the school district of N.J.S.A. 18A:36-34; 18A:36-34.1, and this Policy shall be subject to such monetary penalties as determined by the New Jersey Commissioner of Education.

D. Compliance with Federal Law

In addition to compliance with the provisions of N.J.S.A. 18A:36-34, 18A:36-34.1, and this Policy, the Superintendent or designee shall ensure compliance with the provisions of Policy 2415.05 – Student Surveys, Analysis, Evaluations, Examinations, Testing, or Treatment before students are required to participate in a survey, analysis, evaluation, examination, testing, or treatment funded in whole or part by a program of the United States Department of Education that concerns one or more of the areas outlined in Policy 2415.05.

N.J.S.A. 18A:36-34; 18A:36-34.1

Adopted: 2 March 2022

9700 SPECIAL INTEREST GROUPS

The Board of Education recognizes the contributions of persons and organizations outside the school district may take the form of materials, activities, and awards that tend to serve the interests of the contributor as well as benefit the school district and students. For the purposes of this Policy, "organizations outside the school district" shall be any organization, group, activity, club, association, agency, or individual that is not approved or sponsored by the Board of Education.

The Board reserves the right to review, approve, or reject proposed contributions from organizations outside the school district. Proposed contributions may be rejected by the Board, including but not limited to, proposed contributions that have the primary effect of advancing the name, product, or special interest of a person, corporation, or organization; fail to meet district standards of accuracy and good taste; are of little or no educational value to students; make unreasonable demands upon the time and energies of staff and students or upon the resources of the district; interrupt or interfere with the regular school program; or involve a direct cost to the district.

The approval of the use of any material or the conduct of any activity offered by an organization outside the school district shall not under any circumstances be construed as an endorsement by this Board of any interest, cause, or organization.

Permission to solicit or raise funds on school premises will be granted only to those persons and organizations whose purposes are consistent with the goals of this district and the interests of the community and are in accordance with the Board's fundraising policy. Solicitation or fundraising may not interfere with the orderly operation of the school. The Board will not be responsible for the protection of or accounting for such funds and these funds may not be deposited in any district account.

The Board will not permit the distribution of literature to or through students in the school district for any organization outside the school district.

However, distribution of literature to or through students in the school district may be approved by the Superintendent or designee if the organization requesting the distribution of literature is a local, State, county or Federal governmental agency and the information is determined by the Superintendent or designee to be of special interest to school district students or the community. Written requests for the distribution of this literature must be submitted to the Superintendent or designee with one copy of the specific literature to be distributed. The approval and method of the distribution of literature will be at the discretion of the Superintendent or designee. Any approval for such distribution will be consistent with the governing principles of the First Amendment of the United States Constitution. In no circumstance will the school district release confidential pupil information.



The Board prohibits the distribution of political literature to or through the students of this district in the school building or on school grounds that promotes, favors, or opposes the candidacy of any candidate for election at any annual school election, or the adoption of any bond issue, proposal, or any public question submitted at any general, municipal or school election. No pupil shall be requested or directed by any school official or employee to engage in any activity that tends to promote, favor, or oppose any such candidacy, bond issue, proposal or a public question submitted at any election.

The Board will permit the award of scholarships or prizes to deserving students provided that information regarding students is released only in accordance with Policy No. 8330 on Pupil Records, the manner of selection of the recipient is approved by the Superintendent or designee and includes consultation with appropriate staff members, and the nature of the prize or award is approved by the Superintendent or designee.

Contests for Students

The Board recognizes the possible academic and artistic benefits of pupil participation in contests such as spelling, oratorical, essay, poster and the like. However, such contests shall not be promoted without approval of the Superintendent. Intradistrict, regional, State, or national contests shall not be promoted by the school, an individual or organization without the permission of the Superintendent. The Superintendent shall review and decide the appropriateness of those contests and should notify the Board of Education of their approval.

The school may cooperate with individuals and organizations by announcements, the posting of notices, or the passing out of information by other appropriate means to all interested students. Promulgation of such information must first be approved by the Superintendent.

Children may not represent Essex Fells School in any contest or activity sponsored by an outside agency without the express permission of the Superintendent.

N.J.S.A. 18A:42-4
United States Department of Education - Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools

Adopted: 19 October 2011

9700.1 PUBLIC ACTIVITIES INVOLVING STAFF, STUDENTS OR SCHOOL FACILITIES

Any individual, staff member, or pupil acting as a representative of the Essex Fells Board of Education must have the permission of the Superintendent before consenting to participate in the activity. It is the policy of this Board that students, staff members, and district facilities not be used for advertising or promoting the interests of any non-school agency or organization, public or private, without the approval of the Board. Any such approval granted for whatever cause or group shall not be construed as an endorsement of said cause or group by this Board.

The Board is appreciative of the generosity of organizations which offer prizes to deserving students in this district. But, in accepting the offer of such prizes, the Board directs that all such offers be approved by the Board.

Adopted: 19 October 2011

9713 RECRUITMENT BY SPECIAL INTEREST GROUPS

The Board of Education prohibits recruitment activities by outside organizations on school premises, regardless of the purpose of the recruitment or the nature of the recruitment agency. Except as required and referenced below no information about individual students will be released for the purpose of approaching students for educational, occupational, military, or any other recruitment purpose.

However, a school district that receives funds under ESEA, on request from a military recruiter or an institution of higher education, must provide access to the names, addresses, and telephone listings of each secondary students served by the Board of Education. Parents—and/or adult students may submit a written request to the Superintendent or designee to opt out of the disclosure of such information for the student in which case the information will not be released without the parent's or adult student's written consent.

Parent(s) of secondary students and adult students shall be informed annually in writing of their right to request a secondary student's excusal from participation in all recruitment activities and/or from having their child's name, address, and/or telephone listing provided to a military recruiter, an institution of higher education, or a prospective employer.

The district will give military recruiters the same right of access to secondary students as generally provide to post-secondary institutions and prospective employers.

Representatives of bona fide educational institutions, occupational agencies, and the United States Armed Forces may recruit students on school premises by participation in assembly programs, career day activities, and the like and by distributing literature. Permission to recruit on school premises must be requested in writing at least forty-five working days before the planned activity and must be approved in advance by the Superintendent or designee. The Superintendent or designee shall not favor one recruiter over another, but shall not approve an activity that, in the judgment of the Superintendent or designee, carries a substantial likelihood of disrupting the educational program of the school or school district.

Nothing in this Policy shall be construed as requiring the Board to approve or participate in an activity that appears to advance or inhibit any particular religious sect or religion generally.

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N.J.S.A. 18A:36-19.1
Elementary and Secondary Education Act of 1965 – §8528

Adopted: 17 March 2021

9720 SOLICITATIONS BY VENDORS

The Board of Education will permit vendors to solicit students and parent(s) or legal guardian(s) for the sale of goods and services through the school, provided that the Board has given prior approval to the vendor and to the solicitation.

The Superintendent shall review each vendor's request to solicit sales and shall recommend to the Board for its approval only those that offer a product or service that is related to the educational goals of this district and offers good value to purchasers.

Any funds collected on behalf of a vendor approved by the Board under this policy shall be kept in a separate account pending transfer to the vendor. The Board disclaims any responsibility for any such funds.

In the event that more than one vendor requests permission to solicit sales of a particular product or service, or the Superintendent seeks a vendor to provide a particular product or service to parent(s) or legal guardian(s) or students, the Superintendent shall seek quotations from qualified vendors in order to determine which will provide the greater value to purchasers.

The Board reserves the right to withdraw its approval of any vendor at any time.

Adopted: 19 October 2011

