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 disregard for the established management organization of this district in violation of this policy will be considered an act of insubordination subject to discipline.


Adopted: 09 June 2010
1140 AFFIRMATIVE ACTION PROGRAM

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

The Board’s affirmative action program shall recognize and value the diversity of persons and groups within society and promote the acceptance of persons of diverse backgrounds regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status. The affirmative action program will also promote equal educational opportunity and foster a learning environment that is free from all forms of prejudice, discrimination, and harassment based upon race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status in the policies, programs, and practices of the Board of Education.

The Board shall inform the school community it serves of these policies in a manner including, but not limited to, the district's customary methods of information dissemination. The Board shall develop a Comprehensive Equity Plan once every three years, which shall identify and correct all discriminatory and inequitable educational and hiring policies, patterns, programs, and practices affecting its facilities, programs, students, and staff.

The Board shall assess the district's needs for achieving equality and equity in educational programs based on an analysis of student performance data such as: National Assessment of Educational Progress and State assessment results, Pre-Kindergarten through grade twelve promotion/retention data, Pre-Kindergarten through grade twelve completion rates; re-examination and re-evaluation of classification and placement of students in special education programs if there is an over representation within certain groups; staffing practices; student demographic and behavioral data; quality of program data; and stakeholder satisfaction data prior to developing the Comprehensive Equity Plan. The purpose of the needs assessment is to identify and eliminate discriminatory practices and other barriers in achieving equality and equity in educational programs.
The Board shall annually designate a member of its staff as the Affirmative Action Officer and form an Affirmative Action Team, of whom the Affirmative Action Officer is a member, to coordinate and implement the requirements of N.J.A.C. 6A:7 – Managing For Equality And Equity in Education. The Board shall assure that all stakeholders know who the Affirmative Action Officer is and how to access him or her.

The Affirmative Action Officer shall have a New Jersey standard certification with an administrative, instructional, or educational services endorsement, pursuant to N.J.A.C. 6A:9B et seq. The Affirmative Action Officer shall: coordinate the required professional development training for certificated and non-certificated staff pursuant to N.J.A.C. 6A:7-1.6; notify all students and employees of district grievance procedures for handling discrimination complaints; and ensure the district grievance procedures, which include investigative responsibilities and reporting information, are followed.

The Affirmative Action Team shall: develop the Comprehensive Equity Plan pursuant to N.J.A.C. 6A:7-1.4(c); oversee the implementation of the district's Comprehensive Equity Plan pursuant to N.J.A.C. 6A:7-1.4(c); collaborate with the Affirmative Action Officer on coordination of the required professional development training for certificated and non-certificated staff pursuant to N.J.A.C. 6A:7-1.6; monitor the implementation of the Comprehensive Equity Plan; and conduct the annual district internal monitoring to ensure continuing compliance with State and Federal statutes governing educational equality and equity, pursuant to N.J.A.C. 6A:7-1.4(d).

The Board shall provide professional development training to all certificated and non-certificated school staff members on a continuing basis to identify and resolve problems associated with the student achievement gap and other inequities arising from prejudice on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status. All new certificated and non-certificated staff members shall be provided with professional development training on educational equality and equity issues within the first year of employment. Parents and other community members shall be invited to participate in the professional development training.
The Commissioner or his/her 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 race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status.

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

Adopted: 18 May 2011
REVISION: 10 August 2016
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: 09 June 2010
1220 EMPLOYMENT OF CHIEF SCHOOL ADMINISTRATOR

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

The Superintendent shall devote himself or herself 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. Preparation of informative material describing the school district and its educational goals and objectives;

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

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

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

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

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

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

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 his/her employment contract will include: a term of not less than three nor more than five years and expiring July 1; a beginning and ending date; the salary to be paid and benefits to be received; a provision for termination of the contract by the Superintendent; an evaluation process pursuant to N.J.S.A. 18A:17-20.3; and other terms agreed to between the Board and the Superintendent.
During the term of the contract, the Superintendent shall not be dismissed or reduced in compensation except for inefficiency, incapacity, conduct unbecoming a Superintendent, or other just cause and only by the Commissioner of Education pursuant to the tenure hearing laws.

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

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

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

Disqualification

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

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


N.J.A.C. 6A:9B-12.3; 6A:9B-12.4;
6A:23A-3.1; 6A:23A-3.2

Adopted: 09 June 2010

REVISED: 24 August 2016
Policy #1230 Superintendent’s Duties

Function

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

Authority

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

Work Relationships

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

Duties and Responsibilities

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

1. Ensure that all aspects of district operation comply with Board policy, state law and district contracts;

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

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

4. Provide the Board with such information as may be needed to ensure the making of informed decisions; and

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

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

1. Prepare, promulgate, and maintain a manual of administrative regulations;
2. Evaluate the future needs of the district and recommend a district action plan including goals, objectives, and priorities to the Board;

3. Maintain written objectives to implement the district action plan adopted by the Board;

4. Evaluate progress toward the attainment of the district action plan and report thereon to the Board; and

5. Report to the Commissioner and the County Superintendent on or before August 1 of each year matters relating to the schools in the manner and form prescribed by the Commissioner.

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

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

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

3. Evaluate at least annually the effectiveness of the program of studies and recommend such changes and additions as may be required to improve its effectiveness;

4. Evaluate the performance of pupils 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 district; and

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

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

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

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

3. Report to the Board at its next meeting the suspension of a pupil; and

4. Recommend any changes in the program of pupil management and support as necessary to respond to district needs.
E. In the discharge of his/her responsibility for the supervision of district employees, the Superintendent shall:

1. Recommend to the Board all properly certified candidates for employment, assignment, or transfer;
2. Assign staff so as to achieve maximum effectiveness in the attainment of educational goals;
3. Train staff as necessary to implement approved changes in the curriculum or instructional methods of the district;
4. Evaluate the effectiveness of staff members 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 as required and report to the Board forthwith any suspension of a teaching staff member.

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

1. Strive to make efficient use of district resources in the daily operations of the schools;
2. Assign support staff so as to achieve maximum effectiveness from the facilities of the district;
3. Train support staff as necessary to maintain the facilities and to avoid safety and environmental hazards; and
4. Evaluate the effectiveness of the district facilities in housing the instructional program and recommend to the Board such changes and improvements as may be required.

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

1. Supervise the preparation of the annual budget and recommend its adoption to the Board;
2. Implement the budget adopted by the Board;
3. Establish sufficient fiscal controls to ensure that district funds are expended wisely and efficiently; and
4. Report to the Board at its next meeting any expenditure in excess of a budgeted line item.
H. In the discharge of his/her responsibility as liaison officer to the public, the Superintendent shall:

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

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

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

4. Cooperate with the news media; and

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

Evaluation Criteria

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

N.J.A.C. 6A:8-3.1; 6A:32-4.1; 6A:32-12.2

Cross reference: Policy Guide Nos. 0132, 1220, 1240

Adopted: 09 June 2010
REVISED: 08 June 2011
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 written 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 in 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.A.C. 6A:10-1.1 et seq.; 6A:10-8.1 et seq.

Adopted: 09 June 2010
Revised: 05 February 2014
Revised: 10 February 2016
REVISED: 13 Sept 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.


Adopted: 09 June 2010
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 economic and legal environment, accounting, quantitative methods, management information systems, organizational theories, administrative processes, production and marketing of goods, financing of the business enterprise and other responsibilities as outlined in the Board job description.

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

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

N.J.A.C. 6A:9-12.3; 6A:9-12.7

Adopted: 09 June 2010
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 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 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 School Business Administrator/Board Secretary shall be legal and binding as if done by the School Business Administrator/Board Secretary. The School Business Administrator/Board Secretary shall not acquire tenure in the position of School Business Administrator/Board Secretary.


Adopted: 09 June 2010
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: 09 June 2010
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 Educational 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. 28 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 and Executive Director of Human Resources (staff) and/or the Director of Special Education (students) as district coordinator for matters dealing with ADA compliance. The district coordinator can be contacted at the following address or telephone number:

Office Address: 61 W Landis Avenue
               Vineland, NJ 08360
Telephone Number: 856-794-6700

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

Adopted: 09 June 2010
REVISED: 12 April 2017
The Board of Education recognizes that it receives additional foundation aid as a result of the designation of this district as a special needs district. In order to be accountable for the use of these funds, the Board directs the development of an educational improvement plan in each school in this district. District resources shall be allocated in implementation of the plan in accordance with rules of the State Board of Education.

Each educational improvement plan shall be consistent with Core Curriculum Content Standards, Department of Education recommendations, and monitoring requirements; designed to support district-level governance and management of finances and facilities; and designed to support school-level planning and reform. The plan must be adequately funded and must be formally approved by the Board.

Each educational improvement plan shall be the result of a collaborative effort of a school planning team, which shall coordinate its development, implementation, and evaluation. The team shall be comprised of the Principal, teaching staff members, and parent(s) or legal guardian(s).

A majority of the planning team shall be composed of classroom teachers chosen as representatives by election at a meeting of all teaching staff members.

At least twenty-five percent of the team shall be parent(s) or legal guardian(s) of pupils enrolled in the school chosen as representatives by election at a meeting of the school parent/teacher organization.

The school planning team shall encourage the participation of a broad-based representation of the educational community; invite the contributions of parent(s) or legal guardian(s) and community at a public meeting; analyze pupil performance at the district and school levels; identify pupil outcome goals, indicators, and objectives; develop a school-level data base; select demonstrably effective improvement strategies; and specify activities, needed resources, staff responsibilities, timelines, costs, and evaluation strategies.

The progress of the educational improvement plan shall be verified by the school planning team in conjunction with the Division on Urban Affairs. A report on the implementation and evaluation of the educational improvement plan shall be made to parent(s) or legal guardian(s) and the community at least quarterly. The evaluation report shall be distributed to parent(s) or legal guardian(s), staff and communities in September of each year.

N.J.A.C. 6A:23-1.1 et seq.

Adopted: 09 June 2010
1523 COMPREHENSIVE EQUITY PLAN

The Board of Education shall submit a Comprehensive Equity Plan based on an assessment of the district's needs for achieving equity in educational programs that includes a cohesive set of policies, programs, and practices that ensure high expectations and positive achievement patterns and equal access to education opportunity for all learners, including students and teachers.

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 organization, club, athletic association, or other league or group.

The Comprehensive Equity Plan shall include the following:

1. An assessment of the school district’s needs for achieving equity in educational programs. The assessment shall include staffing practices, quality-of-program data, stakeholder-satisfaction data, and student assessment and behavioral data disaggregated by gender, race, ethnicity, limited English proficiency, 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, and re-examination and re-evaluation of classification and placement of students in special education programs if there is overrepresentation within a certain group;

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

3. Progress targets for closing the achievement gap;

4. Professional development targets regarding the knowledge and skills needed to provide a thorough and efficient education as defined by the Core Curriculum Content Standards; differentiated instruction and formative assessments aligned to Core Curriculum Content Standards; and high expectations for teaching and learning; and

5. Annual targets addressing district needs in equity in school and classroom practices that are aligned to professional development targets.
A Comprehensive Equity Plan shall be written every three years and the Board of Education shall initiate the Comprehensive Equity Plan within sixty days of its approval and shall implement the plan in accordance with the timelines approved by the New Jersey Department of Education.

In the event the Board of Education does not implement the Comprehensive Equity Plan within one hundred eighty days of its approval date, or fails to report its progress annually, sanctions deemed to be appropriate by the Commissioner of Education or his/her 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:7-1.9

Adopted: 09 June 2010
Revised: 18 May 2011
REVISED: 10 August 2016
The Board of Education adopts this Policy on the duties and responsibilities of School Leadership Councils (SLC) pursuant to N.J.A.C. 6A:10A-4.1(d). Each school in the district shall have an SLC to facilitate the participation of the school Principal, teachers, staff, parents, grandparents or guardians, and the community to develop a culture of cooperation, accountability, and commitment, all with a focus on improving pupil achievement.

The SLC shall assist in the development of, and approve, the school two-year report on instructional priorities. The SLC shall concentrate on the objective of universal mastery of the Core Curriculum Content Standards (CCCS) and helping to create a climate of cooperation and focus on pupil achievement. The Building Principal and instructional staff are responsible for implementation and the SLC shall not manage the day-to-day implementation of school policies.

The SLC membership shall include the Building Principal, representatives of teachers, of non-instructional support staff, of parents, and of the community. The SLC may include pupils, however, Board members shall not serve on the SLC. Parents employed by the school district, but not employed at the school, are eligible to serve on a SLC as a parent representative. No group identified above shall constitute more than fifty percent of the SLC membership.

Election of representatives to the SLC shall be as follows:

1. Certificated staff members shall elect representatives of certificated staff. The election process shall be agreed upon and conducted jointly by the Building Principal and the building representative of the bargaining unit, or his/her designee if the building representative is a candidate.

2. Non-certificated staff members shall elect non-certificated staff representatives. The election process shall be agreed upon and conducted jointly by the Building Principal and the building representative of the bargaining unit, or his or her designee if the building representative is a candidate.

3. Parents and guardians shall elect parent representatives. The election process shall be agreed upon and conducted jointly by the Building Principal and the president or chairperson of the school’s parent organization/association or his/her designee if the parent leader is a candidate in the election. Such election shall only occur after notifications have been sent home with the pupils and other steps have been taken to attract a broad and diverse candidate pool and to assure maximum participation in the election. A parent who is an employee may not be a parent representative at the school where he or she is employed; and
4. The community representative(s) shall be nominated by the Building Principal and approved by the SLC.

A SLC shall operate as follows:

1. The minimum term for each representative is two years. Terms shall be staggered to ensure continuity. A representative who has served his/her term may be eligible for re-election if nominated and elected in accordance with the election process described above.

2. The guidelines for SLC operations, elections, and for the removal of members shall be in accordance with N.J.A.C 6A:10A-5 and this Policy. The guidelines are established to suggest means of effective outreach to improve participation by parents, guardians, and the community.

3. A member of the SLC shall receive no compensation for his or her services except that:

   a. This provision shall not preclude payments to an employee pursuant to a collective bargaining agreement for hours beyond the school work day; and

   b. A member of the SLC may be reimbursed for reasonable expenses at the discretion of the school district.

4. The SLC shall meet at least monthly in public sessions publicized in advance. The times, place, and dates of meetings shall be agreed to by a majority of the SLC membership.

5. The SLC may establish subcommittees and working groups as needed. Membership on subcommittees and working groups shall be open to members of the school community not serving on the SLC.

6. The SLC shall adopt By-laws that are consistent with school district guidelines and requirements and the provisions of N.J.A.C. 6A:10A-5.

7. The SLC may report difficulties that threaten the orderly discharge of its responsibilities to the Superintendent of Schools, who shall assist in resolving such difficulties by providing mediation, additional training, or technical support.
8. Any SLC not in compliance with N.J.A.C. 6A:10A-5 or which has been characterized as ineffective by a Collaborative Assessment and Planning for Achievement (CAPA) team, shall, with the Superintendent of Schools, produce a transition plan that identifies actions to make the SLC more effective, which may include requests for appropriate waivers or equivalencies of the requirements established in N.J.A.C. 6A:10A-5.

The SLC shall be the collaborative advisory and decision-making body to improve teaching and learning in the school. The SLC shall, under the leadership of the Building Principal:

1. Continuously analyze pupil performance assessment data; and work with the Building Principal and faculty to identify obstacles to improved performance;

2. Review the school-based budget prepared by the school district central office for accuracy and to ensure that the needs of pupils, faculty, and the school are addressed. The SLC may propose modifications, consistent with the school district budgeting procedures and criteria. The SLC must document its recommendations;

3. Participate in training provided by the school district or the New Jersey Department of Education;

4. If the SLC has completed all school district training to participate in Building Principal selection, the SLC shall recommend three candidates for Building Principal to the Superintendent of Schools.

5. Collaborate with the CAPA team;

6. Develop the school report on instructional priorities, review its implementation, amend it in light of performance data and circumstances, and make it available to the school community and the school district; and

7. Maintain minutes and an agenda for all SLC meetings and make them available to the school community. Copies of the minutes shall be transmitted on a timely basis to the Superintendent of Schools.

The school district shall provide training to SLC members, for which it may request the assistance of the Local Support Team. The training shall include, but not be limited to:

1. Roles, relationships and responsibilities of the SLC;
2. Development, implementation, and evaluation of the school two-year report on instructional priorities and the school’s annual budget;

3. Assessment of instructional needs, use of test results and other measures of pupil achievement to identify obstacles to improving pupil achievement, and identification of possible instructional strategies to reduce such obstacles;

4. Curriculum and instruction including the scope and content of the CCCS; as well as the school’s obligations to, and programs for, English Language Learner (ELL) pupils and special education pupils;

5. Teamwork and consensus building;

6. Personnel, including certification requirements, NCLB standards for highly qualified teachers and the classroom observation and evaluation process; and

7. The requirements of NCLB and other laws or regulations that govern school operations and the delivery of instruction.

The Superintendent of Schools shall remove a SLC member who has not fulfilled the training requirement. Any member so removed may appeal to the Commissioner, pursuant to N.J.A.C. 6A:3, Controversies and Disputes.

N.J.A.C. 6A:10A-4.1(d)

Adopted: 09 June 2010
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 regard to the candidate's race, color, creed, religion, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, socioeconomic status, or disability, pursuant to N.J.A.C. 6A:7-1.1. The school district’s employment applications and pre-employment inquiries conform to the guidelines of the New Jersey Division of Civil Rights.

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

The Board shall not assign, transfer, promote or retain staff, or fail to assign, transfer, promote or retain staff, on the sole basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability or socioeconomic status, pursuant to N.J.A.C. 6A:7-1.1.

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 racial and cultural backgrounds.

The Board shall not enter into a contract with a person, agency, or organization that discriminates in employment practices or in the provision of benefits or services, on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, socioeconomic status, or disability, either in employment practices or in the provision of benefits or services to students or employees, pursuant to N.J.A.C. 6A:7-1.1.
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.A.C. 6A:7-1.1 et seq.; 6A:7-1.8

Adopted: 09 June 2010
Revised: 18 May 2011
REVISED: 10 August 2016
1535 EMPLOYMENT OF ADMINISTRATION POSITIONS

The Superintendent shall establish procedures for posting, advertising, interviewing and recommending individuals to the Board for all administrative positions. The Board shall employ only candidates recommended by the Superintendent.

Adopted: 11 June 1997
Revised: 08 October 1997, 09 June 2010
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.

School Ethics Policy Guideline 1

Adopted: 09 June 2010
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 anti-discrimination laws and regulations.

The Board will ensure all persons regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status shall have equal and bias-free access to all categories of employment in the public educational system of New Jersey, pursuant to N.J.A.C. 6A:7-1.1.

The Board will not enter into any contract with a person, agency, or organization that discriminates on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status, 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 race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status.

The Board shall ensure equal pay for equal work among members of the school district’s staff, regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status, pursuant to N.J.A.C. 6A:7-1.1.

N.J.S.A. 10:5-4
N.J.A.C. 6A:7-1.1 et seq.; 6A:7-1.8

Adopted: 09 June 2010
Revised: 18 May 2011
Revised: 10 August 2016
Revised: 11 July 2018
1560 SEXUAL HARASSMENT

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

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

Any person who has reason to believe that he/she has been subjected to sexual harassment by any staff member or pupil in the school district should report the incident directly to his or her immediate Supervisor or Building Principal. If results are not satisfactory at these levels the individual may file a complaint with Vineland Schools Equal Opportunity Compliance Officer.

Definitions

A. Sexual harassment shall consist of deliberate or repeated unwelcome sexual advances, request for sexual favors, other inappropriate verbal or physical conduct of a deliberate and repeated sexual nature or which can be commonly interpreted as having a sexual meaning when made by any member of the school staff to a pupil; when made by any member of the school staff to another staff member; or when made by any pupil to another pupil; when:

1. Submission of such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education; or when

2. Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual; or when

3. Such conduct has the purpose of effect of substantially interfering with an individuals academic or professional performance or creating an intimidating, hostile, or offensive employment or education environment.
B. Sexual harassment as set forth in Section A, may include but is not limited to the following:

1. Verbal harassment or abuse;
2. Pressure for sexual activity/favors;
3. Repeated remarks to a person, with sexual or demeaning implications;
4. Unwelcome touching, deliberate or repeated advances;
5. Suggesting or demanding sexual involvement accompanied by implied or explicit threats or favors concerning one's grades, job, etc.;
6. Obscene gestures, pinching, brushing against another's body, blocking movement;
7. Flirtatious whistles;
8. Contemptuous comments or jokes about persons of the opposite sex;
9. Written contact such as sexually suggestive or obscene drawings, letters, notes or invitations;
10. Nonverbal contact, such as giving unwanted personal gifts or following a person; and
11. Placing obscene photographs, graphics or suggestive objects in the education environment (posters, calendars, etc.).

Sexual harassment also includes continuing to express sexual or social interest after being informed directly that the interest is unwelcome, and includes using sexual behavior to control, influence or affect the career, salary, working or educational environment of a staff member or pupil.

It is impermissible to suggest, threaten or imply that failure to accept a request for a date or sexual intimacy will affect a staff member or pupil’s employment or educational prospects or benefits. For example, it is forbidden to imply or actually withhold support for an appointment, promotion or change of assignment, or to suggest that a poor performance report will be given, or that grades or other educational benefits or advancement will be affected because of staff member or pupil has declined a personal proposition.
Also, explicitly or implicitly offering educational or employment benefits, such as grades, progress reports, recommendations, promotions, favorable performance evaluations, favorable assigned duties; recommendations or transfers in exchange for sexual favors is forbidden.

Sexual harassment may involve not only the harasser, but also other persons who either support the actions of the harasser or are indifferent to his/her behavior.

Any employee who receives such a report or who has independent cause to suspect that a pupil has been subjected to sexual harassment shall promptly notify the Building Principal, who shall immediately instigate an investigation of the matter and report his or her findings to the Superintendent. An act of sexual harassment that appears to constitute child abuse shall be immediately reported to the Division of Youth and Family Services for investigation by the agency.

An employee who engages in the sexual harassment of a pupil will be suspect to stringent discipline and may be terminated. A pupil who engages in the sexual harassment of another pupil will be subject to discipline in accordance with Policy No. 5600.

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

The appropriate assigned Administrator(s) shall instruct all employees of this Board to recognize and correct speech and behavior patterns that may be sexually offensive with or without the intent to offend.

29 C.F.R. 1604.11

Adopted: 11 June 1997
Revised: 09 June 2010
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 that meet the requirements of N.J.A.C. 6A:23A-6.5 through N.J.A.C. 6A:23A-6.13. Internal controls shall promote operational efficiency and effectiveness, provide reliable financial information, safeguard assets and records, encourage adherence to prescribed policies, and comply with law and regulation.

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

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

The school district shall establish Standard Operating Procedures (SOPs) for each task or function of the business operations of the district by December 31, 2009. The SOP Manual shall include sections on each routine task or function as outlined in N.J.A.C. 6A:23A-6.6(b) and 6A:23A-6.6(c). A standard operating procedure shall be established that ensures office supplies are ordered in appropriate quantities, maintained in appropriate storage facilities, and monitored to keep track of inventory.
School districts with budgets in excess of $25,000,000 or with more than three hundred employees shall maintain an Enterprise Resource Planning (ERP) System which integrates all data and processes of the school district into a unified system. The ERP system shall use multiple components of computer software and hardware and a unified database to store data for the various system modules to achieve the integration. Districts required to maintain an ERP System that do not have an ERP System in place on July 1, 2008 shall fully implement an ERP System by the 2010-2011 school year and maintain both the existing system(s) and run a beta test ERP System during the 2009-2010 school year. Whenever considering financial systems or the automation of other services or functions, the Superintendent of Schools or School Business Administrator/Board Secretary shall notify the Executive County Superintendent in writing to see if opportunities for a shared service system exist. Access controls shall be established for key elements of financial systems to ensure that a single person does not have the ability to make system edits that would violate segregation of duties controls.

The school district shall maintain an accurate, complete, and up-to-date automated position control roster to track the actual number and category of employees and the detailed information for each. Districts are required to maintain a position control roster by December 31, 2009. The position control roster shall share a common database and be integrated with the district’s payroll system, agree to the account codes in the budget software, and ensure that the data within the position control roster system includes, at a minimum, the required information as required in N.J.A.C. 6A:23A-6.8(a)3.

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

Adopted: 09 June 2010
POLICY

VINELAND

BOARD OF EDUCATION

ADMINISTRATION

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Victim of Domestic
Or Sexual Violence Leave

POLICY 1581  Victim of Domestic or Sexual Violence Leave

In accordance with the provisions of N.J.S.A. 34:11C-1 et seq., an employee who was a victim of an incident of domestic violence as defined in Section 3 of P.L.1991, c.261 (C.2C:25-19) or a sexually violent offense as defined in Section 3 of P.L.1998, c.71 (C.30:4-27.26), or whose child, parent, spouse, domestic partner, or civil union partner 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 following any incident of domestic violence or any sexually violent offense as provided in N.J.S.A. 34:11C-1 et seq.

For the purposes of N.J.S.A. 34:11C-1 et seq. and this Policy, an "employee" means a person who is employed for at least twelve months by the Board of Education, with respect to whom benefits are sought under N.J.S.A. 34:11C-1 et seq. - "NJ SAFE Act" for not less than 1,000 hours during the immediately preceding twelve-month period.

For the purposes of N.J.S.A. 34:11C-3 and this Policy, each incident of domestic violence or any sexually violent offense shall constitute a separate offense for which an employee is entitled to unpaid leave, provided the employee has not exhausted the allotted twenty days for the twelve-month period. The unpaid leave may be taken intermittently in intervals of no less than one day, as needed for the purpose of engaging in any of the following activities as they relate to the incident of domestic violence or a sexually violent offense:

1. Seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the employee or the employee's child, parent, spouse, domestic partner, or civil union partner;
2. Obtaining services from a victim services organization for the employee or the employee's child, parent, spouse, domestic partner, or civil union partner;
3. Obtaining psychological or other counseling for the employee or the employee's child, parent, spouse, domestic partner, or civil union partner;
4. Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or the employee's child, parent, spouse, domestic partner, or civil union partner from future domestic or sexual violence or to ensure economic security;
5. Seeking legal assistance or remedies to ensure the health and safety of the employee or the employee's child, parent, spouse, domestic partner, or civil union partner, including preparing for, or participating in, any civil or criminal legal proceeding related to or derived from domestic or sexual violence; or
6. Attending, participating in, or preparing for a criminal or civil court proceeding relating to an incident of domestic or sexual violence of which the employee or the employee's child, parent, spouse, domestic partner, or civil union partner, was a victim.

An eligible employee may elect, or the Board of Education may require the employee, to use any of the accrued paid vacation leave, personal leave, or medical or sick leave (in accordance with the provisions of N.J.S.A. 18A:30-1) during any part of the twenty-day period of unpaid leave provided under N.J.S.A. 34:11C-1 et seq. In such case, any paid leave provided by the Board, and accrued pursuant to established policies of the Board, shall run concurrently with the unpaid leave provided under N.J.S.A. 34:11C-1 et seq. and, accordingly, the
employee shall receive pay pursuant to the Board's applicable paid leave policy during the period of otherwise unpaid leave. If an employee requests leave for a reason covered by both N.J.S.A. 34:11C-1 et seq. and the "Family Leave Act," P.L.1989, c.261 (C.34:11B-1 et seq.) or the Federal "Family and Medical Leave Act of 1993," Pub.L.103-3 (29 U.S.C. § 2601 et seq.), the leave shall count simultaneously against the employee's entitlement under each respective law.


Prior to taking this leave an employee shall, if the necessity for the leave is foreseeable, provide the Superintendent of Schools with written notice of the need for the leave. The notice shall be provided as far in advance as is reasonable and practical under the circumstances.

Nothing contained in N.J.S.A. 34:11C-1 et seq. and this Policy shall be construed to prohibit the Superintendent from requiring that a period of this leave be supported by the employee with documentation of the domestic violence or a sexually violent offense which is the basis for the leave. If documentation is required, the employee shall be regarded as having provided sufficient documentation if the employee provides one or more of the following:

1. A domestic violence restraining order or other documentation of equitable relief issued by a court of competent jurisdiction;
2. A letter or other written documentation from the county or municipal prosecutor documenting the domestic violence or a sexually violent offense;
3. Documentation of the conviction of a person for the domestic violence or a sexually violent offense;
4. Medical documentation of the domestic violence or a sexually violent offense;
5. Certification from a certified Domestic Violence Specialist or the director of a designated domestic violence agency or Rape Crisis Center, stating that the employee or employee's child, parent, spouse, domestic partner, or civil union partner is a victim of domestic violence or a sexually violent offense; or
6. Other documentation or certification of the domestic violence or a sexually violent offense provided by a social worker, member of the clergy, shelter worker, or other professional who has assisted the employee or employee's child, parent, spouse, domestic partner, or civil union partner in dealing with the domestic violence or a sexually violent offenses.

For the purposes of N.J.S.A. 34:11C-1 et seq. and this Policy, "Certified Domestic Violence Specialist" means a person who has fulfilled the requirements of certification as a Domestic Violence Specialist established by the New Jersey Association of Domestic Violence Professionals; and "designated domestic violence agency" means a county-wide organization with a primary purpose to provide services to victims of domestic violence, and which provides services that conform to the core domestic violence services profile as defined by the Division of Child Protection and Permanency in the Department of Children and Families and is under contract with the division for the express purpose of providing the services.
POLICY

VINELAND

BOARD OF EDUCATION

ADMINISTRATION

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Victim of Domestic
Or Sexual Violence Leave

For the purposes of N.J.S.A. 34:11C-1 et seq. and this Policy, "Rape Crisis Center" means an office, institution, or center offering assistance to victims of sexual offenses through crisis intervention, medical and legal information, and follow-up counseling.

The Board shall display conspicuous notice of its employees' rights and obligations pursuant to the provisions of N.J.S.A. 34:11C-1 et seq., in such form and in such manner as the Commissioner of Labor and Workforce Development shall prescribe, and use other appropriate means to keep its employees so informed.

No provision of N.J.S.A. 34:11C-1 et seq. and this Policy shall be construed as requiring or permitting the Board to reduce employment benefits provided by the Board or required by a collective bargaining agreement which are in excess of those required by N.J.S.A. 34:11C-1 et seq. Nor shall any provision of N.J.S.A. 34:11C-1 et seq. be construed to prohibit the negotiation and provision through collective bargaining agreements of leave policies or benefit programs which provide benefits in excess of those required by N.J.S.A. 34:11C-1 et seq. This provision shall apply irrespective of the date that a collective bargaining agreement takes effect.

Nothing contained in N.J.S.A. 34:11C-1 et seq. and this Policy shall be construed as permitting the Board to:
1. Rescind or reduce any employment benefit accrued prior to the date on which the leave taken pursuant to N.J.S.A. 34:11C-1 et seq. commenced; or
2. Rescind or reduce any employment benefit, unless the rescission or reduction of the benefit is based on changes that would have occurred if an employee continued to work without taking the leave provided pursuant to N.J.S.A. 34:11C-1 et seq.

All information and/or documentation provided to the Board or Superintendent of Schools pursuant to N.J.S.A. 34:11C-1 et seq., any information regarding a leave taken pursuant to N.J.S.A. 34:11C-1 et seq., and any failure of an employee to return to work, shall be retained in the strictest confidentiality, unless the disclosure is voluntarily authorized in writing by the employee or is required by a Federal or State law, rule, or regulation.

The Board of Education shall not discharge, harass or otherwise discriminate or 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 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.

N.J.S.A. 34:11C-1 et seq.

Adopted: 13 Aug 2014
1613 DISCLOSURE AND REVIEW OF APPLICANT’S EMPLOYMENT HISTORY

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.S.A. 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.


New Jersey Department of Education Guidance and Resources to Assist with
Pre-Employment Requirements of P.L. 2018, c.5 - June 25, 2018

Adopted: 03 October 2018
[See POLICY ALERT Nos. 182, 184, 188 and 221]

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 charters, within the County under the supervision of the Executive County Superintendent:

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

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 to review and approve all contracts listed 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.S.A. 18A:11-11 and N.J.A.C. 6A:23A-3.1(c)1, the public notice and public hearing required shall be applicable to a Board of Education 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 these positions, 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 of Education 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.

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:

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

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

3. No contract shall include provisions for the reimbursement or payment of employee contributions that are either required by law or by a contract in effect in the school 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 proration for partial years, not to exceed twelve months, or the remaining salary amount due under the contract.
5. No contract shall include benefits that supplement or duplicate benefits that are otherwise available to the employee by operation of law, an existing group plan, or other means; e.g., an annuity or life insurance plan that supplements or duplicates a plan already made available to the employee. Notwithstanding the provisions of this section, a contract may contain an annuity where those benefits are already contained in the existing contract between the employee and the district.

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

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

8. Contractual provisions that include a calculation of per diem for twelve month employees shall be based on a two hundred sixty day work year.
9. No provision for a 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 two qualitative merit criteria per contract year.

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


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 shall not be reimbursed for business travel mileage nor assigned permanently a car for official district business. Any provision of a car for official district business must conform with N.J.A.C. 6A:23A-6.12 and be supported by detailed justification. No contract shall include a provision of a dedicated driver or chauffeur.

13. All Superintendent contracts shall include the required provision pursuant to N.J.S.A. 18A:17-15.1 which states that in the event the Superintendent’s certificate is revoked, the contract is null and void.
14. No contract shall include a provision for additional compensation upon the acquisition of a graduate degree unless the graduate degree is conferred by a regionally accredited college or university as defined in applicable regulations. 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 a regionally accredited college or university as defined in applicable regulations.

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

Any actions 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 of Education pursuant to the procedures set forth at N.J.A.C. 6A:3, Controversies and Disputes.

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

Adopted: 9 June 2010
Revised: 9 December 2020
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 twelve months or more, who has worked 1,000 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 therefore) 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 twelve months or more, and has worked 1,000 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

[Select one option]

___ the calendar year.

___ any fixed “leave year,” such as a fiscal year or a year starting on a staff member's “anniversary date”.

___ the twenty-four month period measured forward from the date any staff member's first leave under NJFLA begins.

___X___ a “rolling” twenty-four month period measured backward from the date a staff member uses any leave under NJFLA. (Recommended)

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;
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(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

[Select one option]

_____ the calendar year.

_____ a school year.

_____ a staff member’s employment anniversary date.

_____ the twelve month period measured forward from when a staff member’s first FMLA leave begins.

____X_____ a “rolling” twelve month period measured backward from the date a staff member uses any FMLA leave. (Recommended)

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 outlines 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. 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.
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: 14 April 2021
1648  RESTART AND RECOVERY PLAN

On June 26, 2020, the New Jersey Department of Education (NJDOE) published “The Road Back – Restart and Recovery Plan for Education” (Guidance), a guidance document for reopening New Jersey schools during the COVID-19 pandemic. The Guidance provided school officials with the information necessary to ensure that schools reopen safely and are prepared to accommodate staff and students’ unique needs during these unprecedented times. The NJDOE required school districts in the State to develop, in collaboration with community stakeholders, a “Restart and Recovery Plan” (Plan) to reopen schools that best fits the district’s local needs.

The Guidance requires the Board of Education to adopt certain policies and the Board adopts Policy 1648 to address those policy requirements in the Guidance. Policy 1648 shall only be effective through the current COVID-19 pandemic and will take precedence over any existing Policy on the same or similar subject, unless determined otherwise by the Superintendent.

A. NJDOE Guidance – Key Subject Area 1 – Conditions for Learning

1. Transportation

   a. If the school district is providing transportation services on a school bus, a face covering must be worn by all students upon entering the school bus unless doing so would inhibit the student’s health. It is necessary to acknowledge that enforcing the use of face coverings may be impractical for young children or individuals with disabilities. Exceptions to the face covering requirements shall be those outlined in A.2.d. below:

      (1) Accommodations for students who are unable to wear a face covering should be addressed according to that student’s particular need and in accordance with all applicable laws and regulations.
b. The school district shall use best practices for cleaning and disinfecting district-owned school buses and other transportation vehicles in accordance with A.3. below.

c. District-employed school bus drivers and aides on district-owned school buses shall practice all safety actions and protocols as indicated for other school staff.

d. If the school district is using contracted transportation services, the contractor shall ensure all Board of Education safety actions and protocols are followed by the contractor and its employees and/or its agents.

[See Policy Guide 1648 – Appendix C for the protocols/procedures for “Transportation” which is also included in the school district’s Restart and Recovery Plan.]

2. Screening, Personal Protective Equipment (PPE), and Response to Students and Staff Presenting Symptoms

a. The school district shall screen students and employees upon arrival to a school building or work location for COVID-19 symptoms and a history of exposure.

(1) School staff must visually check students and employees for symptoms upon arrival (which may include temperature checks) and/or confirm with families that students are free of COVID-19 symptoms.

(2) Health checks must be conducted safely and respectfully, and in accordance with any applicable privacy laws and regulations.

(3) Results must be documented when signs/symptoms of COVID-19 are observed.
(4) The screening protocol will take into account students and employees with disabilities and accommodations that may be needed in the screening process for those students and employees.

(5) Students and employees with symptoms related to COVID-19 must be safely and respectfully isolated from others.

(6) If the school district becomes aware that an individual who has spent time in a school district facility tests positive for COVID-19, district officials must immediately notify local health officials, staff, and families of a confirmed case while maintaining confidentiality.

b. School staff and visitors are required to wear face coverings unless doing so would inhibit the individual's health or the individual is under two years of age.

(1) If a visitor refuses to wear a face covering for non-medical reasons and if such covering cannot be provided to the individual at the point of entry, the visitor's entry to the school/district facility may be denied.

c. Students are required to wear face coverings unless doing so would inhibit the student's health. It is also necessary to acknowledge that enforcing the use of face coverings may be impractical for young children or individuals with disabilities.

(1) Accommodations for students who are unable to wear a face covering should be addressed according to that student's need and in accordance with all applicable laws and regulations.
d. Exceptions to the Requirement for Face Coverings

(1) Doing so would inhibit the individual's health.

(2) The individual is in extreme heat outdoors.

(3) The individual is in water.

(4) A student's documented medical condition, or disability as reflected in an Individualized Education Program (IEP), precludes the use of a face covering.

(5) The student is under the age of two, due to the risk of suffocation.

(6) During the period a student is eating or drinking.

(7) Face coverings should not be placed on anyone who has trouble breathing or is unconscious, or anyone who is incapacitated or otherwise unable to remove the face covering without assistance (e.g. face coverings should not be worn by Pre-K students during nap time).

(8) The student is engaged in high intensity aerobic or anaerobic activities.

(9) Face coverings may be removed during gym and music classes when individuals are in a well-ventilated location and able to maintain a physical distance of six feet apart.

(10) When wearing a face covering creates an unsafe condition in which to operate equipment or execute a task.
3. Facilities Cleaning Practices

a. The school district must continue to adhere to existing required facilities cleaning practices and procedures and any new specific requirements of the local health department as they arise.

b. A procedure manual must be developed to establish cleaning and disinfecting schedules for schools and school equipment, targeted areas to be cleaned, and methods and materials to be used.

[See Policy Guide 1648 – Appendix G for the protocols/procedures for “Facilities Cleaning Practices” which is also included in the school district’s Restart and Recovery Plan.]

4. Wraparound Supports

a. Mental Health Supports

The school district’s approach to student mental health supports will be affected by the learning environment in place at the beginning of the school year. If in-person instruction is not feasible, the district must find other ways to assess and monitor students’ mental health.

[See Policy Guide 1648 – Appendix K for the protocols/procedures for “Academic, Social, and Behavioral Supports” which is also included in the school district’s Restart and Recovery Plan.]

5. Contact Tracing
a. Upon notification that a resident has tested positive for COVID-19, the local health department will call the school district to determine close contacts to whom they may have spread the virus, where close contact is defined as being within six feet for a period of at least ten minutes.

b. The school district shall assist the local health department in conducting contact tracing activities, including ongoing communication with the identified individual and/or their contacts.

c. The school district shall ensure adequate information and training is provided to the staff as necessary to enable staff to carry out responsibilities assigned to them.

d. A staff liaison(s) shall be designated by the Superintendent or designee and shall be responsible for providing notifications and carrying out other components that could help ensure notifications are carried out in a prompt and responsible manner.

e. School districts shall allow staff, students, and families to self-report symptoms and/or suspected exposure.

[See Policy Guide 1648 – Appendix F for the protocols/procedures for “Contact Tracing” which is also included in the school district’s Restart and Recovery Plan.]

B. NJDOE Guidance – Key Subject Area 2 – Leadership and Planning

1. Scheduling

a. The school district’s Plan must account for resuming in-person instruction and shall provide steps to shift back to virtual learning models if circumstances change and in-person instruction guidelines can no longer be followed.
b. The school district’s Plan accommodates opportunities for both synchronous and asynchronous instruction, while ensuring requirements for a 180-day school year are met.

c. The school district recognizes special populations will require unique considerations to ensure the continuity of learning as well as the health and safety of students and staff within the least restrictive environment.

   (1) Special Education and English Language Learners (ELL)

   (a) The school district shall provide educators with professional development to best utilize the accessibility features and accommodations tools made available through technology-based formats in accordance with this Policy.

   (b) The school district shall continue to ensure students receive individualized supports that meet the requirements of the IEP and 504 Plans.

[See Policy Guide 1648 – Appendix N for the protocols/procedures for “Scheduling of Students” which is also included in the school district’s Restart and Recovery Plan.]

2. Staffing

   a. The school district shall comply with all applicable employment laws when making staffing and scheduling requirements, including, but not limited to, the Americans Disabilities Act (ADA), the Health Insurance Portability and Accountability Act (HIPPA), and all applicable State laws.
b. As the school district adjusts schedules, teaching staff members must maintain quality instruction for students pursuant to the minimum requirements set forth in NJDOE regulation.

[See Policy Guide 1648 – Appendix O for the protocols/procedures for “Staffing” which is also included in the school district’s Restart and Recovery Plan.]

C. NJDOE Guidance – Key Subject Area 3 – Policy and Funding

1. School Funding

a. Purchasing

The school district may likely need to purchase items not needed in the past and may experience increased demand for previously purchased goods and services to implement the Plan. The school district shall continue to comply with the provisions of the “Public School Contracts Law”, N.J.S.A. 18A:18A-1 et seq.

b. Use of Reserve Accounts, Transfers, and Cashflow

The school district shall apply for the approval from the Commissioner of Education, prior to performing certain budget actions, such as withdrawing from the emergency reserve account or making transfers that cumulatively exceed ten percent of the amount originally budgeted.

c. Costs and Contracting

The school district shall follow all New Jersey State laws and regulations applicable to local school districts for purchasing when procuring devices and connectivity or any technology related item.
D. NJDOE Guidance – Key Subject Area 4 – Continuity of Learning

1. Ensuring the Delivery of Special Education and Related Services to Students with Disabilities
   a. The school district shall continue to meet their obligations to students with disabilities to the greatest extent possible.

2. Professional Learning
   a. The school district shall prepare and support teaching staff members in meeting the social, emotional, health, and academic needs of all students throughout the implementation of the Plan.

   (1) Professional Learning

      (a) The school district shall grow each teaching staff member’s professional capacity to deliver developmentally appropriate standards-based instruction remotely.

   (2) Mentoring and Induction

      (a) The school district shall ensure:

         (i) All novice provisional teachers new to the district be provided induction;

         (ii) One-to-one mentoring is provided to novice provisional teachers by qualified mentors;

         (iii) Mentors can provide sufficient support and guidance to novice provisional teachers working in a remote environment;
(iv) Mentoring is provided in both hybrid and fully remote learning environments and that mentors and provisional teachers will agree upon scheduling, structure, and communication strategies they will use to maintain the mentoring experience; and

(v) The use of online collaborative tools for school staff to remain connected to other mentors, new teachers, and administrators to maintain a sense of communal support.

(3) Evaluation

(a) The school district has considered the requirements and best practices with provisional status teachers, nontenured educators, and those on Corrective Action Plans (including extra observations, extra observers, assuring more frequent feedback and face-to-face).

3. Career and Technical Education (CTE)

a. The school district shall implement innovative learning models for new learning environments regarding CTE.

b. Quality CTE Programs

The school district shall ensure students have access to appropriate industry-recognized, high-value credentials.
c. Work-Based Learning

The school district will ensure students are provided the opportunity to participate in safe work-based learning, either remotely (simulations, virtual tours, etc.) or in-person.

New Jersey Department of Education “The Road Back – Restart and Recovery Plan for Education”
Memorandum – New Jersey Governor and Department of Education – Conditions for Learning – Health and Safety – August 3, 2020

Adopted: 08 August 2020
Revised: 09 December 2020
1648.02 REMOTE LEARNING OPTIONS FOR FAMILIES

On July 24, 2020, the New Jersey Governor and the Commissioner of Education published a supplemental guidance document titled “Clarifying Expectations Regarding Fulltime Remote Learning Options for Families 2020-2021” as a result of the COVID-19 pandemic. This supplemental guidance includes an additional “anticipated minimum standard,” as this phrase is used throughout “The Road Back: Restart and Recovery Plan for Education” (NJDOE Guidance). This additional “anticipated minimum standard” provides that, in addition to the methods and considerations explicitly referenced in the NJDOE Guidance for scheduling students for in-person, remote, or hybrid learning, families/guardians (hereinafter referred to as “parents”) may submit, and school districts shall accommodate, requests for full-time remote learning.

Requests for full-time remote learning may include any service or combination of services that would otherwise be delivered to students on an in-person schedule, which may be a hybrid schedule, such as instruction, behavioral and support services, special education, and related services. A parent may request some services be delivered entirely remotely, while other services follow the same schedule they otherwise would according to the provisions in the school district’s Restart and Recovery Plan (Plan) and Policy 1648.

A parent may contact the Principal or designee of the building the student would attend with any questions on: a request to transition from in-person services to full-time remote learning; a request to transition from full-time remote learning to in-person services; the procedures of this Policy; and/or any other information regarding the school district’s Plan and Policy 1648.

To ensure clarity and consistency in implementation of full-time remote learning, the Board of Education adopts this Policy that addresses the following:

A. Unconditional Eligibility for Full-time Remote Learning

   1. All students are eligible for full-time remote learning.
a. Eligibility for full-time remote learning cannot be conditioned on a parent demonstrating a risk of illness or other selective criteria.

b. Unconditional eligibility for full-time remote learning includes students with disabilities who attend in-district schools or receiving schools (county special services school districts, educational services commissions, jointure commissions, Katzenbach School for the Deaf, regional day schools, college operated programs, and approved private schools for students with disabilities).

B. Procedures for Submitting Full-time Remote Learning Requests

1. A parent may request a student receive full-time remote learning from the school district by submitting a written request to the Principal of the school building their child would attend. The written request shall be provided to the Principal at least _____ calendar days before the student is eligible to commence full-time remote learning in accordance with B.2. below.

2. The student may only begin full-time remote learning

[Choose one or more of the following:

__ at the beginning of the school year.

__ at the beginning of a marking period.

__ at the beginning of a mid-year semester.

__ within _____ school days after receiving written approval of the Principal or designee.]

3. The written request for the student to receive full-time remote learning shall include:

a. The student’s name, school, and grade;
b. The technology the student will be using to receive full-time remote learning, including the student’s connectivity capabilities;

c. A request for any service or combination of services that would otherwise be delivered to the student on an in-person or hybrid schedule, such as instruction, behavioral and support services, special education, and related services;

d. For students with disabilities, the school district staff will determine if an Individualized Education Plan (IEP) meeting or an amendment to a student’s IEP is needed for full-time remote learning; and

e. Any additional information the Principal or designee requests to ensure the student, when receiving remote learning, will receive the same quality and scope of instruction and other educational services as any other student otherwise participating in school district programs.

(1) The documentation required by the school district to be provided in the parent’s request for full-time remote learning shall not exclude any students from the school district’s full-time remote learning option, but rather be limited to the minimum information needed to ensure proper recordkeeping and implementation of successful remote learning.

4. Upon receiving the written request, the Principal or designee may request additional information from the parent to assist the Principal or designee in providing the student the same quality and scope of instruction and other educational services as any other student otherwise participating in school district programs.

5. The Principal or designee will review the written request and upon satisfaction of the procedures outlined in this Policy, the Principal or designee will provide written approval of the parent’s request for full-time remote learning.
a. In the event the request does not satisfy the procedures outlined in this Policy, the Principal or designee will notify the parent in writing of the issues that need to be addressed by the parent to satisfy the procedures outlined in this Policy.

6. The Principal’s written approval of the request shall be provided to the parent within _____ calendar days of receiving the parent’s written request.

a. The written approval will include the date the remote learning program will commence for the student in accordance with B.2. above.

C. Scope and Expectations of Full-Time Remote Learning

1. The scope and expectations of the school district’s full-time remote learning program will include, but not be limited to, the following:

a. The length of the school day pursuant to N.J.A.C. 6A:32-8.3 and compliance with the Board’s Attendance Policy and Regulation 5200; the provisions of the district’s remote learning program outlined in the school district’s Plan; and any other Board policies and regulations that govern the delivery of services to, and district expectations of, students participating in the remote learning program and their families;

b. The technology and the connectivity options to be used and/or provided to the student during remote learning; and

c. Any additional information the Principal or designee determines is needed to ensure the student, when receiving remote learning, will receive the same quality and scope of instruction and other educational services as any other student otherwise participating in school district programs (i.e. students participating in a hybrid model).
This includes, for example, access to standards-based instruction of the same quality and rigor as afforded all other students of the district, the district making its best effort to ensure that every student participating in remote learning has access to the requisite educational technology, and the provision of special education and related services to the greatest extent possible.

d. The school district will endeavor to provide supports and resources to assist parents, particularly those of younger students, with meeting the expectations of the school district’s remote learning option.

D. Procedures to Transition from Full-Time Remote Learning to In-Person Services

1. A parent may request their student transition from full-time remote learning to in-person services, if in-person services are being provided, by submitting a written request to the Principal of the building the student will attend. This request must be submitted at least _____ calendar days before the student is eligible for in-person services.

2. A student is only eligible to transition from full-time remote learning to in-person services commencing

[Choose one or more of the following:]

____ at the beginning of the school year.

____ at the beginning of a marking period.

____ at the beginning of a mid-year semester.

____ within _____ school days after receiving written approval of the Principal or designee.]
3. The written request from the parent for the student to transition from full-time remote learning to in-person services shall include:
   a. The student’s name, school, and grade;
   b. The in-person program may only commence for a student transitioning from full-time remote learning to in-person services in accordance with D.2. above; and
   c. Any additional information the Principal or designee determines would be important on the student’s transition from full-time remote learning to in-person services.

4. A student previously approved for remote learning wanting to transition into the school district’s in-person program must spend at least
   [Choose one or more of the following:
   ___ one marking period in remote learning before being eligible to transition into the school district’s in-person program.
   ___ one semester (1/2 school year) in remote learning before being eligible to transition into the school district’s in-person program.
   ___ school days in remote learning before being eligible to transition into the school district’s in-person program.]
   a. This will allow parents to make the arrangements needed to effectively serve students’ home learning needs and will support educators in ensuring continuity of instruction for the student.

5. The Principal or designee will review the request for compliance with this Policy, and upon satisfaction of the procedures in this Policy, will provide the parent of the student a written approval of the student entering the school district’s in-person program.
a. In the event the request does not satisfy the procedures outlined in this Policy, the Principal or designee will notify the parent in writing of the issues that need to be addressed by the parent to satisfy the procedures outlined in this Policy.

6. Upon approval of the student’s transition from full-time remote learning to in-person services, the school district will provide specific student and academic services to better assist parents anticipate their student’s learning needs and help educators maintain continuity of services.

7. School districts that offer Pre-K will consult their Pre-K curriculum providers regarding appropriate measures to assess a Pre-K student’s learning progress during the transition from full-time remote learning to in-person learning.

E. Reporting

1. To evaluate full-time remote learning, and to continue providing meaningful guidance for school districts, it will be important for the New Jersey Department to Education (NJDOE) to understand the extent and nature of demand for full-time remote learning around the State.

a. The school district will be expected to report to the NJDOE data regarding participation in full-time remote learning. Data will include the number of students participating in full-time remote learning by each of the following subgroups: economically disadvantaged; major racial and ethnic groups; students with disabilities; and English learners.

F. Procedures for Communicating District Policy with Families

1. The school district will have clear and frequent communication with parents, in their home language, to help ensure this important flexibility is as readily accessible as possible. Communication must include, at a minimum, information regarding:
Remote Learning Options for Families

a. Summaries of, and opportunities to review, the school district’s full-time remote learning Policy/Plan;

b. Procedures for submitting full-time remote learning requests in accordance with B. above;

c. Scope and expectations of full-time remote learning in accordance with C. above;

d. The transition from full-time remote learning to in-person services and vice-versa in accordance with B. and D. above; and

e. The school district’s procedures for ongoing communication with families and for addressing families’ questions or concerns.

G. Home or Out-of-School Instruction

1. No provision of this Policy supersedes the district’s requirements to provide home or out-of-school instruction for the reasons outlined in N.J.S.A. 18A, N.J.A.C. 6A, or any applicable Board policy unless determined otherwise by the Superintendent or designee.

[See the District’s Restart and Recovery Plan – Appendix Q for the protocols/procedures for “Remote Learning Options for Families” which is outlined in the school district’s Restart and Recovery Plan.]

New Jersey Department of Education Guidance Document:
“Clarifying Expectations Regarding Fulltime Remote Learning Options for Families 2020-2021”

Adopted: 09 December 2020
1648.03  
RESTART AND RECOVERY PLAN – FULL-TIME REMOTE INSTRUCTION

On June 26, 2020, the New Jersey Department of Education published “The Road Back - Restart and Recovery Plan for Education” (NJDOE Guidance), a guidance document for reopening New Jersey schools during the COVID-19 pandemic. The Guidance, including revisions, provided school officials with the information necessary to ensure that schools reopen safely and are prepared to accommodate staff and students’ unique needs during these unprecedented times. The NJDOE Guidance required school districts to develop, in collaboration with community stakeholders, a “Restart and Recovery Plan” (Plan) to reopen schools that best fit the district’s local needs.

The NJDOE Guidance requires the Board of Education to adopt certain policies and the Board previously adopted Policies 1648 and 1648.02 to address these policy requirements. Board policies related to Covid-19 shall only be effective through the current COVID-19 pandemic and will take precedence over any existing Policy on the same or similar subject, unless determined otherwise by the Superintendent.

On August 13, 2020, the Governor of New Jersey signed Executive Order 175 indicating public school districts shall resume partial or full-time in-person instruction during the fall of school year 2020-2021. However, Executive Order 175 also indicates public school districts that are or become unable to satisfy the health and safety requirements for in-person instruction delineated in the NJDOE’s “Checklist for Re-Opening of School 2020-2021” and detailed in the “The Road Back - Restart and Recovery Plan for Education” Guidance, may provide full-time remote instruction to all students pursuant to N.J.S.A. 18A:7F-9.

Public school districts that determine they cannot provide in-person instruction must submit documentation to the Department of Education that identifies:

1. The school building(s) or grade level(s) within the district that will provide full-time remote instruction;
2. The specific health and safety standards delineated in the NJDOE’s “Checklist for Re-Opening of School 2020-2021,” and detailed in the “The Road Back - Restart and Recovery Plan for Education” Guidance, that the school is unable to satisfy;

3. The school’s anticipated efforts to satisfy the identified health and safety standard(s); and

4. A date by which the school anticipates the resumption of in-person instruction.

Such documentation must be submitted to the Department of Education at minimum one week prior to the public school district’s first day of school.

The NJDOE, by way of the Executive County Superintendent, shall request periodic updates from the Superintendent of Schools of a public school district offering only remote instruction to demonstrate the school district is actively engaged in good-faith efforts toward the resumption of in-person instruction.

All instruction, whether in-person instruction or remote instruction, for the 2020-2021 year, shall adhere to the following requirements, and any other requirements imposed by Order, statute, or regulation:

1. A school day, whether in-person or remote must consist of at least four (4) hours of active instruction to students by an appropriately certified teacher, except that one continuous session of two and one-half hours may be considered a full day in Kindergarten, pursuant to N.J.A.C. 6A:32-8.3.

2. District and school policies for attendance and instructional contact time will need to accommodate opportunities for both synchronous and asynchronous instruction, while ensuring the requirements for a 180-day school year are met pursuant to N.J.S.A. 18A:7F-9.

3. All instructional time shall be provided in accordance with the New Jersey Student Learning Standards (NJSLS).
All public school districts participating in the National School Lunch and Breakfast Programs, regardless of whether they are required to participate or voluntarily opt-in to the programs, must offer the required meals to all children, regardless of eligibility, when the school day involves at least four hours of in-person or remote instruction.

For the 2020-2021 school year, the use of student growth data based on standardized assessment or student growth percentile shall be waived and shall not be used as a measure of educator effectiveness in the overall evaluation of any educator in accordance with N.J.S.A. 18A:6-123(b)(2) and (4).

Paragraph 8 of Executive Order No. 107 (2020), which prohibits in-person dining at certain establishments that are open to the public, shall not apply to school district cafeterias provided that social distancing can be maintained and access is limited to staff and students and not available to the general public. Such cafeterias must adhere to infection control practices outlined for dining in the applicable reopening documents issued by the Department of Education.

Executive Order 175 – August 13, 2020

Adopted: 09 December 2020
Appendices

The provisions of the attached Appendices C, E, F, G, K, N, and O from the district’s Restart and Recovery Plan are included in Policy 1648.
Free public education for all children is a cornerstone of a democratic society that values the worth and dignity of each individual. The primary goal of this Board of Education shall be to offer each child in this district the educational opportunity that will enable him/her to function politically, economically, and socially in that democratic society.

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

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

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

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

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

Adopted: 09 June 2010
2132 SCHOOL DISTRICT GOALS AND OBJECTIVES

Educational goals for the Vineland Public Schools are as follows:

1. All pupils will demonstrate the discovery and acquisition of a challenging core of knowledge, as reflected in the fine, performing and practical arts, business, world languages, English/language arts, social sciences/history, mathematics, physical and health education, science, career education, and technology;

2. All pupils will integrate and apply acquired knowledge and concepts to issues confronting themselves, their school and society. Examples include issues related to diversity, human rights, and environmental, global interdependence, law and justice, poverty, employment, alcohol, and other drug abuse, etc.;

3. All pupils will engage in and apply higher-order thinking essential for decision-making, problem solving, reasoning, and creativity which lead to contributions to society;

4. All pupils will demonstrate responsible ethical and moral behavior as reflected in the core values of civic responsibility, respect for self, respect for others, and respect for the natural environment;

5. All pupils will become knowledgeable, skillful and responsible life-long learners through the implementation of high quality, research-based instructional strategies which focus on both the product and process of learning;

6. The establishment of an effective partnership among schools, parent(s) or legal guardian(s), businesses, and the community will develop well-adjusted pupils who will continue to be life-long learners;

7. The provision of social, psychological, guidance and health services by the school system and the community will enable all pupils to develop their self-esteem and their full capacity to learn;

8. Collaborative decision-making will be utilized with administration, faculty, staff, parent(s) or legal guardian(s), and pupils, in order to provide a safe, secure and inviting school environment in which all pupils can learn;

9. Effective communication systems will be established linking all levels and groups involved with the education of Vineland's pupils.

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

Adopted: 09 June 2010
2200 CURRICULUM CONTENT

The Board of Education will provide the instruction and services mandated by law and rules as necessary for the implementation of a thorough and efficient system of free public education and such other instruction and services as the Board deems appropriate for the thorough and efficient education of the students of this district. The Board shall annually approve a list of all programs and courses that comprise the district's curriculum and shall approve any subsequent changes in the curriculum in accordance with Policy 2220.

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

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

Districts with secondary school(s) and the courses required by Policy 5460 and N.J.A.C. 6A:8-5 for high school graduation.

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

The Board directs the curriculum be consistent with the educational goals and objectives of this district, the New Jersey Core Curriculum Content Standards and responsive to identified student needs. The Superintendent shall, in consultation with teaching staff members, assure the effective articulation of curriculum across all grade levels and among the schools of this district.
The curriculum shall provide programs in accordance with Board policies and the New Jersey Core Curriculum Content Standards, including but not limited to:

1. Preparation of all students for employment or post secondary study upon graduation from high school;

2. Instruction in workplace readiness skills, visual and performing arts, comprehensive health and physical education, language arts literacy, mathematics, science, social studies (including instruction on the Constitution of the United States, United States history, Community Civics, and the geography, history and civics of New Jersey), and World Languages;

3. Continuous access to sufficient programs and services of a library/media facility, classroom collection, or both, to support the educational program of all students in accordance with Policy 2530;

4. Guidance and counseling to assist in career and academic planning for all students, in accordance with Policy 2411;

5. A continuum of educational programs and services for all children with disabilities, in accordance with Policy and Regulation 2460;

6. Bilingual education, English as a Second Language, and English language services for students of limited English language proficiency, when the number of such students so necessitates, in accordance with Policy 2423;

7. Programs and services for students at risk who require remedial assistance in accordance with Policies 2414, 2415, and 5460;

8. Equal educational opportunity for all students in accordance with Policies 2260, 5750, and 5755;

9. Career awareness and exploration as required, and vocational education as appropriate;
10. Educational opportunities for students with exceptional abilities, in accordance with Policy 2464;

11. Instruction in accident and fire prevention;

12. A substance abuse prevention program;

13. A program for family life education; and

14. Programs that encourage the active involvement of representatives from the community, business, industry, labor and higher education in the development of educational programs aligned with the standards.

N.J.A.C. 6A:8-1.1 et seq.; 6A:14 et seq.
New Jersey Core Curriculum Content Standards

Adopted: 09 June 2010
REVISED: 10 August 2016
2210 CURRICULUM DEVELOPMENT

Principles Guiding Curriculum Planning and Renewal

The broad goal of curriculum in the Vineland School District is to provide experiences for all pupils which will enable them to succeed and attain fulfillment in their personal and public lives. In order to achieve this goal, the development and renewal of curriculum shall be guided by the following eight principles:

1. A balanced core of common learning ensures that all pupils are challenged with learning experiences judged most appropriate to their future lives.

   Significant elements of the core of common learning should be organized around fundamental themes addressing major issues or concerns of society and reflected in the district's Educational Goals document. A balance must exist between curriculum efforts to effect pupils' ability to learn and apply important skills, to promote learning from the arts and humanities. Therefore, the curriculum content must be carefully selected and closely integrated.

   Because of the dramatic increase in the amount of information available, the selection of content should be guided by the belief that a challenging and in-depth study of a limited number of important topics is more effective than attempts to "cover" too many bits of disconnected information. The use of technology to facilitate learning must be integrated into the teaching and learning process across the curriculum.

2. The curriculum design focuses on results, with multiple assessments of performances closely related to the outcomes most appropriate to the future lives of pupils.

   An effective assessment of pupil outcomes must be based upon multiple indicators as reflected in the Vineland School District Educational Goals document. It is expected that there will be a reduction in the reliance of a single indicator, such as the standardized, or other paper and pencil test, in assessing pupil outcomes. The use of multiple assessments, in addition to standardized tests, will foster the construction of meaningful knowledge and develop life-long learning skills and habits.
3. The curriculum is organized on an interdisciplinary basis to ensure deeper pupil understanding that results from connecting knowledge.

As issues and understandings become more complex, pupil learning is enhanced by integrating important information from multiple subject fields through interdisciplinary instruction. It is expected that such integration is reflected in all district curriculum development and renewal efforts.

4. The curriculum is designed to ensure that pupils are actively involved in the learning process and increasingly assume responsibility for their own learning.

The curriculum must provide a stimulating series of learning experiences or events that interest pupils and help them relate new content to previous knowledge. Pupils must be actively engaged in questioning, discussing and relating, all of which encourage pupils to form new meanings and understandings that are more useful to them.

5. Instructional materials, teaching strategies, and the school's culture recognize and respect pupil diversity.

The value of pupil diversity must be clearly reflected in both symbolic and substantive ways in the instructional materials used in all classrooms. This should include attention to the contributions of all major civilizations and individuals representing a variety of ethnic groups, with emphasis given to those mirrored by the school population. Teaching strategies must accommodate various learning styles. The entire culture of the school must reflect and respect diversity.

6. The school organization avoids tracking plans that deny any pupil access to a substantive program of electives or general education.

To achieve our mission, the curriculum and instruction must provide opportunities and challenging experiences designed to enable all pupils to learn and be successful. Grouping patterns must be sensitive to the needs of pupils and the credible research in education. Grouping patterns which result in the strict "tracking" of pupils that denies access to a substantive program of electives or general education are not appropriate.

7. Classroom strategies have a strong focus on developing thinking skills and the pupils construction of knowledge and meaning. Systematic emphasis shall be placed on critical and creative thinking, problem-solving, and reasoning over less complex intellectual tasks, such as simple recall of factual information.
Pupils must be provided with opportunities to ask questions, recognize that multiple perspectives exist on many topics, observe closely, classify and compare, infer, predict and extrapolate, all of which help pupils "learn how to learn."

8. The implicit, or "hidden," curriculum in each school is consistent with and supportive of the written, or explicit, curriculum.

Those ideas, values, attitudes, and processes that are not deliberately planned and taught have a powerful impact on pupils. Administrator and teacher attitudes, school and classroom rules and regulations, social interaction in the classroom and the playground, and the physical arrangement of furniture in the classroom can either reinforce or contradict the formal, written curriculum. Thus, efforts must be made to assure that the culture of the school is supportive of the intended pupil outcomes specified in the formal curriculum.

Adopted: 09 June 2010
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.

Each course of study approved for credit toward high school graduation shall include minimum course proficiencies. In order to satisfactorily complete a course of study, a pupil must demonstrate mastery of the established minimum level of course proficiencies. Core course proficiencies shall include, but need not be limited to, proficiencies established by the State Board of Education in the curriculum areas of mathematics; natural or physical sciences; English; social studies; foreign languages; fine, practical, and performing arts; career education; and health, safety, and physical education.

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.A.C. 6A:7-1.1 et seq.; 6A:8-4.1; 6A:8-4.4

Adopted: 09 June 2010
2230 COURSE 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 course 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 course guides will be the basic instructional tool for each course of study.

Each teacher shall conduct the course of study as required by the course guide. Teachers shall have latitude with regard to methodology and materials.

The Superintendent shall be responsible for the preparation of course 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 course guides to ensure their continuing usefulness in achieving goals set by the Board; and a system of administrative review to ensure that course guides are being followed by teaching staff members to the degree of conformity desired by the Board.

All new course guides and revisions of existing guides shall be submitted to the Board for approval before they are implemented.

Copies of all current course guides shall be kept on file in the office of the Assistant Superintendent for Curriculum and Instruction.


Adopted: 09 June 2010
2240 CONTROVERSIAL ISSUES

The Board of Education believes that the consideration of controversial issues has a legitimate place in the instructional program of the schools. Properly introduced and conducted, the consideration of such issues can help pupils learn to identify important issues, explore fully and fairly all sides of an issue, weigh carefully the values and factors involved, and develop techniques for formulating and evaluating positions.

For purposes of this policy a controversial issue is a topic on which opposing points of view have been expressed by responsible and thoughtful persons, is likely to arouse both support and opposition in the community, is not expressly enumerated in the course guide as appropriate for the course of study, and is subject to interpretation as obscene, profane, doctrinaire, or grossly inappropriate, each in relation to the level of maturity of the pupils concerned.

The Board will permit the introduction and proper educational use of controversial issues provided that their use in the instructional program is related to the instructional goals of the course of study and level of maturity of the pupils. The discussion of controversial issues must not tend to indoctrinate pupils or persuade them to a particular point of view. Instead, teachers must encourage fair presentation and open-mindedness and the free exchange of ideas in a spirit of scholarly inquiry, drawing upon information and insights from the widest feasible range of resources.

The discussion of controversial issues in the classroom will be conducted in an unprejudiced and dispassionate manner and cannot be allowed to disrupt the educational process. In the discussion of any issue, a teacher may express a personal opinion, provided the expression is characterized as personal opinion and does not attempt to persuade pupils to the teacher's point of view.

The Superintendent shall assist teaching staff members in developing a sensitivity to the occurrence of controversial issues in the context of the curriculum and developing techniques for the management of controversial issues that do not stifle a spirit of free inquiry.

Adopted: 09 June 2010
2260 AFFIRMATIVE ACTION PROGRAM FOR SCHOOL AND CLASSROOM PRACTICES

The Board of Education shall provide equal and bias-free access for all students to all school facilities, courses, programs, activities, and services, regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status, by:

1. Ensuring equal and barrier-free access to all school and classroom facilities;

2. Attaining minority representation within each school, which approximates the district's overall minority representation. Exact apportionment is not required, however, the ultimate goal is a reasonable plan achieving the greatest degree of racial balance, which is feasible and consistent with sound educational values and procedures;

3. Utilizing a State-approved English language proficiency measure on an annual basis for determining the special needs of English language learners and their progress in learning English pursuant to N.J.A.C. 6A:15-1.3(b);

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 that 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 that 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 that such exclusion is necessary. If excluded, the student shall be provided with equivalent and timely instruction that may include home instruction, without prejudice or penalty.
The Board of Education shall ensure that the district's curriculum and instruction are aligned to the State's Core Curriculum Content Standards and address the elimination of discrimination by narrowing the achievement gap, by providing equity in educational programs and by providing opportunities for students to interact positively with others regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status, by:

1. Ensuring there are no differential requirements for completion of course offerings or programs of study solely on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status;

2. Ensuring courses shall not be offered separately on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status;
   a. Portions of classes which deal exclusively with human sexuality may be conducted in separate developmentally appropriate sessions for male and female students, provided that the course content for such separately conducted sessions is the same.

3. Reducing or preventing the underrepresentation of minority, female, and male students in all classes and programs including gifted and talented, accelerated, and advanced classes;

4. Ensuring that schools demonstrate the inclusion of a multicultural curriculum in its instructional content, materials and methods, and that students understand the basic tenet of multiculturalism;

5. Ensuring that African American history, as well as the history of other cultures, is infused into the curriculum and taught as part of the history of the United States, pursuant to N.J.S.A. 18A:35-1 and the New Jersey Core Curriculum Content Standards; and

6. Ensuring that instruction on the Holocaust and other acts of genocide is included in the curriculum of all elementary and secondary schools, as developmentally appropriate, pursuant to N.J.S.A. 18A:35-28.
The Board of Education shall ensure all students have access to adequate and appropriate counseling services. When informing students about possible careers, professional or vocational opportunities, the Board shall not restrict or limit the options presented to students on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status. The district will not use tests, guidance, or counseling materials which are biased or stereotyped on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status.

The Board of Education shall ensure that the district's physical education program and its athletic programs are equitable, co-educational, and do not discriminate on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status, 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. A school within the school district may choose to operate separate teams for both genders in one or more sports or single teams open competitively to members of both genders, so long as the athletic program as a whole provides equal opportunities for students of both genders 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:36-20
N.J.A.C. 6A:7-1.7

Adopted: 09 June 2010
Revised: 18 May 2011
REVISED: 10 August 2016
2270 RELIGION IN THE SCHOOLS

The Board of Education recognizes that religious belief and disbelieve are matters of personal conviction rather than governmental authority and the pupils of this district are protected by the First Amendment of the United States Constitution and by Article I, Paragraph 4 of the New Jersey State Constitution from the establishment of religion in the schools. School officials will be neutral in their treatment of religion in the school district, showing neither favoritism toward nor hostility against religious expression. Accordingly, devotional exercises will be permitted in this district. The following activities will be permitted in the school district provided the activity is consistent with current United States Supreme Court decisions regarding the relationship between government and religion: prayer during instructional time; organized prayer groups and activities; religious expression and prayer in classroom assignments; pupil assemblies and extra-curricular events; prayer at graduation; baccalaureate ceremonies; devotional exercises; and other prayer and/or religion related activities. The school district will not permit an activity if the activity advances or inhibits any particular religious expression that is protected by the First Amendment of the United States Constitution.

The Board believes that an understanding of religions and the contributions that religion has made to the advancement of civilization is essential to the thorough education of young people and to their appreciation of a pluralistic society. To that end, the curriculum may be developed to include, as appropriate to the various ages and attainments of the pupils, instruction about the religions of the world.

The Board also acknowledges the degree to which a religious consciousness has enriched the arts, literature, music, and issues of morality. The instructional and resource materials approved for use in the schools of this district frequently contain religious references or concern moral issues that have traditionally been the focus of religious concern. That such materials may, therefore, be religious in nature shall not, by itself, bar their use by the district. The Board directs that teaching staff members employing such materials be neutral in their approach and avoid using them to advance or inhibit religion in any way.

The Board recognizes that religious traditions vary in their perceptions and doctrines regarding the natural world and its processes. The curriculum is chosen for its place in the thorough and efficient education of the children of this district, not for its conformity to religious principles. Pupils should receive unbiased instruction in the schools so that they may privately accept or reject the knowledge so gained in accordance with their own religious tenets.

U.S. Consti. Amend. 1
N.J. Consti. (1947) Art. 1, para. 4
Adopted: 09 June 2010
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: 09 June 2010
2312 CLASS SIZE

The district will strive to have class sizes in accordance with the State Department of Education regulations.

Adopted: 09 June 2010
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 schools.

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 schools 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: 09 June 2010
Policy 2340  FIELD TRIPS

Field trips, journeys by groups of pupils away from the school premises and under the supervision of a teacher(s), may be authorized by the Board of Education. The Board recognizes that field trips, when properly planned, directly related to classroom instruction and Board of Education-approved courses of study, and are timed to maximize learning, can be an important source of learning for pupils. Such trips afford pupils firsthand educational experiences not available on the school premises through such activities as guest speakers, assembly programs, videotapes, films, and the like. The Board also recognizes that other trips may supplement and/or complement Board-approved extra curricular as well as curricular pursuits. The Board of Education shall approve all proposed field trips.

Although the Board acknowledges that the number of approved field trips may be restricted by budgetary allocations, the availability of equipment and personnel, weather conditions, and the amount of school time required, requests for field trips requiring limited fiscal resources, personnel and/or loss of school time generally will be approved. Building Principals will apply appropriate restrictions to assure coordination of field trip experiences within and between grade levels in the building. Such coordination is designed to avoid unnecessary duplication of field trips, and to assure their direct relationship to the curriculum.

During times when budgetary restrictions prevent the Board of Education from paying the costs of fees associated with field trips, the Building Principal, with prior approval of the Assistant Superintendent, may authorize appropriate fund-raising activities designed to pay such fees. Such activities may include payment of fees by pupils, parent(s) or legal guardian(s), or sponsoring organizations. However, no pupil shall be prohibited from attending a field trip required for the fulfillment of course requirements due to an inability or unwillingness of the pupil, or parent(s) or legal guardian(s), to pay the fees which are required.

Field trips which are not required to fulfill course of study requirements may be subsidized in part or in whole by pupils, their parent(s) or legal guardian(s), or sponsoring groups which have the prior approval of the Building Principal and the Assistant Superintendent for Curriculum and Instruction. In such instances, pupils who are unable to attend shall not be penalized for non-attendance or non-participation.

Those field trips which are part of the Board-approved curriculum or co-curriculum, and have traditionally been approved, shall be considered approved in advance if authorized by the Assistant Superintendent for Curriculum and Instruction. Other trip requests which have not previously been approved, and are expected to cost in excess of $500.00 (such as overnight trips, foreign travel, or those which arise unexpectedly because of success in competition), must be submitted to the Board of Education for approval. In the event the trip is an emergent item, trips which cost $2,000 or less may be approved at the discretion of the Superintendent. Those for which costs may not exceed $500.00 may be approved by the Assistant Superintendent for Curriculum and Instruction.


Adopted: 09 June 2010

REVISED: 09 Dec 2015
2360 USE OF TECHNOLOGY

The Board of Education recognizes the use of technology in the educational process is an essential part of the schooling experience. Technology is to be viewed as a resource to enhance the learning process among other resources available to teachers and pupils. In addition, technology can be used to enhance the administration of the schools and the district. In order to provide direction and meaning to the use of technology as an instructional resource, the Board encourages and supports staff use of technology as a component of the learning process.

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 Assistant Superintendent for Curriculum and Instruction.

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 Assistant Superintendent for Curriculum and Instruction.

Site Licenses

In the case where more than one copy of a software program is required, the Supervisor of Technology 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 Supervisor of Technology, who shall assure that individuals who have access to such programs shall not copy them without authorization.
Internal Communication (District)

The school district shall provide communication between schools by a variety of means.

External Communications

The Board encourages the use of external communications so schools may utilize the vast resources of external databases and communicate with other schools, external agencies, and businesses throughout the world. Gateways to such communications will be supported by the school district. The use of particular gateways shall be approved by the Supervisor of Technology. The Supervisor of Technology 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 Supervisor of Technology 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 Supervisor of Technology 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 Supervisor of Technology 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 Supervisor of Technology 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: 09 June 2010
Policy 2361 ACCEPTABLE USE OF COMPUTER NETWORKS/ 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 purposes 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 Instructional Technology (individual or office) a consent form signed by the pupil and his/her parent(s) or legal guardian(s). Documentation will be kept in the student database and will apply for the duration of the pupil’s schooling in the Vineland School District unless changed in writing and signed by the pupil and his/her parent(s) or legal guardians.

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: 09 June 2010
REVISED: 13 June 2012
REVISED: 13 May 2015
2361.1 INTERNET USE

Internet access is now available to pupils and teachers in the Vineland Public Schools. The Board of Education is pleased to bring this access to Vineland Public Schools and believes the Internet offers vast, diverse, and unique resources to both pupils and teachers. The Board’s goal in providing this service to teachers and pupils is to promote educational excellence in schools by facilitating resource sharing, innovation, and communication.

The Internet is an electronic highway connecting thousands of computers all over the world and millions of individual subscribers. Pupils and teachers have access to:

1. Electronic mail communication with people all over the world.
2. Information and news from NASA as well as the opportunity to correspond with the scientists at NASA and other research institutions.
3. Public domain software and shareware of all types.
4. Discussion groups on a plethora of topics ranging from Chinese culture to the environment to music to politics.
5. Access to many University Library Catalogs, the Library of Congress and ERIC.

With access to computers and people all over the world also comes the availability of material that may not be considered to be of educational value in the context of the school setting. Vineland Public Schools has taken precautions to restrict access to controversial materials. However, on a global network it is impossible to control all materials and an industrious user may discover controversial information. The Board firmly believes that the valuable information and interaction available on this worldwide network far outweighs the possibility that users may procure material that is not consistent with the educational goals of the Vineland Public Schools.

Internet access is coordinated through a complex association of government agencies, and regional and state networks. In addition, the smooth operation of the network relies upon the proper conduct of the end users who must adhere to strict guidelines. This policy is provided so that all are aware of the responsibilities each is about to acquire. In general this requires efficient, ethical and legal utilization of the network resources. If a Vineland Public Schools user violates any of these provisions, future access could possibly be denied.
Internet Terms and Conditions

1. Acceptable Use - The purpose of NSFNET, which is the backbone network to the Internet, is to support research and education in and among academic institutions in the U.S. by providing access to unique resources and the opportunity for collaborative work.

The use of Internet must be in support of education and research and consistent with the educational objectives of the Vineland Public Schools. Use of other organization’s network or computing resources must comply with the rules appropriate for that network. Transmission of any material in violation of any U.S. or state regulation is prohibited. This includes, but is not limited to: copyrighted material, threatening or obscene material, or material protected by trade secret. Use for commercial activities is generally not acceptable. Use for product advertisement or political lobbying is also prohibited.

2. Privileges - The use of the Internet is a privilege, not a right, and inappropriate use will result in cancellation of those privileges. Each pupil who has access to the Internet will be part of a discussion with a Vineland Public Schools faculty member pertaining to the proper use of the network. The system administrators will deem what is inappropriate use and their decision is final. Also, the system administrators may close an account at any time as required. The administration, faculty, and staff of Vineland Public Schools may request the system administrator to deny, revoke or suspend specific user accounts. No pupil account may be transferred by a pupil to another pupil nor used by another pupil.

3. Network Etiquette - Pupils are expected to abide by the generally accepted rules of network etiquette. These include (but are not limited to) the following:
   a. Be polite. Do not get abusive in your messages to others.
   b. Use appropriate language. Do not swear, use vulgarities or any other inappropriate language. Illegal activities are strictly forbidden.
   c. Do not reveal your personal address or phone numbers or any other personal information of pupils or colleagues.
   d. Note that electronic mail (e-mail) is not guaranteed to be private. People who operate the system do have access to all mail. Messages relating to or in support of illegal activities may be reported to the authorities.
   e. Do not use the network in such a way that you would disrupt the use of the network by other users.
f. Do not play games or use the computer resources for other non-academic activities when others require the system for academic purposes.

g. Do not waste nor take supplies, such as paper, printer ribbons, and diskettes, that are provided by Vineland Public Schools in a computer lab.

h. All use of the Internet must be in support of education and research and consistent with the purposes of Vineland Public Schools.

i. Any use of the network for commercial or for-profit purposes is prohibited.

j. Use of the network for personal and private business is prohibited.

k. Any use of the network for product advertisement or political lobbying is prohibited.

l. Network accounts are to be used only by the authorized owner of the account for the authorized purpose.

m. Users shall not intentionally seek information on, obtain copies of, or modify files, other data, or passwords belonging to other users, or misrepresent other users on the network.

n. All communications and information accessible via the network should be assumed to be private property.

o. No use of the network shall serve to disrupt the use of the network by others; hardware or software shall not be destroyed, modified, or abused in any way.

p. Malicious use of the network to develop programs that harass other users or infiltrate a computer or computing system and/or damage the software components of a computer or computing system is prohibited.

q. Hate mail, harassment, discriminatory remarks and other antisocial behaviors are prohibited on the network.

r. The illegal installation of copyrighted software for use on district computers is prohibited.

s. Use of the network to access or process pornographic material, inappropriate text files, or files dangerous to the integrity of the local area network is prohibited.
t. Any pupil use of Internet “live chat” capabilities will be directly supervised by an administrator, faculty or staff member.

u. Use of network systems (data, video, voice) for soliciting or distributing information with the intent to harass, intimidate, or bully which can be described as Cyber Bullying.

4. Vineland Public Schools makes no warranties of any kind, whether expressed of implied, for the service it is providing. Vineland Public Schools will not be responsible for any damages you suffer. This includes loss of data resulting from delays, nondeliveries, mis-deliveries, or service interruptions caused by its own negligence or user errors or omissions. Use of any information obtained via the Internet is at user’s own risk. Vineland Public Schools specifically denies any responsibility for the accuracy or quality of information obtained through its services.

5. Security - Security on any computer system is a high priority, especially when the system involves many users. If a user feels they can identify a security problem on the Internet, the user must notify a teacher or other staff member or your System Coordinator. Do not demonstrate the problem to other users. Attempts to log on to the Internet as a system administrator will result in cancellation of user privileges. Any user identified as a security risk or having a history of problems with other computer systems may be denied access to Internet.

6. Cyber Bullying- As per 2002 New Jersey Law, AB 1874, “the state legislature finds and declares that: a safe and civil environment in school is necessary for pupils to learn and achieve high academic standards; harassment, intimidation or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a pupil’s ability to learn and a school’s ability to educate its pupils in a safe environment”. In compliance with that law, usage and employment of network systems (data, video, or voice) to harass, intimidate, or bully which can be described as Cyber Bullying, is unacceptable. If a pupil feels they are the subject of Cyber Bullying, the pupil should notify a teacher or other school staff member immediately.

7. Vandalism - Vandalism will result in cancellation of privileges. Vandalism is defined as any malicious attempt to harm or destroy data of another user, Internet, or any of the above listed agencies or other networks that are connected to the NSFNET Internet backbone. This includes, but not limited to, the uploading or creation of computer viruses.
8. The user should recognize that software is protected by copyrights laws; therefore, user will not make unauthorized copies of software found on school computers, either by copying them onto his/her own diskettes or onto other computers through electronic mail or bulletin boards; user will not give, lend, or sell copies of software to others unless user has the written permission of the copyright owner or the original software is clearly identified as shareware or in the public domain.

9. The user should recognize also that the work of all users is valuable; therefore, user will protect the privacy of each other’s areas by not trying to learn their passwords; user will not copy, change, read, or use files in another user’s area, without that user’s prior permission; user will not attempt to gain unauthorized access to system programs or computer equipment; user will not use computer systems to disturb or harass other computer users by sending unwanted mail or by other means; and user will not download information onto the hard drives of any Vineland Public School computer for permanent storage.

10. Any user who does not comply with this policy will lose network privileges as determined by the Building Principal. Repeated or severe infractions of this policy may result in termination of access privileges permanently. Pupil infractions may result in appropriate disciplinary action in addition to suspension or termination of access privileges. Unauthorized use of the network, intentional deletion or damage to files and date belonging to other users, or copyright violations may be termed theft as defined under New Jersey Revised Statutes.

11. All Building Principals shall obtain parent’s and pupil’s consent to these guidelines in the form of a written agreement.

Adopted: 11 June 1997
Revised: 12 October 2005, 09 June 2010
2361.2 ELECTRONIC COMMUNICATION

Background

E-mail and attachments voice mail, video conferencing, access to the Internet, and associated file access are made available to staff members of the Vineland Board of Education (hereinafter, the "V.B.E.") for the purpose of conducting work-related business. Employees provided with these tools are expected to use them in a responsible and productive manner. Employees are also required to acknowledge that all messages and files created, stored, sent or received will remain the property of the V.B.E. At no time and under no circumstances can personal software be introduced to the V.B.E. computer system. Against this background, the following guidelines have been established to assist employees in the use of these tools.

E-mail, Voice Mail, Files Data/Video/Voice Systems

The content of e-mail, voice mail messages or any file(s) may not contain anything that would reasonably be considered offensive or disruptive to any employee. Offensive content would include, but is not limited to, sexually explicit material or racial slurs, or any comments that would offend someone on the basis of their age, sex, race, sexual orientation, sexually explicit material, religious or political beliefs, national origin, or disability.

The V.B.E. reserves the right to access and monitor any message or file on the data/video/voice computer(s) system as deemed necessary and appropriate. Messages are public communications and are not private. All communications including text and images may be subject to disclosure to law enforcement or other third parties without prior consent of the sender or the receiver. The confidentiality of any message should not be assumed. Even when a message is erased, it is still possible to retrieve and review said message.

Notwithstanding the V.B.E.’s right to retrieve and read any electronic voice or e-mail message, or any files such message or files should be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve messages that are not sent to them except when granted electronic proxy rights.

The V.B.E. reserves and will exercise the right to access, review and audit, e-mail system voice logs or messages and/or internet service at any time, with or without employee notice, and that such access may occur during or after working hours.

No audit of e-mail, voice logs or messages or computer records can be conducted without a written request from an Assistant Superintendent, Director or Principal, Supervisor of Technology of the V.B.E., which shall be accompanied by an approval from the Superintendent.
All e-mail and user files will be purged periodically. Network hardware/software monitoring, scanning, or "sniffing" for malicious code or intrusion is restricted to central office network management staff.

No information of any kind, nature or description concerning any matters affecting or relating to the business of the V.B.E., including without limiting the generality of the foregoing, the names or addresses of any of its pupils or employees or academic records or information, compensation programs, contracts, policy terms, or any other information of, about, or concerning the business of the V.B.E., shall be released via the V.B.E. e-mail system unless such information is already officially released or prior written approval is obtained from the Superintendent.

The Internet

Employees granted access to Internet are representing the V.B.E.. Employees are responsible for seeing that the Internet is used in an effective, ethical and lawful manner. The V.B.E. Internet connection should not be used for personal gain or advancement of individual views. Use of the Internet must not be disruptive to the workplace or interfere with productivity.

Each employee is responsible for the content of all text, audio or images that they place or send over the Internet via the V.B.E. connection. Fraudulent, harassing or obscene messages are prohibited. No messages should be transmitted under an assumed name. Users should not attempt to obscure the origin of any message. Information published on the Internet should not violate or infringe upon the rights of others.

No information of any kind, nature or description concerning any matter affecting or relating to the business of the V.B.E., including, without limiting the generality of the foregoing, the names or addresses of any of its students or employees, or academic records or information, compensation programs, contracts, policy terms, or any other information of, about, or concerning the business of the V.B.E. shall be released via the V.B.E. Intranet or the Internet unless such information is already officially released or prior written approval is obtained from a senior officer of the V.B.E.

The V.B.E. will cooperate with proper requests made under the "Freedom of Information Act" and/or regulations promulgated by the State of New Jersey Department of Education, or by any other regulatory body having jurisdiction over the operation of the V.B.E. All such requests must be approved by the Board Secretary after consultation with the Superintendent or Solicitor.
Violations

Violations of a guidelines listed above may result in disciplinary action up to and including termination. If necessary the V.B.E. will advise appropriate legal officials of any illegal violations.
POLICY

2411 GUIDANCE COUNSELING

The Board of Education requires that a planned program of guidance and counseling be an integral part of the educational program of the schools to assist students in making and implementing informed educational and occupational choices including academic, career and personal/social development.

A program of guidance and counseling, including developmental career guidance and exploration, shall be offered to all students in this school district and shall be conducted entirely by teaching staff members certified as guidance personnel.

The Superintendent is directed to implement a guidance program that carries out the purposes of this policy and:

1. Involves teaching staff members at all appropriate levels;
2. Honors the individuality of each student;
3. Is integrated with the total educational program;
4. Is coordinated with available resources of the community;
5. Provides for cooperation of school staff with parent and shares parents’ concern for the development of their children;
6. Provides for the means of sharing information among appropriate staff members in the student's interest;
7. Is available equitably to all students and prohibits biased counseling and the use of materials that discriminate among students on the basis of their race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation, gender, gender identity or expression, socioeconomic status, or disability; and
8. Establishes a referral system that utilizes all the aid the schools and community offer, guards the privacy of the student, and monitors the efficacy of such referrals.

N.J.A.C. 6A:19-1.2; 6A:8-2.2
N.J.A.C. 6A:7-1.7; 6A:8-3.2

Adopted: 09 June 2010
REVISED: 10 August 2016
Policy 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 twelve 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 requests 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.A.C. 6A:14-4.8; 6A:14-4.9; 6A:16-10.1

 Adopted: 09 June 2010
REVISED: 10 Sept 2014
Policy 2414 Programs and Services for Pupils in High Poverty and in High Need School Districts

High poverty school districts are required to provide programs and services that address class size and Kindergarten programs. High need school districts are required to provide programs and services that focus on improving instruction in literacy and mathematics.

A high poverty school district for the purposes of this policy means a school district in which forty percent or more of the pupils are "at risk" as defined in N.J.S.A. 18A:7F-45. Class size in high poverty school districts shall not exceed twenty-one pupils in grades Kindergarten through three, twenty-three pupils in grades four and five, and twenty-four pupils in grades six through twelve. However, if the district chooses to maintain lower class sizes in grades Kindergarten through three, class sizes in grades four and five may be equal but not exceed twenty-five pupils. Exceptions to these class size requirements are permitted for some physical education and performing arts classes, where appropriate. High poverty school districts shall maintain all existing full-day Kindergarten programs with a teacher's aide for each classroom. Class size for these Kindergarten classrooms shall not exceed twenty-one pupils.

High need school districts for the purpose of this policy are high poverty school districts that are below proficiency levels on State assessments as outlined in N.J.A.C. 6A:13-3.3(a). The New Jersey Department of Education shall identify the list of high need school districts based on State assessment results and shall promptly notify the districts that are classified as high need. In the first school year immediately following such identification as a high need school district, the district shall begin planning for implementation of, and shall implement where possible, the designated program(s). In the subsequent year following identification as a high need school district, the district shall fully implement the designated program(s). High need school districts, once identified, shall remain in that status and shall continue to implement the designated program(s) for a minimum of three years.

High need school districts where less than eighty-five percent of total pupils have achieved proficiency in language arts literacy on the New Jersey Assessment of Skills and Knowledge (NJ ASK) 3 shall provide an intensive early literacy program for preschool to grade three to ensure that all pupils achieve proficiency on State standards in accordance with the requirements of N.J.A.C. 6A:13-3.4(a).

High need school districts where less than eighty percent of total pupils have achieved proficiency in language arts literacy on the NJ ASK 8 shall implement an intensive literacy program for grades four through eight in accordance with the requirements of N.J.A.C. 6A:13-3.4(b).

High need school districts where less than eighty percent of total pupils have achieved proficiency in language arts literacy on the high school State assessment shall implement a language arts literacy
program aligned with college preparatory English I, II, III, and IV for grades nine through twelve that incorporates the elements in N.J.A.C. 6A:13-3.4(b) with the exception of providing a double period of language arts literacy.

High need school districts in which less than eighty-five percent of total pupils have achieved proficiency in mathematics on the NJ ASK 4 shall implement a comprehensive program for mathematics education that prepares pupils in grades three through four for success in higher order mathematics including the components as outlined in N.J.A.C. 6A:13-3.5(b).

High need school districts where less than eighty percent of total pupils have not achieved proficiency in mathematics on the NJ ASK 8 shall implement a comprehensive program for mathematics education that prepares all pupils in grades five through eight for success in Algebra at the high school level and that incorporates the elements in N.J.A.C. 6A:13-3.5(b).

High need school districts where eighty percent or more of total pupils have not achieved proficiency in mathematics on the high school State assessment shall implement a comprehensive program for mathematics education for grades nine through twelve which incorporates the elements in N.J.A.C. 6A:13-3.5(b) and that is aligned to course expectations as required to meet graduation requirements.


Adopted: 09 June 2010
REVISED: 08 June 2011
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 (School-wide or Target Assistance or Public-School Choice) 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
POLICY

Vineland Board of Education

PROGRAM
2415/page 3 of 5
Every Student Succeeds Act

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.

Parental Involvement

The district will comply with the requirements as outlined in Policy 2415.04 – Parental Involvement 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 service 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.


Adopted: 09 June 2010
Revised: 12 March 2013
Re-Approved: 09 September 2015
Revised: 14 April 2021
2415.02 TITLE I – FISCAL RESPONSIBILITIES

The Vineland 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 Every Student Succeeds Act (ESSA).

Maintenance of Effort

To be in compliance with the requirements of the ESEA as amended by the ESSA, the Vineland Board of Education will maintain either a combined fiscal effort per student—or aggregate expenditures—for State and local funds with respect to the provision of the free public education by 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 Vineland 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 Vineland 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.


Adopted: 09 June 2010
Revised: 09 September 2015
Revised: 14 April 2021
Policy 2415.02 TITLE I – FISCAL RESPONSIBILITIES

The Vineland Board of Education will comply with the requirements of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) as amended by the No Child Left Behind Act of 2001.

Maintenance of Effort

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

Comparability with Multiple Schools

To be in compliance with the requirements of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) as amended by the No Child Left Behind Act of 2001, §1120A(c), the Vineland Board of Education directs the Superintendent to assign teachers, administrators, and auxiliary personnel to the schools in such a way that the equivalence of personnel is ensured among schools.

Comparability of Materials and Supplies

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

No Child Left Behind Act of 2001, §1120A

Adopted: 09 June 2010
Re-approved: 09 Sept 2015
POLICY

BOARD OF EDUCATION

POLICY 2415.04 Title I – District Wide Parental Involvement

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GENERAL EXPECTATIONS

The school district will put into operation programs, activities, and procedures for the involvement of parents in all of its schools with Title I, Part A programs, consistent with Section 1118 of the Elementary and Secondary Education Act (ESEA). Those programs, activities, and procedures will be planned and operated with meaningful consultation with parents of participating children.

Consistent with Section 1118, the school district will work with its schools to ensure that the required school-level parental involvement policies meet the requirements of Section 1118(b) of the ESEA, and each include, as a component, a school-parent compact consistent with Section 1118(d) of the ESEA.

The school district will incorporate this District-Wide Parental Involvement Policy into its school district's plan developed under Section 1112 of the ESEA.

In carrying out the Title I, Part A parental involvement requirements, to the extent practicable, the school district and its schools will provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children, including providing information and school reports required under Section 1111 of the ESEA in an understandable and uniform format, including alternative formats upon request, and to the extent practicable, in a language parents understand.

If the school district's plan for Title I, Part A, developed under Section 1112 of the ESEA, is not satisfactory to the parents of participating children, the school district will submit any parent comments with the plan when the school district submits the plan to the New Jersey Department of Education.

In the event the school district is required to reserve and spend at least one percent of the district's Title I, Part A allocation, the school district will involve the parents of children served in Title I, Part A schools in decisions about how these funds will be spent and will ensure that not less than ninety-five percent of the one percent reserved goes directly to the schools.

The school district will be governed by the following statutory definition of parental involvement, and expects Title I schools in the district will carry out programs, activities, and procedures in accordance with this definition:

Parental involvement means the participation of parents in regular, two-way, and meaningful communication involving pupil academic learning and other school activities, including ensuring-

1. That parents play an integral role in assisting their child's learning;
2. That parents are encouraged to be actively involved in their child's education at school;

3. That parents are full partners in their child's education and are included, as appropriate, in
decision-making and on advisory committees to assist in the education of their child; and

4. The carrying out of other activities, such as those described in Section 1118 of the ESEA.

In the event the State of New Jersey or the New Jersey Department of Education has a Parental
Information and Resource Center, the school district will inform parents and parental organizations of
its purpose and existence.

DESCRIPTION OF HOW THE SCHOOL DISTRICT WILL IMPLEMENT REQUIRED DISTRICT-
WIDE PARENTAL INVOLVEMENT POLICY COMPONENTS

Below is a description of how the district will implement or accomplish each of the following
components outlined below (Section 1118(a)(2), ESEA):

1. The district will take the following actions to involve parents in the joint development of its
district-wide parental involvement plan under Section 1112 of the ESEA:

   a. Convene an annual meeting, at a convenient time, to which all parents of participating pupils
      shall be invited and encouraged to attend, to inform parents of their school's participation and the
      requirements of this Policy, and the right of the parents to be involved;

   b. Offer a flexible number of meetings, such as meetings in the morning or evening, and may
      provide, with Title I funds, transportation, child care, or home visits, as such services relate to
      parental involvement.

2. The district will take the following actions to involve parents in the process of school review
   and improvement under Section 1116 of the ESEA:

   a. A description and explanation of the curriculum in use at the school, the forms of academic
      assessment used to measure pupil progress, and the proficiency levels pupils are expected to meet;

   b. If requested by parents, opportunities for regular meetings to formulate suggestions and to
      participate, as appropriate, in decisions relating to the education of their children, and respond to any
      such suggestions as soon as practicably possible.

3. The district will provide the following necessary coordination, technical assistance, and other
   support to assist Title I, Part A schools in planning and implementing effective parental involvement
   activities to improve pupil academic achievement and school performance:
a. Parent-teacher conferences in elementary schools, at least annually, during which the compact shall be discussed as the compact relates to the individual pupil’s achievement;

b. Frequent reports to parents on their children’s progress; and

c. Reasonable access to staff, opportunities to volunteer and participate in their child’s class, and observation of classroom activities.

4. The school district will coordinate and integrate parental involvement strategies in Part A with parental involvement strategies under the following other programs: (Insert programs, such as: Head Start, Reading First, Early Reading First, Even Start, Parents As Teachers, Home Instruction Program for Preschool Youngsters, and State-operated preschool programs), by:

a. Supplemental Education Services (SES)

b. State operated preschool programs

c. Head Start

5. The school district will take the following actions to conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of this Parental Involvement Policy in improving the quality of its Title I, Part A schools. The evaluation will include identifying barriers to greater participation by parents in parental involvement activities (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background). The school district will use the findings of the evaluation about its Parental Involvement Policy and activities to design strategies for more effective parental involvement, and to revise, if necessary (and with the involvement of parents) its parental involvement policies.

(List actions, such as describing how the evaluation will be conducted, identifying who will be responsible for conducting it, and explaining what role parents will play):

a. Parental Survey – online and in written form available in parents native language. This survey will then be posted on the district website and results will be included

b. A committee will be formed to establish and review the survey each year under the direction of the Supervisor of Instruction for ESEA, Title I, Professional Development, Data, Learnia, AVID, and SES.

The school district will build the school’s and parent’s capacity for strong parental involvement, in order to ensure effective involvement of parents and to support a partnership among the school involved, parents, and the community to improve pupil academic achievement, through the following activities specifically described below:
1. The school district will, with the assistance of its Title I, Part A schools, provide assistance to parents of children served by the school district or school, as appropriate, in understanding topics such as the following, by undertaking the actions described below:

   o New Jersey's academic content standards;
   o New Jersey's pupil academic achievement standards;
   o The New Jersey and local academic assessments including alternate assessments;
   o The requirements of Part A;
   o How to monitor their child's progress; and
   o How to work with educators.

(List activities, such as workshops, conferences, classes, both in-State and out-of-State, including any equipment or other materials that may be necessary to ensure success.)

   a. District/School parental Workshops
   b. Brochures and Handouts specific to student achievement
   c. Parent conferences Pre-School – 12
   d. Parental Portal (K-12)

2. The school district will, with the assistance of its schools, provide materials and training to help parents work with their children to improve their children's academic achievement, such as literacy training, and using technology, as appropriate, to foster parental involvement, by:

   a. School Based Parental Technology Training

3. The school district will, with the assistance of its schools and parents, educate its teachers, pupil services personnel, Principals and other staff in how to reach out to, communicate with, and work with parents as equal partners in the value and utility of contributions of parents, and in how to implement and coordinate parent programs and build ties between parents and schools, by:

   a. Leadership Training – New Administrator Academy
   b. Partnership with ETTC/ Richard Stockton College of NJ
   c. School Based Planning Teams
d. Monthly meetings with Pupil Services Personnel

4. The school district will, to the extent feasible and appropriate, coordinate and integrate parental involvement programs and activities with Head Start, Reading First, Early Reading First, Even Start, Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program, and public preschool and other programs, and conduct other activities, such as parent resource centers, that encourage and support parents in fully participating in the education of their children, by:

a. Transition Night (P4 – K)
b. Family Centered Evening Activities
c. Little Folks Festival – Celebrating Children and Families
d. Week of Young Child
e. American Education Week – Parental Activities (November)
f. Pre-School parent Registration Link on District Webpage
g. VECAC - Vineland Early Childhood Advisory Council – (Comprised of Parents and Community Members)

5. The school district will take the following actions to ensure that information related to the school and parent programs, meetings, and other activities, is sent to the parents of participating children in an understandable and uniform format, including alternative formats upon request, and, to the extent practicable, in a language the parents can understand:

a. All District/School memos in English/Spanish
b. Information posted and updated on District website
c. District Parent Portal
d. District Call out System

DISCRETIONARY DISTRICT-WIDE PARENTAL INVOLVEMENT POLICY ACTIVITIES

The additional information outlined below lists and describes discretionary activities the school district, in consultation with its parents, may undertake to build parents' capacity for involvement in the school and school system to support their children's academic achievement:
Paying reasonable and necessary expenses associated with parental involvement activities, including transportation and child care costs, to enable parents to participate in school-related meetings and training sessions;

In order to maximize parental involvement and participation in their children’s education, arranging school meetings at a variety of times, or conducting in-home conferences between teachers or other educators, who work directly with participating children, with parents who are unable to attend those conferences at school;

Adopting and implementing model approaches to improving parental involvement;

Providing other reasonable support for parental involvement activities under Section 1118 as parents may request.

ADOPTION

This District-Wide Parental Involvement Policy has been developed jointly, and agreed on with parents of children participating in Title I, Part A programs. This Policy will be distributed to all parents of participating Title I, Part A children in an understandable and uniform format and, to the extent practicable, in a language the parents understand, at the beginning of each school year or when the child is determined eligible and begins participating in Title I, Part A programs.

United States Department of Education Non-Regulatory Guidance - Appendix D- District-Wide Parental Involvement Policy

Adopted: 09 June 2010
REVISED: 08 June 2011
Re-approved: 09 Sept 2015
POLICY

Vineland Board of Education

PROGRAM

2415.02/page 1 of 2
Title I – Fiscal Responsibilities

[See POLICY ALERT Nos. 167 and 222]

2415.02 TITLE I – FISCAL RESPONSIBILITIES

The Vineland 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 Every Student Succeeds Act (ESSA).

Maintenance of Effort

To be in compliance with the requirements of the ESEA as amended by the ESSA, the Vineland 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 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 Vineland 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 Vineland 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.


Adopted: 09 June 2010
Revised: 09 September 2015
Revised: 14 April 2021
2415.06 UNSAFE SCHOOL CHOICE OPTION

The New Jersey Department of Education (NJDOE) is required to establish an Unsafe School Choice Option (USCO) Policy per the Elementary and Secondary Act (ESEA) of 1965, as reauthorized under the Federal Every Student Succeeds Act of 2015 (ESSA). The USCO Policy requires that students who attend a persistently dangerous public elementary or secondary school as determined by the NJDOE, or become victims of a violent criminal offense while in or on school grounds of a public school that they attend, be allowed to attend a safe public school within the district. The USCO provision under the ESSA contains two provisions that apply to school districts that receive funds under ESSA: Provision I - Persistently Dangerous Schools and Provision II - Victims of Violent Criminal Offenses.

Effective the beginning of each school year, school districts receiving ESSA funds must be prepared to complete the transfer of students who choose to exercise Provision I and Provision II of this USCO Policy. Compliance with the Policy is a condition of receiving funds under any and all titles under ESSA. The Superintendent is required to certify compliance with this USCO Policy to the NJDOE in the application for ESSA funds.

USCO Policy Provision I - Persistently Dangerous Schools (PDS)

1. Criteria for Determining PDS.

A persistently dangerous school is a public elementary or secondary school building (except for Regional Day Schools, Educational Services Commissions and Special Services School Districts) that meets the objective criteria determined by the NJDOE for three consecutive years and is part of a school district that receives funds under ESSA. The NJDOE will use the most current available data from the Electronic Violence and Vandalism R orting system (BVVRS) Student Safety Data System (SSDS) to identify PDS on or before July 31 of each year.
2. Procedures and Guidelines for Schools Determined to be Persistently Dangerous.

A school district will be notified by the NJDOE on or before July 31 of each year if a school(s) in the school district has been identified as a PDS. Once the district receives notification a school is identified as persistently dangerous, the district must inform all parents of enrolled students in the school of the designation within fifteen calendar days of the date of the notice and offer them the option for their children to transfer to a safe public school within the district by the beginning of the respective school year. The district must complete all transfers by the beginning of the school year following the July notification.

Students are not required to accept the transfer option, but they must be afforded the opportunity to do so. Parental notice regarding the status of the school and the offer to transfer students should be made simultaneously. Parents of enrolled students must be notified of the persistently dangerous designation whether or not there is another school within the district for the transferring students.

To the extent possible, the district will allow transferring students to transfer to schools that have not been identified as low performing, under the State's ESSA accountability system. When a transfer school is not available within the school district, the district may seek arrangements for students to transfer to the nearest charter school or neighboring district; however, this is not required. The district may take into account the needs and preferences of the affected students and parents.


If a school in the district is identified by the NJDOE as persistently dangerous, the district will submit to the NJDOE documentation of compliance with the parent notification requirement and actions taken to complete the transfer arrangements for all students exercising the option by the first day of the school year. Additionally, the district is required to develop and submit for
approval a corrective action plan to the NJDOE on or before September 30 of the same year, which will apply to the respective school year. The corrective action plan, which must be completed in the format provided by the NJDOE, will describe how the school will reduce the number of incidents of violence as determined by the EVVRS SSDS. The NJDOE will provide the school with guidance for its corrective action plan, as well as monitor the school district's timely completion of the approved plan.

In the spring of each following year, the NJDOE will re-evaluate the status of a school identified as persistently dangerous. The NJDOE will review the school's progress towards completing its corrective action plan and compare the current year's incidents of violence, as reported on the EVVRS SSDS, to the criteria for determining PDS. A school identified as maintaining the persistently dangerous designation will be notified by the NJDOE on or before July 31 of the respective year and will be required to submit for approval a revised corrective action plan by September 30 of that year, which will apply to the respective school year. The school district must inform all parents of enrolled students in the school of the designation within fifteen calendar days of the date of notice and offer them the option for their children to transfer to a safe public school by the beginning of the respective school year in accordance with 2. above.

A school no longer designated persistently dangerous will be notified on or before July 31 of the respective year. The persistently dangerous designation will be removed after one or more years contingent upon successful fulfillment of the criteria for removal, as determined by evidence of the school's progress toward successfully completing the approved corrective action plan, and evidence of incidents that no longer meet the criteria for determining PDS, described above, for one school year, the year in which the corrective action plan was in effect.
4. Procedures and Guidelines for Early Warning of Schools.

When a school meets the criteria set forth in this Policy for one year, the district will be informed of the types of offenses reported that have led to an early notification. This notification, on or before August 15 of each year, will be informational only. A school that no longer meets the criteria for PDS for one year will no longer be considered in early notification status. A school that meets the criteria for two consecutive years will move into early warning status outlined below.

If a school meets the criteria set forth in this Policy for two consecutive years, the district will be notified of the pattern of offenses on or before August 15 of each year. If notified, the district will develop and submit for approval a school safety plan to the NJDOE on or before September 30 of the same year, which will apply to the respective school year. The school safety plan, which must be completed in the format provided by the NJDOE, will describe how the school will reduce the number of incidents of violence as determined by the EVVR8 SSDS. The NJDOE will provide an early warning school with guidance for its school safety plan, as well as monitor the school’s timely completion of the approved plan. A school receiving an “early warning” notice is not required to provide the transfer option to students.

In the spring of each following year, the NJDOE will reevaluate the school’s progress towards completing its school safety plan and compare the current year’s incidents of violence, as reported on the EVVR8 SSDS, to the criteria for determining PDS. The school will be notified of its status on or before July 31 of the respective year.

A school that no longer meets the criteria for PDS for one school year, the year in which the school safety plan was in effect, will no longer be required to submit a school safety plan.

A school that meets the criteria for PDS for a third consecutive year will be designated persistently dangerous and will be required to submit for approval a corrective action plan on or before September 30 of that year, which will apply to the respective school year and provide the transfer option to students in the school designated as persistently dangerous.
5. Schools Not Receiving ESSA Funds, but Meeting the Criteria for PDS.

School buildings and districts that are not part of a local education agency (LEA) that receives Federal funds under ESSA, but meet any one of the criteria for PDS will be contacted by the NJDOE and be required to develop and submit for approval a school safety plan on or before September 30 of the respective year. The school safety plan must be completed in the format provided by the NJDOE and describe how the school will reduce the number of incidents of violence as determined by the EVVRS SSDS. The NJDOE will provide the school with guidance for its school safety plan, as well as monitor the school's timely completion of the approved plan.

[Optional]

Only required for Regional Day Schools, Special Services School Districts, and Educational Services Commissions:

6. Special Schools Meeting the Criteria for PDS.

Regional Day Schools, Special Services Districts, and Educational Services Commissions that meet the criteria for PDS will not be identified as such, but will be contacted by the NJDOE and required to develop and submit for approval a school safety plan on or before September 30 of the respective year. The school safety plan must be completed in the format provided by the NJDOE and describe how the school will reduce the number of incidents of violence as determined by the EVVRS SSDS. The NJDOE will provide the school with guidance for their school safety plan, as well as monitor the school's timely completion of the approved plans.]

USCO Policy Provision II - Victims of Violent Criminal Offenses

The Unsafe School Choice Option provision under the ESSA requires a student who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary or secondary school that the student attends, be allowed to attend a safe public elementary or secondary school within the district, including a public charter school.
The individual victim provision of this Policy attempts to fulfill the requirement for the school district to provide relief to students who have been victimized, while providing a school with a practical means for making determinations on incidents of victimization that are within the purview of the school district. The individual victim section of this Policy has been crafted to enable school staff to make reasonable determinations and actions regarding this Policy. The Superintendent will consult with the Board attorney and communicate with designated local and/or county law enforcement authorities, per the provisions of the Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials and N.J.A.C. 6A:16-6.2(b)13, on questions and issues that arise in the implementation of the individual victims of violent criminal offenses section of this Policy.

1. Criteria for Determining Victims of Violent Criminal Offenses

The following criteria must be used to determine when an enrolled student has become a victim of a violent criminal offense while in or on the grounds of a public elementary or secondary school that the student attends. These criteria only apply to a student who has become a victim of one or more of the violent criminal offenses enumerated below:

A student is considered a victim of a violent criminal offense when:

a. A referral has been made to law enforcement officials for suspicion that one of the violent criminal offenses enumerated below has occurred; and

b. One or more of the following applies:

   (1) Law enforcement officials have filed formal charges against the offender(s) for commission of the violent crime; or

   (2) The offender(s) has received sanctions in accordance with the Board of Education's Code of Student Conduct; or
(3) The offender(s) either has not been identified or is not an enrolled student(s), but it is clear that the student (victim) has become a victim of a violent criminal offense based on objective indicators such as physical evidence, eyewitness testimony, and/or circumstantial evidence; or

(4) The pre-existence of a restraining order against the offender(s).

2. Procedures and Guidelines

Effective the first day of each school year, the district must be prepared to begin the transfer of any student who chooses to exercise the individual choice option provision. The district must offer, within fourteen calendar days of the incident, an opportunity to transfer to a safe public school within the district to any student who has become a victim of a violent criminal offense while in or on the grounds of a public school that the student attends. While the student must be offered the opportunity to transfer, the student may elect to remain at the school.

To the extent possible, the district will allow any transferring student to transfer to a school that has not been identified as low performing, under the State's ESSA accountability system. In addition, when a transfer school is not available within the district, the district may seek arrangements for a student to transfer to the nearest charter school or neighboring district; however, this is not required. The district may take into account the needs and preferences of the affected student and his or her parent(s). Transfers must occur within thirty days of the determination that the student was a victim of a violent criminal offense.

3. Violent Criminal Offenses

The violent criminal offenses under New Jersey statutes that apply to the individual victim provision of this Policy are identified and explained below. The offenses apply to completed offenses, as
4. Applicable Violent Criminal Offenses

Below is a description of each applicable violent criminal offense that is based upon New Jersey statutes and references to statutory citations that provide complete explanations of each designated offense. The descriptions provided below are not intended to be a complete explanation of each offense or a substitute for the actual provisions of the authorizing statutes. Instead, the descriptions are provided as an aid in facilitating understanding of the general intent and practical applications of the violent criminal offenses that pertain to this Policy.

a. Homicide [N.J.S.A. 2C:11-2] - A student is a victim of a homicide when he or she is the child, sibling or other relative of a decedent, resulting from someone purposely, knowingly or recklessly causing the death of the student's parent, sibling, or relative in or on school grounds.

b. Assault [N.J.S.A. 2C:12-1(A)(1-3) and 2C:12-1(B)(1-4)] - A person is a victim of an assault when the actor: purposely, knowingly, or recklessly causes bodily injury to the victim; negligently, recklessly, knowingly, or purposely causes bodily injury to the victim with a deadly weapon; attempts by physical menace to put the victim in fear of imminent serious bodily injury; or knowingly points a firearm at or in the direction of the victim, whether or not the actor believes it to be loaded.
c. Sexual Assault [N.J.S.A. 2C:14-2] - A student is a victim of a sexual assault when the student is a victim of an act of sexual contact when the victim is less than thirteen years old and the actor is at least four years older than the victim, or the student is a victim of an act of sexual penetration under any of the following circumstances:

(1) The victim is less than thirteen years old.

(2) The victim is at least thirteen, but less than sixteen years old; and the actor is at least four years older than the victim.

(3) The victim is at least sixteen years old, but less than eighteen years old; and the actor has supervisory or disciplinary power over the victim.

(4) The actor uses physical force or coercion.

(5) The victim is one whom the actor knew or should have known was physically helpless, mentally defective, or mentally incapacitated.

d. Bias Intimidation [N.J.S.A. 2C:16-1(A)] - A person is a victim of the crime of bias intimidation when an actor commits, attempts to commit, conspires with another to commit or threatens the immediate commission of an offense specified in Chapters 11 through 18 of Title 2C of the New Jersey Statutes; N.J.S.A. 2C:33-4; N.J.S.A. 2C:39-3; N.J.S.A. 2C:39-4 or N.J.S.A. 2C:39-5 in the following circumstances:

(1) With a purpose to intimidate a victim or a group of specified victims because of race, color, religion, gender, handicap, sexual orientation, or ethnicity; or

(2) Knowing that the conduct constituting the offense would cause a victim or a group of specified victims to be intimidated because of race, color, religion, gender, handicap, sexual orientation, or ethnicity; or
(3) Under circumstances that caused any victim of the underlying offense to be intimidated and the victim, considering the manner in which the offense was committed, reasonably believed either that:

(a) The offense was committed with a purpose to intimidate the victim or any person or entity in whose welfare the victim is interested because of race, color, religion, gender, handicap, sexual orientation, or ethnicity; or

(b) The victim or the victim’s property was selected to be the target of the offense because of race, color, religion, gender, handicap, sexual orientation, or ethnicity.

e. Terroristic Threat [N.J.S.A. 2C:12-3(A) and 2C:12-3(B)] - A person is a victim of a terroristic threat when the actor threatens to commit one of the violent criminal offenses enumerated under this Policy against the victim with the purpose to put the student in imminent fear of one of the violent crimes enumerated in this Policy under circumstances reasonably causing the victim to believe the immediacy of the threat and the likelihood that it will be carried out. The definition of terroristic threat applies to N.J.S.A. 2C:12-3(a) insofar as the threat was directed at a person (victim) or a group of specified individuals (victims).

f. Robbery [N.J.S.A. 2C:15-1] - A person is a victim of a robbery when the actor, in the course of committing a theft, inflicts bodily injury; or uses force upon the victim; threatens the victim with or purposely puts the victim in fear of immediate bodily injury.
g. **Kidnapping** [N.J.S.A. 2C:13-1] - A person is a victim of a kidnapping when the actor unlawfully removes the victim from the school or school grounds; or the actor unlawfully confines the victim with the purpose of holding the victim for ransom or reward as a shield or hostage; or the actor unlawfully removes the victim from the school or school grounds or a substantial distance from where he or she is found in school or on school grounds; or if the actor unlawfully confines a student for a substantial period of time with any of the following purposes: to facilitate commission of a crime or flight thereafter, or to inflict bodily injury on or terrorize the victim.

h. **Arson** [N.J.S.A. 2C:17-1] - A person is a victim of arson when the actor purposely or knowingly starts a fire or causes an explosion in or on the grounds of a school whereby the victim or group of specified victims are in danger of death or bodily injury; or with the purpose of destroying or damaging the victim's or group of specified victim's property that is in the school or on school grounds.

**Miscellaneous Provisions of USCO**

1. **Transfer Time Period – PDS**

   The transfer will be temporary and will be in effect as long as the student's original school is identified as persistently dangerous.

   **[Optional]**

   The transfer may be in effect longer and the district will consider the educational needs of the student, as well as other factors affecting the student's ability to succeed if returned to the transferring school. (i.e. The school district may allow a student to complete his or her education through the highest grade level at the receiving school if the student would otherwise be required to return to their original school.)
2. Charter School Transfer Option

While ESSA permits affected students to be afforded the opportunity to attend a public charter school, in addition to a safe public elementary school or secondary school within the school district, the application of this provision in New Jersey is limited. Transfers to a charter school can only occur as a part of the charter school's "equal opportunity" selection process and among charter schools administered under the same managing authority (i.e., charter schools within the charter school district).

Since charter schools in New Jersey are considered public education agencies (LEA's, pursuant to N.J.S.A. 18A:36A-3, operated independently of a local board of education, transfers may only take place among charter schools within the LEA. Therefore, students may be permitted to transfer to another charter school that is administered under the same managing authority of the charter school, but are not permitted to transfer to a school in the local public school district administered by a local board of education.

However, pursuant to N.J.S.A. 18A:36A-7, a charter school must be open to all students on a space available basis and may not discriminate in its admission policies or practices (although it may establish reasonable criteria to evaluate prospective students), and in accordance with N.J.S.A. 18A:36A-8, if there are more applications to enroll in the charter school than there are spaces available, the charter school must select students to attend using a random selection process for enrollment.

3. Funding Sources for USCO

The USCO statute does not authorize resources specifically to help cover USCO costs associated with transferring a student from a PDS. However, under certain circumstances Federal funds may be used. For example, ESEA Title IV, Part A [Section 4115(b)(2)(E)(v)] may be used to establish safe zones of passage to and from school to ensure that students travel safely on their way to school and on their way home. In addition, ESEA Title IV, Part A [Sections 5121(8) and 5131(12) and (25)] funds may be used to help cover costs such as tuition or transportation related to the USCO or expansion of public school choice.
4. Special Education Students

The district will provide transferred special education students with the program required by the student's Individualized Education Program (IEP).

5. Transfer Schools

In the event there is not another school within the school district for a transferring student, the district

[Optional]

_____ is not required to transfer the student to a school outside the school district.

or

_____ will explore other appropriate options such as an agreement with a neighboring school district to accept transfer students.]

[Optional]

6. The district will offer students the transfer option if they do not meet the criteria for determining victims of violent criminal offenses under the USCO Policy Provision II as one response for providing relief to students whose victimization has affected their safety and ability to learn.]

The district will use the school choice option as one response to incidents of victimization. Additionally, the district will develop and implement appropriate strategies for addressing the circumstances that contribute to or support victimization, as well as consistently and proactively manage individuals who have victimized students. The district will promote the importance of school safety and respond to the needs of students and staff. Pursuant to the law, the district will provide an opportunity for students, parents and school district and law enforcement personnel to discuss methods for keeping schools safe from violence; to create school safety plans; and to recognize students in need of help. The district will organize activities to prevent school violence, including, but not
limited to, age-appropriate opportunities for student discussion on conflict resolution, issues of student diversity and tolerance. Law enforcement personnel will be invited to join members of the teaching staff in the discussions. Programs shall also be provided for school district employees that are designated to help school district employees recognize warning signs of school violence and to instruct school district employees on recommended conduct during an incident of school violence.

In accordance with the provisions of N.J.S.A. 18A:17-46, two times each school year, between September 1 and January 1 and between January 1 and June 30, at a public hearing, the Superintendent shall report to the Board of Education all acts of violence; vandalism; and harassment, intimidation, and bullying which occurred during the previous reporting period.

Title VIII, Part F, Subpart 2, SEC. 8532
Every Student Succeeds Act (ESSA) of 2015
2415.20 EVERY STUDENT SUCCEEDS ACT COMPLAINTS

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 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 (district administrator responsible for ESSA compliance). The (district administrator responsible for ESSA compliance) shall be responsible to coordinate the investigation of the complaint. The (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.

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: 09 June 2010
Revised: 09 September 2015
Revised: 14 April 2021
The Federal Every Student Succeeds Act (ESSA), which reauthorized the Elementary and Secondary Education Act (ESEA), initiated protections for children in foster care that further enhanced the requirements of the Fostering Connections to Success and Increasing Adoptions Act of 2008 (Fostering Connections Act). These provisions require school districts to work with child welfare agencies to ensure the educational stability of children in foster care. New Jersey statutes support and implement Federal legislation and require New Jersey’s child welfare agencies and school districts to collaborate and to keep children placed in foster care in the same school when their living placements change if remaining in that school is in the child’s best interest. The educational stability of children in foster care is the joint responsibility of both the educational and child welfare systems.

The Assistant Superintendent for Administration shall be designated as the Board of Education’s point of contact person for all matters related to the educational stability for children in foster care. The point of contact person for the school district shall not be the same person designated as the school district liaison for the education of homeless children.

For the purpose of this Policy, “child welfare agency” shall be the New Jersey Department of Children and Families.

For the purpose of this Policy, “foster care” means twenty-four hour substitute care for children placed away from their parents and for whom the child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes.

For the purpose of this Policy, “school of origin” is the school district in which the child is enrolled at the time of placement in foster care or the school district of residence as per N.J.S.A. 30:4C-26 and N.J.S.A. 18A:7B-12.

A child in foster care shall remain in his/her school of origin if it is determined to be in the best interest of the child for the duration of time in foster care.
If a student attending the school district in accordance with the provisions of N.J.S.A. 18A:38-1 et seq. is placed in foster care, the school district contact person will collaborate with child welfare agencies to determine whether it is in the child’s best interest to remain in the school district taking into consideration all factors relating to the child’s best interest. These factors shall include the appropriateness of the current educational setting and proximity of placement (ESEA Section 1111(g)(1)(E)(i)). These factors may include, but are not limited to:

1. Preferences of the child;
2. Preferences of the child’s parent(s) or educational decision maker(s);
3. The child’s attachment to the school, including meaningful relationships with staff and peers;
4. The proximity of the resource family home to the child’s present school;
5. The age and grade level of the child as it relates to the other best-interest factors;
6. The needs of the child, including social adjustment and well-being;
7. The child’s performance, continuity of education, and engagement in the school the child presently attends;
8. The child’s special education programming if the child is classified;
9. The point of time in the school year;
10. The child’s permanency goal and likelihood of reunification;
11. The anticipated duration of the placement;
12. Placement of the child’s sibling(s);
13. Influence of the school climate on the child, including safety;

14. The availability and quality of the services in the school to meet the child’s educational and socioemotional needs;

15. History of school transfers and how they have impacted the child;

16. How the length of the commute would impact the child, based on the child’s developmental stage;

17. Whether the child is a student with a disability under the Individuals with Disabilities Act (IDEA) who is receiving special education and related services or a student with a disability under Section 504 who is receiving special education or related aids and services and, if so, the availability of those required services in a school other than the school of origin; and

18. Whether the child is an English language learner (ELL) and is receiving language services, and, if so, the availability of those required services in a school other than the school of origin, consistent with Title VI and the Equal Educational Opportunities Act of 1974 (EEOA).

The school district’s contact person will discuss these factors and will make every effort to gather meaningful input and participation from the relevant parties, including appropriate school personnel, in the best-interest determination.

Eligible students with disabilities retain their right to receive a free appropriate public education in the least restrictive environment. When making a best-interest determination regarding the educational placement of a student with a disability under IDEA and Section 504, the Board must ensure that all required special education and related services are provided in the least restrictive placement where the child’s unique needs, as described in the student’s Individualized Education Program (IEP) or Section 504 Plan, can be met. The school district will identify and assess all potential ELL students and provide all ELL students, including ELL students in foster care, with a language assistance program that is educationally sound and proven successful. When a best-interest determination is made for an ELL student in foster care, the Board of Education will comply with its obligations under Title VI and the EEOA.
To the extent feasible, a child shall remain in his/her school of origin until a final best-interest determination is made. The child welfare agency will notify the school district of origin of the child’s school placement after collaboration with the Board of Education’s point of contact person and after the child’s best-interest determination has been made. If a change of school is recommended by the child welfare agency, the new school shall immediately contact the school of origin to obtain relevant academic and other records of the foster care child. The financial responsibility for the payment of tuition for a foster care child placed outside the school district of origin and attending school outside the school district of origin shall be determined by the Commissioner of Education in accordance with N.J.S.A. 18:7B-12 – Determination of District of Residence.

A foster care child who has been placed in this district and exits foster care during the school year may be permitted to continue in this school district for the remainder of the school year.

In the event there is a disagreement regarding school placement for a child in foster care, the school district will comply with the legal requirements for resolving the dispute. A parent can appeal a best-interest determination whenever the child changes schools.

Children placed in foster care outside the school district of origin, attending a school in that district, will be provided transportation to and from school in accordance with N.J.A.C. 6A:27-6.1 et seq. and the Transportation Policy of that district. The district of origin is financially responsible for transportation costs to and from school.

Children placed in foster care outside the school district of origin, but remaining in a school within the school district of origin, shall receive transportation to and from school on a “cost-efficient” manner and in accordance with Section 475(4)(A) of the Social Security Act for the duration of the time the child is in foster care. The district of origin is financially responsible for transportation costs to and from school.

The cost of transportation shall not be considered when determining the best interest of the child.
Section 475(4)(A) of the Social Security Act provides guidance on “cost-effective” transportation as it relates to the cost of reasonable travel for foster care children placed outside the school district of origin to their school of origin indicating: the child may be dropped off at a bus stop just within the school district of origin to be transported to a school in the district of origin; the school district may offer a public transportation option; the foster care parents or other families may be willing to drive the child to school in the school district of origin; the school district may utilize pre-existing bus routes or stops close to the out-of-district foster care placement that cross school district boundaries; or the foster care child may be eligible for transportation under other Federal or State requirements.

In the event there is a disagreement regarding transportation for a child in foster care, the school district will comply with the New Jersey Department of Education requirements for resolving the dispute. The Board of Education shall provide or arrange for adequate and appropriate transportation for foster care children while any disputes are being resolved.

In all cases regarding student data and records, the Board of Education will comply with all statutory requirements to protect student privacy, including Family Education Rights and Privacy Act (FERPA), and all other privacy requirements under Federal laws, State statutes, and administrative codes.

N.J.S.A. 30:4C-26
New Jersey Department of Education Memorandum dated October 4, 2016 – Ensuring Educational Stability for Children in Foster Care

Adopted: 14 Dec 2016
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: 09 June 2010
Policy 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 adopts this appropriate multidisciplinary team approach 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 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.

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 shall review and assess the effectiveness of the provisions of each intervention and referral services action plan in achieving the outcomes identified in each action plan and modify each action plan to achieve the outcomes, as appropriate.

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; 6A:16-8.3

 Adopted: 09 June 2010
 REVISED: 10 Sept 2014
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 and Director of Special Education are 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: 61 W Landis Ave
              Vineland, NJ 08360

Telephone: 856-794-6700

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: 12 April 2017
2421 VOCATIONAL-TECHNICAL EDUCATION

The Board of Education provides a program(s) of vocational-technical education. The purpose of the vocational-technical education program is to develop the academic, vocational, and technical skills of pupils who elect to enroll in vocational-technical education programs preparing the pupils for career preparation, gainful employment, lifelong learning, training supplemental to daily employment, and productive citizenship.

The Board provides a program of vocational-technical education with pupils guaranteed the right to apply and, if accepted, to attend a county vocational school. The district will provide county vocational school representatives a reasonable opportunity, during school hours, to present information about the county vocational school program to pupils in grades six through twelve.

All pupils participating in vocational-technical education programs within this district or in shared-time vocational-technical programs are considered to be regularly enrolled in the schools of this district and are subject to the policies and rules of this Board. No pupil shall be denied admission or participation in any vocational-technical education programs due to race, color, creed, religion, national origin, ancestry, age, marital status, sexual orientation, gender, social or economic status, or disability.

The district will comply with the general program requirements for vocational-technical education as defined in N.J.A.C. 6A:19-5.2 et seq. Pupils participating in part-time school and part-time employment vocational-technical programs will not be exploited, illegally employed, or employed under conditions that fail to safeguard the pupil’s health and interest. These pupils shall receive wages commensurate with wages paid to other employees for similar work and shall be protected by provisions of the Worker’s Compensation Act and any other acts of the State pertaining to such training and employment.

The Superintendent shall develop regulations that ensure vocational-technical education programs established in the district are conducted within the framework of the State’s Plan for Vocational and Technical Education approved by the New Jersey State Board of Education and accepted by the United States Department of Education.

The Superintendent shall seek and utilize all available federal, State, and private sources of revenue for the financial support of vocational-technical education programs in the district.

N.J.A.C. 6A:19-1.1 et seq.

 Adopted: 09 June 2010
2422 HEALTH AND PHYSICAL EDUCATION

The Board of Education requires all students to participate in a comprehensive, sequential, health and physical education program aligned with the New Jersey Student Learning Standards (NJSLS) that emphasizes the natural interdisciplinary connection between wellness and health and physical education. The primary focus of the NJSLS is the development of knowledge and skills that influence healthy behaviors within the context of self, family, school, and the local and global community.

The NJSLS incorporate New Jersey statutes related to health and well-being of students in New Jersey schools. The following statutes incorporated into the NJSLS include, but are not limited to, the following requirements:


8. Health, Safety, and Physical Education (N.J.S.A. 18A:35) 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.

10. Lyme Disease Prevention (N.J.S.A. 18A:35-5.1 through 5.3) requires the development of Lyme Disease curriculum guidelines and training to all teaching staff members who instruct students with Lyme Disease.

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.


17. Other Statutory or Administrative Codes. The Board will incorporate into its health and physical education curriculum any other requirements of the NJSLS in Comprehensive Health and Physical Education.
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 his/her 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 of Education 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 of Education 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 mean 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 for Comprehensive Health and Physical Education and all related curriculum/course guides and instructional material shall be available for public inspection in each school.


 Adopted: 09 June 2010
 Revised: 03 April 2019
2423 BILINGUAL AND ESL EDUCATION

The Board of Education will provide programs of bilingual education, English as a second language (ESL), and English language services for English language learners (ELLs) as required by law and rules of the State Board of Education. ELLs are those students whose native language is other than English and who have varying degrees of English language proficiency in any one of the domains of speaking, reading, writing, or listening and is synonymous with limited English speaking ability pursuant to N.J.S.A. 18:35-15 to 26.

Identification of ELLs

The Board will conduct a screening process to determine the native language of each ELL at the time of enrollment in the school district. A census shall be maintained of all identified students whose native language is other than English. The English language proficiency of each student whose native language is not English shall be determined by a screening process that includes the administration of a New Jersey Department of Education-approved English language proficiency test, an assessment of the student's level of reading in English, a review of the student's previous academic performance, including their performance on standardized tests in English, and a review of the input of teaching staff members responsible for the educational program for ELLs.

Program Implementation

The district shall provide the following programs:

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

2. An ESL program that provides at least one period of ESL instruction based on student language proficiency whenever there are ten or more ELLs enrolled in the school district; and
POLICY

VINELAND
BOARD OF EDUCATION

PROGRAM
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Bilingual and ESL Education

3. A bilingual education program whenever there are twenty or more ELLs in any one-language classification enrolled in the school district pursuant to N.J.S.A. 18A:35-18. Where the age range, grade span, and/or geographical location of eligible students makes a full-time bilingual program impractical, the Board may annually offer an instructional program alternative, provided a waiver for the alternative program has been requested and approval has been granted by the Department of Education. The Board may establish a program in bilingual education for any language classification with fewer than twenty students.

All teachers in these programs shall be appropriately certified in accordance with the requirements as outlined in N.J.A.C. 6A:15-1.9. Every student participating in a bilingual, ESL, or English language services program shall be entitled to continue such participation for a period of three years pursuant to N.J.S.A. 18A:35-19.

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

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

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

Newly exited students who are not progressing in the mainstream English program may be considered for re-entry to bilingual and ESL programs in accordance with the provisions of N.J.A.C. 6A:15-1.10(e1 through (e)5.

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

Parental Involvement

The parents of ELLs will be notified in accordance with the provisions of N.J.A.C. 6A:15-1.13 that their child has been identified as eligible for enrollment in a bilingual, ESL, or English language services program. Notice shall be in writing and in the language in which the parent(s) possesses a primary speaking ability, and in English. The notice must also include a statement that the parents have the option of declining their child’s enrollment in a bilingual program, and shall be given an opportunity to do so if they choose.
The district will notify the parents of ELLs by mail within thirty days of the child’s identification. Parents shall receive progress reports of students enrolled in bilingual, ESL, or English language services programs in the same manner and frequency as progress reports are sent to parents of other students enrolled in the district.

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

Graduation

ELLs will qualify for graduation from high school in accordance with N.J.A.C. 6A:8-5.1(a) and Policy 5460.

Program Plan

The Superintendent shall prepare and submit a plan for a bilingual, ESL, or English language services program every three years to the Board and the New Jersey Department of Education for approval in accordance with the provisions of N.J.A.C. 6A:15-1.6.

N.J.A.C. 6A:15-1.1 et seq.

 Adopted: 09 June 2010
Revised: 08 June 2011
REVISED: 10 August 2016
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 Kindergarten through twelve. 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 except that where eligibility requirements specific to an organization are necessary or desirable, the Board shall be so informed and must approve the establishment of such eligibility standards before they may be operable.

The Board will not permit the organization of a fraternity, sorority, or secret society.
A pupil in grades nine through twelve is ineligible for participation in co-curricular activities if he/she has:

1. Demonstrated unsatisfactory attendance by having absences in excess of twelve days;
2. Failed to maintain the standards for promotion for each grade;
3. Failed a course required for promotion or graduation in the preceding semester; or
4. Received a notice of warning of failure in a course required for promotion or graduation in the current semester.

Notwithstanding these standards, a pupil who has commenced preparation for participation in a public performance of a concert, recital, drama, debate or the like may continue to participate until the pupil has completed the performance.

No pupil who has been absent for a school day may participate in a co-curricular activity scheduled for the afternoon or evening of that school day.

The Board may permit pupils who reside in this district and who are not enrolled in the public school to participate in noncompetitive co-curricular activities on a space-available basis. Participants will be permitted only on written application and the applicant's assurances that the pupil agrees to be bound by the policies, rules, and regulations of this district.

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.

Pupils and teachers are encouraged to form clubs and other groups which will enrich and extend the educational experiences of the pupil. The following procedures shall be followed in the creation and operation of clubs and organizations:

1. Before it can be recognized as a school group and be given use of school time and facilities, the club must be approved by the Principal.
2. Membership must be open to all pupils except where the purpose of the club requires qualifications (a French Club, for instance).
3. The club must have a faculty sponsor or advisor selected and approved by the Board of Education and club activities will not be permitted until a faculty sponsor has been selected.
4. Clearly, improper purposes and activities, in the opinion of the Principal and/or sponsor, are not permitted and if persisted in, will be cause for withdrawing official approval of the group.

5. School groups, either continuing or ad hoc, are not permitted to use the school name in participating in public demonstrations or other activities outside the school unless prior permission has been granted by the Principal.

6. Interference with school discipline shall result in the limiting of the organization’s activity or in withdrawal of official approval.

7. Failure of a club or group to abide by the terms under which it was approved or because its activities present a clear threat to the safety and welfare of the school shall result in withdrawal of official approval.


Adopted: 09 June 2010
2431 ATHLETIC COMPETITION

The Board of Education recognizes the value of athletic competition as an integral part of the school experience. Sports and other athletic activities provide opportunities to learn the values of competition and good sportsmanship.

For the purpose of this Policy, programs of athletic competition include all activities relating to competitive sports contests, games, events, or sports exhibitions involving individual students or teams of students when such events occur within or between schools within this district or with any schools outside this district. The programs of athletic competition shall include, but are not limited to, 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.

Eligibility Standards

A student who wishes to participate in a program of athletic competition must submit, on a form provided by the district, the signed consent of his/her parent. The consent of the parent of a student who wishes to participate in a program of athletic competition will include an acknowledgment of the physical hazards that may be encountered in the activity in accordance with N.J.A.C. 6A:32-9.1(d) and (e).

Student participation in a program of athletic competition shall be governed by the following eligibility standards:
[For School Districts with High School Students and NJSIAA Athletics]

1. To be eligible for participation in the interscholastic athletic program of a New Jersey State Interscholastic Athletic Association (NJSIAA) member school, all high school students must meet, at a minimum, all the eligibility requirements of the Constitution, Bylaws, and Rules and Regulations of the NJSIAA.

[Home School Options for High School Students and NJSIAA Athletics]

_____ Home schooled children are not eligible to participate in the high school interscholastic athletic program of this district.

____ X ____ Home schooled children are eligible to participate in the high school interscholastic athletic program of this district only if the school district, the parent, and the home schooled child comply with the Guidelines, Constitution, Bylaws, Rules and Regulations of NJSIAA, and the policies and regulations of the Board of Education.

[Options for School Districts with Elementary and Middle School Students]

2. _____ A student in grades _______ through _______ is eligible for participation in school district sponsored programs of athletic competition if he/she passed all courses required for promotion or graduation in the preceding _____ (semester, marking period, or other).

_____ A student in grades _______ through _______ is eligible for participation in school district sponsored programs of athletic competition if he/she ________________________________

______________________________________________

________________________________________________

____ X ____ Home schooled children in grades _____ through _____ are (____ X ___ eligible ___ not eligible) to participate in school district sponsored programs of athletic competition of this district.]
[Options for All Students]

3. **X** A student in any grade must maintain a satisfactory record of attendance to be eligible for participation in school district sponsored programs of athletic competition. An attendance record is unsatisfactory if the number of unexcused absences exceed 12 school days or 12 tardiness in the (180 school year 45 marking period 4 semester __ other ________________ ) prior to the student commencing participation in school district sponsored programs of athletic competition.

   ___ A student who is absent (___ with an excused absence ___ with an unexcused absence) for a school day may not participate in school district sponsored programs of athletic competition the afternoon or evening of that school day.

   ___ A student who is serving an (___ in-school ___ out-of-school ___ in-school or out-of-school) suspension may not participate in school district sponsored programs of athletic competition while serving the suspension.]

[Optional]

4. A student in any grade who fails to observe school rules for student conduct may forfeit his/her eligibility for participation in school district sponsored programs of athletic competition.]

Notice of the school district’s eligibility requirements shall be available to students.

Required Examinations – Interscholastic or Intramural Team or Squad

Students enrolled in grades six to twelve must receive a medical examination, in accordance with the provisions of N.J.S.A. 18A:40-41.7, prior to participation on a school-sponsored interscholastic or intramural team or squad and any cheerleading program or activity.
The examination shall be conducted within 365 days prior to the first day of official practice in an athletic season with examinations being conducted at the medical home of the student. The “medical home” is defined as a health care provider and that provider’s practice site chosen by the student’s parent for the provision of health care pursuant to N.J.A.C. 6A:16-1.3. If a student does not have a medical home, the school district shall provide the examination at the school physician’s office or other comparably equipped facility. The parent may choose either the school physician or their own private physician to provide this medical examination. The medical examination required prior to participation shall be in accordance with the requirements as outlined in N.J.A.C. 6A:16-2.2(h)1 and Regulation 2431.2 and shall be documented using the Preparticipation Physical Evaluation form required by the Department of Education.

The school district shall distribute the Commissioner of Education developed sudden cardiac arrest pamphlet to a student participating in or desiring to participate in an athletic activity, as defined in N.J.S.A. 18A:40-41.e., and the student’s parent(s) shall each year and prior to participation by the student in an athletic activity comply with the requirements of N.J.S.A. 18A:40-41.d.

The school district shall annually distribute the Commissioner of Education developed educational fact sheet relative to use and misuse of opioid drugs for sports related injuries to parents of students who participate in athletic activities and comply with the requirements of N.J.S.A. 18A:40-41.10.

Information concerning a student’s HIV/AIDS status shall not be required as part of the medical examination or health history pursuant to N.J.S.A. 26:5C-1 et seq. The health findings of this medical examination shall be maintained as part of the student’s health record.

Emergency Procedures

Athletic coaches shall be trained in first aid to include sports-related concussion and head injuries, the use of a defibrillator, the identification of student-athletes who are injured or disabled in the course of any athletic program or activity, and any other first aid procedures or other health related trainings required by law or the Superintendent.
[Required for School Districts with any of the Grades Six through Twelve

The Superintendent or designee shall establish and implement an emergency action plan for responding to a serious or potentially life-threatening sports-related injury in accordance with N.J.S.A. 18A:40-41.11. The plan shall document the proper procedures to be followed when a student sustains a serious injury while participating in sports or other athletic activity in accordance with N.J.S.A. 18A:40-41.11.

The emergency action plan shall be reviewed annually and updated as necessary. The plan shall be rehearsed annually in each school by the individuals who will be responsible for executing the plan in an emergency pursuant to N.J.S.A. 18A:40-41.11.]

The Superintendent or designee shall prepare procedures for responding to a non-serious or non-life-threatening injury sustained by a student while participating in sports or other athletic activity. These procedures shall be reviewed annually, updated as necessary, and disseminated to appropriate staff members.

Interscholastic Standards

The Board shall approve annually a program of interscholastic athletics and shall require that all facilities utilized in that program, whether or not the property of this Board, properly safeguard both players and spectators and are kept free from hazardous conditions.

The Board adopts the Constitution, Bylaws, Rules, and Regulations of the New Jersey State Interscholastic Athletic Association as Board policy and shall review such rules on a regular basis to ascertain they continue to be in conformity with the objectives of this Board.
[For School Districts with High School Students and NJSIAA Athletics]

The Superintendent shall annually prepare, approve, and present to the Board for its consideration a program of interscholastic athletics that includes a complete schedule of athletic events.

[District may choose one of the following options if above is included:

   X   and may inform the Board of changes in that schedule.

   ___ and shall request Board approval of any changes in the schedule.]

N.J.S.A. 2C:21-11
N.J.A.C. 6A:7-1.7(d); 6A:16-1.3; 6A:16-2.1 et seq.; 6A:32-9.1

Adopted: 09 June 2010
REVISED: 18 July 2012
REVISED: 16 Jan 2013
REVISED: 13 March 2013
REVISED: 13 May 2015
REVISED: 06 July 2016
REVISED: 11 July 2018
REVISED: 9 December 2020
2431.3 PRACTICE AND PRE-SEASON HEAT-ACCLIMATION FOR SCHOOL-SPONSORED ATHLETICS AND EXTRA-CURRICULAR ACTIVITIES

The Board of Education adopt this Policy as a measure to protect the safety, health, and welfare of students participating in school-sponsored athletic programs and extra-curricular activities. The Board believes practice and pre-season heat-acclimation guidelines for students will minimize injury and enhance a student’s health, performance, and well-being.

[Select One Option Below]

Therefore, the Superintendent of Schools or designee shall oversee the development and approval of a practice and pre-season heat-acclimation procedure and ensure the implementation of the procedure for students participating in all school-sponsored athletic programs and extra-curricular activities during warm weather months.

Therefore, the Board of Education requires the implementation of the practice and pre-season heat-acclimation procedures as recommended by the New Jersey State Interscholastic Athletic Association (NJSIAA) for students participating in all school-sponsored athletic programs and extra-curricular activities during warm weather months. The Superintendent of Schools or designee shall ensure the implementation of the practice and Pre-Season Heat-Acclimation Procedures.

The Superintendent of Schools or designee may reduce practice times or adjust other provisions that would reduce a student’s exertion if weather and/or temperature warrant such action.

This Policy and the school district’s practice and pre-season heat-acclimation procedure shall be approved by the school district’s physician prior to implementation.

Adopted: 10 July 2019
A concussion is a traumatic brain injury caused by a direct or indirect blow to the head or body. In order to ensure the safety of pupils that participate in interscholastic athletics and cheerleading programs, it is imperative that student-athletes, cheerleaders, coaches, and parents are educated about the nature and treatment of sports-related concussions and other head injuries. Allowing a student-athlete or cheerleader to return to play before recovering from a concussion increases the chance of a more serious brain injury.

Every school district that participates in interscholastic athletics or cheerleading programs is required to adopt a policy concerning the prevention and treatment of sports-related concussions and other head injuries among student-athletes and cheerleaders in accordance with the provisions of N.J.S.A. 18A:40-41.1 et seq. For the purpose of this Policy, "interscholastic athletics" shall be Kindergarten through twelfth grade school-sponsored athletic programs where teams or individuals compete against teams or individuals from other schools or school districts. For the purpose of this Policy, "cheerleading program" shall be Kindergarten through twelfth grade school-sponsored cheerleading programs.

The school district will adopt an Interscholastic Athletic and Cheerleading Head Injury Training Program to be completed by the team or school physician, licensed athletic trainer(s) involved in the interscholastic athletic program, all staff members that coach an interscholastic sport or cheerleading program, designated school nurses, and other appropriate school district personnel as designated by the Superintendent. This Training Program shall be in accordance with guidance provided by the New Jersey Department of Education and the requirements of N.J.S.A. 18A:40-41.2.

The Principal or designee shall distribute the New Jersey Department of Education Concussion and Head Injury Fact Sheet and Parent/Guardian Acknowledgement Form to every student-athlete who participates in interscholastic sports and every cheerleader who participates in a cheerleading program. The Principal or designee shall obtain a signed acknowledgement of the receipt of the Fact Sheet by the student-athlete or cheerleader's parent and keep on file for future reference.

Prevention of a sports-related concussion and head injuries is an important component of the school district's program. The school district may require pre-season baseline testing of all student-athletes and cheerleaders before the pupil begins participation in an interscholastic athletic or cheerleading program.

Any student-athlete or cheerleader who exhibits the signs or symptoms of a sports-related concussion or other head injury during practice or competition shall be immediately removed from play and may not return to play that day. Emergency medical assistance shall be contacted when symptoms get worse, loss of consciousness, direct neck pain associated with the injury, or any other sign the supervising school staff member determines emergency medical attention is needed. If available when the student-athlete or cheerleader is exhibiting signs or symptoms, the pupil will be evaluated by the school or team physician. The Principal or designee shall contact the pupil’s parent and inform the parent of the suspected sports-related concussion or other head injury.
Possible signs of a concussion can be observed by any school staff member or the school or team physician. Any possible symptoms of a concussion can be reported by the student-athlete or cheerleader to: coaches; licensed athletic trainer; school or team physician; school nurse; and/or parent. The Principal or designee shall provide the student-athlete or cheerleader with Board of Education approved suggestions for management/medical checklist to provide to their parent and physician or other licensed healthcare professional trained in the evaluation and management of sports-related concussions and other head injuries.

A student-athlete or cheerleader who participates in interscholastic athletics or a cheerleader program and who sustains or is suspected of sustaining a concussion or other head injury shall be required to have a medical examination conducted by their physician or licensed health care provider. The pupil’s physician or licensed health care provider shall be trained in the evaluation and management of concussion to determine the presence or absence of a sports-related concussion or head injury.

The pupil’s physician or licensed health care provider must provide to the school district a written medical release/clearance for the pupil indicating when the pupil is able to return to the activity. The medical release/clearance must indicate the student-athlete or cheerleader is asymptomatic at rest and either may return to the interscholastic athletic activity or cheerleading program because the injury was not a concussion or other head injury or may begin the district's graduated return to competition and practice protocol outlined in Regulation 2431.4. A medical release/clearance not in compliance with this Policy will not be accepted. The medical release/clearance must be reviewed and approved by the school or team physician.

The school district shall provide a copy of this Policy and Regulation 2431.4 to all youth sports team organizations that operate on school grounds. In accordance with the provisions of N.J.S.A. 18A:40-41.5, the school district shall not be liable for the injury or death of a person due to the action or inaction of persons employed by, or under contract with, a youth sports team organization that operates on school grounds, if the youth sports team organization provides the school district proof of an insurance policy in the amount of not less than $50,000 per person, per occurrence insuring the youth sports team organization against liability for any bodily injury suffered by a person and a statement of compliance with the school district's Policy and Regulation 2431.4 - Prevention and Treatment of Sports-Related Concussions and Head Injuries.

For the purposes of this Policy a "youth sports team organization" means one or more sports teams organized pursuant to a nonprofit or similar charter or which are member teams in a league organized by or affiliated with a county or municipal recreation department.

This Policy and Regulation shall be reviewed and approved by the school physician and shall be reviewed annually, and updated as necessary, to ensure it reflects the most current information available on the prevention, risk, and treatment of sports-related concussion and other head injuries.


Adopted: 14 Sept. 2011
REVISED: 16 Jan. 2013
[Required for School Districts with any of the Grades 9-12]

2431.8 VARSITY LETTERS FOR INTERSCHOLASTIC EXTRACURRICULAR ACTIVITIES

In accordance with the provisions of N.J.S.A. 18A:42-7, a school district that includes any of the grades nine through twelve shall adopt a policy to provide a student enrolled in those grades who participates in any school-sponsored, interscholastic extracurricular activity that includes competitions in which the student competes against students enrolled in schools outside of the school district may be eligible to earn a varsity letter awarded by the school district.

The Board of Education, upon the recommendation of the Superintendent of Schools, shall approve the school-sponsored, interscholastic extracurricular activities that include competitions in which students compete against other students enrolled in schools outside of the school district. The criteria for a student to earn a varsity letter in the school-sponsored, interscholastic extracurricular activity shall be approved by the Superintendent or designee.

Nothing in N.J.S.A. 18A:42-7 or this Policy shall be construed to require the school district to award varsity letters or to establish any school-sponsored, interscholastic extracurricular activity.


Adopted: 11 July 2018
2432 SCHOOL SPONSORED PUBLICATIONS

The Board of Education permits and encourages the preparation and distribution of school sponsored publications under staff direction in order that pupils learn the rights and responsibilities of the press in a free society.

No school sponsored publication may contain materials that:

1. Are grossly prejudicial to an ethnic, national, religious, or racial group or to either gender;

2. Libel any person or persons;

3. Infringe rights of privacy protected by law or regulation;

4. Seek to establish the supremacy of a particular religious denomination, sect, or point of view over any other;

5. Advocate the use or advertise the availability of any substance or material that constitutes a direct and substantial danger to the health of pupils;

6. Contain obscenity or material otherwise deemed to be harmful to impressionable pupils;

7. Incite violence, advocate the use of force, or urge the violation of law or school regulations;

8. Advertise goods or services for the benefit of profit-making organizations;

9. Solicit funds for non-school organizations when such solicitations have not been approved by the Board;

10. Promote, favor or oppose any candidate for election to the Board or the adoption of any bond issue, proposal, or question submitted at any school election; or

11. Except as may be required for literary purposes, do not conform to acceptable standards of grammar, clear expression, and responsible research.

Issues on which opposing points of view have been responsibly promoted may be introduced in a school sponsored publication provided that all proponents are given an equal opportunity to present their views.
In order to ascertain that school sponsored publications do not violate the standards established by this policy, the Board requires that each publication be submitted to the Principal for review in advance of its distribution. A publication that contains material in violation of this policy may not be distributed.

Where the Principal cannot show, within two school days, that the publication violates the prohibitions of this policy, the publication must be released for distribution. The Principal's determination, if any, that the publication violates this policy must be supported by references to specific material in the publication. Material cannot be censored merely because it is personally offensive to the reviewer or may tend to embarrass the Board. Pupils must be offered the opportunity to modify or delete any material that violates this policy.

The Board requires that the distribution of school publications take place only at the places and during the times established by regulation in order that the instructional program is not disrupted.

N.J.S.A. 2C:34-3

Adopted: 09 June 2010
2435 - NJSIAA RANDOM TESTING FOR INTERSCHOLASTIC ATHLETICS

The Board of Education recognizes the use of harmful performance enhancing substances seriously threatens the health, safety, and welfare of pupil-athletes that participate in interscholastic athletics. This district’s secondary school is a member of the New Jersey State Interscholastic Athletic Association (NJSIAA). It is a violation of NJSIAA’s sportsmanship rule for any pupil-athlete to possess, ingest, or otherwise use any substance on NJSIAA’s list of banned substances, without written prescription by a fully licensed physician, recognized by the American Medical Association, to treat a specific medical condition. Therefore, NJSIAA, in accordance with Executive Order 72, will test a random selection of pupil-athletes who have qualified, as individuals or as members of a team, for NJSIAA sanctioned State championship competition.

The list of banned substances, for the purposes of this Policy, shall be prepared and published by NJSIAA. Before participating in interscholastic sports, the pupil-athlete and their parent or guardian shall consent to random testing in accordance with NJSIAA’s Steroid Testing Policy by completing and submitting to the school district NJSIAA’s Consent To Random Testing Form. NJSIAA’s list of banned substances shall be attached to the consent form and the consent form must be signed each school year. The failure to sign the consent form shall render the pupil-athlete ineligible to participate in all interscholastic sports until the form is signed. The signed Consent To Random Testing Forms shall be maintained in the Building Principal’s office.

Pupil-athletes will be selected to be tested on a random basis from all athletes participating in championship competition in accordance with NJSIAA procedures. The test will analyze a urine sample. The methodology for taking and handling samples shall be in accordance with current legal standards and tests shall be administered by a certified laboratory designated by NJSIAA. No test shall be considered a positive result unless the approved laboratory reports a positive result and NJSIAA’s medical review officer confirms there was no medical reason for the positive result. The sample will be split when taken and shall be available in the event of an appeal. A positive test result may be appealed in accordance with NJSIAA’s appeal procedures. Results of all tests shall be considered confidential and shall only be disclosed to the individual, his or her parent(s) or legal guardian(s), and his or her school.
It is NJSIAA’s Policy that any person who tests positive in an NJSIAA administered test, or any person who refuses to provide a testing sample when identified, or any person who reports his or her own violation, shall immediately forfeit his or her eligibility to participate in NJSIAA competition for a period of one year from the date of the test. Any such person shall also forfeit any individual honor earned while in violation. No person who tests positive, refuses to provide a sample, or who reports his or own violation shall resume eligibility until he or she has undergone counseling and produced a negative test result. NJSIAA’s Policy shall not prevent the school district from disciplining a pupil for violating the district’s substance abuse policies or practices and a violation of a school district’s testing program will not be reported to NJSIAA.

NJSIAA’s Executive Committee shall annually compile and report the results of the Steroid Testing Policy and determine whether the Policy shall be renewed or discontinued.

New Jersey Executive Order 72, signed December 20, 2005

Adopted: 09 June 2010
Policy 2440 – Summer Session

The Board of Education may conduct a summer session. A summer session must be approved by the Board of Education and the Executive County Superintendent of schools and may include:

1. Remedial courses for pupils who wish to retake a course or subject previously taken and for which credits or placement may be awarded upon successful completion;

2. Advanced courses for pupils who wish to take a course or subject not previously taken in an approved school district program and for which additional credits or advanced placement may be awarded upon successful completion of the course; and

3. Enrichment courses for pupils who wish to take a course or subject of avocational interest and for which no credits are to be awarded.

The Superintendent of Schools will develop a summer session program and submit the proposed program to the Board for approval. The proposed program shall include the details of the summer session including, but not limited to, a list of the courses or programs offered, the hours of operation, the school(s) where the summer session(s) will be operating, any tuition fees to be charged in accordance with the provisions of N.J.A.C. 6A:32-10.3, and projected cost of operation.

A pupil will be enrolled in a remedial course only on the written recommendation of the Principal of the school the pupil regularly attends. The recommendation shall state the name of the subject(s) which the pupil may take and the purpose for each. A pupil previously retained at grade level may be promoted on successful completion of a required remedial course, but no pupil shall be required to attend summer school.

In accordance with the provisions of N.J.A.C. 6A:32-10.3, tuition may be charged to nonresident pupils enrolled in a summer session course and to resident pupils enrolled in enrichment courses which carry no credit and are determined by the Executive County Superintendent to have no direct relationship to the curriculum. Tuition shall not be charged to pupils domiciled within the district for enrollment in remedial or advanced courses.

The Superintendent shall develop regulations for the summer session that include provisions for appropriate planning, proper staffing, pupil assignments, pupil evaluation, pupil records, award of credit, grade placement, and the utilization of facilities. Such regulations for the operation of the summer session shall be consistent with rules of the State Board of Education and Board policies. The operation of the summer session shall not conflict in any way with the administration of the regular school sessions of this district.

N.J.A.C. 6A:32-10.1; 6A:32-10.2; 6A:32-10.3; 6A:32-10.4; 6A:32-10.5

Adopted: 09 June 2010
REVISED: 08 June 2011
[See POLICY ALERT Nos. 102, 134, 153 and 221]

2451  **ADULT HIGH SCHOOL**

The Board of Education may determine a need exists in the community for the provision of educational services that will enable out-of-school adults to qualify for a State-endorsed high school diploma issued by the Board. The purpose of this program is to provide comprehensive life-long learning opportunities for adults. Accordingly, the Board may establish and implement a State-approved adult high school in accordance with rules of the State Board of Education.

The Board of Education may open and operate an adult high school, which shall offer adults opportunity, accessibility, and flexibility while maintaining high standards inherent in the awarding of a high school diploma pursuant to N.J.S.A. 18A:49-1 et seq., 18A:50-1 et seq., and 18A:50A-1 et seq. Courses shall be sufficiently varied for meeting the educational needs of adults and shall be designed to challenge participants to achieve their highest level of educational ability.

An educational plan shall be developed for each student in the district’s adult high school program reflecting the student’s past academic record, an analysis of past experiences for which credit may be awarded, graduation requirements, and a proposed schedule of courses for the current school year leading to completion of graduation requirements.

**Eligibility for Enrollment** (N.J.A.C. 6A:20-2.2)

To qualify for enrollment in the adult high school, a person shall:

1. Be a New Jersey resident;
2. Meet the age and out-of-school requirement at N.J.A.C. 6A:20-1.3;
a. A person enrolled in secondary school with senior standing who lacks an opportunity to take at his or her secondary school courses that are available in an adult high school shall be exempt from the out-of-school requirement provisions of N.J.A.C. 6A:20-1.3, provided the Superintendents of both the sending and receiving school districts approve in a written joint agreement the participation of such a person on a space-available basis in an adult high school. The written approval shall explicitly state the course(s) to be taken and the time frame covered by the agreement. Tuition established by the receiving school district on a cost-recovery basis may be charged to the sending school district for persons enrolled under this exception.

3. Have not earned a locally issued, State-endorsed high school diploma;

   a. Persons holding locally issued high school diplomas may enroll in an adult high school on a space-available basis for the express purpose of supplementing their high school record. Tuition established by the host school district on a cost-recovery basis may be charged to persons enrolling under this exception; and

4. Complete and sign an application for enrollment including a statement of responsibilities.

Adults with Special Needs (N.J.A.C. 6A:20-2.3)

Limited English proficient adults shall be required to demonstrate language fluency on a State-approved English proficiency assessment at a score level determined by the State Board of Education in accordance to N.J.A.C. 6A:20-2.3(a).

For an adult with previous experience in a special education program now seeking similar services at an adult high school, the Principal of the adult high school shall request, with the concurrence of the adult, the most recent evaluation and individualized educational plan (IEP) for the adult from the high school of last attendance, provided the evaluation was made within the last three years pursuant to N.J.A.C. 6A:20-2.3(b).
1. The Principal shall review the IEP to determine the services required by the plan and also the availability of such services at the adult high school.

   a. If the IEP can be carried out, it shall serve as the instructional guide for the adult.

   b. If the Principal determines the IEP cannot be carried out, the Principal shall promptly refer the adult to the nearest adult high school with staff available to offer the special services required in the IEP or to appropriate county or State agencies or institutions with resources and personnel able to serve the special needs of the adult.

2. If the evaluation was made more than three years prior to application to the adult high school, the IEP may not serve as a guide for the adult’s instructional program at the adult high school.

Disabled adults without previous experience in a special education program or individuals with IEPs that have been issued more than three years prior to their application to the adult high school shall be counseled regarding educational options that would lead to high school graduation and shall be served to the maximum extent appropriate to the needs of the disabled adult within the capability of the program to provide such services in accordance to N.J.A.C. 6A:2.3(c).

Graduation Requirements (N.J.A.C. 6A:20-2.4)

Adult high school students must pass the Statewide assessment test for graduation. When an adult is unable to pass the Statewide assessment test, there shall be further evaluation through the Alternative High School Assessment pursuant to N.J.A.C. 6A:8, Standards and Assessments. When limited English proficient adults are unable to pass the Statewide assessment test, they shall be further evaluated through the Alternative High School Assessment pursuant to N.J.A.C. 6A:8 and shall demonstrate English language fluency on a State-approved English proficiency assessment as a requirement for graduation.

When operating an adult high school, the Board shall meet the requirements for high school graduation pursuant to N.J.A.C. 6A:8-5 and Policy 5460.
The staff of the adult high school shall distribute to each entering adult a copy of all State and local adult high school graduation requirements. At the beginning of each course, all adults shall receive a list of proficiencies required for the successful completion of the course.

Successful completion of the requirements as outlined in N.J.A.C. 6A:20-2.4(a) and (b) and those established by the Board of Education shall be required as conditions for awarding a locally issued, State-endorsed diploma.

The Board shall not issue an adult high school diploma without State approval of the adult high school program and without signed verifications for all credit awarded for experience and an official transcript(s) being on file.

Award of Credit (N.J.A.C. 6A:20-2.5)

A Board of Education operating an adult high school shall annually adopt at a public meeting policies that provide for the awarding of credit, subject to the provisions outlined in N.J.A.C. 6A:20-2.5(a)1. through 6A:20-2.5(a)12.

Awarding of Credit for Foreign Students (N.J.A.C. 6A:20-2.6)

Credit for the equivalent of American secondary school studies experienced in a foreign country shall be reviewed by a recognized foreign credential evaluation expert or service following an evaluation of transcript(s) presented by the adult. The cost of such review shall be borne by the adult student.

Maintaining Student Records (N.J.A.C. 6A:20-2.7)

The adult high school program shall have the responsibility to compile, maintain, and retain student records, including daily attendance records, and to regulate access to and security of such records.

Attendance records will be compiled and maintained in accordance with Board Policy No. 9330 and State Board of Education rules governing student records and with law and State Board of Education rules governing financial records.
Staffing (N.J.A.C. 6A:20-2.8)

Pursuant to N.J.A.C. 6A:20-2.8, the adult high school shall have an adequate number of professional staff, properly certified for their respective assignments; however, persons involved in adult advisement shall be certified as either a Principal, supervisor, counselor, or teacher. The Board of Education shall assign to professional staff members only position titles recognized in N.J.A.C. 6A:9B, State Board of Examiners and Certification.

Special Conditions (N.J.A.C. 6A:20-2.9)

The rules set forth elsewhere in N.J.A.C. 6A governing the operation of a high school within a school district shall govern the operation of an adult high school unless otherwise explicitly stated in this Policy pursuant to N.J.A.C. 6A:20-2.

Monitoring (N.J.A.C. 6A:20-2.10)

Staff of the New Jersey Department of Education’s Adult Education Unit shall monitor the adult high school program pursuant to the monitoring process outlined in N.J.A.C. 6A:20-1.6. The indicators of program quality with associated measures of performance as outlined in N.J.A.C. 6A:20-2.10(b) shall be used by the monitoring teams in carrying out the monitoring process in adult high schools.

N.J.A.C. 6A:20-2.1 et seq.

Adopted: 9 June 2010
Revised: 9 December 2020
2452 COMMUNITY EDUCATION

The Board of Education may establish and maintain a program of community education and shall utilize its school facilities for accomplishing the legitimate educational purposes of serving the vocational, avocational, and cultural interests of the community.

The Superintendent shall utilize appropriate staff members, invite the participation of representatives of the community, cooperate with local organizations and agencies, and assess the needs and resources of the community to develop a program of community education and present that program to the Board for its approval. The Superintendent is directed to seek out and utilize such sources of revenue as may be appropriate for the financial support of the community education program.

The program of community education shall be maintained at no cost to the Board. Persons who participate shall be charged tuition pursuant to law and shall provide all supplies necessary to the accomplishment of their program.

Adopted: 09 June 2010
2460 SPECIAL EDUCATION

The Vineland 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 Assessment, in grades three, four, five, six, seven, eight, and high school in the applicable courses.

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 at NJAC 6A:14-2.2, when appropriate.

8. The rules set forth in NJAC 6A:14 ensure a free appropriate public education is available to all pupils with disabilities between the ages of three and twenty-one, including pupils with disabilities who have been suspended or expelled from school.

   a. The obligation to make a free, appropriate public education available to each eligible student begins no later than the student’s third birthday and that an individualized education program (IEP) is in effect for the student 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 student with a disability who is eligible for special education and related services, even though the student 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 student with a disability to receive a free, appropriate public education are provided in appropriate educational settings as close to the student's home as possible and, when the IEP does not describe specific restrictions, the student is educated in the school he or she would attend if not a student with a disability.

9. Children with disabilities participating in early intervention programs assisted under IDEA Part C who will participate in preschool programs under this chapter 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 student 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 of Education, are provided special education and related services at no cost to their parent(s) according to N.J.A.C. 6A:14-1.1 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 NJAC 6A:14-1.2(b)13.

15. Pursuant to NJAC 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 of Education shall maintain information to demonstrate its efforts to:
   a. Prepare general and special education personnel with the 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) or legal guardian(s) and special education, related services and general education personnel.

16. Instructional material will be provided to blind or print-disabled pupils in a timely manner, 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 NJAC 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, pursuant to NJAC 6A:14-4.5(d).

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 NJAC 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 in accordance with NJSA 18A:40-5.1 et seq.

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: 11 June 1997
Revised: 30 May 2000
Revised: 08 April 2009
Revised: 09 June 2010
REVISED: 12 April 2017
To demonstrate compliance with N.J.A.C. 6A:14 and Part B the Individuals with Disabilities Education Act, the Board adopts this policy and corresponding regulations/procedures. This policy and corresponding regulations/procedures will be submitted with a Special Education Assurance Statement for Receiving Schools to the County Office of Education no later than April 1, 2011 for approval.

1. Pupils with disabilities who are placed in a receiving school by a district Board of Education must have an Individualized Education Program (IEP) in effect prior to the delivery of services.

2. The receiving school will collaborate with the sending district Board of Education to ensure that a free, appropriate public education is available for all pupils with disabilities between the ages of three and twenty-one enrolled in the receiving school including pupils with disabilities who are suspended from school.

3. The compilation, maintenance, access to and confidentiality of student records will be in accordance with N.J.A.C. 6A:32-7.

4. Students with disabilities, who are placed in receiving schools by a district Board of Education, will be provided special education and related services at no cost to their parents or legal guardian(s) according to N.J.A.C. 6A:14-1.1(d) and N.J.A.C. 6A:14-7.5(b)3.

5. The programs and services provided by the receiving school will be in accordance with the requirements of N.J.A.C. 6A:14-1.1 et seq.

6. All personnel serving students with disabilities will be highly qualified and appropriately certified and licensed, where a license is required, in accordance with State and Federal law.

7. The receiving school will only terminate the placement of a student with disabilities according to the procedures in N.J.A.C. 6A:14-7.7(a) and (b).

8. The in-service training needs for professional and paraprofessional staff who provide special education, general education or related services will be identified and appropriate in-service training will be provided. The receiving school will maintain information to demonstrate its efforts to:

a. Prepare general and special education personnel with the 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, and related services personnel, significant knowledge derived from educational research and other sources and how the receiving school 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 parents and special education, related services and general education personnel.

9. The receiving school will work with all sending school districts and ensure that pupils with disabilities are included in Statewide and district-wide assessment programs with appropriate accommodations, where necessary according to N.J.A.C. 6A:14-4.10. All pupils with disabilities will participate in Statewide assessments or the applicable Alternate Proficiency Assessment, in grades three, four, five, six, seven, eight and eleven in accordance with their assigned grade level.

10. Full educational opportunity to all pupils with disabilities will be provided.

11. The receiving school 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.

12. The receiving school will ensure that the length of the school day and academic year shall be as long as that established for nondisabled pupils in accordance with N.J.A.C. 6A:14-4.1(c) and must include at least four hours of actual school work instruction in accordance with N.J.A.C. 6A:14-7.6(i).

Adopted: 09 June 2010
REVISIEd: 08 June 2011
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 twelve 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 twelve 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 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.A.C. 6A:8-1.3; 6A:8-3.1(a)5
P.L. 108-382, Sec. 10201 et seq.

Adopted: 09 June 2010
Revised: 07 June 2017
Revised: 09 December 2020
2466 NEEDLESS PUBLIC LABELING OF PUPILS 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 pupils 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 pupils 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 pupils 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: 09 June 2010
2467 SURROGATE PARENTS AND FOSTER 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:14-2.2 when:

1. The parent, as defined according to N.J.A.C. 6A:14-1.3, 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 and that agency has not taken steps to appoint a surrogate parent for the student;

4. The student is a ward of the State and no State agency has taken steps to appoint a surrogate parent for the student;

5. No parent can be identified for the student in accordance with N.J.A.C. 6A:14-1.3 except a foster parent, the foster parent does not agree to serve as the student’s parent, and no State agency has taken steps to appoint a surrogate parent for the student; and

6. The student is an unaccompanied homeless youth and no State agency has taken steps to appoint a surrogate parent for the student.

Qualifications and Selection

The district will make reasonable efforts to appoint a surrogate parent within thirty days of its determination that a surrogate parent is required for a 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 a student.
The person serving as a surrogate parent shall:

1. Have no interest that conflicts with those of the student he/she represents;

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;

5. Have a criminal history review in accordance with N.J.S.A. 18A:6-7.1 completed prior to his or her serving as the surrogate parent, if the school district compensates the surrogate parent for such services; and

6. 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.

A surrogate parent may be paid solely to act in this capacity.

The CST 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 foster parent, and the foster parent is not the parent of the student as defined in N.J.A.C. 6A:14-1.3, the district where the foster 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 Surrogate Parent Coordinator shall obtain all required consent from and provide written notices to the parent.

If the district cannot ascertain the whereabouts of the parent, the foster parent, unless that person is unwilling to do so, shall serve as the parent pursuant to N.J.A.C. 6A:14-1.3. If there is no foster parent, or if the foster 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 and appoint a surrogate parent and obtain all required consent from, and provide written notices to, the surrogate parent.

Training

N.J.A.C 6A:14-2.2(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 will include, but not be limited to:

1. Providing the surrogate parent a copy of:
   a. Parental Rights in Special Education booklet;
   b. N.J.A.C. 6A:14;
   c. The Special Education Process;
   d. Code Training Materials from the Department of Education website; and
   e. Other relevant materials.

2. Providing the surrogate parent an opportunity to meet with the 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: 08 April 2009
Revised: 09 June 2010
Revised: 12 April 2017
Policy 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).

3. 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 4. 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.

4. 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.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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.

10. 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: 10 July 2013
2480 ALTERNATIVE EDUCATION PROGRAMS

The Board of Education may operate an alternative education program in accordance with the requirements of N.J.A.C. 6A:16-9.1. The program shall be approved by the Commissioner of Education and shall be separate and distinct from the already existing programs operated by the Board.

An alternative education program will fulfill the program criteria for both a high school and middle school program as outlined in N.J.A.C. 6A:16-9.2. A program will have a maximum pupil-teacher ratio of 12:1 for high school programs and 10:1 for middle school programs. An Individualized Program Plan (IPP) shall be developed for each general education pupil enrolled in the program in accordance with N.J.A.C. 6A:16-9.2(a)3. For a pupil with a disability, the alternative education program shall be consistent with the pupil's Individualized Education Program (IEP), pursuant to N.J.A.C. 6A:14, Special Education.

Individualized instruction to all pupils shall address the Core Curriculum Content Standards. Academic instruction sufficient to fulfill graduation requirements, pursuant to N.J.A.C. 6A:8-5.1, shall be provided to high school pupils. Comprehensive support services and programs shall address each pupil's health, social, and emotional development and behavior. Instructional staff in an alternative education program shall be appropriately certified.

Pupils in the alternative education program shall comply with attendance policies, pursuant to N.J.A.C. 6A:16-7.8 and 6A:32-8.3. Case management services including, but not limited to, monitoring and evaluating pupil progress and coordinating instructional and support services shall be provided as required in N.J.A.C. 6A:16-9.2(a)10. Services to facilitate the transition of pupils returning to the general or special education program from the alternative education program shall be provided. A minimum pupil enrollment period of not less than two complete marking periods shall be required pursuant to N.J.A.C. 6A:16-9.2(a)12.

Pupil placement in an alternative education program shall be made pursuant to N.J.A.C. 16A:9.3(a). If the district places a pupil in an alternative education program operated by another district Board of Education, pursuant to N.J.A.C. 6A:16-9.1(a), or another approved agency, pursuant to N.J.A.C. 6A:16-9.1(b), the sending school district shall be responsible for ensuring compliance with the requirements of N.J.A.C. 6A:16-9.

Decisions regarding continued placement in an alternative education program or a change to a pupil's placement shall be made for general education pupils in accordance with N.J.A.C. 6A:16-9.3(c)1 and for pupils with disabilities in accordance with N.J.A.C. 6A:16-9.3(c)2.


Adopted: 09 June 2010
Policy 2481 Home or Out of School Instruction for General Education Students 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.A.C. 6A:16-10.2

Adopted: 09 June 2010
REVISED: 10 Sept 2014
2510 ADOPTION OF TEXTBOOKS

The Board of Education shall approve all textbooks used in the educational program of this district. "Textbook" means the principal source of instructional material for any given course of study, in whatever form the material may be presented, which is available or distributed to every pupil enrolled in the course of study.

The Superintendent shall be responsible for the selection and recommendation of textbooks for Board consideration.

In considering the approval of any proposed textbooks, the Board will weigh its value as a learning tool; its suitability for the maturity level and educational accomplishment of the pupils who will be using the book; its freedom from bias; its relationship to a course of study adopted by the Board; its relationship to a continuous multigrade program; its impact on community standards of taste; the manner by which it was selected; and its cost, appearance, and durability.

The Superintendent shall develop regulations for the selection of textbooks that include effective consultation with professional staff members at all appropriate levels.

The staff shall continually research new sources of textbooks and explore the innovative use of all possible books.

Textbooks currently in use shall be periodically evaluated for their continuing usefulness and relevance and shall be replaced or updated with new editions as often as necessary to meet the needs of pupils and the curriculum.

A list of all approved textbooks shall be maintained and revised annually by the Superintendent and made available for the use of the professional staff and for the information of members of the Board and the public.


Adopted: 09 June 2010
2520 INSTRUCTIONAL SUPPLIES

The Board of Education shall supply each teaching staff member with the supplies, materials, and equipment necessary for the implementation of the approved program and each pupil with the supplies and materials required for the successful completion of courses of study.

The Board expressly exempts from this policy such clothing or personal equipment as may be required by the Board for reasons related to the safety and health of pupils or the protection of school property and are individualized or non-reusable, and any materials used in the manufacture or preparation of useful or decorative items that pupils are permitted to retain, except that no pupil will be denied participation in any course of study or school sponsored activity because of his or her financial inability to bear the cost of such clothing, equipment, or materials.

The Superintendent shall develop regulations for the selection and utilization of instructional supplies that include effective consultation with teaching staff members at all appropriate levels.

N.J.S.A. 18A:34-1

Adopted: 09 June 2010
2530 RESOURCE MATERIALS

The Board of Education shall provide resource materials to implement district and school educational goals and objectives as pupil needs dictate and district resources permit. Such materials include reference books, other supplementary titles, maps, library print and non-print materials, and other sources of information for use by pupils that are not designated as textbooks.

The Superintendent/designee shall be responsible for the selection and maintenance of all resource materials, in accordance with the following standards:

1. Material will be suited to the varied interests, abilities, reading levels, and maturation levels of the pupils to be served;

2. Wherever possible, materials will provide major opposing views on controversial issues so that pupils may develop under guidance the practice of critical reading and thinking;

3. Wherever possible, materials will represent the many religious, ethnic, and cultural groups and their contribution to American heritage;

4. Materials will be factually accurate and of genuine literary or artistic value;

5. Materials will be of a quality and durability appropriate to their intended uses and longevity;

6. Materials will relate to, support, and enrich the courses of study adopted by the Board.

The Superintendent/designee will develop regulations for the selection of resource materials 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 wisely distributed throughout the instructional program and the district; and ensure an inventory of resource materials that is well balanced and well rounded in coverage of subject, types of materials, and variety of content.

Any request for the removal of resource materials will be governed by Policy No. 9130 on public complaints.

Adopted: 09 June 2010
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.

Pupils and staff members shall be instructed that copyright infringement is a form of theft. A pupil or staff member who reproduces or uses copyrighted material in violation of this policy will be subject to discipline.

17 U.S.C. 101 et seq.

Adopted: 09 June 2010
2551  MUSICAL INSTRUMENTS

The Board of Education will purchase and maintain a supply of musical instruments for pupils enrolled in the instrumental music program as funding permits.

In general, pupils are encouraged to purchase or rent their own musical instruments. District-owned instruments will be available to those pupils for whom the purchase or rental of a musical instrument would impose a difficult financial burden.

District-owned instruments will be available to pupils, in the order in which requests are made, until the supply is exhausted. On occasion, instruments may be transferred between schools with the consent of the music teachers.

Instruments will be loaned only to those pupils whose parent(s) or legal guardian(s) has agreed in writing to assure the safe return of the instrument and to bear the cost of necessary repairs.

No fee will be charged for the loan of district-owned musical instruments.

Adopted: 09 June 2010
2560  LIVE ANIMALS IN SCHOOL

The Board of Education recognizes the appropriate use of live animals as instructional resources can enrich the educational program. The observation and nurture of live animals can help children learn specific biological and behavioral principles and gain respect for all living things.

A staff member who uses live animals shall observe proper precautions for the safety of pupils and the animals. The Principal or designee must approve a live animal being brought into the school building and the use of any animal in a course of instruction or the establishment of an animal habitat in a classroom.

Any animal used in school must have been lawfully acquired in accordance with applicable State law and local ordinance. An animal susceptible to rabies must have been vaccinated against rabies and proof of such vaccination must be included with the request to bring a live animal into the school submitted to the Principal or designee before a live animal is brought onto school grounds or into a school building. No animal shall be permitted in any area of the school where a pupil who is allergic to the animal might be exposed to the animal.

A teacher or other qualified adult must assume primary responsibility for the animal, its nourishment, and its sanitary living conditions. The staff member in charge must make proper arrangements for the animal's care and feeding over weekends, holidays, and school vacation periods.

No experiment that deprives a living animal of nourishment or exposes the animal to harm shall be conducted.

A pupil in Kindergarten through grade twelve may refuse to dissect, vivisect, incubate, capture, or otherwise harm or destroy animals or any parts thereof as part of a course of instruction. In the event the school program will 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.


Adopted: 09 June 2010
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, 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 student 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.A.C. 6A:8-4.1 et seq.
N.J.A.C. 6A:19-2.6 [vocational districts]

Adopted: 09 June 2010
REVISED: 10 August 2016
REVISED: 03 April 2019
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 he or she deems appropriate. The Commissioner shall report to the State Board of Education the results of such assessments.

The Commissioner shall implement a system and related schedule of Statewide assessments to evaluate student achievement of the New Jersey Student Learning Standards (NJSLS). The Commissioner, with the approval of the State Board of Education, shall define the scope and level of student performance on Statewide assessments that demonstrate thorough understanding of the knowledge and skills delineated by the NJSLS at grade levels three through twelve. After consultation with the Commissioner, the State Board of Education shall establish by resolution uniform Statewide criteria defining adequate school district progress toward meeting the NJSLS.

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 will be 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.

Pursuant to N.J.A.C. 6A:8-4.1(b) and (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. There is no provision for a student to opt-out of Statewide assessments. If a student is absent on a testing date, the student will be expected to take the missed test on another school day. Parents and students will be informed of all scheduled testing dates, including make-up testing dates for students who missed the initial testing date.
Statewide Assessment System
The Superintendent of Schools shall develop and annually present to the Board for its approval an assessment program that complies with the rules of the State Board of Education.

The Board of Education shall, according to a schedule prescribed by the Commissioner, administer the applicable Statewide assessments, including the following major components: the elementary assessment component for grades three through five; the middle school assessment component for grades six through eight; the high school end-of-course PARCC assessments; and the alternative assessment for students with disabilities; and provide notification to each student entering grades three through twelve of the Statewide assessment schedule.

The Department of Education shall implement the elementary component of the Statewide assessment of the NJSLS consisting of continued administration of mathematics and English language arts in grades three, four, and five, and of science in grade four.

The Department of Education shall implement the middle school component of the Statewide assessment of the NJSLS consisting of the following: continued administration of mathematics and English language arts in grades six, seven, and eight; and of science in grade eight.

The Department of Education shall implement a high school assessment program component of the NJSLS that assesses, at a minimum, English language arts, mathematics, and science with the exception that students may receive a waiver from the Board of Education from taking the high school end-of-course PARCC assessment in ELA 11 due to the student's participation in another English language/literature college placement assessment during the same school year.

The Board shall provide appropriate accommodations or modifications to the Statewide assessment system as specified by the Department of Education for English Language Learners (ELLs) and students with disabilities as defined in N.J.A.C. 6A:14-1.3 or eligible under Section 504 of the Rehabilitation Act as determined by the IEP or 504 Team in accordance with N.J.A.C. 6A:8-4.1(d)1. The Board may administer the Statewide assessments in mathematics to ELLs in their native language, when available, and/or
English. The Board of Education shall have the option for a first-year ELL of substituting a Department of Education-approved language proficiency test only for the English language arts section of the elementary or middle school component of the Statewide assessment, when the student has entered the United States after July 1 of the calendar year prior to the test administration.

The Board of Education shall ensure students with disabilities as defined in N.J.A.C. 6A:14-1.3 participate in Statewide assessments in accordance with N.J.A.C. 6A:14-4.10.

At specific times prescribed by the Commissioner of Education, the Board of Education shall administer the alternative assessment for students with disabilities to students with severe disabilities who cannot participate in other assessments due to the severity of their disabilities. The Department of Education shall implement the alternative assessment for students with disabilities according to the schedules in N.J.A.C. 6A:8-4.1(c)1, 2, and 3. The alternative assessment for students with disabilities measures the progress of students who have been determined eligible for the alternative assessment for students with disabilities by the IEP team in accordance with N.J.A.C. 6A:14-4.10.

The Boards of Education shall implement alternative ways for students to demonstrate graduation proficiency in accordance with N.J.A.C. 6A:8-5.1(f).

Test Administration Procedures and Security Measures

The Board of Education shall be responsible for ensuring the security of all components of the Statewide assessment system that are administered within the school district. All Statewide assessments shall be administered in accordance with the Department of Education’s required test administration procedures and security measures. Any breach of such procedures or measures shall be immediately reported to the Superintendent or designee.

Documentation of Student Achievement

The Department of Education shall provide the Superintendent with documentation of student performance after each test administration in accordance with the provisions of N.J.A.C. 6A:8-4.2(a). The Board shall maintain an accurate record of each student’s performance on Statewide assessments in accordance with N.J.A.C. 6A:8-4.2. Information regarding individual student test scores shall only be released in accordance with Federal and State law.
The Board of Education shall transmit within ten business days any official records, including transcripts, of students who transfer to other school districts or institutions.

The Board of Education shall maintain an accurate record of each student’s performance on Statewide assessments.

The Board of Education shall maintain for every student a ninth grade through graduation transcript that contains the following, as available:

1. Results of all applicable State assessments, including assessments that satisfy graduation requirements set forth in N.J.A.C. 6A:8-5.1(a)6;
2. Results of any English language proficiency assessments according to N.J.A.C. 6A:8-5.1(h);
3. Evidence of instructional experience and performance in the NJSLS;
4. Evidence of technological literacy;
5. Evidence of career education instructional experiences and career development activities;
6. Evidence of State-issued occupational licenses and credentials, industry-recognized occupational credentials, and/or technical skill assessments for students enrolled in Department of Education-approved career and technical education programs pursuant to N.J.A.C. 6A:19-3.2; and
7. Any other information deemed appropriate by the Board of Education.

Accountability
The Superintendent shall report preliminary and final results of annual assessments to the Board of Education as required by the New Jersey Department of Education. The Board of Education will provide parents, students, and citizens with results of annual assessments according to N.J.A.C. 6A:8-4.2. The Board shall provide appropriate instruction to improve skills and knowledge for students performing below the established levels of student proficiency in any content area either on Statewide or local assessments. All students shall be expected to demonstrate the knowledge and skills of the NJSLS as measured by the Statewide assessment system.
Annual Review and Evaluation of School Districts
The Department of Education shall review the performance of schools and school districts in accordance with the provisions of N.J.A.C. 6A:8-4.4.

Public Reporting
In accordance with the requirements of N.J.A.C. 6A:8-4.5, the Department of Education shall report annually to the State Board of Education and the public on the progress of all students and student subgroups in meeting the NJSLS as measured by the Statewide assessment system by publishing and distributing the Department of Education’s annual New Jersey School Report Card in accordance with N.J.S.A. 18A:7E-2 through 5. After each test administration, the Department of Education shall report to the Board on the performance of all students and of student subgroups. The Department of Education shall report performance on the APA with the same frequency and in the same detail as it reports on other Statewide assessments, including school and school district means, and the number and percentage of participating students. In public reporting of school and district performance data, the Department of Education shall not compromise the confidentiality of individual students.

Parental Notification
Parents shall be informed of the district assessment system and of any special tests that are to be administered to their children.

N.J.S.A. 18A:7C-1
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

Adopted: 09 June 2010
Revised: 10 Oct 2012
Revised: 11 March 2015
Revised: 10 Aug 2016
Revised: 07 June 2017
2624  GRADING SYSTEM

The Board of Education recognizes that a system of measuring, recording, and reporting the achievements of individual pupils is important to the continuing process of learning. The Board, therefore, directs the instructional program of this school district include a system of grading that measures progress toward the New Jersey Core Curriculum Content Standards and the educational goals of the district.

Pupils shall be informed at the outset of any course of study of the behaviors and achievements that are expected of them and shall be kept informed of their progress during the course of study. As a rule, grading should reward pupils for positive efforts and minimize failure, and pupils should be encouraged to evaluate their own achievements.

The Superintendent shall develop and continually review in consultation with teaching staff members, parent(s) or legal guardian(s), and pupils, a grading program appropriate to the course of study and maturity of pupils. The final decision on any contested grade will be the responsibility of the Building Principal. A pupil classified as disabled will be graded in accordance with his/her Individualized Educational Program (IEP) or the Section 504 Plan.

Adopted: 09 June 2010
2631 NEW JERSEY QUALITY SINGLE ACCOUNTABILITY CONTINUUM (QSAC)

The Board of Education and Superintendent of Schools 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 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.A.C. 6A:30-1.1 et seq.

 Adopted: 09 June 2010
POLICY

Board of Education

PROGRAM

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Services to Nonpublic School Students

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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.


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; 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.


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).


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.A.C. 6A:14-6; 6A:16-2.5; 6A:23A-20 et seq.

Adopted: 09 June 2010
Revised: 15 November 2017
3111 Creating Positions

The Board of Education recognizes its authority to create and fill teaching staff member positions to implement a thorough and efficient system of free public schools.

The Board shall create new positions as they are required, approve job titles, and specify the number of positions required to staff adequately each employment category. Job descriptions shall be prepared in accordance with Policy No. 1400. The Board shall, on a careful review of the position, establish the background experiences and personal qualities, if any, to be required of candidates or preferred among applicants for a particular position. Any such local qualifications shall be flexibly applied.

The Superintendent shall recommend to the Board such new positions or additions to existing employment categories as may be required by the specific instructional needs of pupils of the district and each school within the district.

Positions shall, to the maximum extent possible, conform to certification regulations of the State Board of Education. When district organization requires the creation of a nonconforming, unrecognized position, the approval of the county Superintendent shall be sought before the position is filled.

N.J.A.C. 6A:9-5.1; 6A:9-5.5
P.L. 1995 Chapter 125

Adopted: 09 June 2010
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 pupils, 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 abolition of positions and the reallocation of duties and positions.


Adopted: 09 June 2010
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; the salary at which the teaching staff member will be employed; and a provision for the termination of the contract on sixty days notice duly given by either party.

In the event that the salary entered on the written contract differs from that approved by the Board in a resolution duly adopted, the salary approved by the Board shall be the salary paid.

N.J.A.C. 6A:9-5.1; 6A:9-5.2

Adopted: 09 June 2010
POLSICY

VINELAND BOARD OF EDUCATION
TEACHING STAFF MEMBERS
Employment of Teaching Staff Members
Jun 16

3125 EMPLOYMENT OF TEACHING STAFF MEMBERS

The Board of Education believes it is vital to the successful operation of the school 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
POLICY

BOARD OF EDUCATION

TEACHING STAFF MEMBERS

Employment of Teaching Staff Members

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

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:6-7.1c. 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.A.C. 6A:9B-5.16; 6A:9B-7.4

Adopted: 09 June 2010
Revised: 13 August 2014
REVISED: 24 August 2016
The Board of Education adopts this Nepotism Policy as a condition of receiving State aid pursuant to N.J.A.C. 6A:23A-6.2.

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

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

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

For purposes of this policy “close personal relationships” include, but are not limited to, cohabitation, engagement, and dating. Close personal relationships do not include purely social friendships.

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

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

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

In cases where an existing employee who is a member of the immediate family or an individual having a close personal relationship, as defined herein, of the Assistant Superintendents or the Personnel Director, then in such cases the President of the Vineland Board of Education shall appoint an advisory committee consisting of five administrators excluding the involved administrator. This committee shall review applications and interview applicants for the position based upon the job description and employment qualifications established for the position and
shall submit their comments and recommendations to the Superintendent. The Superintendent shall submit his or her recommendation with reasons for the recommendation and shall provide the comments and recommendations of the designated committee. In the event that the applicant is someone within a family relationship or close personal relationship with the Superintendent, then the Assistant Superintendent for Administration shall act in place of the Superintendent for purposes of this paragraph.

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

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

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

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

Adopted: 09 June 2010
3126 INDUCTION PROGRAM FOR PROVISIONAL TEACHERS

The Board of Education may employ a holder of a certificate of eligibility (CE) or certificate of eligibility with advanced standing (CEAS) after its mentoring plan has been approved pursuant to N.J.A.C. 6A:9-8.4.

The State-approved district training program shall provide essential knowledge and skills through training that includes on-going mentoring, observations and evaluations, formal instruction in professional education aligned with the Professional Standards for Teachers, and other provisions as outlined in N.J.A.C. 6A:9-8.3(b). The training may be provided by the school district or consortia of districts in conjunction with a college or university in accordance with N.J.A.C. 6A:9-8.4(c). The district or consortium shall submit a written plan for the department's approval. In the event that joint sponsorship with a college or university cannot be achieved, the department may authorize the district or consortium to provide the formal instruction independently or in joint sponsorship with a non-collegiate entity. The district or consortium's written plan shall include documentation of its efforts to secure college or university participation. In the event the district is unable to provide formal instruction to provisional teachers in their employ, the district may provide access to formal instruction through a network of Department of Education authorized providers.

The district’s local mentor plan shall be in accordance with the requirements as outlined in N.J.A.C. 6A:9-8.4. All novice teachers are required to participate in a mentoring program that takes place over a period of thirty weeks for provisional teachers holding a CEAS and thirty-four weeks for provisional teachers holding a CE. Provisional teachers shall participate for a proportionally longer period of time if in a part-time teaching position. The mentoring program shall be implemented by the mentor teacher, supervised by the school Principal, and conducted within the parameters of a school district's local mentor plan and the requirements of N.J.A.C. 6A:9-8.3. In the event that no State funds are available to pay the costs of mentoring fees, candidates who are required to complete a provisional year of teaching in order to obtain standard certification shall be responsible for payment of mentoring fees during the provisional year.

A local Professional Development Committee shall be established pursuant to N.J.A.C. 6A:9-15.3(d) and this Committee shall develop a local mentor plan that includes the requirements as outlined in N.J.A.C. 6A:9-8.4(c). The Professional Development Committee shall submit the local mentor plan to the Board of Education for initial approval. The Professional Development Committee shall submit the addendum for the twenty-day clinical experience pursuant to N.J.A.C. 6A:9-8.3(b)1 to the Board of Education for initial approval and to the Executive County Superintendent for final approval. After plan review, the Board shall
submit the plan to the Executive County Superintendent for final review and approval. The Executive County Superintendent shall notify the Department of Education of plan approval. Every three years, the district’s mentor plan shall be revised and re-submitted to the Executive County Superintendent based on program evaluation.

The Board of Education shall be responsible for the implementation of the local mentor plan and the district shall submit a report on the effectiveness of the local mentor plan to the Department on an annual basis. The report, using data collected on a Department of Education developed form, shall include program impact on job satisfaction, adequacy of time and training, and recommended program changes and additions. The district shall align the mentor plan with the Professional Standards for Teachers.

The Board of Education shall be responsible to budget any State funds appropriated for the novice teacher mentoring program. The Board shall ensure that State funds appropriated for this program shall supplement, and not supplant, any Federal, State or local funds already devoted to planning and implementing a novice teacher mentor program. The Board of Education shall ensure that State funds shall be used for stipends for mentor teachers, the costs associated with release time, substitutes for mentor teachers and novice teachers, and/or professional development and training activities related to the program.

An appropriately certified Building Principal or administrative designee authorized to supervise instructional staff shall observe and evaluate the provisional teacher three times during the first year of mentoring for purposes of certification. All performance evaluations shall be aligned with the Professional Standards for Teachers as defined in N.J.A.C. 6A:9-3.3 and reported on State-developed forms. Performance evaluations for career and technical education teachers shall also include career and technical education knowledge and skills. Evaluations shall be completed in accordance with the requirements of N.J.A.C. 6A:9-8.6 et seq. Mentor teachers shall not assess or evaluate the performance of provisional teachers. Interactions between provisional teachers and experienced mentor teachers are formative in nature and considered a matter of professional privilege. Mentor teachers shall not be compelled to offer testimony on the performance of provisional teachers.

Within thirty days after the conclusion of the State-approved district training program, the Principal shall submit the final evaluation directly to the Secretary of the New Jersey State Board of Examiners that shall contain a recommendation regarding standard certification for each provisional teacher. The final evaluation for each provisional teacher shall include a recommendation of approved, insufficient, or disapproved. Candidates who receive a recommendation of "disapproved" or two recommendations of "insufficient" may petition the Board of Examiners for approval of additional opportunities to seek provisional employment in districts other than those in which they received unfavorable recommendations pursuant to N.J.A.C. 6A:9-17.18.

N.J.A.C. 6A:9-8.3; 6A:9-8.4; 6A:9-8.6; 6A:9-8.7

Adopted: 09 June 2010
Revised: 13 October 2010
The Board of Education will enter a contract with each nontenured teaching staff member providing, in part, for the termination of employment by either party on proper notice in accordance with Policy No. 3124.

An employee's resignation must be tendered to the Board through the Superintendent who may accept the resignation on behalf of the Board. Any such acceptance of a resignation will be ratified by the Board at its next meeting.

A member who offers insufficient notice of resignation will be paid only through the last day of service. In addition, the Board may notify the Commissioner of Education of any certificated teaching staff member who terminates his/her position without having given sixty days notice to the Board and without the express permission of the Board. The certificate of any such member may be suspended.

N.J.A.C. 6A:9-17.9

Adopted: 09 June 2010
REVISED: 13 April 2016
3142 NONRENEWAL OF NONTENURED TEACHING STAFF MEMBER

The Board of Education recognizes its obligation to employ only those professional staff members best trained and equipped to meet the educational needs of the pupils of this district. The Board shall discharge that obligation by retaining in service only those nontenured teaching staff members who meet those standards. The Board shall renew the employment contract of a teaching staff member only upon the recommendation of the Superintendent and by a recorded roll call majority vote of the full membership of the Board. The Board shall not withhold its approval for arbitrary and capricious reasons.

When the nontenured teaching staff member's performance does not meet the standards of the district, the Superintendent shall recommend not to renew the teaching staff member’s contract. A nontenured teaching staff member who is not recommended for renewal by the Superintendent shall be deemed nonrenewed. Prior to notifying the staff member of the nonrenewal, the Superintendent will notify the Board of the recommendation not to renew the staff member’s contract and the reasons for the recommendation. The Superintendent may notify the Board in a written notice or in executive session at a full Board Meeting. In the event the Board is notified in executive session, the Superintendent will comply with the requirements of the Open Public Meetings Act and provide reasonable notice to the staff member their employment will be discussed in executive session in order for the staff member to exercise their statutory right to request a public discussion.

The Superintendent shall notify each teaching staff member to whom reemployment will not be offered of such nonrenewal in writing on or before May 15. Any teaching staff member who received written notice a contract will not be offered may within fifteen days of notification request in writing a statement of the reasons for nonrenewal. The Superintendent will provide a written statement of reasons within thirty days after the receipt of any such request.

The nontenured teaching staff member shall have the right to an informal appearance before the Board to permit the staff member an opportunity to convince the members of the Board to offer reemployment. The staff member must request the appearance before the Board within ten calendar days of receipt of the statement of reasons.

The Board is not required to offer reemployment or vote on reemployment after an informal hearing with a nontenured teaching staff member who was not recommended for reemployment by the Superintendent. The Board may, with a majority vote of its full membership in public session and without the recommendation of the Superintendent, offer the teaching staff member reemployment after an informal hearing.

N.J.A.C. 6A:32-4.5; 6A:32-4.6

Adopted: 09 June 2010
3144 CERTIFICATION OF TENURE CHARGES

The Board of Education will challenge the continued employment of any tenured teaching staff member who demonstrates inefficiency in the performance of his/her duties, is incapable of performing those duties, violates by unbecoming conduct the public trust placed with employees of this district, or by other means demonstrates unfitness for district employment. When charges are filed against a tenured teaching staff member by any person, the Board shall determine the gravity of the charges and the probity of supporting evidence in accordance with law and these guidelines:

1. Charges may be instituted against a tenured teaching staff member of the district by any person by filing with the Board Secretary a written statement, signed by the charging person, that sets forth the specific charges and the statutory ground on which each is based. The statement of charges must be accompanied by a written statement of evidence made under oath in support of the charges. The Board Secretary shall promptly notify the Superintendent and the Board President that such charges have been filed.

2. Where the charges allege incapacity, unbecoming conduct, or good cause other than inefficiency, a copy of the charges and a copy of the statement of evidence shall, within seventy-two hours of the time charges have been filed with the Board Secretary, be served on the charged employee together with a letter offering the employee the opportunity of submitting to the Board Secretary a written statement of position and a written statement of evidence under oath, provided that such statements are filed with the Board Secretary no later than fifteen days after the date on which the charges were served on the employee.

3. Where the charge alleges inefficiency, the following actions will be taken:

   a. A copy of the charges and a copy of the statement of evidence shall, within seventy-two hours of the time charges have been filed with the Board Secretary, be served on the charged employee together with a letter informing the employee that, unless the specified inefficiencies are corrected within a specified improvement period of ninety or more days, the Board shall certify those charges of inefficiency to the Commissioner of Education.

   b. At the same time, the employee's professional improvement plan will be revised to address the specific charges of inefficiency and to assist the employee toward improvement within the specified period.
c. The employee's performance will be observed and evaluated over the improvement period, excluding summer vacation.

d. At the conclusion of the specified improvement period, the Superintendent shall report to the Board an assessment of the employee's progress.

e. Thereafter, the Board will determine in private session whether the employee has corrected all the inefficiencies originally charged. If all the charged inefficiencies have been corrected, the Board shall advise the employee within thirty days of the end of the improvement period that the charges are withdrawn. If the Board finds that any or all charged inefficiencies have not been corrected, the Board Secretary shall serve the employee, within thirty days of the end of the improvement period, a copy of the charges and a copy of the statement of evidence together with a letter offering the employee the opportunity of submitting to the Board Secretary a written statement of position and a written statement of evidence under oath, provided that such statements are filed with the Board Secretary no later than fifteen days after the date on which the charges were served on the employee.

4. Within forty-five days of the time the employee files written statements of position and evidence or the expiration of the fifteen day period within which the employee may submit such statements, whichever first occurs, the Board shall meet in private session to determine, by a majority of the full Board, (a) whether the charges, if true, are sufficiently serious to warrant the imposition of sanctions by the Commissioner and (b) whether there is probable cause to credit the evidence in support of the charges.

5. If the Board determines to certify charges against the employee, the Board Secretary will file the charges and a certificate of determination with the Commissioner of Education and serve notice of such certification on the employee in accordance with rules of the State Board of Education.

6. If no action is taken with regard to the charges within the requisite periods of time set forth in this policy, the charges will be considered dismissed and no further action may be taken on them. The charged employee will be promptly notified whenever charges are dismissed by Board action or inaction.

N.J.A.C. 6A:3-5.1 et seq.; 6A:9-17.4; 6A:9-17.5

Adopted: 09 June 2010
Policy 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.


Adopted: 13 Nov 2013
All certificate holders shall report their arrest or indictment for any crime or offense to the Superintendent of Schools within fourteen calendar days in accordance with the provisions of N.J.A.C. 6A:9-17.1. For purposes of this policy, “certificate holders” shall include all individuals who hold certificates, credentials, certificates of eligibility (CEs), and certificates of eligibility with advance standing (CEASs) issued by the State Board of 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 State Board of Examiners.

The report submitted to the Superintendent shall include the date of arrest or indictment and charge(s) lodged against the certificate holder. Such certificate holders shall also report to the Superintendent the disposition of any charges within seven calendar days of the disposition. Failure to comply with these reporting requirements may be deemed “just cause” for revocation or suspension of certification pursuant to N.J.A.C. 6A:9-17.5. The school district shall make these reporting requirements known to all new employees upon initial employment and to all employees on an annual basis.

The Superintendent of Schools shall notify the New Jersey State Board of Examiners when:

1. Tenured teaching staff members who are accused of criminal offenses or unbecoming conduct resign or retire from their positions;

2. Nontenured teaching staff members, including substitute teachers, who are accused of criminal offenses or unbecoming conduct resign, retire, or are removed from their positions;

3. A certificate holder fails to maintain any license, certificate, or authorization pursuant to N.J.A.C. 6A:9-4.1(b) that is mandated in order for the holder to serve in a position;

4. The Superintendent of Schools becomes aware that a certificate holder has been convicted of a crime or criminal offense while in the district’s employ; or

5. The Superintendent has received a report from the Division of Youth and Family Services (DYFS) substantiating allegations of abuse or neglect or establishing “concerns” regarding a certificated teaching staff member.
In the event the New Jersey State Board of Examiners issues an order to show cause based on the information that the school district provided about the certificate holder, it shall be the responsibility of the school district to cooperate with the Board of Examiners in any proceeding arising from the order to show cause.

The Superintendent of Schools shall also notify the New Jersey State Board of Examiners, in accordance with the provisions of N.J.S.A. 18A:16-1.3, whenever a nontenured, certificated employee is dismissed prior to the end of the school year for just cause as a result of misconduct in office. This notification requirement shall not apply in instances where the employee’s contract is not renewed. The Superintendent of Schools will comply with the additional notice requirements to the New Jersey State Board of Examiners in the event it is subsequently determined by a disciplinary grievance arbitration, a court, or an administrative tribunal of competent jurisdiction that the basis for the dismissal did not constitute misconduct in office. In addition, whenever the Superintendent of Schools notifies the New Jersey State Board of Examiners of an employee’s dismissal for reasons of misconduct in accordance with the provisions of N.J.S.A. 18A:16-1.3, the employee shall receive a simultaneous copy of the notifying correspondence.

N.J.A.C. 6A:9-17.1; 6A:9-17.4

Adopted: 09 June 2010
The Board of Education requires each candidate for employment who receives a conditional offer of employment to undergo a physical examination(s) 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).

If upon completing an examination(s) 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.

The physical examination shall include, but is not limited to, a health history to include past serious illnesses and injuries; current health problems; allergies; and a record of immunizations. The physical examination shall also include a health screening to include, but not 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.

School employee physicals, examinations, and/or annual medical updates do not require screening or disclosure of HIV status.

A Mantoux tuberculosis test shall be given to all student teachers, school bus drivers on contract with the district, and contractors or volunteers who have contact with students.
All staff members’ medical and health records, including computerized records, will be secured, stored, and maintained separately from other personnel files. The information contained in medical records will be kept confidential. Only the staff member, the Superintendent, and the school medical inspector shall have access to medical information regarding an individual employee. **Health records may be shared only with authorized individuals in accordance with N.J.S.A. 18A:16-5.** The 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, the staff member **may also choose to share** with the staff member’s Building Principal and, if desired, with the **certified** school nurse, **information regarding current health status to assure ready access in a medical emergency.**

Additional individual psychiatric or physical examinations of any staff member may be required by the Board whenever, in the judgment of the Board, a staff member shows evidence of deviation from normal physical or mental health. Any additional individual examinations will be pursuant to the requirements of N.J.A.C. 6A:32-6.3. **Additional examinations and/or certifications may be required to verify fitness in accordance with Policy 3161 or disability in accordance with Policies 3425 and 3435.**

42 U.S.C.A. 12101  
N.J.A.C. 6A:32-6.1; 6A:32-6.2; 6A:32-6.3

Adopted: 09 June 2010  
Revised: 07 June 2017
3211 CODE OF ETHICS

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

Preamble

The educator, believing in the worth and dignity of each human being, recognizes the supreme importance of the pursuit of truth, devotion to excellence, and the nature of democratic principles. Essential to these goals is the protection of freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator accepts the responsibility to adhere to the highest ethical standards.

The educator recognizes the magnitude of the responsibility inherent in the teaching process. The desire for the respect and confidence of one's colleagues, of pupils, of parent(s) or legal guardian(s), and of the members of the community provides the incentive to attain and maintain the highest possible degree of ethical conduct. The Code of Ethics of the Education Profession indicates the aspiration of all educators and provides standards by which to judge conduct.

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 Pupil

The educator strives to help each pupil realize his/her potential as a worthy and effective member of society. The educator therefore works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

In fulfillment of the obligation to the pupil, the educator--

1. Shall not unreasonably restrain the pupil from independent action in the pursuit of learning.

2. Shall not unreasonably deny the pupil access to varying points of view.

3. Shall not deliberately suppress or distort subject matter relevant to the pupil's progress.

4. Shall make reasonable effort to protect the pupil from conditions harmful to learning or to health and safety.
5. Shall not intentionally expose the pupil to embarrassment or disparagement.

6. Shall not on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, family, social or cultural background, or sexual orientation, unfairly--
   a. Exclude any pupil from participation in any program
   b. Deny benefits to any pupil
   c. Grant any advantage to any pupil

7. Shall not use professional relationships with pupils for private advantage.

8. Shall not disclose information about pupils obtained in the course of professional service, unless disclosure serves a compelling professional purpose or is required by law.

Principle II -- Commitment to the Profession

The education profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service.

In the belief that the quality of the services of the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards to promote a climate that encourages the exercise of professional judgment, to achieve conditions which attract persons worthy of the trust to careers in education, and to assist in preventing the practice of the profession by unqualified persons.

In fulfillment of the obligation to the profession, the educator--

1. Shall not in an application for a professional position deliberately make a false statement or fail to disclose a material fact related to competency and qualifications.

2. Shall not misrepresent his/her professional qualifications.

3. Shall not assist entry into the profession of a person known to be unqualified in respect to character, education, or other relevant attribute.
4. Shall not knowingly make a false statement concerning the qualifications of a candidate for a professional position.

5. Shall not assist a non-educator in the unauthorized practice of teaching.

6. Shall not disclose information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.

7. Shall not knowingly make false or malicious statements about a colleague.

8. Shall not accept any gratuity, gift, or favor that might impair or appear to influence professional decisions or actions.

Adopted: 09 June 2010
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.


Adopted: 09 June 2010
POLICY

BOARD OF EDUCATION

TEACHING STAFF MEMBERS

3212/Attendance

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 effective conduct of the educational program. Because absenteeism exacts a high cost in the depletion of district resources and in the disruption of the educational program, the Board of Education is vitally interested in the attendance of each employee and considers conscientious attendance an important criterion of satisfactory job performance.

The privilege of district employment imposes on each teaching staff member the responsibility to be on the job on time every scheduled working day. This responsibility requires that the employee maintain good health standards, take intelligent precautions against accidents, both on and off the job, and manage his/her personal affairs to avoid conflict with district responsibilities.

A teaching staff member who fails to give prompt notice of an absence, misuses sick leave, fails to verify an absence in accordance with Board policy, falsifies the reason for an absence, is absent without authorization, is repeatedly tardy, or accumulates an excessive number of absences without good cause may be subject to discipline, which may include the withholding of one or subsequent salary increments and/or certification of tenure charges.

No teaching staff member will be discouraged from the prudent, necessary use of sick leave and any other leave provided for in the contract negotiated with the member's majority representative or provided in the policies of the Board.


Adopted: 09 June 2010
Policy

3212.1 EMPLOYEE ABSENCE – SICK LEAVE VERIFICATION (VEA)

Article 15 of the Collective Bargaining Agreement between the Vineland Board of Education and the Vineland Education Association provides that VEA members absent because of personal illness shall be allowed sick leave with full pay for thirteen days in any school year. Pursuant to N.J.S.A. 18A:30-4 in case of sick leave claimed, a Board of Education may require a physician’s certificate to be filed with the Secretary of the Board of Education in order to obtain sick leave.

It shall be the policy of the Board of Education that after a VEA member has utilized three sick days cumulatively in any school year, the Board of Education shall, in its sole discretion, require submission of a physician’s certificate. In cases where, for a valid reason, such as the VEA member’s inability to see his/her physician due to the nature of the sickness of the VEA member or the unavailability of the physician, the VEA member may have the option of submitting a certification to verify sick leave in a form available from the Building Principal’s Office. The Board of Education, however, reserves the right in every case, at its discretion, to require a physician’s certificate.

The physician’s certificate or certification to verify sick leave shall be turned in by the VEA member no later than the end of the second work day after the VEA member has returned to work. If the VEA member does not provide a physician’s certificate or certification to verify sick leave, then the Board of Education may, in its sole discretion, withhold pay for the date(s) the VEA member utilized sick leave.

N.J.S.A. 18A:30-4

Adopted: 08 March 2000
Revised: 09 June 2010
3214 CONFLICT OF INTEREST

No teaching staff member of the Board of Education shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity which is in conflict with the proper discharge of the teaching staff member’s duties.

No teaching staff member shall use or attempt to use his/her position to secure unwarranted privileges or advantages.

No teaching staff member of the Board shall act in his/her official capacity in any matter wherein he/she has a direct or indirect personal financial interest.

No teaching staff member of the Board shall accept any gift, favor, service or other thing of value under circumstances from which it might be reasonably inferred that such gift, service or other thing of value was given or offered for the purpose of influencing the teaching staff member in the discharge of his/her duties.

The Board of Education discourages the presentation of gifts to teaching staff members by pupils and their parent(s) or legal guardian(s), because it may embarrass pupils with limited means and give the appearance of currying favor.

The Board directs that teaching staff members instruct their pupils to express their appreciation by means other than gifts.

Teaching staff members may receive gifts of only nominal value from pupils 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.


Adopted: 09 June 2010
3216 DRESS AND GROOMING

The Board of Education believes that 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 pupils are reflected in their dress, appearance, and personal hygiene.

The Board retains the authority to specify the following dress and grooming guidelines for staff, within law, that will prevent such matters from having an adverse impact on the educational process. Attire shall meet the following criteria:

1. Men and women should dress in a manner befitting the profession. Faculty dress should uphold the dignity of the profession and be appropriate to the type of service the teacher is performing.
   a. Female staff members shall wear skirts or slacks with blouses or sweaters, school uniform, dresses, skort or slack ensembles, or slack suits.

      Note: All skirt, skort, or dress-like clothing should not exceed three inches above the knee.
   b. Male staff members shall wear suits, jackets and ties, sweaters, school uniform, or sport or dress shirts with slacks.

2. Specialized Areas
   a. Physical education/health teachers, which teaching physical education classes, will wear attire that is conducive to their subject area.
   b. Preschool teachers may wear attire that is conducive to the preschool environment. Casual slacks and sneakers are acceptable.
   c. The wearing of smocks or other special attire by teachers in the performance of their duties in specialized areas, such as home economics, science, and art shall not be deemed as violation of this code.

3. Staff going on field trips should dress appropriately as representatives of the school district.
4. Teachers attending out-of-district workshops/inservices should adhere to the district dress code.

5. The Board lists the following as unacceptable attire:
   a. Torn, dirty, or wrinkled clothing;
   b. Sneakers, flip flops, bedroom slippers, combat boots, work boots;
   c. See-through clothing;
   d. Tight-fitting clothing such as spandex and leggings;
   e. Inappropriately low, plunging or deep V necklines;
   f. Midriff, halters, tank, spaghetti straps, or tube tops;
   g. Shorts or scooter shorts;
   h. T-shirts or undershirts as outerwear;
   i. Sweatshirts, sweat pants, and sweat suits (except as appropriate for physical education staff and extra assignments as deemed appropriate by the Building Principal);
   j. Observable jewelry in body piercings must be limited to the ears only; and
   k. Denim blue or black jeans.

6. Exceptions to the above criteria may be permitted with prior approval of the building administrator.

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 more stringent disciplinary measures.


Adopted: 09 June 2010
3217  USE OF CORPORAL PUNISHMENT

The Board of Education cannot condone an employee's resort to force or fear in the treatment of pupils, even those pupils whose conduct appears to be open defiance of authority. Each pupil is protected by law from bodily harm and from offensive bodily touching.

Teaching staff members shall not use physical force or the threat of physical force to maintain discipline or compel obedience except as permitted by law, but may remove pupils from the classroom or school by the lawful procedures established for the suspension and expulsion of pupils.

A teaching staff member who:

1. Uses force or fear to discipline a pupil except as such force or fear may be necessary to quell a disturbance threatening physical injury to others, to obtain possession of weapons or other dangerous objects upon the person or within the control of a pupil, to act in self-defense, or to protect persons or property;

2. Touches a pupil in an offensive way even though no physical harm is intended;

3. Permits pupils to harm one another by fighting; or

4. Punishes pupils by means that are cruel or unusual;

will be subject to discipline by this Board and may be dismissed.


Adopted: 09 June 2010
3218 SUBSTANCE ABUSE

The Board of Education recognizes a teaching staff member who reports to work under the influence of drugs or alcohol 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. A teaching staff member is prohibited from possession, use, distribution, or being under the influence of any substance during work hours or at a school-sponsored function where the teaching staff member has been assigned job responsibilities.

For the purposes of this Policy, “substance” or “substances” 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, or 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.

Any teaching staff member who reports to work or attends a school-sponsored function where the teaching staff member has assigned job responsibilities under the influence of or in possession of any substance will be subject to appropriate discipline, which may include termination of a non-tenured teaching staff member or the filing of tenure charges for a tenured teaching staff member in accordance with law.

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 of a teaching staff member to consent to the medical examination and substance test will be determined to be a positive result.

In the event a teaching staff member’s medical examination and substance test results are negative for a substance, any documents or records pertaining to the requirement for the examination and test and results will not be maintained by the school district. Any required examination and testing shall be paid for by the Board. The teaching staff member will be afforded the opportunity to have any test results confirmed using
acceptable test confirmation practices. This confirming test shall be paid for by the teaching staff member.

In accordance with the requirements of N.J.A.C. 6A:16-6.3(a), any teaching staff member who, in the course of their employment, has reason to believe a school 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 responsible at the time of the alleged violation. Either the Principal or the staff member shall notify the Superintendent of Schools 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 teaching staff member who has voluntarily sought and participated in an appropriate treatment or counseling program for an alcohol or drug abuse problem, provided the teaching staff member is not reasonably believed to be involved or implicated in drug-distribution activities. An admission by a teaching 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.

42 CFR Part 2
N.J.A.C. 6A:16-6.3; 6A:32-6.3

Adopted: 09 June 2010
Revised: 13 May 2015
The Board is cognizant of its duty to provide a safe environment for education for the pupils in its charge, as well as its duty to honor the tenure rights of its employees. To this end, the Board of Education hereby establishes policies and procedures (Regulation 3219) to govern appropriate actions when a tenured employee has been accused of or charged with criminal conduct.

Adopted: 11 June 1997
Revised: 09 June 2010
REVISED: 09 February 2011
POLICY

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.

The rules in N.J.A.C. 6A:10 – Educator Effectiveness shall not override any conflicting provision(s) of collective bargaining agreements or other employment contracts in effect on July 1, 2013 and 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 evaluation process pursuant to N.J.A.C. 6A:10-1.1 et seq. 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 teachers which shall be submitted to the Commissioner by June 1 for approval by August 1 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 shall 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 rubrics 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. 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.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: 09 June 2010
Revised: 05 February 2014
Revised: 10 February 2016
Revised: 13 Sept 2017
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.

The rules in N.J.A.C. 6A:10 – Educator Effectiveness shall not override any conflicting provision(s) of collective bargaining agreements or other employment contracts in effect on July 1, 2013 and 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 evaluation process pursuant to N.J.A.C. 6A:10-1.1 et seq. 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 teaching staff members which shall be submitted to the Commissioner by June 1 for approval by August 1 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 shall 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. 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.A.C. 6A:10-1.1 through 1.4; 6A:10-2.1 through 2.5; 6A:10-6.2

Adopted: 09 June 2010
Revised: 05 February 2014
Revised: 10 February 2016
Revised: 13 Sept 2017
The Board of Education recognizes the importance of administrator effectiveness to further the development of a professional corps of educators and to increase student achievement. The Board of Education adopts Policy and Regulation 3223 for the evaluation of administrators 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 administrator evaluations consistent with TEACHNJ and AchieveNJ.

For the purposes of Policy and Regulation 3223, “administrator” means an appropriately certified staff member, as defined in N.J.S.A. 18A-1.1, employed in the school district in an administrative and/or supervisory role and capacity, and holding a valid and effective standard, provisional, or emergency administrative certificate. An “administrator” may be a director, supervisor, or any other administrative or supervisory position in the district. For the purposes of Policy and Regulation 3223 and N.J.A.C. 6A:10-1.1 et seq., “administrator” is not a Principal, Vice Principal, or Assistant Principal.

The rules in N.J.A.C. 6A:10 – Educator Effectiveness shall not override any conflicting provision(s) of collective bargaining agreements or other employment contracts in effect on July 1, 2013 and 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 evaluation process pursuant to N.J.A.C. 6A:10-1.1 et seq. 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 administrators which shall be submitted to the Commissioner by June 1 for approval by August 1 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 administrators 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 administrators. A District Evaluation Advisory Committee shall be established in accordance with the requirements of N.J.A.C. 6A:10-2.3.

The minimum requirements for the evaluation procedures for administrators as outlined in N.J.A.C. 6A:10-2.4 shall be followed. For each administrator 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 administrators shall be in accordance with the provisions of N.J.S.A. 18A:27-3.1. Evaluations for nontenured administrators shall take place before April 30 each year prior to the May 15 notice requirement date for continued employment. Evaluations for tenured administrators shall be completed prior to June 30.

The Superintendent annually shall notify all administrators of the adopted evaluation policies and procedures/regulations no later than October 1. If an administrator is hired after October 1, the Superintendent shall notify the administrator of the policies and procedures/regulations at the beginning of his or her employment. All administrators shall be notified of amendments to the policy and procedures/regulations within ten administrator working days of adoption.

N.J.A.C. 6A:10-1.1 through 1.4; 6A:10-2.1 through 2.5

Adopted: 09 June 2010
Revised: 13 April 2011
Revised: 05 February 2014
Revised: 10 Feb 2016
Revised: 13 Sept 2017
The Board of Education recognizes the importance of Principal, Vice Principal, and Assistant Principal effectiveness to further the development of a professional corps of educators and to increase student achievement. The Board of Education adopts Policy and Regulation 3224 for the evaluation of Principals, Vice Principals, and Assistant Principals 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 Principal, Vice Principal, and Assistant Principal evaluations consistent with TEACHNJ and AchieveNJ.

The rules in N.J.A.C. 6A:10 – Educator Effectiveness shall not override any conflicting provision(s) of collective bargaining agreements or other employment contracts in effect on July 1, 2013 and 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 evaluation process pursuant to N.J.A.C. 6A:10-1.1 et seq. 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 Principals, Vice Principals, and Assistant Principals which shall be submitted to the Commissioner by June 1 for approval by August 1 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 Principals, Vice Principals, and Assistant Principals 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 Principals, Vice Principals, or Assistant Principals. A District Evaluation Advisory Committee shall be established in accordance with the requirements of N.J.A.C. 6A:10-2.3.

The minimum requirements for the evaluation procedures for Principals, Vice Principals, and Assistant Principals as outlined in N.J.A.C. 6A:10-2.4 shall be followed. For each Principal, Vice Principal, or Assistant Principal 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.

The components of the principal evaluation rubrics as described in N.J.A.C. 6A:10-5.1 shall apply to Principals, Vice Principals, and Assistant Principals. Measures of student achievement, as outlined in N.J.A.C. 6A:10-5.2, shall be used to determine impact on student learning. Principal, Vice Principal, and Assistant Principal observations shall be conducted in accordance with the provisions of N.J.A.C. 6A:10-5.4. The Superintendent or designated supervisor shall conduct observations for the evaluation
of Principals pursuant to N.J.S.A. 18A:6-121 and he or she shall be trained pursuant to N.J.A.C. 6A:10-2.2(b). A Principal, or the Superintendent or designated supervisor, shall conduct observations for the evaluation of Vice Principals and Assistant Principals pursuant to N.J.S.A. 18A:6-121.

The principal practice instrument approved by the Department of Education shall meet the criteria as outlined in N.J.A.C. 6A:10-7.3.

The Superintendent annually shall notify all Principals, Vice Principals, or Assistant Principals of the adopted evaluation policies and procedures/regulations no later than October 1. If a Principal, Vice Principal, or Assistant Principal is hired after October 1, the Superintendent shall notify the Principal, Vice Principal, or Assistant Principal of the policies and procedures/regulations at the beginning of his or her employment. All Principals, Vice Principals, and Assistant Principals shall be notified of amendments to the policy and procedures/regulations within ten Principal, Vice Principal, or Assistant Principal working days of adoption.

N.J.A.C. 6A:10-1.1 through 1.4; 6A:10-2.1 through 2.5
N.J.A.C. 6A:10-5.1 through 5.4
N.J.A.C. 6A:10-7.1 and 7.3

Adopted: 05 February 2014
Revised: 10 Feb 2016
REVISED: 13 Sept 2017
3230 OUTSIDE ACTIVITIES

The Board of Education recognizes that teaching staff members enjoy a private life outside the schools in which they enjoy associations and engage in activities for a variety of personal, economic, religious, or cultural reasons. The Board believes that the role of the teaching profession is such that teachers exert a continuing influence away from the schools. Further, the Board has directed the evaluation of staff in terms of their faithfulness to and effectiveness in discharging professional duties. Accordingly, the Board reserves the right to determine when activities outside the schools interfere with a staff member's professional performance and the discharge of the member's responsibilities to the pupils of this district.

The Board directs that all teaching staff members be governed in the conduct of personal activities by the following guidelines:

1. Teaching staff members should refrain from conduct, associations, and offensive speech that, if given publicity, would tend to have an adverse or harmful effect upon pupils or the school community;

2. Teaching staff members should not devote time during the working day to an outside activity without valid reason. They should not solicit or accept customers for private enterprises on school premises or during the school day without the express permission of the Superintendent;

3. The Board does not endorse, support, or assume liability in any way for any staff member of this district who takes pupils on trips not approved by the Board or Superintendent, and shall not be liable for the welfare of pupils who travel on such trips. No staff member may solicit pupils of this district for such trips within the facilities or on the school grounds of the district;

4. Teaching staff members shall not campaign on school premises on behalf of any candidate for local, state, or national office or for any public question on the ballot;

5. Teaching staff members should not as a practice tutor pupils currently enrolled in their classes privately for compensation;

6. No employee shall be the agent for or be in any way pecuniarily or beneficially interested in the sale of any textbooks, equipment, services or supplies to the Vineland Board of Education and shall not solicit on school property for any of the above except upon authorization of the Board of Education.
7. The Board may consider authorizing the expenditure if the Board determines the amount de minimus and of no substantial benefit to the employee or his/her spouse or if the expenditure is made on behalf of any PTO, club, school activity, sports team or otherwise as part of a related or school fundraiser.

8. 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. 19:1.1 et seq.
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.

A staff member who wishes to accept employment as an athletic coach in another school district must request and receive permission to do so from the Superintendent of this district if the staff member may need to request any special accommodation(s) from this school district to fulfill their coaching responsibilities in another school district. A special accommodation may be consideration for a requested duty assignment(s), a temporary work schedule adjustment and/or other considerations. A special accommodation will not be considered if it would violate any provisions of any collective bargaining agreement within the district. The staff member’s request to the Superintendent must be in writing and must indicate with specificity the accommodation(s) that may be required. The Superintendent, in consultation with the staff member’s Building Principal and/or immediate supervisor, will evaluate each request on a case-by-case basis.

N.J.A.C. 6A:9-5.19

Adopted: 09 June 2010
Policy 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. No literature which in any manner and in any part thereof promotes, favors or opposes the candidacy of any candidate for election at any general, municipal or school election, or the adoption of any bond issue, proposal, or any public question submitted at any general, municipal or school election shall be given to any public school pupil in any public school building or on the grounds thereof for the purposes of having such pupil take the same to his/her home or distribute it to any person outside of said building or grounds, nor shall any pupil 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;

2. A teaching staff member shall not post political circulars or petitions on school premises nor distribute such circulars or petitions to pupils nor solicit campaign funds or campaign workers on school premises except teaching staff members may engage in political activities during lunch or free periods in any school faculty room;

3. A teaching staff member shall not display any badge or material that would tend to promote any candidate for office on an election day in a school facility that is used as a polling place;

4. A teaching staff member shall not engage in any activity in the presence of pupils while on school property, which activity is intended and/or designed to promote, further or assert a position(s) on candidates or 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.

The Superintendent is hereby authorized and directed to adopt regulations, consistent with this Policy, for the implementation and enforcement of the provisions of this Policy.

See also Policy 2361 and Reg 2361
N.J.S.A. 11:17-2
N.J.S.A. 19:34-42
Green Township v. Rowe, Superior Court of New Jersey - Appellate Division A-2528-98T5

Adopted: 09 June 2010
REVISED: 08 July 2015
POLICY

VINELAND

BOARD OF EDUCATION

TEACHING STAFF MEMBERS

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Professional Development for Teachers
and School Leaders

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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/or 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 NJAC 9C-4.4© and modified during the year as outlined in NJAC 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.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 13

Adopted: 09 June 2010
Revised: 13 Aug 2014
REVISED: 24 August 2016
Revised: 13 Sept 2017
POLICY 3270  PROFESSIONAL RESPONSIBILITIES

The Board of Education will establish and enforce rules for the assignment of specific duties to teaching staff members and for the conduct of teaching staff members during the work day.

The Board directs the Superintendent to require the preparation of lesson plans by each teacher that implement the goals and objectives of the educational program. Teachers shall also be responsible for providing adequate direction and guidance to substitutes. Lesson plans will be subject to periodic review by the Principal.

The Superintendent shall apply uniformly throughout the district, except as may otherwise be provided in this policy, the following additional rules for teaching staff member conduct:

1. During the work day, teaching staff members may be assigned extra or alternative duties by the Principal in accordance with Board Policy No. 3134;

2. Teaching staff members are expected to attend every faculty meeting unless expressly excused by the Principal;

A teaching staff member who is excused from attending a faculty meeting must meet with the Principal the following day to review the topics covered at the meeting;

3. If a teaching staff member leaves the school grounds, he/she must sign out when leaving and sign in on return in the building’s main office.

Adopted: 09 June 2010
REVISED: 18 May 2011
3280 LIABILITY FOR PUPIL WELFARE

Teaching staff members are responsible for supervision of pupils and must discharge that responsibility with the highest levels of care and prudent conduct. All teaching staff members of this district shall be governed by the following rules in order to protect the well-being of pupils and to avoid any assignment of liability to this Board of Education or to a staff member personally in the event a pupil is injured.

The Superintendent shall prepare such regulations as may be required to enforce the following rules:

1. Each teaching staff member must maintain a standard of care for supervision, control, and protection of pupils commensurate with the member's assigned duties and responsibilities;

2. A teaching staff member should not voluntarily assume responsibility for duties he/she cannot reasonably perform. Such assumed responsibilities carry the same potential for liability as do assigned responsibilities;

3. A teaching staff member must provide proper instruction in safety wherever course guides so provide;

4. A teaching staff member must report immediately to the Building Principal any accident or safety hazard the member detects;

5. A teaching staff member must not send pupils on personal errands;

6. A teaching staff member must never transport pupils in a personal vehicle without the approval of the Building Principal;

7. A teaching staff member must not require a pupil to perform tasks that may be detrimental to the health or well-being of the pupil or other pupils;

8. A teaching staff member will refrain from the use of personal furnishings and equipment in the classroom without the express permission of the Principal;

9. A teaching staff member must immediately report any instance of substance abuse, violence, vandalism, accidents, or suspected child abuse in accordance with Policy Nos. 8442, 8461, and 8462.

N.J.S.A. 9:6-8.8 et seq.
N.J.S.A. 59:1-1 et seq.

Adopted: 09 June 2010
3281 INAPPROPRIATE STAFF CONDUCT

The Board of Education recognizes its responsibility to protect the health, safety and welfare of all pupils within this school district. Furthermore, the Board recognizes there exists a professional responsibility for all school staff to protect a pupil’s health, safety and welfare. The Board strongly believes that school staff members have the public’s trust and confidence to protect the well-being of all pupils attending the school district.

In support of this Board’s strong commitment to the public’s trust and confidence of school staff, the Board of Education holds all school staff to the highest level of professional responsibility in their conduct with all pupils. Inappropriate conduct and conduct unbecoming a school staff member will not be tolerated in this school district.

The Board recognizes and appreciates the staff-pupil professional relationship that exists in a school district’s educational environment. This Policy has been developed and adopted by this Board to provide guidance and direction to avoid actual and/or the appearance of inappropriate staff conduct and conduct unbecoming a school staff member toward pupils.

School staff’s conduct in completing their professional responsibilities shall be appropriate at all times. School staff shall not make inappropriate comments to pupils or about pupils and shall not engage in inappropriate language or expression in the presence of pupils. School staff shall not engage in inappropriate conduct toward or with pupils. School staff shall not engage or seek to be in the presence of a pupil beyond the staff member’s professional responsibilities. School staff shall not provide transportation to a pupil in their private vehicle or permit a pupil into their private vehicle unless there is an emergency or a special circumstance that has been approved in advance by the Building Principal/immediate supervisor and the parent/legal guardian.

The Commissioner of Education has determined inappropriate conduct by a school staff member outside their professional responsibilities may be considered conduct unbecoming a staff member. Therefore, school staff members are advised to be concerned with such conduct which may include, but are not limited to, communications and/or publications using e-mails, text-messaging, social networking sites, or any other medium that is directed and/or available to pupils or for public display.

A school staff member is always expected to maintain a professional relationship with pupils and to protect the health, safety and welfare of school pupils. A staff member’s conduct will be held to the professional standards established by the New Jersey State Board of Education and the New Jersey Commissioner of Education. Inappropriate conduct or conduct unbecoming a staff member may also include conduct not specifically listed in this Policy, but conduct determined by the New Jersey State Board of Education, the New Jersey Commissioner of Education and/or appropriate courts to be inappropriate or conduct unbecoming a school staff member.
School personnel, compensated and uncompensated (volunteers), are required to report to their immediate supervisor or Building Principal any possible violations of this Policy. In the event the report alleges conduct by the Building Principal or the immediate supervisor, the school staff member may report directly to the Assistant Superintendent for Administration. In addition, school personnel having reasonable cause to believe a pupil has been subjected to child abuse or neglect or acts of child abuse or neglect as defined under N.J.S.A. 9:6-8.10 are required to immediately report to the Division of Youth and Family Services in accordance with N.J.A.C. 6A:16-10.1 et seq. and inform the Building Principal or immediate supervisor after making such report. However, notice to the Building Principal or designee need not be given when the school staff member believes such notice would likely endanger the referrer or child(ren) involved or when the staff member believes that such disclosure would likely result in retaliation against the child or in discrimination against the referrer with respect to his/her employment.

Reports may be made in writing or with verbal notification. The immediate supervisor or Building Principal will notify the Superintendent of Schools of all reports, including anonymous reports. The Assistant Superintendent for Administration will investigate all reports with a final report to the Superintendent of Schools. The Assistant Superintendent for Administration 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 Division of Youth and Family Services in accordance with N.J.A.C. 6A:16-10.2 et seq., and/or any other measure provided for in the law.

This Policy will be distributed to all school staff and provided to staff members at anytime upon request.

N.J.A.C. 6A:16-10.1 et seq.

Adopted: 09 June 2010
POLICY 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 a 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 communications between a teaching staff member and a student as defined in this Policy and other school policies.

Inappropriate 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
POLICY

BOARD OF EDUCATION

TEACHING STAFF MEMBERS

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.

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.


Adopted: 13 August 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 pupils. The course guides prepared for each course of study describe the material to be covered in each course and, in general, the approach to be employed by the teaching staff member responsible for the course.

The Board recognizes that some deviation from the course guide is necessary to the free exchange of ideas within the classroom. Exposure to a wide range of ideas encourages the spirit of inquiry that is essential to the learning process; the thorough examination of those ideas aids pupils in developing powers of reasoning and in acquiring habits of academic discipline.

The Board directs that the discussion of any issue not specifically covered by the course guide be conducted in an unprejudiced and dispassionate manner. The Board will not condone classroom discussion that is unrelated to the educational goals of this district or to the subject of the course of study, disrupts the educational process, does not match the maturity level of the pupils, neglects to inform pupils of various responsible points of view on the subject under discussion, or fails to take into account the sensibilities of the community.

Adopted: 09 June 2010
POLICY 3322 – Staff Member’s Use of Personal Cellular Telephones/other Communication Devices (revised)

The Board of Education recognizes a teaching staff member may need to electronically communicate on a non-school related, personal matter using a personal cellular telephone or other personal communication device during their workday. Electronic communications include, but are not limited to: voice conversations, text-messaging, accessing social networking or other internet sites, or any other type of electronic communication.

In the event the teaching staff member needs to electronically communicate on a non-school related, personal matter using a personal cellular telephone or other personal communication device during their workday, the teaching staff member may do so provided the communication is made during the teaching staff member's duty free lunch or break periods and/or preparation periods for teaching staff and is made outside the presence of students in an area inside the school building designated by the teaching staff member's Principal or immediate supervisor.

A teaching staff member's personal cellular telephone or other personal communication device shall be secured by the teaching staff member and outside the view of others when the teaching staff member is performing assigned school district responsibilities.

An electronic communication by a teaching staff member on a non-school related, personal matter using a personal cellular telephone or other personal communication device shall not be made while the teaching staff member is performing assigned school district responsibilities.

In the event the teaching staff member has an emergency requiring immediate attention that requires such a communication while performing assigned school district responsibilities, the teaching staff member shall inform their Principal or immediate supervisor before or immediately after the communication, depending on the nature of the emergency. The Board of Education is not responsible if a teaching staff member's personal cellular telephone or other communication device is lost, stolen, or missing.

Adopted: 08 April 2009
Revised: 09 June 2010
Revised: 12 Jan 2011
Revised: 11 June 2014
Revised: 18 Nov 2015
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 pupils 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 of Schools. 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.
3362 SEXUAL HARASSMENT

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

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

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

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

29 C.F.R. 1604.11

Adopted: 09 June 2010
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.


Adopted: 09 June 2010
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: 09 June 2010
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.


Adopted: 09 June 2010
Policy #3412  PLACEMENT ON GUIDE COLUMN

The Board of Education encourages all teaching staff members to enroll in programs of advanced education and will provide additional compensation to those who successfully complete such programs.

The Board reserves the right to approve a change in the salary of a teaching staff member who meets the following standards for advanced studies:

1. Courses must have been offered by an accredited institution of higher education, except as this requirement is waived by the Superintendent;

2. Courses must be those offered for the attainment of thirty credits beyond the Bachelor’s degree; the Master’s degree; or the Doctorate degree, per contract agreement or those specifically related to a member's assigned duties;

3. Courses must lead toward a degree that will contribute to the member's performance in this school district;

4. Effective January 12, 2011 and forward, the Board will no longer accept any undergraduate credits as graduate credits toward the attainment of advanced degree levels as indicated in #2. (Prior to this date a maximum of nine undergraduate credits were accepted as graduate credits for only one of the degree levels as indicated in #2).

5. Course registration must be approved in advance by the School Business Administrator/Board Secretary;

6. Courses must have been taken after the award of the last earned degree credited on the guide;

7. Course credit will be given on the salary guide only for the successful completion of the course, which may be demonstrated by an earned grade of B or better on a transcript submitted directly to the Superintendent by the institution in which the course was taken.

Where initial placement on the salary guide recognizes an employee's academic achievements by degrees conferred and credits awarded by an accredited college or university, proof of academic achievement must be by official transcript issued by the college or university.


Adopted: 09 June 2010
REVISED: 12 January 2011
3420  BENEFITS

The Board of Education will establish benefits for teaching staff members not covered by the terms of a negotiated agreement or in an individual contract with the Board.


Adopted: 09 June 2010
3421 POSTNATAL ACCOMMODATIONS

[See POLICY ALERT No. 219]

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.

Patient Protection and Affordable Care Act – P.L. 111-148
N.J.S.A. 26:4C-1 through 26:4C-3

Adopted: 10 June 2021
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: 09 June 2010
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: 09 June 2010
POLICY

VINELAND

BOARD OF EDUCATION

TEACHING STAFF MEMBERS

3431.4/ Page 1 of 4
Donated Sick Leave

POLICY 3431.4 DONATED SICK LEAVE

The Vineland Board of Education shall hereby adopt a District Donated Sick Leave Policy in accordance with the following and consistent with NJSA 18A:30-2.

The Donated Sick Leave Program will permit employees to donate sick leave days to staff members suffering from a catastrophic health condition or injury, which is expected to require a prolonged absence from work.

The Donated Sick Leave Program shall be administered by the Personnel Department with oversight by a Donated Sick Leave Committee. The Committee shall be comprised of one representative each from VASA, VEA and UAW appointed by the respective Presidents of those unions. The Committee shall also include the Executive Director of Personnel and one administrator appointed by the Superintendent. The Committee shall be chaired by the Executive Director of Personnel. At least three members in attendance shall constitute a quorum for purposes of review of requests. The Committee will review the request and the appropriate medical information from the employee’s physician and make a recommendation to the Superintendent. The Board may accept or reject the Superintendent’s recommendation, which shall be final. Donated sick leave days do not have to be pre-paid. The program will be administered in such a manner as to ensure the intent is met without interfering with any employee’s rights to privacy. Any person who applies for consideration shall agree that no member of the Board of Education or Committee shall be liable for reviewing and processing medical information received pursuant to this program.

Eligibility Determination

A. The Recipient

1. The employee must be suffering from a catastrophic health condition or injury, which is expected to require a prolonged absence from work.
2. The employee must have exhausted all accrued sick leave, other leaves, compensatory time and disability benefits under workers’ compensation and other disability claims.
3. An employee’s use of the Donated Sick Leave Program shall be subject to the approval of the Board of Education through the Superintendent.
4. The employee may request to participate in the program as a leave recipient by properly completing and submitting the necessary form to the Executive Director of Personnel along with medical verification from a physician or other licensed health care provider
concerning the nature and anticipated duration of the disability resulting from the catastrophic health condition or injury. A family member or the employee’s legal representative may also initiate this process on behalf of any employee if the employee is physically incapable.

5. If an employee is approved as a leave recipient, the employee’s name (with the employee’s consent) shall be circulated along with those of other eligible employees to encourage the donation of leave time. If the employee is unable to consent to this circulation, the employee’s family member or legal representative may consent on his/her behalf.

6. An employee may receive a maximum of 90 sick leave days from the Donated Sick leave Program. Days granted and not used shall lapse and not be eligible for supplemental compensation for any unused sick days which he/she received through the Donated Sick leave Program. The lapsed days shall not be returned to the donor.

7. An employee seeking donated leave shall not have been subject to attendance- or punctuality-related discipline or caution within the past two years.

8. An employee seeking donated leave shall have been continuously employed by the Vineland Board of Education for at least one year.

B. The Leave Donor

1. Full- or part-time employees are permitted to voluntarily donate a portion of their earned sick leave to other District employees who have exhausted all of their own earned leave time. Before a staff member is eligible to donate sick leave, he/she is required to have a current sick leave balance of at least 30 days. A leave donor shall not revoke the leave donation.

2. The donations must be made in whole sick day units.

3. The donor may not donate more than ten sick days to any one recipient.

4. An employee shall be prohibited from threatening or coercing or attempting to threaten or coerce another employee for the purpose of interfering with rights involving donating, receiving or using donated sick leave time.

   Such prohibited acts shall include, but not be limited to, promising to confer or conferring a benefit such as an appointment or promotion or making a threat to engage in, or engaging in, an act of retaliation against an employee.

5. The identity of all donors will be kept confidential unless permission is received from the donor to release his/her name to the recipient, and recipient must request such information.

6. The leave donor shall have been employed by the Vineland Board of Education for at least one continuous year.
Procedure

A. Any full- or part-time employee, in active status, may request to participate in the Donated Sick Leave Program. A “Donated Leave Recipient Affidavit” (copy attached) must be completed and submitted with supporting medical documents to the Executive Director of Personnel. A medical summary must be prepared by the employee’s physician and must include the diagnosis, prognosis, medical treatment and/or surgery required and the expected length of absence. A relative may also initiate this process on behalf of the employee if the employee is physically incapable.

B. The Executive Director of Personnel shall review the employee’s work history, leave status and medical documentation and determine if the employee is receiving disability benefits.

C. The Executive Director of Personnel shall convene a meeting of the Donated Sick Leave Committee within ten working days and make a recommendation as to the employee’s eligibility for inclusion in the Donated Sick Leave Program. The committee will review the application and recommend approval or disapproval to the Board of Education.

D. If the recipient is approved by the Board of Education, the Executive Director of Personnel shall prepare a “Notice of Request for Donated Leave” statement, announcing that the employee is one of the eligible recipients. The notice will be forwarded to all employees.

E. Employees who wish to donate time shall complete the “Donor Transfer Certification” form (copy attached) and record their decision regarding authorization to release their name to the recipient. These forms will be available in the Personnel Department. The donor must specify the number of sick leave days he/she is donating, not to exceed ten per recipient. The donor must certify that he/she was not solicited, coerced, or and did not accept anything of value in exchange for donating leave days.

F. The Executive Director of Personnel shall provide written evidence that the donor has the requisite number of days to make the donation. He/she is responsible for completing his/her portion of the “Donor Transfer Certification”.

G. Once the donor’s status is verified, the sick leave donated will be deducted from the donor and awarded to the approved recipient; however, the recipient shall not receive more than 90 days of sick time.

H. The recipient is considered no longer eligible to participate in the program when he/she is medically cleared to return to work or is separated from service.

I. Once the sick leave is donated, it may not be revoked by the donor.
Time Guidelines

A. Recipient

1. The starting date for the recipient’s participation in the Donated Sick Leave Program is established by determining the date when all of the employee’s accrued sick days, other leave time, compensatory time and disability benefits under workers’ compensation or other disability claims are exhausted.
2. The Personnel Department shall ensure that the donations received by the recipient do not exceed 90 days.
3. Personnel shall maintain current physician’s reports verifying the need for continued medical leave of absence.

B. Donor

1. Personnel shall ensure the donor’s accrued sick leave balances meet the requirements of the program after the adjustments for the donations are made.
2. Personnel shall ensure that every employee’s donation does not exceed ten days per recipient.
3. Donors may donate to more than one recipient.

NJSA 18A:30-2

Adopted: 12 February 2014
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 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:20-10; 2B:20-16

Adopted: 09 June 2010
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.


Adopted: 09 June 2010
4123  PROBATIONARY PERIOD

Each employee hired by the Board of Education shall serve a work-test period of ninety days duration during which the employee may be summarily dismissed without notice.

During the probationary period, time off the job for uncompensated leave, sick leave, in excess of the regular entitlement temporary military leave, and other leaves will not count toward the completion of the probationary period.

An employee who completes the probationary period will be entitled to all the rights and privileges accorded such employees by the policies of this Board, by contracts if any negotiated with the employee's representative, and by N.J.A.C. 4A; N.J.S.A. 11A.

An employee who successfully completes a probationary period in one classification of employment who is transferred to another classification of employment must serve a work-test period of ninety days in the new classification. If the employee does not perform successfully in the new classification, he/she shall be entitled to reinstatement in the former classification, provided there is available in that classification a position that is not filled by a permanent employee. If an employee transfers to another classification before the completion of one year on permanent status, he/she will not be eligible to be reinstated in the former classification. If no position is available, the employee entitled to reinstatement shall be given the reemployment preference he/she would receive in a layoff.

Adopted: 09 June 2010
4124 EMPLOYMENT CONTRACT

The district is a civil service school district and subject to the applicable rules and regulations.

Adopted: 09 June 2010
POLICY.

Vineland Board of Education

SUPPORT STAFF MEMBERS

[See POLICY ALERT Nos. 156, 166, 172, 202, and 222]

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 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, 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:6-7.1c. 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.


Adopted: 09 June 2010
Revised: 13 August 2014
Revised: 14 April 2021
4125.1 NEPOTISM

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

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

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

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

For purposes of this policy “close personal relationships” include, but are not limited to, cohabitation, engagement, and dating. Close personal relationships do not include purely social friendships.

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

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

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

In cases where an existing employee who is a member of the immediate family or an individual having a close personal relationship, as defined herein, of the Assistant Superintendents or the Personnel Director, then in such cases the President of the Vineland Board of Education shall appoint an advisory committee consisting of five administrators excluding the involved administrator. This committee shall review applications and interview applicants for the position based upon the job description and employment qualifications established for the position and
shall submit their comments and recommendations to the Superintendent. The Superintendent shall submit his or her recommendation with reasons for the recommendation and shall provide the comments and recommendations of the designated committee. In the event that the applicant is someone within a family relationship or close personal relationship with the Superintendent, then the Assistant Superintendent for Administration shall act in place of the Superintendent for purposes of this paragraph.

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

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

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

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

Adopted: 09 June 2010
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 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. 34-13A-1 et seq.; 34:19-1

Adopted: 09 June 2010
4160 PHYSICAL EXAMINATION

The Board of Education requires each candidate for employment who receives a conditional offer of employment to undergo a physical examination(s) 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).

If upon completing an examination(s) 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.

The physical examination shall include, but is not limited to, a health history to include past serious illnesses and injuries; current health problems; allergies; and a record of immunizations. The physical examination shall also include a health screening to include, but not 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.

School employee physicals, examinations, and/or annual medical updates do not require screening or disclosure of HIV status.

A Mantoux tuberculosis test shall be given to all student teachers, school bus drivers on contract with the district, and contractors or volunteers who have contact with students.
All staff members’ medical and health records, including computerized records, will be secured, stored, and maintained separately from other personnel files. The information contained in medical records will be kept confidential. Only the staff member, the Superintendent, and the school medical inspector shall have access to medical information regarding an individual employee. **Health records may be shared only with authorized individuals in accordance with N.J.S.A. 18A:16-5.** The 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, the staff member may also choose to share with the staff member’s Building Principal and, if desired, with the certified school nurse, information regarding current health status to assure ready access in a medical emergency.

Additional individual psychiatric or physical examinations of any staff member may be required by the Board whenever, in the judgment of the Board, a staff member shows evidence of deviation from normal physical or mental health. Any additional individual examinations will be pursuant to the requirements of N.J.A.C. 6A:32-6.3. Additional examinations and/or certifications may be required to verify fitness in accordance with Policy 4161 or disability in accordance with Policies 4425 and 4435.

42 U.S.C.A. 12101
N.J.A.C. 6A:32-6.1; 6A:32-6.2; 6A:32-6.3

Adopted: 09 June 2010
**Revised: 07 June 2017**
4161 EXAMINATION FOR CAUSE

The Board of Education may, in accordance with law, require the psychiatric or physical examination of any support staff member who shows evidence of deviation from normal physical or mental health.

The Superintendent shall recommend to the Board the examination of any support staff member whose physical or mental condition so departs from normal health as to adversely affect the performance of the member’s duties. Any such recommendation must be accompanied by competent evidence. If the Board determines that deviation from normal health has been demonstrated, it may require that the member submit to a physical or mental examination.

A requirement for physical or mental examination shall be made known to the employee by written notice setting forth the nature of the examination required, the reasons for the requirement, and a statement offering the member the opportunity to appear before the Board to explain or refute those reasons, provided any such hearing is requested in writing within five working days of the receipt of the notice.

A support staff member who fails to request an appearance before the Board within the time permitted or, having appeared before the Board, fails to persuade the Board that he/she should not be required to submit to the required examination shall be ordered to submit to an appropriate examination by a physician or institution designated by the Board and at the Board’s expense.

The support staff member may, at his/her option, submit names of physicians or institutions to the Board for consideration to complete the appropriate examination(s). The Board is not required to designate a physician or institution submitted for consideration by the support staff member, but the Board will not act unreasonably in withholding its approval of a physician or institution submitted by a support staff member. The cost of the examination will be borne by the Board if the Board designates a physician or institution from the names submitted from the support staff member.

If the support staff member’s request is denied, or if the support staff member does not request the Board to consider a physician or institution, the staff member may elect to submit to an appropriate examination conducted by a physician or institution of the support staff member’s own choosing and at his/her expense, provided the physician or institution so chosen is approved by the Board, pursuant to N.J.S.A. 18A:16-3, and is authorized and directed by the member to report the results of the examination to the Board.
If the results of the examination show mental abnormality or communicable disease, the support staff member shall be placed on sick leave and compensated in accordance with his/her sick leave entitlement, if any, until proof of recovery, satisfactory to the Board, is furnished. No leave of absence granted under this policy shall exceed the term of the contract of a nontenured support staff member or a period of two years in the case of a tenured support staff member.

A support staff member who refuses to submit to the examination required by the Board and has exhausted the hearing procedures established by law and this policy shall be subject to discipline, which may include the certification of tenure charges to the Commissioner of Education.

42 U.S.C.A. 12101
N.J.A.C. 6A:32-6.3

Adopted: 09 June 2010
4211 ATTENDANCE

Employee attendance is an important factor in the successful operation of any school district and in the maintenance of the continuity of the educational program. The Board of Education is vitally and continually interested in the attendance of each employee and considers satisfactory attendance an important criterion of satisfactory job performance.

The privilege of district employment imposes on each employee the responsibility to be on the job on time every scheduled working day. This responsibility requires that the employee maintain good health standards, take intelligent precautions against accidents both on and off the job, and manage personal affairs in order to satisfy district attendance requirements.

The Board is required by the high costs of absences and disrupted work schedules to give continuing attention to the maintenance of regular attendance by employees. Chronic absenteeism and tardiness are subject to discipline and may be cause for dismissal.

The Superintendent shall develop regulations to implement this policy.


Adopted: 09 June 2010
Pursuant to the N.J.S.A. 18A:30-4, after an employee has utilized three sick days cumulatively in any one school year, the Board of Education may, in its sole discretion, require submission of a physician’s certificate verifying said sick leave. In cases where, for valid reasons, such as an employee’s inability to see his/her physician, due to the nature of the sickness or the unavailability of the physician, the Board of Education may permit the employee to submit a certification to verify sick leave. The sick leave certification form is available from your Supervisor or Building Principal’s Office. Notwithstanding the use of a sick leave certification, the Board, in its sole discretion, may still require a physician’s certificate.

The physician’s certificate or employee’s certification to verify sick leave shall be turned in by the employee no later than the end of the second work day after the employee has returned to work. Should the employee not provide a physician’s certificate or employee’s certification to verify sick leave, then in the event, the Board of Education may, in its sole discretion, withhold pay for the date(s) the employee utilized sick leave.

The Board of Education acknowledges that the issue of sick leave is addressed in the Collective Bargaining Agreement entered into between the Vineland Board of Education and Amalgamated Local #2327 – U.A.W., A.F.L./C.I.O. and nothing in this Policy is designed to void the terms of the Collective Bargaining Agreement. The procedures as set forth in this Sick Leave Verification Policy shall be in addition to the reporting of absence on sick leave pursuant to Article XXII of the Collective Bargaining Agreement.

N.J.S.A. 18A:30-4


Approved: 12 April 2000
Revised: 09 June 2010
POLICY 4211.2 DONATED SICK LEAVE

The Vineland Board of Education shall hereby adopt a District Donated Sick Leave Policy in accordance with the following and consistent with NJSA 18A:30-2.

The Donated Sick Leave Program will permit employees to donate sick leave days to staff members suffering from a catastrophic health condition or injury, which is expected to require a prolonged absence from work.

The Donated Sick Leave Program shall be administered by the Personnel Department with oversight by a Donated Sick Leave Committee. The Committee shall be comprised of one representative each from VASA, VEA and UAW appointed by the respective Presidents of those unions. The Committee shall also include the Executive Director of Personnel and one administrator appointed by the Superintendent. The Committee shall be chaired by the Executive Director of Personnel. At least three members in attendance shall constitute a quorum for purposes of review of requests. The Committee will review the request and the appropriate medical information from the employee’s physician and make a recommendation to the Superintendent. The Board may accept or reject the Superintendent’s recommendation, which shall be final. Donated sick leave days do not have to be pre-paid. The program will be administered in such a manner as to ensure the intent is met without interfering with any employee’s rights to privacy. Any person who applies for consideration shall agree that no member of the Board of Education or Committee shall be liable for reviewing and processing medical information received pursuant to this program.

Eligibility Determination

A. The Recipient
   1. The employee must be suffering from a catastrophic health condition or injury, which is expected to require a prolonged absence from work.
   2. The employee must have exhausted all accrued sick leave, other leaves, compensatory time and disability benefits under workers’ compensation and other disability claims.
   3. An employee’s use of the Donated Sick Leave Program shall be subject to the approval of the Board of Education through the Superintendent.
   4. The employee may request to participate in the program as a leave recipient by properly completing and submitting the necessary form to the Executive Director of Personnel along with medical verification from a physician or other licensed health care provider concerning the nature and anticipated duration of the disability resulting from the catastrophic health condition or injury. A family member or the employee’s legal
representative may also initiate this process on behalf of any employee if the employee is physically incapable.

5. If an employee is approved as a leave recipient, the employee’s name (with the employee’s consent) shall be circulated along with those of other eligible employees to encourage the donation of leave time. If the employee is unable to consent to this circulation, the employee’s family member or legal representative may consent on his/her behalf.

6. An employee may receive a maximum of 90 sick leave days from the Donated Sick leave Program. Days granted and not used shall lapse and not be eligible for supplemental compensation for any unused sick days which he/she received through the Donated Sick leave Program. The lapsed days shall not be returned to the donor.

7. An employee seeking donated leave shall not have been subject to attendance- or punctuality-related discipline or caution within the past two years.

8. An employee seeking donated leave shall have been continuously employed by the Vineland Board of Education for at least one year.

B. The Leave Donor

1. Full- or part-time employees are permitted to voluntarily donate a portion of their earned sick leave to other District employees who have exhausted all of their own earned leave time. Before a staff member is eligible to donate sick leave, he/she is required to have a current sick leave balance of at least 30 days. A leave donor shall not revoke the leave donation.

2. The donations must be made in whole sick day units.

3. The donor may not donate more than ten sick days to any one recipient.

4. An employee shall be prohibited from threatening or coercing or attempting to threaten or coerce another employee for the purpose of interfering with rights involving donating, receiving or using donated sick leave time.

   Such prohibited acts shall include, but not be limited to, promising to confer or conferring a benefit such as an appointment or promotion or making a threat to engage in, or engaging in, an act of retaliation against an employee.

5. The identity of all donors will be kept confidential unless permission is received from the donor to release his/her name to the recipient, and recipient must request such information.

6. The leave donor shall have been employed by the Vineland Board of Education for at least one continuous year.
Procedure

A. Any full- or part-time employee, in active status, may request to participate in the Donated Sick Leave Program. A “Donated Leave Recipient Affidavit” (copy attached) must be completed and submitted with supporting medical documents to the Executive Director of Personnel. A medical summary must be prepared by the employee’s physician and must include the diagnosis, prognosis, medical treatment and/or surgery required and the expected length of absence. A relative may also initiate this process on behalf of the employee if the employee is physically incapable.

B. The Executive Director of Personnel shall review the employee’s work history, leave status and medical documentation and determine if the employee is receiving disability benefits.

C. The Executive Director of Personnel shall convene a meeting of the Donated Sick Leave Committee within ten working days and make a recommendation as to the employee’s eligibility for inclusion in the Donated Sick Leave Program. The committee will review the application and recommend approval or disapproval to the Board of Education.

D. If the recipient is approved by the Board of Education, the Executive Director of Personnel shall prepare a “Notice of Request for Donated Leave” statement, announcing that the employee is one of the eligible recipients. The notice will be forwarded to all employees.

E. Employees who wish to donate time shall complete the “Donor Transfer Certification” form (copy attached) and record their decision regarding authorization to release their name to the recipient. These forms will be available in the Personnel Department. The donor must specify the number of sick leave days he/she is donating, not to exceed ten per recipient. The donor must certify that he/she was not solicited, coerced, or and did not accept anything of value in exchange for donating leave days.

F. The Executive Director of Personnel shall provide written evidence that the donor has the requisite number of days to make the donation. He/she is responsible for completing his/her portion of the “Donor Transfer Certification”.

G. Once the donor’s status is verified, the sick leave donated will be deducted from the donor and awarded to the approved recipient; however, the recipient shall not receive more than 90 days of sick time.

H. The recipient is considered no longer eligible to participate in the program when he/she is medically cleared to return to work or is separated from service.

I. Once the sick leave is donated, it may not be revoked by the donor.
Time Guidelines

A. Recipient

1. The starting date for the recipient’s participation in the Donated Sick Leave Program is established by determining the date when all of the employee’s accrued sick days, other leave time, compensatory time and disability benefits under workers’ compensation or other disability claims are exhausted.
2. The Personnel Department shall ensure that the donations received by the recipient do not exceed 90 days.
3. Personnel shall maintain current physician’s reports verifying the need for continued medical leave of absence.

B. Donor

1. Personnel shall ensure the donor’s accrued sick leave balances meet the requirements of the program after the adjustments for the donations are made.
2. Personnel shall ensure that every employee’s donation does not exceed ten days per recipient.
3. Donors may donate to more than one recipient.

NJSA 18A:30-2

Adopted: 12 February 2014
4214 CONFLICT OF INTEREST

No support staff member of the Board of Education shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity which is in conflict with the proper discharge of the support staff member’s duties.

No support staff member shall use or attempt to use his/her position to secure unwarranted privileges or advantages.

No support staff member of the Board shall act in his/her official capacity in any matter wherein he/she has a direct or indirect personal financial interest.

No support staff member of the Board shall accept any gift, favor, service or other thing of value under circumstances from which it might be reasonably inferred that such gift, service or other thing of value was given or offered for the purpose of influencing the support staff member in the discharge of his/her duties.

The Board of Education discourages the presentation of gifts to support staff members by pupils and their parent(s) or legal guardian(s), because it may embarrass pupils with limited means and give the appearance of currying favor.

The Board directs that support staff members instruct pupils to express their appreciation by means other than gifts.

Support staff members may receive gifts of only nominal value from pupils or their parent(s) or legal guardian(s).

The Superintendent may approve an act or gift of appreciation to an individual support staff member when special circumstances warrant.


Adopted: 09 June 2010
4215  CODE OF ETHICS

All support staff employees will:

Represent themselves honestly in the application and selection procedure;

Report to work as scheduled;

Discuss complaints with their immediate superior, or through approved channels;

Not advise or counsel pupils except in special cases with the knowledge and consent of the Principal;

Complete thoroughly their assigned tasks;

Endeavor to establish good working relationships with other employees, professional as well as non-professional;

Commit themselves to providing the best possible services for pupils;

Uphold all rules and regulations as set by the Board, the Superintendent, and the Principals;

Keep the trust under which confidential information may be given;

Adhere to all the conditions of a contract;

Give prompt notice of any change in availability for continued employment; and

Protect and care for district property.

Adopted: 09 June 2010
4216 DRESS AND GROOMING

The Board of Education believes that 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 their pupils are reflected in their dress, appearance, and personal hygiene.

The Board retains the authority to specify the following dress and grooming guidelines for staff, within law, that will prevent such matters from having an adverse impact on the educational process. Attire shall meet the following criteria:

1. Men and women should dress in a manner befitting the profession. Support staff dress should uphold the dignity of the profession and be appropriate to the type of service the support staff is performing. Support staff may wear attire and appropriate footwear that is conducive to their work environment.
   a. Female staff members may wear skirts or slacks with blouses or sweaters, school uniform, dresses, skort or slack ensembles, or slack suits.
   b. Male staff members shall wear suits, jackets and ties, sweaters, school uniform, or sport or dress shirts with slacks.

2. Specialized Areas
   a. Office staff and secretaries will follow Policy 3216.

3. Support staff going on field trips should dress appropriately as representatives of the school district.

4. Support staff attending out-of-district workshops/inservices should adhere to the district dress code.

5. The Board lists the following as unacceptable attire:
   a. Torn, dirty, or wrinkled clothing;
   b. Inappropriate footwear such as: flip flops, bedroom slippers, combat boots;
   c. See-through clothing;
d. Tight-fitting clothing such as spandex and leggings;

e. Inappropriately low, plunging or deep V necklines;

f. Midriff, halters, tank, spaghetti straps, or tube tops;

g. T-shirts or undershirts as outerwear which contain offensive language or graphics;

Note: All skirt, skort or dress-like clothing should not exceed three inches above the knee.

h. Observable jewelry in body piercings must be limited to the ears only; and

6. Employees who are issued district uniforms will be required to wear to uniforms.

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 more stringent disciplinary measures.


Adopted: 09 June 2010
4218 SUBSTANCE ABUSE

The Board of Education recognizes a support staff member who reports to work under the influence of drugs or alcohol 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. A support staff member is prohibited from possession, use, distribution, or being under the influence of any substance during work hours.

For the purposes of this Policy, “substance” or “substances” 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, or 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.

Any support staff member who reports to work under the influence of or in possession of any substance will be subject to appropriate discipline, which may include termination or the filing of tenure charges for a tenured support staff member in accordance with law.

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. Refusal of a support staff member to consent to the medical examination and substance test will be determined to be a positive result.

In the event a support staff member’s medical examination and substance test results are negative for a substance, any documents or records pertaining to the requirement for the examination and test and results will not be maintained by the school district. Any required examination and testing shall be paid for by the Board. The support staff member will be afforded the opportunity to have any test results confirmed using acceptable test confirmation practices. This confirming test shall be paid for by the support staff member.
In accordance with the requirements of N.J.A.C. 6A:16-6.3(a), any support staff member who, in the course of their employment, has reason to believe a school 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 responsible at the time of the alleged violation. Either the Principal or the staff member shall notify the Superintendent of Schools 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 support staff member who has voluntarily sought and participated in an appropriate treatment or counseling program for an alcohol or drug abuse problem, provided the support staff member is not reasonably believed to be involved or implicated in drug-distribution activities. An admission by a support 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.

42 CFR Part 2
N.J.A.C. 6A:16-6.3; 6A:32-6.3

Adopted: 09 June 2010
Revised: 13 May 2015
The Board of Education is committed to a safe, efficient, alcohol and drug-free workplace, that protects the district’s pupils -- as well as the health and safety of its employees and the general public. The Board requires all employees of the Board performing any safety-sensitive function to be free of drugs and alcohol and will test those employees who operate a commercial motor vehicle in accordance with 49 CFR 382 et seq. and 49 CFR 40 et seq. For the purpose of this Policy “employee” means a person required to have a Commercial Driver’s License (CDL) in the performance of their job responsibilities. Safety-sensitive functions as defined by 49 CFR 382.107 means any time from the time an employee begins to work or is required to be in readiness to work until the time the employee is relieved from work and all responsibility for performing work. Safety-sensitive functions shall include:

1. All time at the terminal, facility, other property, or on any public property, waiting to be dispatched, unless relieved from duty;

2. All time inspecting equipment as required by Federal law or otherwise inspecting, servicing, or conditioning any commercial motor vehicle, at any time;

3. All time spent at the driving controls of a commercial motor vehicle in operation;

4. All time other than driving time in or upon the commercial motor vehicle except time spent resting in an area defined as a sleeping berth;

5. All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle or in giving or receiving receipts for shipments loaded and unloaded; and

6. All time spent repairing, obtaining assistance, or remaining in attendance upon a disable vehicle.

The Omnibus Transportation Employee Testing Act of 1991 requires all operators of commercial motor vehicles subject to the CDL requirements to be tested for controlled substances and alcohol. Federal regulations of the U. S. Department of Transportation require that any employee using a CDL be required to submit to alcohol and controlled substance testing in accordance with 49 CFR40.
The Board designates the (designated official) as the Designated Employer Representative (DER) of the Board of Education. The Board may contract with a service agent to provide the testing services as required by Federal law. In the event the Board contracts with a service provider for transportation, the Board designee will ensure all transportation contractors comply with the drug and alcohol testing requirements of Policy 4219 pursuant to 49 SFR 382 et seq. and 49 CFR 40 et seq.

No employee at any work site will possess, manufacture, use, sell, or distribute any quantity of any controlled substance, lawful or unlawful, which in sufficient quantity could result in impaired performance, with the exception of substances administered by or under the instructions of a physician. No employee shall perform safety-sensitive functions within four hours after using alcohol and the district will not permit an employee that used alcohol within four hours of performing safety-sensitive functions to perform such functions if the district has actual knowledge of the use, in accordance with 49 CFR 392.5.

Violations

Any violation of this Policy may result in discipline, up to and including termination.

Prohibited Substances

The presence of any of the controlled substances, listed in 49 CFR 40.87, in the body, as evidenced by the results of the initial screening and subsequent confirmatory analysis provided in this policy, is prohibited for any employee assigned to a classification covered by this Policy. All cutoff concentrations shall be in accordance with 49 CFR 40.87. All test results shall be measured against the cutoff concentrations outlined in 49 CFR 40.87.

Testing Procedures

All testing for controlled substances will be conducted in accordance with 49 CFR 40, Subparts A, B, C, D, E, F, G, H and I. The district will only test for drugs or classes of drugs in accordance with 49 CFR 40.85. Testing for alcohol will be conducted in accordance with 49 CFR 40, Subparts J, K, L, M and N.

Definitions

"Alcohol use" means the drinking or swallowing of any beverage, liquid mixture or preparation (including medication) containing alcohol.
"Aliquot" means a fractional part of a specimen used for testing. It is taken as a sample representing the whole specimen.

"Confirmatory drug test" means a second analytical procedure performed on an aliquot of the original specimen to identify and quantify the presence of a specific drug or drug metabolite.

"Confirmed drug test" means a confirmation test received by a Medical Review Officer (MRO) from a laboratory.

"Controlled substances" means those substances identified in 49 C.P.R. 40.85.

"CCF" means the Federal Drug Testing Custody and Control Form.

"Designated Employer Representative (DER)" is an employee of the district authorized to take immediate action (s) to remove employees from safety-sensitive duties, or cause employees to be removed from these covered duties, and to make required decisions in the testing and evaluation processes. The DER shall receive test results and other communications for the employer, consistent with the requirements of this policy and 49 CFR 40. Service agents cannot act as a DER.

"FMCSA" means Federal Motor Carrier Safety Administration.

"Initial drug test" (also known as a "Screening drug test") means the test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.

"Initial specimen validity test" means the first test used to determine if a urine specimen is adulterated, diluted, substituted or invalid.

"Medical Review Officer MRO" is a licensed physician responsible for receiving and reviewing laboratory results generated by the district's drug testing program and evaluating medical explanations for certain drug test results.

"Possess" includes, but is not limited to, either in or on the driver's person, personal effects, motor vehicle, or areas substantially entrusted to the control of the driver.

"Service agent" is any person or entity, other than an employee of the Board, who provides services specified under 49 CFR 40 to the Board.
"Substance Abuse Professional (SAP)" is a person who evaluates employees who have violated a Federal or State drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare. An individual permitted to act as a SAP must possess the credentials as outlined in 49 CFR 40.281.

"Work Site" means any motor vehicle, office, building, yard, or other location at which the driver is to perform work or any other school district property or at any school district event.

Categories of Testing

For the purpose of this Policy, the occurrence of the following circumstances/instances shall require an employee to submit to a controlled substance and alcohol screening:

1. Pre-Employment Testing

An individual who has applied for and has been selected to operate a Board vehicle shall, before beginning employment with the Board, submit to a controlled substance screening in conjunction with any required physical examination as per Policy 4160. Such screening shall be conducted in accordance with the procedures set forth in this Policy and 49 CFR 40. No individual receiving a positive confirmed test result will be employed by the Board.

An employer is not required to administer a controlled substances test required by 49 CPR 382.30l(a) if:

a. The employee has participated in a controlled substances testing program that met the requirements of 49 CFR 382 seq. within the previous thirty days; and

b. The employee while participating in that program either:

   (1) Was tested for controlled substances within the past six months (from the date of application with the employer); or
   (2) Participated in the random controlled substances testing program for the previous twelve months (from the date of application with the employer.)
c. The DER must ensure that no prior employer, to the DER's knowledge, has records of a violation of a controlled substances testing program within the previous six months.

If an individual is so exempted, the DER shall contact the controlled substances testing programs in which the individual participated and shall obtain and retain from the following information in accordance with 49 CPR 382.301(c):

a. Name and address of the program;
b. Verification of the individual's participation;
c. Verification that the program conforms to federal guidelines;
d. Verification the individual qualified under the law and did not refuse to be tested for controlled substances;
e. The date the individual was last tested for controlled substances; and
f. The results of any tests taken within the last six months and any other violations.

[Optional for Districts that conduct Pre-Employment Alcohol Tests]

In accordance with 49 CPR 382.301(d) the Board will conduct pre-employment alcohol tests before the first performance of safety-sensitive functions by a new employee or someone who has transferred to a position involving the performance of safety-sensitive functions. The alcohol test will be conducted after making a contingent offer of employment or transfer, subject to the employee passing the pre-employment alcohol test. All alcohol testing will be completed in accordance with 49 CPR 40 et seq. An employee will:

[Select one of the following:]

___ not begin working unless the result of the test indicates an alcohol concentration of less than 0.04.
___ not be offered employment and/or the transfer unless the result of the test indicates an alcohol concentration of less than 0.04.]
An employee who has applied for and has been selected to operate a Board vehicle or any existing employee transferring into a new position requiring the employee to operate a Board vehicle, shall submit a written consent authorizing the Board to obtain the following information from other employers who have employed the employee during any period during the two years before the date of the employee's application or transfer into the new position. The written consent from the employee will permit the DER to obtain the following information from previous Division of Transportation (DOT)-regulated employers:

a. Alcohol tests with a result of 0.04 or higher alcohol concentration;
b. Verified positive drug tests;
c. Refusals to be tested (including verified adulterated or substituted drug test results);
d. Other violations of DOT agency drug and alcohol testing regulations; and
e. With respect to any employee who violated a DOT drug and alcohol regulation, documentation of the employee's successful completion of DOT return-to-duty requirements (including follow-up tests). If this information is not available from the previous employer, the DER must seek to obtain this information from the employee.

The DER will obtain and review this information before the employee first performs safety-sensitive functions. If this is not feasible, the DER will not permit the employee to perform safety-sensitive functions, after thirty days from the date the employee first performed safety-sensitive functions, unless the DER has obtained or made and documented a good faith effort to obtain this information.

2. Random Testing

Every employee shall submit to random alcohol and controlled substance testing on an unannounced and random basis resulting from the selection by a random generation methodology in accordance with 49 CPR 383.305(i). Random testing will be spread reasonable throughout any given calendar year.
The minimum annual percentage rate for random alcohol testing shall be 10% of the average number of driver positions. The minimum annual percentage rate for random controlled substances testing shall be twenty-five percent of the average number of driver positions. The minimum annual percentage rates may be adjusted as determined by the FMCSA Administrator in accordance with 49 CPR 382.305.

Employees shall only be random tested when performing safety-sensitive functions or immediately prior to or immediately following the performance of safety-sensitive functions.

3. Post-Accident Testing

The involvement by an employee in a motor vehicle collision while operating a Board vehicle when such accident results in property damage or personal injury, may trigger a post-accident drug and alcohol test.

As soon as practical following an occurrence, the DER will require post-accident alcohol screening for each of the surviving drivers:

a. Who was performing safety-sensitive functions with respect to a vehicle, if the accident involves the loss of human life; or

b. Who receives a citation within eight hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved:

   (1) Bodily injury to any person, who, as a result of the injury immediately receives medical treatment away from the scene of the accident; or

   (2) One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

c. If the alcohol test is not administered within two hours following the accident, the DER shall prepare and maintain on file a record stating the reasons the test was not promptly administered. If the alcohol test is not administered within eight hours following the accident, the DER shall cease attempts to administer the alcohol test and shall prepare and maintain on file a record stating the reasons the test was not promptly administered. Records shall be submitted to the FMCSA upon request.
As soon as possible following an occurrence, the district will require post-accident controlled substance screening for each of the surviving drivers:

a. Who was performing safety-sensitive functions with respect to a vehicle, if the accident involves the loss of human life; or

b. Who receives a citation with thirty-two hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved:

   (1) Bodily injury to any person, who, as a result of the injury immediately receives medical treatment away from the scene of the accident; or

   (2) One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

c. If the controlled substance test is not administered within thirty-two hours following the accident, the DER shall cease attempts to administer the controlled substance test and shall prepare and maintain on file a record stating the reasons the test was not promptly administered. Records shall be submitted to the FMSCA upon request.

An employee who is subject to post-accident testing shall remain readily available for such testing or may be deemed by the employer to have refused to submit for testing. (An employee who is injured in an accident and requires medical care, shall submit to post-accident drug and controlled substance testing by the medical care facility providing the treatment or a designee of the Board if the facility is unable to provide the testing.) Nothing herein shall be construed to prevent the employee from leaving the scene of the accident for the period required to obtain necessary assistance or to obtain emergency medical care.

4. Reasonable Suspicion Testing

The DER shall require an employee to submit to an alcohol and/or controlled substance test when the employee is observed by a supervisor or school official who is trained in accordance with 49 CPR 382.603 and causes the observer to
have reasonable suspicion to believe the employee has violated 49 CFR 382 et seq. Reasonable suspicion must exist to require the employee to undergo a test and must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the employee. The observations may include indications of the chronic and withdrawal effects of controlled substances.

Reasonable suspicion alcohol testing is authorized only if the required observations are made during, just preceding, or just after the period of the work day the employee is required to be in compliance with the testing requirements of 49 CFR 382 et seq.

Reasonable suspicion testing may be required of an employee while the employee is performing, just before the employee will perform, or just after the employee has ceased performing safety-sensitive functions.

If the alcohol test is not administered within two hours following the determination a reasonable suspicion test is required, the DER will prepare and maintain on file a record stating the reasons the test was not promptly administered. If the alcohol test is not administered within eight hours following the determination, the DER shall cease attempts to administer the alcohol test and shall state in the record the reasons for not administering the test.

No employee shall report for duty or remain on duty requiring the performance of safety-sensitive functions while the employee is under the influence of or impaired by alcohol, as shown by the behavioral, speech and performance indicators of alcohol misuse. The employee will also not be able to perform or continue to perform safety-sensitive functions until an alcohol test is administered and the employee’s concentration measures less than 0.02 or twenty-four hours have elapsed following the determination that reasonable suspicion existed to require an alcohol test.

A written record of the observations leading to a reasonable suspicion test shall be made and signed by the supervisor and/or school official that made the observations. This record shall be made within twenty-four hours of the observed behavior or before the results of the test are released, whichever is earlier.
5. Return to Duty Testing

The district is not required to return an employee to a safety-sensitive position upon receipt of a confirmed drug and/or alcohol test.

The DER may recommend to the Superintendent of Schools the employee's employment be terminated depending on the circumstances.

The DER shall ensure that before an employee returns to duty requiring the performance of a safety-sensitive function, the employee shall undergo a return to duty alcohol test indicating a breath alcohol concentration of less than 0.02 and a controlled substances test with a result indicating a verified negative result for controlled substances use as required in 49 CFR 40.305.

Employees permitted to return to duty are required to take return-to-duty tests and shall be evaluated by a SAP. These employees must participate in an assistance program prescribed by the SAP and as required in 49 CFR 40 Subpart O.

The SAP will determine a written follow-up testing plan for any individual who has been permitted to return to work and has successfully complied with the SAP's recommendations for education and/or treatment. Such employees are subject to a minimum of six (6) unannounced, follow-up drug screenings and alcohol tests over the following twelve (12) months. The testing shall not exceed forty-eight additional months. Alcohol follow-up testing shall be performed only when the employee is performing safety-sensitive functions or immediately prior to performing or immediately after performing safety-sensitive functions. All follow-up testing will be completed in accordance with 49 CFR 40.307. The SAP will comply with all reporting requirements of 49 CFR 40.311.

The Board shall make the ultimate determination to return or not return an employee to any collective bargaining agreements, if any, or other legal requirements.

Medical Review Officer (MRO) Notifications

The Board shall employ or contract with a MRO who is a licensed physician (M.D. or D.O.) and shall designate the MRO as the individual responsible for receiving laboratory results generated by the testing program. The MRO shall have knowledge of controlled substances abuse disorders and have appropriate medical training to interpret and evaluate the employee's confirmed drug test results together with his/her medical history and other biomedical data. The MRO will perform all functions and responsibilities as required in 49 CFR 40.121.
Employer Notification

The MRO may report controlled substances test results to the DER by any means of communication; however, a signed, written notification must be forwarded within three business days of the completion of the Medical Review Officer's evaluation. The MRO must report all drug test results to the employer. The MRO may use a signed or stamped and dated legible photocopy of Copy 2 of the CCF to report test results or a written report that must include, at a minimum, the information required in 49 CFR 40.163.

Split Specimen Tests

Split specimen testing will be conducted in accordance with 49 CFR 40 Subpart H. The MRO will notify the Superintendent of Schools or designee, if split specimen testing is requested by the employee.

Designated Collection Facility

The Board shall designate the facility to be used for the collection of the specimen; provided, however, that the designated facility shall possess all required licenses and permits. The collection site will take place in a facility meeting the requirements of 49 CFR 40 Subpart D. The DER will ensure the collection site meets the security requirements of 49 CFR 40.43.

Designated Screening Laboratory

The Board shall designate the laboratory to which collected fluid samples will be forwarded for drug/alcohol screening. Drug testing laboratories must be certified by the Department of Health and Human Services (HHS) under the National Laboratory Certification Program (NLCP) for all testing required under 49 CFR 40. The laboratory will perform all responsibilities as required in accordance with 49 CFR 40 Subpart F.

Specimens

The normal screening methodology for controlled substances shall be urinalysis, collected by a trained representative of the Board with appropriate documentation at a site designated and approved by the Board. The presence of alcohol will be determined by an Alcohol Screening Device (ASD) or an Evidential Breath Testing Device administered by an individual certified in accordance with 49 CFR 40.211 and 49 CFR 40.213.
Refusal to Submit

An employee will be deemed as refusing to take a drug test as described in 49 CFR 40.191. As per 49 CPR 40.191, an employee refuses to take a drug test if he/she:

1. Fails to appear for any test (except a pre-employment test) within a reasonable time, as determined by the DER, consistent with applicable DOT agency regulations, after being directed to do so by the DER;

2. Fails to remain at the testing site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test is not deemed to have refused to test;

3. Fails to provide a urine specimen for any drug test required by this Policy. An employee who does not provide a urine specimen because he or she has left the testing site before the testing process commences for a pre-employment test is not deemed to have refused to test;

4. Fails to permit the observation or monitoring of providing a specimen in the case of a directly observed or monitored collection in a drug test;

5. Fails to provide a sufficient amount of urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;

6. Fails or declines to take an additional drug test the DER or collector has directed the employee to take;

7. Fails to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER under 49 CPR 40.193(d). In the case of a pre-employment drug test, the employee is deemed to have refused to test on this basis only if the pre-employment test is conducted following a contingent offer of employment;

8. Fails to cooperate with any part of the testing process (e.g., refuses to empty pockets when so directed by the collector, behaves in a confrontational way that disrupts the collection process) fails to wash hands after being directed to do so by the collector;
9. Fails to follow the collection observer(s) instructions of which could be used to interfere with the collection process;

10. Possesses or wears a prosthetic or other device that could be used to interfere with the collection process; or

11. Admits to the collector or MRO he/she has adulterated or substituted the specimen.

If the MRO reports the employee had a verified adulterated or substituted test result, the result will be deemed refusal to take a drug test.

If an employee refuses to participate in a part of the testing process, the collector or MRO, must terminate the portion of the testing process, document the refusal on the CCF (including in the case of the collector, printing the employee’s name on Copy 2 of the CCF), immediately notify the DER by any means (e.g., telephone or secure fax machine) that ensures that the refusal notification is immediately received. A referral physician (e.g., physician evaluating a “shy bladder” condition or a claim of a legitimate medical explanation in a validity testing situation) must notify the MRO, who in turn will notify the DER. In addition the collector must note the refusal in the "Remarks" line (Step 2), and sign and date the CCF. The MRO must note the refusal by checking the "refused to test because" box (Step 6) on Copy 2 of the CCF, and add the reason on the "Remarks" line. The MRO must then sign and date the CCF. When the driver refuses to take a non-DOT test or to sign a non-DOT form, the employee has not refused to take a DOT test. There are no consequences under DOT agency regulations for refusing to take a non-DOT test.

Record of Negative Screening

An employee required to submit to an alcohol and/or controlled substance screening as provided in this Policy and whose screening results are negative may, at their option, have their personnel file documented to reflect the negative result.

Prescription Drugs

All bus drivers shall notify the DER of the use of any prescription drugs. The Board may require certification from the prescribing physician that the use of the prescription drug will not have an adverse affect on the driver’s ability to properly perform safety-sensitive functions.
Consequences to Employees Engaging in Prohibited Conduct

An employee whose screening produces a positive result for a prohibited substance who is permitted to return to work:

1. Shall not be permitted to perform safety-sensitive functions;
2. Shall be advised by the DER of resources available to them in evaluating and resolving problems associated with the misuse of alcohol or the use of controlled substances;
3. Shall be evaluated by a SAP who shall determine what assistance, if any, is needed to resolve problems with alcohol or controlled substance use;
4. Undergo, before returning to duty, a return to duty alcohol test indicating a breath level of less than 0.02 if the conduct involved alcohol or a controlled substance test with a verified negative result;
5. If assistance was required, the employee must be evaluated by a SAP to determine that the employee has followed the rehabilitation program prescribed;
6. Be subject to unannounced follow up alcohol and/or controlled substance abuse testing;
7. Be subject to the disciplinary Policy and Regulations of the Board.

Return-to-Work Agreement

An employee who has been permitted to return to work and who fails to comply with any of the terms of a Return to Work Agreement, if provided at the employer's discretion, shall be subject to disciplinary action which may include termination.

Maintenance and Retention of Records

The DER shall maintain and retain all records as required by Federal regulation. Records shall include at least the following:

1. Records Related to the Collection Process:
   a. Collection logbooks (if used);
b. Documents sent to the random selection process;

c. Calibration documentation for Evidential Breath Testing Devices (EBT's);

d. Documentation of Breath Alcohol Technician (BAT) training;

e. Documentation of reasoning for reasonable suspicion testing;

f. Documentation of reasoning for post-accident testing;

g. Documents verifying a medical explanation for the inability to provide adequate breath or urine for testing; and

h. Consolidated annual calendar year summaries;

2. Records Related to the Employee's Test Results

a. Employer's copy of the alcohol test form, including results;

b. Employer's copy of the controlled substance test chain of custody and control form;

c. Documents sent to the employer by the MRO;

d. Documentation of any employee's refusal to submit to a required alcohol or controlled substance test; and

e. Documents provided by an employee to dispute results of test.

3. Documentation of any Other Violations of Controlled Substance Use or Alcohol Misuse Policies

4. Records Related to Evaluations and Training:

a. Records pertaining to SAP's determination of an employee's need for assistance;

b. Records concerning a driver's compliance with SAP's recommendations, and records related to education and training;
c. Materials on drug and alcohol awareness, including a copy of the employer’s policy on drug use and alcohol misuse;

d. Documentation of compliance with the requirement to provide employees with educational material, including an employee’s signed receipt of materials;

e. Documentation of supervisor training; and

f. Certification that training conducted under this Policy complies with all requirements of the Policy.

5. Records Related to Drug Testing

a. Agreements with collection site facilities, laboratories, MRO's and consortia;

b. Names and positions of officials and their role in the employer's alcohol and controlled substance testing program;

c. Monthly statistical summaries of urinalysis; and

d. The employer’s drug testing policy and procedures.

6. Required Period of Retention:

<table>
<thead>
<tr>
<th>Document to be maintained</th>
<th>Period required to be maintained</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alcohol test results indicating a breath alcohol concentration of 0.02 or greater</td>
<td>5 Years</td>
</tr>
<tr>
<td>Verified positive controlled substance test results</td>
<td>5 Years</td>
</tr>
<tr>
<td>Documentation of refusals to submit required alcohol or controlled substance tests</td>
<td>5 Years</td>
</tr>
<tr>
<td>Calibration documentation</td>
<td>5 Years</td>
</tr>
</tbody>
</table>
### Commercial Driver's License Controlled Substance and Alcohol Use Testing

<table>
<thead>
<tr>
<th>Document to be maintained</th>
<th>Period required to be maintained</th>
</tr>
</thead>
<tbody>
<tr>
<td>Records related to the administration of the alcohol and controlled substances testing program, including records of all driver violations.</td>
<td>5 Years</td>
</tr>
<tr>
<td>Driver evaluations and referrals</td>
<td>5 Years</td>
</tr>
<tr>
<td>A copy of each annual calendar year summary</td>
<td>5 Years</td>
</tr>
<tr>
<td>Records obtained from previous employers concerning alcohol and drug testing</td>
<td>3 Years</td>
</tr>
<tr>
<td>Records related to the alcohol and controlled substances collection process (except calibration of evidential breath testing devices)</td>
<td>2 Years</td>
</tr>
<tr>
<td>Records related to negative and canceled controlled substance test results</td>
<td>1 Year</td>
</tr>
<tr>
<td>Alcohol test results indicating a breath alcohol concentration less than 0.02</td>
<td>1 Year</td>
</tr>
<tr>
<td>Records related to the education and training of breath alcohol technicians, screening test technicians, supervisors, and drivers shall be maintained by the employer while the individual performs the functions which require the training and for two years after ceasing to perform those functions.</td>
<td>Indefinite time period</td>
</tr>
</tbody>
</table>

Other specific types of records shall be maintained in accordance with 49 CFR 382.401.
7. Location of Records

All required records shall be maintained in accordance with Policy 8320. Records shall be made available for inspection at the Board Offices within two business days after a request has been made by an authorized representative of the FMCSA.

8. Annual Calendar Year Summary

The DER shall prepare and maintain an annual calendar year summary of the results of its alcohol and substance abuse testing programs. The summary shall be completed no later than March 15 of each year covering the previous calendar year. The DER upon request of the FMCSA will provide the annual summary to that agency in the required format.

9. Employee Information Program

The Board will provide an employee information program. The DER will be responsible for implementing the program and shall ensure that each employee receives information in the manner specified below:

a. By receiving a copy of this Policy and any subsequent revisions.

b. The DER will provide written notice to employees of the following information:

   (1) The identity of the person designated by the employer to answer employee questions about the materials;

   (2) Which employees are subject to the alcohol misuse and controlled substance requirements;

   (3) Explanation of what constitutes a safety-sensitive function, so as to make clear what period of the workday the employee is required to be in compliance;

   (4) Specific information concerning employee conduct that is prohibited;
Commercial Driver's License Controlled Substance and Alcohol Use Testing

(5) The circumstances under which a driver will be tested for alcohol and/or controlled substances;

(6) The procedures that will be used to test for the presence of alcohol and controlled substances;

(7) The requirement that a driver submit to alcohol and controlled substance tests;

(8) An explanation of what constitutes a refusal to submit to an alcohol or controlled substance test;

(9) The consequences for drivers found to have violated the prohibitions of this rule, including the immediate removal of the driver from safety-sensitive functions;

(10) The consequences for drivers found to have an alcohol concentration level of 0.02 or greater but less than 0.04;

(11) Information concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life. Signs and symptoms of an alcohol or controlled substances problem, and available methods of intervening when an alcohol or a control substances problem is suspected, including confrontation, referral to any employee assistance program and or referral to management.

Omnibus Transportation Act of 1991
49 CPR 40 et seq.
49 CPR 382 et seq.
49 CPR 395.2

Adopted: 09 June 2010
Revised: 03 April 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. Evaluations shall be made at least once each year for all employees who have worked at least three months during the rating period. Any records created in the evaluation process will become part of the employee's file and subject to Board policy on personnel records.

Adopted: 09 June 2010
POLICY

VINELAND
BOARD OF EDUCATION

SUPPORT STAFF MEMBERS
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Outside Activities

4230  OUTSIDE ACTIVITIES

The Board of Education recognizes that employees enjoy a private life outside the school in which they enjoy associations and engage in activities with others for a variety of personal, economic, religious, or cultural reasons. The Board believes that school employees exert a continuing influence away from the school. Further, the Board has directed the evaluation of staff in terms of their faithfulness to and effectiveness in discharging district duties. Accordingly, the Board reserves the right to determine when activities outside the school interfere with an employee's performance and the discharge of the employee's responsibilities to this district.

The Board directs that all employees be governed in their activities outside the school by the following guidelines:

1. Employees should not devote time during the working day to an outside activity without valid reason, and they should not solicit or accept customers for private enterprises on school premises or during the school day without the express permission of the School Business Administrator/Board Secretary;

   The Board will not endorse, support, nor assume liability for any employee who conducts a private activity in which pupils or employees of this district participate;

2. Employees shall refrain from public utterances or conduct that have an adverse or harmful effect upon the school community or interfere with the harmonious working relationships expected of district employees;

3. Copyrights and patents to materials or equipment developed, written, prepared, processed, or tested by employees in the performance of their school district duties reside with and may be claimed by the Board.

Adopted: 09 June 2010
Policy 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. No literature which in any manner and in any part thereof promotes, favors or opposes the candidacy of any candidate for election at any general, municipal or school election, or the adoption of any bond issue, proposal, or any public question submitted at any general, municipal or school election shall be given to any public school pupil in any public school building or on the grounds thereof for the purposes of having such pupil take the same to his/her home or distribute it to any person outside of said building or grounds, nor shall any pupil 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;

2. An employee shall not post political circulars or petitions on school premises nor distribute such circulars or petitions to pupils nor solicit campaign funds or campaign workers on school premises except support staff members may engage in political activities during lunch or free periods in any school faculty room;

3. An employee shall not display any badge or material that would tend to promote any candidate for office on an election day in a school facility that is used as a polling place;

4. An employee shall not engage in any activity in the presence of pupils while on school property, which activity is intended and/or designed to promote, further or assert a position(s) on candidates or 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.

The Superintendent is hereby authorized and directed to adopt regulations, consistent with this Policy, for the implementation and enforcement of the provisions of this Policy.

Green Township v. Rowe, Superior Court of New Jersey - Appellate Division A-2528-98T5
See also Policy 4321 and Reg 4321

Adopted: 09 June 2010
REVISED: 08 July 2015
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 School Business Administrator/Board Secretary 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 School Business Administrator/Board Secretary.

Adopted: 09 June 2010
4250  HOURS AND DAYS OF WORK

The Board of Education reserves the right to specify the working hours for support staff members not otherwise provided for in a negotiated contract or in an individual contract with the Board.

Adopted: 09 June 2010
4281 INAPPROPRIATE STAFF CONDUCT

The Board of Education recognizes its responsibility to protect the health, safety and welfare of all pupils within this school district. Furthermore, the Board recognizes there exists a professional responsibility for all school staff to protect a pupil’s health, safety and welfare. The Board strongly believes that school staff members have the public’s trust and confidence to protect the well-being of all pupils attending the school district.

In support of this Board’s strong commitment to the public’s trust and confidence of school staff, the Board of Education holds all school staff to the highest level of professional responsibility in their conduct with all pupils. Inappropriate conduct and conduct unbecoming a school staff member will not be tolerated in this school district.

The Board recognizes and appreciates the staff-pupil professional relationship that exists in a school district’s educational environment. This Policy has been developed and adopted by this Board to provide guidance and direction to avoid actual and/or the appearance of inappropriate staff conduct and conduct unbecoming a school staff member toward pupils.

School staff’s conduct in completing their professional responsibilities shall be appropriate at all times. School staff shall not make inappropriate comments to pupils or about pupils and shall not engage in inappropriate language or expression in the presence of pupils. School staff shall not engage in inappropriate conduct toward or with pupils. School staff shall not engage or seek to be in the presence of a pupil beyond the staff member’s professional responsibilities. School staff shall not provide transportation to a pupil in their private vehicle or permit a pupil into their private vehicle unless there is an emergency or a special circumstance that has been approved in advance by the Building Principal/immediate supervisor and the parent/legal guardian.

The Commissioner of Education has determined inappropriate conduct by a school staff member outside their professional responsibilities may be considered conduct unbecoming a staff member. Therefore, school staff members are advised to be concerned with such conduct which may include, but are not limited to, communications and/or publications using e-mails, text-messaging, social networking sites, or any other medium that is directed and/or available to pupils or for public display.

A school staff member is always expected to maintain a professional relationship with pupils and school staff members shall protect the health, safety and welfare of school pupils. A staff member’s conduct will be held to the professional standards established by the New Jersey State Board of Education and the New Jersey Commissioner of Education. Inappropriate conduct or conduct unbecoming a staff member may also include conduct not specifically listed in this Policy, but conduct determined by the New Jersey State Board of Education, the New Jersey Commissioner of Education and/or appropriate courts to be inappropriate or conduct unbecoming a school staff member.
School personnel, compensated and uncompensated (volunteers), are required to report to their immediate supervisor or Building Principal any possible violations of this Policy. In the event the report alleges conduct by the Building Principal or the immediate supervisor, the school staff member may report directly to the Assistant Superintendent for Administration. In addition, school personnel having reasonable cause to believe a pupil has been subjected to child abuse or neglect or acts of child abuse or neglect as defined under N.J.S.A. 9:6-8.10 are required to immediately report to the Division of Youth and Family Services in accordance with N.J.A.C. 6A:16-10.1 et seq. and inform the Building Principal or immediate supervisor after making such report. However, notice to the Building Principal or designee need not be given when the school staff member believes such notice would likely endanger the referrer or child(ren) involved or when the staff member believes that such disclosure would likely result in retaliation against the child or in discrimination against the referrer with respect to his/her employment.

Reports may be made in writing or with verbal notification. The immediate supervisor or Building Principal will notify the Superintendent of Schools of all reports, including anonymous reports. The Assistant Superintendent for Administration will investigate all reports with a final report to the Superintendent of Schools. The Assistant Superintendent for Administration 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 Division of Youth and Family Services in accordance with N.J.A.C. 6A:16-10.2 et seq., and/or any other measure provided for in the law.

This Policy will be distributed to all school staff and provided to staff members at anytime upon request.

N.J.A.C. 6A:16-10.1 et seq.

Adopted: 09 June 2010
POLICY 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.

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.

Adopted: 13 August 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: 09 June 2010
Policy 4322 – Staff Member’s Use of Personal Cellular Telephones/other Communication Devices (revised)

The Board of Education recognizes a support staff member may need to electronically communicate on a non-school related, personal matter using a personal cellular telephone or other personal communication device during their workday. Electronic communications include, but are not limited to: voice conversations, text-messaging, accessing social networking or other internet sites, or any other type of electronic communication.

In the event the support staff member needs to electronically communicate on a non-school related, personal matter using a personal cellular telephone or other personal communication device, the support staff member may do so provided the communication is made during the support staff member's free lunch or break periods and is made outside the presence of students in an area inside the school building designated by the support staff member's Principal or immediate supervisor.

A support staff member's personal cellular telephone or other personal communication device shall be secured by the support staff member and outside the view of others when the support staff member is performing assigned school district responsibilities.

An electronic communication by a support staff member on a non-school related, personal matter using a personal cellular telephone or other personal communication device shall not be made while the support staff member is performing assigned school district responsibilities.

In the event the support staff member has an emergency requiring immediate attention that requires such a communication while performing assigned school district responsibilities, the support staff member shall inform their Principal or immediate supervisor before or immediately after the communication, depending on the nature of the emergency. The Board of Education is not responsible if a support staff member's personal cellular telephone or other communication device is lost, stolen, or missing.

Adopted: 08 April 2009
Revised: 09 June 2010
Revised: 12 Jan 2011
Revised: 11 June 2014
Revised: 18 Nov 2015
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 pupils 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 of Schools. 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: 09 June 2010
4352 SEXUAL HARASSMENT

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

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

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

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

29 C.F.R. 1604.11

Adopted: 09 June 2010
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: 09 June 2010
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.


Adopted: 09 June 2010
4413  OVERTIME COMPENSATION

The Board of Education will compensate overtime work in accordance with law.

No overtime shall be worked without the written advance approval of the immediate supervisor.

29 U.S.C.A. 207(o)
29 U.S.C.A. 207(p)
N.J.S.A. 34:11-56(a)4

Adopted: 09 June 2010
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.

Substitute support staff members will be paid at a per diem rate set by the Board.

Adopted: 09 June 2010
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.


Adopted: 09 June 2010
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.

Patient Protection and Affordable Care Act – P.L. 111-148
N.J.S.A. 26:4C-1 through 26:4C-3

Adopted: 10 June 2021
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. 34:15-38

Adopted: 09 June 2010
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.
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 employee eligible for sick leave will be granted 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.

Adopted: 09 June 2010
4433 VACATIONS

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 as governed by the New Jersey Department of Personnel.

Vacation time will be granted as follows:

<table>
<thead>
<tr>
<th>Years</th>
<th>12 Month Employees</th>
<th>Days Awarded</th>
<th>10 Month Employees</th>
<th>Days Awarded</th>
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</thead>
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<tr>
<td>0 to 10</td>
<td>one day per month</td>
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<td>0 to 10</td>
<td>one day per month</td>
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<td>(12 days maximum)</td>
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<td>11 – 15</td>
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<td>12.5 days</td>
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<td>16 days</td>
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<tr>
<td>20 or more</td>
<td>20 days</td>
<td></td>
<td>20 or more</td>
<td>17 days</td>
</tr>
</tbody>
</table>

All employees will accrue one day’s vacation for each month worked, posted at the beginning of each month. In order to accrue vacation days, employees must be in a paid status.

An application for vacation must be presented to the employee’s supervisor not less than seven calendar days before the intended starting date of the vacation. A waiver to that rule may be given in emergency situations. The employee's supervisor must approve all vacations before they are taken.

Vacation days earned and not taken in a given year may be granted during the succeeding school year only, as governed by the New Jersey Department of Personnel.

Vacations will be granted only at times of the year when they will not interfere with the efficient operations of the district. Vacation days can not be utilized prior to accrual without the written approval of the Superintendent or the Executive Director of Personnel, in the Superintendent’s absence.

Accrued vacation time may be paid to a retiring employee or to the estate of a deceased employee.

N.J.S.A. 18A:30-7

Adopted: 12 September 2007
Revised: 14 May 2008, 11 February 2009, 09 June 2010
4436 PERSONAL LEAVE

The Board of Education will provide for an employee's compensated absence in extraordinary circumstances for reason of personal necessity not covered by the terms of a negotiated agreement.

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 or in an individual contract with the Board.

N.J.S.A. 18A:30-7

Adopted: 09 June 2010
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: 09 June 2010
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

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.

A child who is domiciled within the school district and resides with a parent or guardian who is a member of the New Jersey National Guard or a member of the reserve component of the armed forces of the United States who is ordered into active military service in a time of war or national emergency shall be permitted to remain enrolled in the school district in which the child is domiciled at the time of the parent or guardian being ordered into active military service, regardless of where the child resides during the period of active duty. Following the return of the child’s parent or guardian from active military service, the child’s eligibility to remain enrolled in the school district pursuant to N.J.S.A. 18A:38-3.1 shall cease at the end of the current school year unless the child is domiciled in the school district.

The Board shall also admit any student that is kept in the home of a person other than the student’s parent or guardian, where the person is domiciled in the school district and is supporting the student without remuneration as if the student were his or her own child in accordance with N.J.A.C. 6A:22-3.2. A student is only eligible to attend school in the district pursuant to N.J.A.C. 6A:22-3.2 if the student’s parent or guardian files, together with documentation to support its validity, a sworn statement that he or she is not capable of supporting or providing care for the student due to family or economic hardship and the student is not residing with the other person solely for the purpose of receiving a free public education. In addition, the person keeping the student must file, if so required by the Board of Education, a sworn statement that he or she: is domiciled within the school district; is supporting the child without remuneration and intends to do so for a time longer than the school term; will assume all personal obligations for the student relative to school requirements; and provides a copy of his or her lease if a tenant, a sworn landlord’s statement if residing as a tenant without a written lease, or a mortgage or tax bill if an owner. Pursuant to N.J.S.A. 18A:38-1.c, any person who fraudulently allows a child of another person to use his or her residence and is not the primary financial supporter of that child and any person who fraudulently claims to have given up custody of his or her child to a person in another district commits a disorderly persons offense.

A student is eligible to attend school in this school district free of charge pursuant to N.J.S.A. 18A:38-1.b if the student is kept in the home of a person domiciled in the school district, who is not the parent or guardian and the parent or guardian is a member of the New Jersey National Guard or the reserve
component of the United States armed forces and has been ordered into active military service in the
United States armed forces in time of war or national emergency. Eligibility under this provision shall
cease at the end of the current school year during which the parent or guardian returns from active
military duty.

A student is eligible to attend school in this school district free of charge pursuant to N.J.S.A. 18A:38-1.d
if the student’s parent or guardian temporarily resides within the school district and elects to have the
student attend the school district of temporary residence, notwithstanding the existence of a domicile
elsewhere. When required by the Board of Education, the parent or guardian shall demonstrate the
temporary residence is not solely for purposes of a student attending the school district of temporary
residence. When one of a student’s parents or guardians temporarily resides in the school district while
the other is domiciled or temporarily resides elsewhere, eligibility to attend school shall be determined in
accordance with the criteria of N.J.A.C. 6A:22-3.1(a)1.i.

A student is eligible to attend this school district free of charge:

1. If the student’s parent or guardian moves to another school district as the result of being
   homeless, subject to the provisions of N.J.A.C. 6A:17-2 - Education of Homeless
   Children;

2. If the student is placed by court order or by a society, agency, or institution in the home
   of a school district resident pursuant to N.J.S.A. 18A:38-2;

3. If the student previously resided in the school district and if the parent or guardian is a
   member of the New Jersey National Guard or the United States reserves and has been
   ordered to active service in time of war or national emergency, resulting in the relocation
   of the student out of the school district, pursuant to N.J.S.A. 18A:38-3.b. The school
district shall not be obligated for transportation costs; and

4. If the student resides on Federal property within the State pursuant to N.J.S.A. 18A:38-
   7.7 et seq.

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 in 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).
If the student remains enrolled in the school district for the remainder of the school year, the school
district shall provide transportation services to the student, provided the student lives remote from school,
and the State shall reimburse the school district for the cost of the transportation services. Nothing in
N.J.S.A. 18A:38-1.1 shall be construed to affect the rights of homeless students pursuant to N.J.S.A.
A student’s eligibility to attend this school shall not be affected by the physical condition of an applicant’s housing or his or her compliance with local housing ordinances or terms of lease.

Except as set forth in N.J.A.C. 6A:22-3.3(b)1, immigration/visa status shall not affect eligibility to attend school and the school district shall not condition enrollment in the school district on 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.

Proof of Eligibility

The Board of Education shall accept a combination of forms of documentation from persons attempting to demonstrate a student’s eligibility for enrollment in the school district in accordance with the provisions of N.J.A.C. 6A:22-3.4. The Board of Education shall consider the totality of information and documentation offered by an applicant, and shall not deny enrollment based on failure to provide a particular form or subset of documents without regard to other evidence presented.

The Board of Education shall not condition enrollment on the receipt of information or documents protected from disclosure by law, or pertaining to criteria that are not a legitimate basis for determining eligibility to attend school as outlined in N.J.A.C. 6A:22-3.4(d). The Board of Education may consider, in a manner consistent with Federal law, documents or information referenced in N.J.A.C. 6A:22-3.4(d) or pertinent parts thereof if voluntarily disclosed by the applicant. The Board of Education may not, directly or indirectly, require or request such disclosure as an actual or implied condition of enrollment. However, in the case of a dispute between the school district and the parent or guardian 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 or guardian’s name and address for use in verifying a student’s eligibility for enrollment in the school district in accordance with the provisions of N.J.S.A. 18A:38-1.3.

Registration Forms and Procedures for Initial Assessment

Registration and initial determinations of eligibility will be in accordance with N.J.A.C. 6A:22-4.1. The Board of Education shall use Commissioner-provided registration forms or locally developed forms that are consistent with the forms provided by the Commissioner. A district-level administrator designated by the Superintendent shall be clearly identified to applicants and available to assist persons who experience difficulties with the enrollment process.

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.

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. Enrollment shall take place immediately if the applicant clearly indicates disagreement with the district’s determination and an intent to appeal to the Commissioner of Education. An applicant whose student is enrolled pursuant to this provision shall be notified that the student will be removed, without a hearing before the Board, if no appeal is filed within the twenty-one day period established by N.J.S.A. 18A:38-1.

When enrollment is denied and no intent to appeal is indicated, applicants shall be advised they shall comply with compulsory education laws. When the student is between the ages of six and sixteen, applicants also shall be asked to complete a written statement indicating the student will be attending school in another school district or nonpublic school, or receiving instruction elsewhere than at a school pursuant to N.J.S.A. 18A:38-25. In the absence of this written statement, designated staff shall report to the school district of actual domicile or residence, or the Department of Children and Families, a potential instance of “neglect” for the purposes of ensuring compliance with compulsory education law, N.J.S.A. 9:6-1. Staff shall provide the school district or the Department of Children and Families with the student’s name, the name(s) of the parent/guardian/resident, and the student’s address to the extent known. Staff shall also indicate admission to the school district has been denied based on residency or domicile, and there is no evidence of intent to arrange for the child to attend school or receive instruction elsewhere.

Enrollment or attendance at the school shall not be conditioned on advance payment of tuition when enrollment is denied and an intent to appeal is indicated, or when enrollment is provisional and subject to further review or information. The Board of Education shall ensure the registration process identifies information suggesting an applicant may be homeless so procedures may be implemented in accordance with N.J.A.C. 6A:17-2, Education of Homeless Children. Enrollment or attendance in the school district shall not be denied based upon the absence of the certified copy of the student’s birth certificate or other proof of a student’s identity as required within thirty days of initial enrollment, pursuant to N.J.S.A. 18A:36-25.1.

Enrollment in the school district shall not be denied based upon absence of student medical information. However, actual attendance at school may be deferred until the student complies with student immunization rules set forth in N.J.A.C. 8:57-4.

When enrollment in the school district, attendance at school, or the receipt of educational services in the regular education program appears inappropriate, the student shall not be denied based upon the absence of a student’s prior educational record. However, the applicant shall be advised the student’s initial
educational placement may be subject to revision upon the school district’s receipt of records or further assessment of the student.

Notice of Ineligibility

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 et seq. Notices shall be in writing; in English and in the native language of the applicant; issued by the Superintendent; and directed to the address at which the applicant claims to reside. Notices of ineligibility shall include information as outlined in N.J.A.C. 6A:22-4.2.

Removal of Currently Enrolled Students

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

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 of Education for the student’s removal in accordance with the provisions of N.J.A.C. 6A:22-4.3. No student shall be removed from school unless the parent, guardian, adult student, or resident keeping an “affidavit student” (as defined in N.J.A.C. 6A:22-1.2) has been informed of his or her entitlement to a hearing before the Board of Education. Once the hearing is held, or if the parent, guardian, adult student or resident keeping an “affidavit student”, does not respond within the designated time frame to the Superintendent’s notice or appear for the hearing, the Board of Education shall make a prompt determination of the student’s eligibility and shall immediately provide notice in accordance with N.J.A.C. 6A:22-4.2. Hearings required pursuant to N.J.A.C. 6A:22-4.3 may be conducted by the full Board or a Board Committee, at the discretion of the full Board. If the hearing(s) is conducted by a Board Committee, the Committee shall make a recommendation to the full Board for action. No student may be removed except by vote of the Board taken at a meeting duly convened and conducted pursuant to N.J.S.A. 10:4-6 et seq., the Open Public Meetings Act.

Appeal to the Commissioner

An applicant may appeal to the Commissioner of Education the school district’s determination that a student is ineligible to attend its schools. Appeals shall be initiated by petition which shall be filed in accordance with N.J.S.A. 18A:38-1 and N.J.A.C. 6A:3-8.1 and shall proceed as a contested case pursuant
to N.J.A.C. 6A:3. Pursuant to N.J.S.A. 18A:38-1.b(1), appeals of “affidavit student” eligibility determinations shall be filed by the resident keeping the student.

Assessment and Calculation of Tuition

If no appeal to the Commissioner is filed following notice of an ineligibility determination, the Board of Education 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. Tuition will be assessed and calculated in accordance with N.J.A.C. 6A:22-6.3 et seq. If the responsible party does not pay the tuition assessment, the Board of Education may petition the Commissioner pursuant to N.J.A.C. 6A:3 for an order assessing tuition, enforceable in accordance with N.J.S.A. 2A:58-10 through recording, upon request of the Board of Education pursuant to N.J.A.C. 6A:3-12, on the judgment docket of the Superior Court, Law Division.

If an appeal to the Commissioner is filed 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). Upon the Commissioner’s finding that an appeal has been abandoned, the Board of Education may remove the student from school and seek tuition in accordance with N.J.A.C. 6A:22-6.2.

Nonresident Students

The admission of a nonresident student to school free of charge must be approved by the Board. No student otherwise eligible shall be denied admission on the basis of the student’s race, color, creed, religion, national origin, ancestry, age, marital status, affectional or sexual orientation or sex, social or economic status, or disability. The continued enrollment of any nonresident student shall be contingent upon the student’s maintenance of good standards of citizenship and discipline.

Children Who Anticipate Moving to or from the District

A nonresident student otherwise eligible for attendance whose parent or guardian anticipates school district residency and has entered a contract to buy, build, or rent a residence in this school district may be enrolled without payment of tuition for a period of time not greater than four weeks prior to the anticipated date of residency. If any such student does not become a resident of the school district within four weeks after admission to school, tuition will be charged for attendance commencing the beginning of the fifth week and until such time as the student becomes a resident or withdraws from school.

Students whose parent or guardian have moved away from the school district on or after February 1st and twelfth grade students whose parent or guardian have moved away from the school district on or after September 5th will be permitted to finish the school year in this school district without payment of tuition.
F-1 Visa Students

[Option – Select One Option]

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

X The school district will 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. An 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.]

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: 09 June 2010
Revised: 06 July 2016
Revised: 03 April 2019
Revised: 7 July 2021
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

A child is eligible for entrance into Kindergarten who will have attained the age of five years on or before October 1 of the year in which entrance is sought.

The Board may admit to Kindergarten underage children who were properly enrolled in an approved public or private school Kindergarten before transferring to this district and need to undertake the Kindergarten program, except that no such child will be admitted who has not attained the age of five years by October 1 of the year in which entrance is sought.

First Grade

A child is eligible for entrance into first grade who will have attained the age of six years on or before October 1 of the year in which entrance is sought and/or has completed the Kindergarten program of this district or an equivalent program elsewhere and has been recommended by the teacher for advancement to the first grade.

18A:44-2; 18A:46-6; 18A:46-6.1
N.J.A.C. 6A:14-3.3

Adopted: 09 June 2010
5114 CHILDREN DISPLACED BY DOMESTIC VIOLENCE

The Board of Education will cooperate with the County Office of Education, as appropriate and feasible, in the education of children temporarily displaced by domestic violence. Any pupil attending the schools of this district, whether regularly enrolled in this or another district, who has been admitted to a shelter for victims of domestic violence will be permitted and encouraged to continue an appropriate educational program with minimal disruption.

The Board will cooperate with other educational institutions in the sharing of pertinent pupil records and in the establishment of sending-receiving relationships on behalf of displaced children. The confidentiality of all matters concerning displaced children will be strictly observed, and no information regarding the present residence of the child will be released.


Adopted: 09 June 2010
5116  EDUCATION OF HOMELESS CHILDREN

The Board of Education will admit and enroll homeless children in accordance with State laws and New Jersey Administrative Code. The Board of Education adopts this policy to be in compliance with law and Code to ensure the enrollment of homeless children in school and to respond to appeals made by parent(s) or legal guardian(s) or other parties related to their enrollment.

The district will determine a child is homeless when he or she resides in a publicly or privately operated shelter designed to provide temporary living accommodations, including: hotels or motels; congregate shelters, including domestic violence and runaway shelters; transitional housing; and homes for adolescent mothers. A child is also determined homeless when he or she resides in a public or private place not designated for or ordinarily used as a regular sleeping accommodation, including: cars or other vehicles excluding mobile homes; tents or other temporary shelters; temporary shelters provided to migrant workers and their children on farm sites; and the residence of relatives or friends with whom the homeless child is temporarily residing out of necessity because the family lacks a regular or permanent residence of its own.

The district of residence for a homeless child is responsible for the education of the child and will assume all responsibilities as required in N.J.A.C. 6A:17-2.4 et seq. The district of residence is the district in which the parent(s) or legal guardian(s) last resided prior to becoming homeless. The district liaison for the education of homeless children is the Homeless Coordinator. The liaison will facilitate communication and cooperation between the district of residence and the district where the homeless child is temporarily residing and will develop procedures to ensure that a homeless child temporarily residing in the district is enrolled and attending school pursuant to N.J.A.C. 6A:17-2.6.

When a homeless child is living temporarily in the school district, the district liaison, upon receiving notification from the parent(s) or legal guardian(s), the Department of Human Services, a shelter director, an involved agency, or a case manager, will notify the liaison of the district of residence within twenty-four hours of the notification. Upon notification of the need for enrollment of a homeless child, the liaison in the district of residence will coordinate enrollment procedures immediately based upon the best interest of the child pursuant to N.J.A.C. 6A:17-2.6(b).

The Superintendent or designee of the district of residence shall decide the district of enrollment of the homeless child in accordance with N.J.A.C. 17-2.6 et seq.

Unless parental rights have been terminated by a court of competent jurisdiction, the parent(s) or legal guardian(s) retains all rights under N.J.A.C. 6A:17-2.1 et seq.
If a dispute occurs regarding the determination of homelessness, the Superintendent of the involved district(s) or the parent(s) or legal guardian(s) of the child must immediately notify the County Superintendent of Schools, who will decide the status of the child within two working days. If a dispute remains between the parent(s) or legal guardian(s) and/or the districts following the County Superintendent’s determination, the parent(s) or legal guardian(s) or the involved Board(s) of Education may appeal to the Commissioner of Education for determination pursuant to N.J.A.C. 6A:3 et seq.

If the district is designated as the district of residence and disputes such designation, or where no designation can be agreed upon by districts, the Superintendents of the involved districts shall immediately notify the County Superintendent of Schools who will make a determination within two working days. The district may appeal the County Superintendent’s determination to the Department of Education pursuant to N.J.A.C. 6A:23-5.2(d), (e), and (f).

If a dispute occurs regarding the determination of the district of enrollment made by the district of residence, the Superintendent of the district of residence shall immediately notify the County Superintendent of Schools. The County Superintendent will determine within two working days where the child shall be enrolled based on the child’s best interest pursuant to N.J.A.C. 6A:17-2.6(b). If the County Superintendent’s decision is disputed, the Department of Education shall provide for mediation in accordance with N.J.A.C 6A:17-2.8(c)1.

A dispute or appeal will not delay the homeless child’s immediate entrance into school. The homeless child will be enrolled in the district designated by the County Superintendent pending resolution of the dispute or appeal. Disputes and appeals involving the services provided to a homeless child with educational disabilities will be made pursuant to N.J.A.C. 6A:14.

Financial responsibility, including the payment of tuition for the homeless child, will be in accordance with N.J.A.C. 6A:17-2.9 et seq. The district of residence shall list the child on its annual Application for State School Aid (ASSA) pursuant to N.J.S.A. 18A:7F-33 for as long as the parent(s) or legal guardian(s) remains homeless and the child is enrolled in another school district. If a district of residence cannot be determined for a homeless child or if a district of residence is outside of the State, the State will assume fiscal responsibility for the tuition of the child pursuant to N.J.S.A. 18A:7B-12(d). The State will pay the tuition, in accordance with N.J.A.C. 6A:17-2.9(c)1., to the school district in which the child is currently enrolled for as long as the child and his or her parent(s) or legal guardian(s) remain homeless.

N.J.A.C. 6A:17-2.1 et seq.

Adopted: 09 June 2010
POLICY #5120 ASSIGNMENT OF PUPILS

The Board of Education directs the assignment of pupils to the schools, programs, and classes of this district consistent with the best interests of pupils and the best uses of the resources of this district.

Generally, pupils shall attend the school located in the attendance area (home school) of their residence. The Assistant Superintendent for Administration may assign a pupil to a school other than that designated by the attendance area when such an exception is justified by circumstances and is in the best interests of the pupil. Every effort will be made to continue a pupil in the home school of their residence.

Whenever possible and in the interest of the pupils, siblings will be assigned to the same school.

The Assistant Superintendent for Administration shall assign incoming transfer pupil 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 pupils 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 NJSA 18A:36-38.a.(1), 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 NJSA 18A:36-38.a.(1).

In accordance with the provisions of NJSA 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 its pupils. 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 NJSA 18A:36-38.(2)(b), a Principal may, after consultation with the pupils’ 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 pupils in the class or classes, or if the Principal concludes the initial placement does not sufficiently support the pupils’ 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 NJSA 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.

There are times when a salaried employee of the Vineland Board of Education requests that their child or children attend the school where they work.

Any salaried employee who requests to have their child or children attend the school at which they work should submit the request in writing between July 1 and July 30. Each request is reviewed on an individual basis. In making assignment decisions, the Assistant Superintendent must:

1. Maintain an equitable balance of enrollment in each classroom; and
2. Insure that each school’s population reflects the make-up of the community.

Consideration will be given to every request, although there is no guarantee for approval of the request. Requests will be kept on file and may be honored, once space becomes available.

Deadline for submission of requests shall be September 30.
Enrollment reports will be reviewed daily from July through September 30 in order to determine space availability.

Once space becomes available, parent(s) or legal guardian(s) will be contacted to discuss their child’s or children’s placement in the request school.

NJS A 18A:36-38.

Adopted: 09 June 2010
REVISED: 12 January 2011
REVISED: 13 Nov 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 pupils who may consider eighth grade graduation the termination of their education. Any pupil who indicates that he/she may drop out of school before entry to the ninth grade should be reported to the Building Principal and be provided with counseling.

The Board directs that efforts be made to determine the underlying reason for a pupil's decision to withdraw from school before the completion of the instructional program. A potential dropout pupil will be offered counseling and an opportunity to plan an instructional program appropriate to his/her career goals. No pupil under the age of eighteen will be permitted to withdraw without the written consent of the pupil's parent(s) or legal guardian(s).

Counseling services and information regarding high school equivalency programs will be made available to any pupil sixteen years of age or older who decides to withdraw from school before completion of the requirements for a diploma. A pupil who has withdrawn from school may apply for readmission at any time prior to his/her twentieth birthday, provided application for readmission is made at the beginning of a school term.

Adopted: 09 June 2010
In accordance with the provisions of N.J.S.A. 18A:38-25, every parent, guardian, 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.

In accordance with the provisions of N.J.A.C. 6A:16-7.6 and for the purposes of this Policy and Regulation 5200, a student’s absence from school will be excused or unexcused that counts toward truancy.

Students that are absent from school for any reason are responsible for the completion of assignments missed because of their absence. 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.

For districts with secondary school(s)

or loss of credit or removal from a course that would count toward the high school diploma in accordance with policies of this Board.

Students shall be subjected to the school district’s response for unexcused absences that count toward truancy during the school year as outlined in N.J.A.C. 6A:16-7.6(a)4 and Regulation 5200.

Unexcused absences from school or from classes within the school day may subject a student to consequences that may include the denial of a student’s participation in co-curricular activities and/or athletic competition. Repeated absences from school interfere with efforts of this Board and its staff in the maintenance of good order and the continuity of classroom instruction and such absences may result in the removal of the student from a class or course of study.
The Superintendent shall calculate and monitor the average daily attendance rate for the
district and for each school in the district. Whenever the average daily attendance rate does not meet the
New Jersey Department of Education requirements the Superintendent or designee shall develop a
district improvement plan to improve student attendance pursuant to N.J.A.C. 6A:30-5.2.

N.J.S.A. 34:2-21.1 et seq.
N.J.A.C. 6A:16-7.6; 6A:32-8.3

Adopted: 09 June 2010
Revised: 09 October 2013
Revised: 10 Sept 2014
Revised: 13 May 2015
5230  LATE ARRIVAL AND EARLY DISMISSAL

The Board of Education requires that pupils be in attendance for the full school day in order to benefit from the instructional program. That requirement will be waived only when compelling circumstances require that a pupil be late to school or dismissed from school before the end of the school day.

The Principal may excuse for cause the late arrival and early dismissal of a pupil on the prior written request of the pupil's parent(s) or legal guardian(s). Good cause may include, but need not be limited to, medical and dental appointments that cannot be scheduled outside the school day, medical disability, a motor vehicle driver's test, interviews for college entrance or employment, and court appearances.

No pupil under the age of eighteen 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: 09 June 2010
5240 TARDINESS

The Board of Education believes that promptness is an important element of school attendance. Pupils who are late to school or to class miss essential portions of the instructional program and create disruptions in the academic process for themselves and other pupils.

Tardiness to school or class that is caused by a pupil's illness, an emergency in the pupil's family, the observance of a religious holiday, a death in the pupil's family, or by the pupil's compliance with a request or directive of an administrator will be considered justified and is excused. All other incidents of tardiness will be considered unexcused.

High School Lateness/Changing Classes

Lateness to School

A warning bell rings at 7:28 a.m., at which time pupils are to report to homeroom. Pupils must be in homeroom before 7:33 a.m., which is the time first period begins and the late bell rings. Pupils arriving late to school, after 7:33 a.m., are to report to the Attendance office which is located in the Main office area.

The following disciplinary action is taken for lateness to school:

1. Third, sixth, or ninth late to school  Pupil is assigned after school detention
2. Twelfth late to school  Pupil is assigned in-school detention
3. Fifteenth, eighteenth, twenty-first, twenty-fourth, etc. late to school  Pupil is assigned out-of-school suspension

Lateness to Class

Lateness to class is to be handled by the individual teacher. Detention will be held by the teacher for pupils who are chronic late-comers. If the problem persists, the pupil should be referred to the administration for further action. Pupils who refuse to report for detention should be dealt with severely.

Four minutes are permitted for pupils to pass from one class to the next. Pupils are to be encouraged to move quickly and quietly to their next classroom.
Also, encourage pupils to refrain from loitering, especially in the hallways and connecting walkways between wings. Loitering by pupils, either inside or outside the building, making no attempt to report to homeroom or class on time is to be considered a serious offense.

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.


Adopted: 09 June 2010
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 Building Principal and/or designee.

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.


Adopted: 09 June 2010
Policy 5300 Automated External Defibrillators (AEDs)

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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 pupils 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.


Adopted: 09 June 2010
REVISED: 13 Nov 2013
Vineland Public School District

Emergency Action Plan for Sudden Cardiac Arrest

The Vineland School District recognizes the necessity of having a plan in place to respond to sudden cardiac arrest, both on the athletic fields/courts and during the course of each school day. The purpose is to provide direction and detailed procedures for the implementation of Janet’s Law regarding the placement and use of Automated External Defibrillators (AED) should such an emergency occur.

The Vineland School District consists of 16 buildings:

Vineland High School (Grades 9-12)

Campus 1-2880 E. Chestnut Ave. Vineland, NJ 08361 Main Office-(856) 794-6800

Campus 2 -3010 E. Chestnut Ave. Vineland, NJ 08361 Main Office-(856) 794-6800

Cunningham Alternative School-315 S. East Ave, Vineland, NJ 08360 Main Office-(856) 794-6939

Pilla Intermediate School-3133  S. Lincoln Ave., Vineland, NJ 08360 Main Office-(856) 691-1801

Veteran’s Memorial School-424 S. Main Rd., Vineland, NJ 08360 Main Office-(856) 794-6918

Wallace Intermediate School-688 N. Mill Rd., Vineland, NJ 08360 Main Office-(856) 362-8887

Anthony Rossi Elementary School-2572 Palermo Ave., Vineland, NJ 08361 Main Office-(856) 794-6961

Dane Barse Elementary School-240 S. Orchard., Vineland, NJ 08360 Main Office-(856) 794-6940

D’Ippolito Elementary School -1578 N. Valley Ave., Vineland, NJ 08360 Main Office-(856) 794-6934

Dr. William Mennies Elementary School -361 E. Grant Ave., Vineland, NJ 08360 Main Office-(856) 794-6957

J. H. Winslow Elementary School -1335 Magnolia Rd., Vineland, NJ 08361 Main Office-(856) 794-6973

Johnstone School -165 S. Brewster Rd., Vineland, NJ 08361 Main Office-(856) 794-6967
Each building shall have a minimum of 5 district employees including one certified school nurse, that hold a current CPR/AED certification through the NJDOH approved training facility. These employees shall serve as the “Rapid Assessment Team (RAT Team)” for their respective buildings. Each building will have a list of the RAT team members, locations of AEDs, and procedures for Emergency Action Plan specific to their building. This plan shall include a school map with location of all AEDs, list of RAT members, staff and main office procedures, AED maintenance checklist, and AED Incident Report.

Each building will conduct a minimum of one RAT team drill per school year and will document on the monthly maintenance checklist.

Procedures and Protocols for Response during School Day

- Once it is determined that a student or staff member is down and unconscious, with no evidence of pulse or normal breathing, a call to **911** and to the main office of the schools made asking for an initiation of the “Rapid Assessment Team (RAT) needed at (location in school). The main office will announce on the intercom the initiation of the RAT team to _______ (location) and all students and staff members are to remain in their classroom until further notice.

- Upon arrival of any member of the RAT team, the situation will be assessed, CPR will be initiated if needed until the AED arrives and designee will call 911. Any member of the RAT team that responds should take the closest AED to the location of the emergency. **NOTE:** When the School Nurse arrives on the scene, she becomes the leader of the response team and will orchestrate the actions of team members. Bystanders may be asked to assist in contacting additional personnel.
• Upon arrival of EMS, the status of the situation will be reported by the school nurse with additional information provided by any member of the RAT team.

• If AED was used, EMS will take the school unit with them to obtain data and leave their unit until the school unit can be returned.

• If the parent/guardian of the student or emergency contact has not already been called, they should be contacted immediately by a staff member and/or administration. Every effort shall be made to locate an emergency contact for any other individual requiring emergency medical assistance.

• Immediately following the incident, the school nurse will take the first responder and team member who used the AED to the health office and complete the AED Incident Report. The dispositions of copies of the Incident Report are noted on the bottom of the form.

**AED Unit Maintenance**

The AEDs used in the Vineland Public Schools that are mounted in each building will be maintained by the School Nurse assigned to that building and the AEDs for the athletic department will be maintained by the athletic trainers. The school nurse/athletic trainer will keep a monthly log and notate the date of the monthly check, keeping the record in the health office or athletic department. Inspection primarily consists of looking for the green light on the unit and the expiration dates.

**Procedures and Protocols for Response at Athletic Events or After School Hours**

The Vineland Public School District has made a commitment to have all our athletic coaches certified in CPR/AED. We also have two certified athletic trainers (ATC) on staff who serve the needs of our student athletes and who attend many athletic events throughout the school year. If present, the ATC, like the school nurse, becomes the lead person in the response to the event.

• Once it is determined that a student, coach or member of the public is down and unconscious, with no evidence of a pulse or normal breathing, CPR is begun. Direction is given to the closest assistant coach, adult, or if need be, student/athlete to call 911 and provide exact location.

• At the same time as the above, direction is provided to obtain the closest AED. NOTE: All responses vary based on location, personnel present and other circumstances.
• Upon arrival of EMS, the status of the situation will be reported by the responding coach or athletic trainer.

• If AED was used, EMS will take this unit with them to obtain data and leave the unit they brought with them until such time the VPS AED can be returned.

• If the parent/guardian of the student/athlete or significant other/close relative of the coach or other adult has not already been called, they should be contacted immediately by the coach or athletic trainer.

• Immediately following the incident, the coach/trainer will call the Athletic Director to inform him/ her of the incident and current situation.

• Immediately following the communication to administration, the coach/trainer who provided CPR and used the AED will take those few adults/athletes who assisted in the response aside to complete the AED Incident Report. The dispositions of copies of the Incident Report are noted on the bottom of the form.

**AED Availability** (by school, season and sport)- NOTE: Monthly maintenance inspection of portable units will be the responsibility of the ATHLETIC TRAINER who will keep a log of inspections similar to that being maintained for the units in the schools. The Athletic Trainer will also be responsible for issuing the units and keeping track of who has the units. **In all circumstances, if the CPR/AED certified coach/or trainer is present at competition or practice, and he/she will have a portable AED with them.**

(Part of Policy and Reg 5300)
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 will appoint a lead school physician to serve as health services director if more than one school physician is required. The school physician shall be currently licensed by the New Jersey Board of Medical Examiners in medicine or osteopathy whose training and scope of practice includes child and adolescent health and development. The school district shall conduct a criminal history background check on any physician before entering into an agreement for delivery of services.

The school physician 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);

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 those covered by 20 U.S.C. §§ 1400 et seq., Individuals with Disabilities Education Improvement Act;

3. Consultation to the Board of Education, school district administrators, and staff as needed;

4. Physical examinations conducted in the school physician's office or other comparably equipped facility for pupils who do not have a medical home or whose parent(s) or legal guardian(s) has identified the school as the medical home for the purpose of a sports physical examination;

5. Provision of written notification to the parent(s) or legal guardian(s) stating approval or disapproval of the pupil's participation in athletics based upon the medical report;

6. Direction for professional duties of other medical staff;

7. Written standing orders that shall be reviewed and reissued before the beginning of each school year;

8. Establishment of standards of care for emergency situations and medically-related care involving pupils and school staff;
9. Assistance to the certified school nurse or non-certified nurse in conducting health screenings of pupils and staff and assistance with the delivery of school health services;

10. Review, as needed, of reports and orders from a pupil's medical home regarding pupil health concerns;

11. Authorization of tuberculin testing for conditions outlined in N.J.A.C. 6A:16-2.2(c);

12. Review, approval, or detail of reasons for denial of a pupil's physician's determination of anticipated confinement and resulting need for home instruction; and

13. 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.

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 an educational certificate for school nurse or school nurse/non-instructional pursuant to N.J.S.A. 18A:40-3.2 and N.J.A.C. 6A:9-13.3 and 13.4. The certified school nurse shall possess a current license as a registered nurse from the State Board of Nursing and valid, current Providers Cardiopulmonary Resuscitation/Automated External Defibrillator (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 and Senior Services to comply with the American Heart Association's CPR guidelines.

The certified 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.

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 monitoring vital signs and general health status for emergent issues for pupils suspected of being under the influence of alcohol and controlled dangerous substances pursuant to N.J.S.A. 18A:40-4;


4. Recommending to the school Principal those pupils 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 pupil 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 school Principal exclusion of pupils who show evidence of communicable disease, pursuant to N.J.S.A. 18A:40-7 and 8;

7. Directing and supervising the emergency administration of epinephrine and training school staff designated to serve as delegates, pursuant to N.J.S.A. 18A:40-12.6;

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 pursuant to N.J.A.C. 6A:9-13.3;

11. Reviewing and summarizing available health and medical information regarding the pupil and transmitting a summary of relevant health and medical information to the Child Study Team for the meeting pursuant to N.J.A.C. 6A:14-3.4(h);

12. Writing and updating, at least annually, the individualized health care plan and the individualized emergency healthcare plan for pupils' 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 pupil who requires them;

14. Implementing and assisting in the development of healthcare procedures for pupils 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; and

16. 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:9-13.4.

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 as outlined in N.J.S.A. 18A:40-3.3. The non-certified 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 non-certified nurse shall possess a current license as a registered nurse from the State Board of Nursing and a valid, current Providers Cardiopulmonary Resuscitation/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 and Senior Services to comply with American Heart Association CPR guidelines.

A non-certified nurse is limited to providing the following services:

1. Carrying out written orders of the medical home and standing orders of the school physician;

2. Conducting health screenings pursuant to N.J.A.C. 6A:16-2.2 which includes height, weight, blood pressure, hearing, vision, and scoliosis;

4. Recommending to the school Principal those pupils who shall not be admitted to or retained in the school building based on a parent's failure to provide evidence of the pupil's immunization according to the schedules specified in N.J.A.C. 8:57-4;

5. Recommending to the school Principal exclusion of pupils who show evidence of communicable disease pursuant to N.J.S.A. 18A:40-7 and 8;

6. Implementing school district healthcare procedures for pupils in the event of an emergency;

7. Instructing teachers on communicable disease and other health concerns pursuant to N.J.S.A. 18A:40-3; and

8. Providing other nursing services consistent with the nurse's current license approved by the State Board of Nursing.

N.J.A.C. 6A:16-2.3 et seq.

Adopted: 09 June 2010
POLICY 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.A.C. 6A:16-2.5 et seq.

Adopted: 09 June 2010
REVISED: 10 Dec. 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 pupils and a summary of the specific medical needs of individual pupils, if any, and the nursing services required to address those needs. The Nursing Services Plan shall also include a description of how nursing services will be provided in emergency situations, detailed nursing assignments sufficient to provide the services to pupils in all of its school buildings as outlined in N.J.A.C. 6A:16-2.3(b) through (d), and nursing services and additional medical services provided to nonpublic schools pursuant to N.J.A.C. 6A:16-2.5.

The Board, in its determination of the number of certified school nurses and non-certified nurses needed to perform all of the required services as outlined in N.J.A.C. 6A:16 et seq. shall consider: the geographic size including the number and location of school buildings; the general and special education enrollment; the number of children with medical involvement and extent of nursing services required; the requirement that non-certified nurses be assigned to the same school building or school complex as the supervising certified school nurse to ensure that the certified school nurse can provide required supervision pursuant to N.J.A.C. 6A:16-2.3(b) and (d) and N.J.S.A. 18A:40-3.3; and nursing services and additional medical services provided to nonpublic schools pursuant to N.J.A.C. 6A:16-2.5.

N.J.A.C. 6A:16-2.1(b)

Adopted: 09 June 2010
POLICY 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. 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:32-7.4 and 6A:16-2.4. Student health records may be stored electronically or in paper format and shall be maintained separately from other student records in a secure location accessible to authorized personnel while school is in session. The health history and immunization record shall be removed from the student's health record and placed in the student's mandated record upon graduation or termination and kept according to the schedule set forth in N.J.A.C. 6A:32-7.8.

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:16-7.1 et seq.

Any Board of Education employee with knowledge of, or access to, information that identifies a student as having HIV infection or AIDS; information obtained by the school's alcohol or drug program which would identify the student as an alcohol or drug user; or information provided by a secondary school student while participating in a school-based alcohol or drug counseling program that indicates a parent, guardian, or other person residing in the student's household is dependent upon or illegally using a substance shall comply with restrictions for sharing such information in accordance with N.J.A.C. 6A:16-2.4(b) through (e) and as required by Federal and State statutes and regulations.


The school district shall provide access to the student's 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 records that are 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 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:32-7.54.


Adopted: 09 June 2010
Revised: 10 Dec 2014
Policy 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 in accordance with N.J.A.C. 6A:16-2.1(a)(2) (Policy and Regulation 5330);

3. The review of Do Not Resuscitate (DNR) orders received from the 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 Epi-pen 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 medical care (Policy and Regulation 8441); and
   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 NJSA 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);


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, Public Employees Occupational Safety and Health Program (PEOSH) Bloodborne Pathogens Standards (Policy and Regulation 7420); and

8. Provision of nursing services to nonpublic schools located in the school district as required by N.J.S.A. 18A:40-23 et seq. and N.J.A.C. 6A:16-2.5 (Policy and Regulation 5306);
9. Self-administration of medication by a student for asthma or other potentially 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 individual healthcare plan and individualized emergency healthcare plan for students with chronic medical conditions, including life-threatening allergies, diabetes, and asthma, 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)3xii (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.

The Board of Education shall comply with the following required health services as outlined in N.J.A.C. 6A:16-2.2:
1. Immunization records shall be reviewed and updated annually pursuant to N.J.A.C. 8:57-4.1 through 4.24.

2. A Building Principal or designee shall not knowingly admit or retain in the school building any student whose parent has not submitted acceptable evidence of the child's immunization, according to the schedule specified in N.J.A.C. 8:57-4, Immunization of Pupils in School.

3. The school district shall perform tuberculosis tests on students using methods required by and when specifically directed to do so by the New Jersey Department of Health based upon the incidence of tuberculosis or reactor rates in specific communities or population groups pursuant to N.J.S.A. 18A:40-16.

4. The school district shall immediately report by telephone to the health officer of the jurisdiction in which the school is located any communicable diseases identified as reportable pursuant to N.J.A.C. 8:57-1, whether confirmed or presumed.

5. Each school in the district shall have and maintain for the care of students at least one nebulizer in the office of the school nurse or a similar accessible location pursuant to N.J.S.A. 18A:40-12.7.

6. Each student medical examination shall be conducted at the medical home of the student. If a student does not have a medical home, the school district shall provide the examination at the school physician's office or other comparably equipped facility pursuant to N.J.S.A. 18A:40-4.
7. The findings of **required** examinations under 8b., c., d., and e. below shall include the following components:
   a. Immunizations pursuant to N.J.A.C. 8:57-4.1 through 4.24;
   b. Medical history, including allergies, past serious illnesses, injuries, operations, medications, and current health problems;
   c. Health screenings including height, weight, hearing, blood pressure, and vision; and
   d. Physical examinations.

8. The school district shall ensure that students receive medical examinations in accordance with N.J.A.C. 6A:16-2.2(f) and 6. above and:
   a. Prior to participation on a school-sponsored interscholastic or intramural team or squad for students enrolled in any grades six to twelve in accordance with N.J.A.C. 6A:16-2.2(h)1;
   b. Upon enrollment in school in accordance with N.J.A.C. 6A:16-2.2(h)2;
   c. When applying for working papers in accordance with N.J.A.C. 6A:16-2.2(h)3;
   d. For the purposes of the comprehensive Child Study Team evaluation pursuant to N.J.A.C. 6A:14-3.4 in accordance with N.J.A.C. 6A:16-2.2(h)4; and
   e. When a student is suspected of being under the influence of alcohol or controlled dangerous substances, pursuant to N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3 in accordance with N.J.A.C. 6A:16-2.2(h)5.

9. Each school shall have available and maintain an AED, pursuant to NJSA 18A:40-41a.a(1) and (3), and in accordance with NJAC 6A:16-2.2(l).

10. The Board of Education shall make accessible information regarding the New Jersey FamilyCare Program to students who are knowingly without medical coverage pursuant to N.J.S.A. 18A:40-34.

11. Information concerning a student’s HIV/AIDS status shall not be required as part of the medical examination or health history pursuant to N.J.S.A. 26:5C-1 et seq.

12. The Board of Education shall ensure that students receive health screenings as outlined in N.J.A.C.6A:16-2.2(l).

13. The school nurse or designee shall screen to ensure hearing aids worn by students who are deaf and/or hard of hearing are functioning properly. The school nurse or designee will ensure any FM hearing aid systems in classrooms or any school equipment in the school building used to assist students hear are functioning properly.

N.J.A.C. 6A:16-1.3; 6A:16-2.1; 6A:16-2.2 et seq.

Adopted: 09 June 2010
Revised: 10 Dec 2014
Revised: 06 July 2016
5320 IMMUNIZATION

In order to safeguard the school community from the spread of certain communicable diseases and in recognition that prevention is a means of combating the spread of disease, the Board of Education requires the immunization of pupils against certain diseases in accordance with State statute and rules of the New Jersey State Department of Health and Senior Services.

A pupil shall not knowingly be admitted or retained in school if the parent(s) or legal guardian(s) has not submitted acceptable evidence of the child’s immunization, according to schedules specified in N.J.A.C. 8:57-4 – Immunization of Pupils in School.

Medical or religious exemptions to immunizations shall be in accordance with the requirements as outlined in N.J.A.C. 8:57-4.3 and 4.4. A child may be admitted to school on a provisional basis in accordance with the requirements as outlined in N.J.A.C. 8:57-4.5.

No immunization program, other than that expressly required by the rules of the New Jersey State Department of Health and Senior Services or by order of the New Jersey State Commissioner of Health and Senior Services, may be conducted in district schools without the express approval of the Board.

N.J.S.A. 26:4-6
N.J.A.C. 8:57-4.1 et seq.

Adopted: 09 June 2010
POLICY

VINELAND

BOARD OF EDUCATION

PUPILS

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Administration of Medication

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Policy 5330 – Administration of Medication (revised)

The Board of Education disclaims any and all responsibility for the diagnosis and treatment of an illness of any student. 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 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 student's parent, a student 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 in an emergency pursuant to N.J.S.A. 18A:40-12.5 and 12.6.

Self-administration of medication by a student for asthma or other potentially life-threatening illness or a life threatening allergic reaction is permitted in accordance with the provisions of N.J.S.A. 18A:40-12.3.

Medication no longer required must be promptly removed by the parent.

The school nurse shall have the primary responsibility for the administration of epinephrine. However, the certified 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 using standardized training protocols established by the Department of Education in consultation with the Department of Health and Senior Services 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 providing a prescription under a standing protocol for school epinephrine pursuant to N.J.S.A. 18A:40-12.5, shall be held liable for any good faith act or omission consistent with the provisions of N.J.S.A. 18A:40-12.5, 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. 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. 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 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 to the student and 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 to the student.

The permission for the emergency administration of epinephrine via a pre-filled auto-injector mechanism containing epinephrine to students for anaphylaxis 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 State Department of Education 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. 45:11-23
N.J.A.C. 6A:16-2.3(b)

Adopted: 09 June 2010
Revised: 18 Nov 2015
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, and 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 or designated caregiver 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 primary 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 qualifying 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. Noncustodial parent 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. 24:6I-1 et seq.
N.J.A.C. 6A:16-2.4; 6A:32-7.4

Adopted: 10 August 2016
Revised: 14 April 2021
5330.04 ADMINISTERING AN OPIOID ANTIDOTE

N.J.S.A. 18A:40-12.24.a requires schools to adopt a Policy for the emergency administration of an opioid antidote to a student, staff member, or other person who is experiencing an opioid overdose.

N.J.S.A. 18A:40-12.24.a.(1) requires schools with any of the grades nine through twelve to comply with the provisions of the la.


and permits schools with students in other grades to comply with the provisions of N.J.S.A. 18A:40-12.24.a.(1). Therefore, the Board extends the provisions of N.J.S.A. 18A:40-12.23 through 12.27 to schools with any of the grades _____ through _____.

N.J.S.A. 18A:40-12.24 requires a school to obtain a standing order for opioid antidotes pursuant to the “Overdose Prevention Act” – N.J.S.A. 24:6J-1 et seq. The school shall maintain a supply of opioid antidotes under the standing order in a secure, but unlocked and easily accessible location. The opioid antidotes shall be accessible in the school during regular school hours and during school-sponsored functions that take place in the school or on school grounds adjacent to the school building.  [Option – The Board may, in its discretion, make an opioid antidote accessible during school-sponsored functions that take place off school grounds.]

The school nurse and a designated employee who volunteers to administer an opioid antidote pursuant to N.J.S.A. 18A:40-12.24.c. are required to be trained for the administration of an opioid antidote in accordance with N.J.S.A. 18A:40-12.25.b. The school nurse or a designated employee who volunteers to administer an opioid antidote shall be promptly available on site at the school during regular school hours and during school-sponsored functions that take place in the school or on school grounds adjacent to the school building at any time.

N.J.S.A. 18A:40-12.24 permits the school nurse or a designated trained employee to administer an opioid antidote to any person whom the nurse or the trained designated employee who in good faith believes is experiencing an opioid overdose.

An overdose victim shall be transported to a hospital emergency room by emergency medical responders after the administration of an opioid antidote, even if the person’s symptoms appear to have resolved.
In accordance with the provisions of N.J.S.A. 24:6J-4.a.(1)(f), a prescriber or other health care practitioner, as appropriate, may prescribe or dispense an opioid antidote directly or through a standing order to a school, school district, or school nurse. In accordance with N.J.S.A. 24:6J-4.a.(2)(c), whenever the law expressly authorizes or requires a school or school district to obtain a standing order for opioid antidotes, the school nurse(s) employed or engaged by the school or school district shall be presumed by the prescribing or dispensing health care practitioner to be capable of administering the opioid antidote, consistent with the express statutory requirement.

Notwithstanding the provisions of N.J.S.A. 24:6J-4.a.(3)(b) to the contrary, if the law expressly authorizes or requires a school, school district, or school nurse to administer or dispense opioid antidotes pursuant to a standing order under N.J.S.A. 24:6J-4 et seq., the standing order issued shall be deemed to grant the authority specified by the law, even if such authority is not specifically indicated on the face of the standing order.

In accordance with the provisions of N.J.S.A. 18A:40-12.26, no school employee, including a school nurse or any other officer or agent of a Board of Education or charter school, or a prescriber of opioid antidotes for a school through a standing order, shall be held liable for any good faith act or omission consistent with the provisions of N.J.S.A. 18A:40-12.23 et seq. Good faith shall not include willful misconduct, gross negligence, or recklessness.

Any school, school district, school nurse, school employee, or any other officer or agent of a Board of Education or charter school who administers or permits the administration of an opioid antidote in good faith in accordance with the provisions of N.J.S.A. 18A:40-12.24 and pursuant to a standing order issued under N.J.S.A. 24:6j-4 shall not, as a result of any acts or omissions, be subject to any criminal or civil liability or any disciplinary action for administering, or permitting the administration of, the opioid antidote in accordance with N.J.S.A. 24:6J-1 et seq.

Notwithstanding the provisions of any law, rule, regulation, ordinance, or institutional or organizational directive to the contrary, any person or entity authorized to administer an opioid antidote pursuant to N.J.S.A. 24:6J-4, may administer to an overdose victim, with full immunity: a single dose of any type of opioid antidote that has been approved by the United States Food and Drug Administration for use in the treatment of opioid overdoses; and up to three doses of an opioid antidote that is administered through an intranasal application, or through an intramuscular auto-injector, as may be necessary to revive the overdose victim. Prior consultation with, or approval by, a third-party physician or other medical personnel shall not be required before an authorized person or entity may administer up to three doses of an opioid antidote, as provided in N.J.S.A. 24:6J-4, to the same overdose victim.
A school district may enter into a shared services arrangement with another school district for the provision of opioid antidotes pursuant to N.J.S.A. 18A:40-12.27 if the arrangement will result in cost savings for the districts.

This Policy and Regulation 5330.04 shall be reviewed and approved by the school physician prior to Board adoption and whenever this Policy is revised. This Policy shall be made available to school staff members, parents, and students in handbooks, on the school district’s website, or through any other appropriate means of publication.

18A:40-12.27
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.

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.


Adopted: 10 December 2020
5331 MANAGEMENT OF LIFE-THREATENING ALLERGIES IN SCHOOLS

The Board of Education recognizes pupils may have allergies to certain foods and other substances and may be at risk for 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 pupils 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 and the Principal or designee. In addition, in accordance with the provisions of N.J.S.A. 18A:40-12.5.c.(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 anaphylaxis to food 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 pupils in the school in the beginning of each school year and when a pupil enters the school after the beginning of the school year.


Adopted: 09 June 2010
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 pupils and pupils 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 pupils 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 of Schools or designee. The Superintendent of Schools 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: 09 June 2010
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.

Every school in the district shall have and maintain for the use of pupils at least one nebulizer in the office of the school nurse or a similar location. Each school nurse in the district 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.A.C. 6A:16-2.1(a)5

Adopted: 09 June 2010
[See POLICY ALERT Nos. 207 and 217]

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 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. (28 CFR §35.136)

A. Definitions
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. (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).
POLICY

B. Generally
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 service animal shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash or other tether, or the use of a harness, leash, or other tether would interfere with the service animal’s safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler’s control (e.g. voice control, signals, or other effective means). (28 CFR §35.136(d))
3. 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. (28 CFR §35.136(b))
4. 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.
5. Unless the need for a service animal is readily apparent, the individual with a disability or his/her parent will be required to provide the district with information that:
   a. The service animal is required because of a disability; and
   b. What work or task the animal has been trained to perform.
6. 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. (28 CFR §35.136(f))

7. Individuals with a disability who have service animals are not exempt from local animal control or public health requirements.

8. Service animals must be licensed and registered in accordance with State and local laws.

C. Delegation of Responsibility

1. The district is not responsible for the care or supervision of a service animal, in accordance with (28 CFR §35.136(e)).

   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 district is responsible to provide assistance to an individual with a disability in performing the tasks required of the individual for the care and maintenance of the service animal.

2. If the district normally charges individuals for damage they cause, an individual with a disability may be charged for damage caused by his or her service animal. (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. Notifications 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;

(4) Do not hesitate to ask the handler if he or she 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.

E. Miniature Horses

1. Miniature horses, although not included in the Act under the definition of “service animal,” may only be permitted if individually trained to do work or perform tasks for the benefit of the individual with a disability and if they meet the assessment factors outlined in 3. Below (28 CFR §35.136(i))

2. Ponies and full size horses are not considered miniature horses.
3. Assessment factors to determine whether the district can reasonably modify its policies, practices, and procedures to allow for the use of miniature horses on its property, facilities, or vehicles include:
   
a. Type, size, and weight of the miniature horse and whether the facility can accommodate those features;
   
b. Whether the handler has sufficient control of the miniature horse;
   
c. Whether the miniature horse is housebroken; and
   
d. Whether the miniature horse’s presence compromises legitimate safety requirements necessary for safe operation.

4. All requirements for the use of service animals also apply to the use of miniature horses.

28 CFR §35.136
28 CFR §36.104

Adopted: 07 June 2017
Revised: 10 July 2019
Diabetes is a serious chronic disease and must be managed twenty-four hours a day in order to avoid the potentially life-threatening short-term consequences of blood sugar levels that are either too high or too low and the serious long-term complications of high blood sugar levels. In order to manage their diabetes, pupils must have access to the means to balance food, medications, and physical activity level while at school and at school-related activities.

The parent or legal guardian of a pupil with diabetes who seeks diabetes care for the pupil while at school shall inform the school nurse who shall develop an individualized health care plan and an individualized emergency health care plan for the pupil. The individualized health care plan and individualized emergency health care plan shall be updated by the school nurse prior to the beginning of each school year and as necessary in the event there is a change in the health status of the pupil.

The school nurse assigned to a particular school shall coordinate the provision of diabetes care at that school and ensure that appropriate staff members are trained in the care of pupils with diabetes, including staff members working with school-sponsored programs outside of the regular school day, as provided in the individualized health care plan and the individualized emergency health care plan. The school nurse shall have the primary responsibility for the emergency administration of glucagon to a pupil with diabetes who is experiencing severe hypoglycemia.

The school nurse shall designate, in consultation with the Superintendent of Schools or designee, additional employees of the school district who volunteer to administer glucagon to a pupil with diabetes who is experiencing severe hypoglycemia. The designated employees shall only be authorized to administer glucagon, following training by the school nurse or other qualified health care professional, when a school nurse is not physically present at the scene.

Upon the written request of the parent or legal guardian and as provided in a pupil’s individualized health care plan, the pupil will be permitted to manage and care for his/her diabetes as needed in the classroom, in any area of the school or school grounds, or at any school-related activity provided the pupil has been evaluated and determined to be capable of doing so as reflected in the pupil’s individualized health care plan.
The Principal or school nurse shall, for each pupil with diabetes whom a school bus driver transports, provide the driver with a notice of the pupil’s condition, how to treat hypoglycemia, who to contact in an emergency, and parent(s) or legal guardian(s) contact information. Designated areas of the school building shall have posted, in plain view, a reference sheet identifying signs and symptoms of hypoglycemia in pupils with diabetes.

A pupil’s school choice, if there is a choice option, shall not be restricted due to the fact the pupil has diabetes.

POLICY

VINELAND

BOARD OF EDUCATION

STUDENTS

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Screening for Dyslexia
Jun 16

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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 enrolls in the district in Kindergarten through grade six and has no record of being previously screened for dyslexia or other reading disabilities, pursuant to N.J.S.A. 18A:40-5.2, 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:40-5.2. 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.


Adopted: 10 Dec 2014
Revised: 18 Nov 2015
REVISED: 24 August 2016
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 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 or designee a written medical clearance from a licensed medical professional, selected by the parent(s) and approved by the Superintendent or designee, indicating the student has received medical services, does not present a risk to themselves or others, and is cleared to return to school. The Superintendent or designee shall be notified of the student’s return and of written medical clearance allowing the student 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.

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-24i, 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.
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.

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.A.C. 6A:9C-3 et seq.

Adopted: 11 June 1997
Revised: 23 February 2009
Revised: 09 June 2010
Revised: 11 July 2018
5410 PROMOTION AND RETENTION

The Board of Education recognizes that each child develops and grows in a unique pattern and that pupils should be placed in the educational setting most appropriate to their social, physical, and educational needs. Each pupil enrolled in this district shall be moved forward in a continuous program of learning in harmony with his/her own development.

Standards for pupil promotion shall be related to the New Jersey Core Curriculum Content Standards and district goals and objectives and to the accomplishments of pupils. A pupil in the elementary grades will be promoted to the next succeeding grade level when he/she has completed the course requirements at the presently assigned grade; has achieved the instructional objectives set for the present grade; has demonstrated the proficiencies required for movement into the educational program of the next grade; and has demonstrated the degree of social, emotional, and physical maturation necessary for a successful learning experience in the next grade.

A high school pupil will be promoted to the next grade when he/she has completed, in the current school year, the number of credits prescribed by Policy 5460.

Promotion policies and procedures will be provided to parent(s) or legal guardian(s) as appropriate. Parent(s) or legal guardian(s) and pupils shall be regularly informed during the school year of the pupil's progress toward meeting promotion standards. A teacher who determines that a pupil's progress may not be sufficient to meet promotion standards shall notify the parent(s) or legal guardian(s) and the pupil and offer immediate consultation to the pupil's parent(s) or legal guardian(s). Every effort shall be made to remediate a pupil's deficiencies before retention is recommended. The parent(s) or legal guardian(s) and, where appropriate, the pupil shall be notified of the possibility of the pupil's retention at grade level.

School attendance shall be a factor in the determination of a pupil's promotion or retention.

Classroom teachers shall recommend to the Building Principal the promotion or retention of each pupil. Parent(s) or legal guardian(s) and adult pupils may appeal a promotion or retention decision to the Principal whose decision shall be final.

The Superintendent shall distribute this policy to all parent(s) or legal guardian(s) and all pupils in grade nine and higher at the beginning of each school year and shall invite their participation, along with the participation of teachers, in the development of revisions of the policy.
Promotion Policy Elementary School (Grades Kindergarten through five)

The New Jersey Administration Code requires local school districts to establish promotional standards. In keeping with that regulation, the following guidelines have been established.

Demonstrated performances in reading/language arts and mathematics is important in the educational development of children. It is essential that progress occur at each grade level in these core areas.

1. Reading/Language Arts

   Pupils in Grades Kindergarten through five receive instruction in the Harcourt Trophies Program. To be promoted, pupils are to demonstrate successful performance on the work for their grade level.

2. Mathematics

   Throughout the elementary school grades mathematics instruction is provided in the Everyday Mathematics Program. To be promoted, pupils are to demonstrate successful performance on the work for their grade level.

   Because of their exceptional needs, children assigned to bilingual or special classes may be assigned textbooks series or materials appropriate for their prescribed programs.

   Pupils who do not demonstrate successful performance on work for promotion in reading/language arts and/or mathematics will have their records reviewed on a case-by case basis by the school Principal and his/her staff. Under extenuating circumstances when it is determined in the best educational interest of the child, the school Principal may approve the placement of children who have not met the promotional standards described above with consultation of the Assistant Superintendent for Administration, if necessary.

3. Language Arts Performance Levels

   Below Level (Intervention) - An intervention pupil receives additional intensive, systematic teaching and practice to help learn the skills and strategies necessary for proficient reading. It is designed to assist a pupil not yet reading on grade level.
On Level - An on level pupil has the appropriate skills for reading proficiency at his/her level.

Above Level (Challenge) - A challenge pupil has developed skills exceeding his/her grade level.

4. Mathematics Performance Levels

Below Level (Intervention)

An intervention pupil receives additional intensive instruction in mathematical skills and concepts. This pupil takes alternative assessments to measure their mathematical progress and growth.

On Level

An on level pupil has the appropriate mathematical skills for proficiency at his/her grade level.

Above Grade Level (Challenge)

A challenge pupil has developed skills exceeding mathematical expectations for his/her grade level.

Promotion Policy Grades six, seven, and eight

The New Jersey Administration Code requires local school districts to establish promotional standards. In keeping with that regulation, the following guidelines have been established.

To be promoted from grade six to grade seven, grade seven to grade eight, and grade eight to grade nine, the pupil must receive a passing grade in language arts (writing, reading, English, spelling) and mathematics, social studies, and science. Pupils who have not met the requirements and who wish to be promoted may be presented with one of the following alternatives: summer school, if available in the district or tutoring by a certified teacher for sixty hours for each subject failed. The cost for tutoring will be paid by the parent(s) or legal guardian(s).

In addition to the above, the pupil must receive passing grades in special subject areas. Pupils whose promotion is in jeopardy because of their low performance in special subjects (including physical education and health) who wish to have the opportunity to receive passing grades in failed subjects will be given appropriate additional assignments during the school year with the approval of the school Principal.
Acceptable performance for promotion includes participation in course activities, completion of assignments, demonstration of positive attitude and behavior, and compliance with the district's policy on school attendance. Because of their exceptional needs, children assigned to bilingual or special classes may be assigned textbooks, materials, and instruction appropriate for their prescribed programs.

Pupils who do not successfully complete the work for promotion will have their records reviewed on a case-by-case basis by the school Principal and his/her staff. Under extenuating circumstances, when it is determined to be in the best educational interest of the children, and with consultation with the Assistant Superintendent for Administration, when necessary, the school Principal may approve the placement of children who have not met the promotional standards described above. Pupils placed under this provision shall be entitled to receive support.


Adopted: 09 June 2010
5411 PROMOTION FROM EIGHTH GRADE

The Board of Education will recognize with fitting ceremonies a pupil's completion of the program of studies offered by this district in elementary school and the pupil's entrance to secondary school.

Successful completion of the program of studies in elementary school requires achievement of the instructional objectives set for each course of study, demonstration of mastery of the proficiencies established for each course, and a satisfactory attendance record. 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 secondary school.

N.J.A.C. 6A:8-4.4 et seq.

Adopted: 09 June 2010
5420 REPORTING PUPIL PROGRESS

The Board of Education believes that the cooperation between school and home in the interests of children is fostered by the systematic communication of pupils’ educational welfare to parent(s) or legal guardian(s). The Board directs the establishment of a program of reporting pupil progress to parent(s) or legal guardian(s) by both written reports and by parent-teacher conferences and requires the cooperation of all appropriate teaching staff members in that program as part of their professional responsibilities.

The Superintendent shall develop, in consultation with appropriate teaching staff members, procedures for reporting pupil progress to parent(s) or legal guardian(s) that utilize various methods of reporting appropriate to grade level and curriculum content; ensure that the pupil and parent(s) or legal guardian(s) receive ample warning of a possible failing grade or any grade that would adversely affect the pupil's educational status; enable the scheduling of parent-teacher conferences at such times as will ensure the greatest degree of participation by parent(s) or legal guardian(s); and require the issuance of report cards at intervals of not less than four times per year, except Kindergarten shall be issued three times per year.

Reports of individual achievement on state assessment tests shall be promptly made available to the pupil or the pupil's parent(s) or legal guardian(s).

Adopted: 09 June 2010
Grade Point Average

1. The grade point average will be a weighted system.

2. A course will be weighted, half-weighted, or not weighted as detailed in the chart below:

<table>
<thead>
<tr>
<th>Weighted</th>
<th>Half-weighted</th>
<th>Not-weighted</th>
</tr>
</thead>
<tbody>
<tr>
<td>A = 5 quality points</td>
<td>4.5 quality points</td>
<td>4 quality points</td>
</tr>
<tr>
<td>B = 4 quality points</td>
<td>3.5 quality points</td>
<td>3 quality points</td>
</tr>
<tr>
<td>C = 3 quality points</td>
<td>2.5 quality points</td>
<td>2 quality points</td>
</tr>
<tr>
<td>D = 2 quality points</td>
<td>1.5 quality points</td>
<td>1 quality point</td>
</tr>
</tbody>
</table>

3. A pupil GPA will be calculated at the end of each marking period (pseudo GPA) and when final grades are ascertained the pupil’s real GPA will be calculated (end of freshman, sophomore, junior year after final grades are available).

4. The GPA calculation will continue to be determined through the pupil’s senior year. The pupil’s GPA will be updated at the end of quarters one, two, and three of his/her senior year so that senior year performance will affect a pupil’s graduate status. The pupil’s transcript will be updated quarterly as well.

Section 504 of the Rehabilitation Act, the New Jersey Law Against Discrimination and/or other applicable federal and/or state laws and/or regulations, including but not necessarily limited to pupil(s) with a disability as defined pursuant to applicable law and/or regulation.

Weighting

1. There will be three levels of weighted courses.

2. Full-weighting is determined as follows:

   A = 5 quality points
   B = 4 quality points
   C = 3 quality points
   D = 2 quality points

   AP courses in English, history, math, and science will receive the additional quality point. The highest level available in each foreign language will receive an additional quality point.
3. Half-weighting is as follows:

A = 4.5 quality points  
B = 3.5 quality points  
C = 2.5 quality points  
D = 1.5 quality points

The highest level course work available in English, history, math, science, modern Europe history, and foreign languages (beginning with level 3) only would receive half-weighting in this instance.

4. Non-Weighted Courses, the quality point determination is as follows:

<table>
<thead>
<tr>
<th>Example</th>
<th>Weighing Status</th>
<th>Attempted Grade</th>
<th>Credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quality Points</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Honors English 4 = 22.5</td>
<td>Half-weighted</td>
<td>A (4.5)</td>
<td>5.00</td>
</tr>
<tr>
<td>Health Physical Education = 3.75</td>
<td>Non-weighted</td>
<td>B (3)</td>
<td>1.25</td>
</tr>
<tr>
<td>French 4 = 15.00</td>
<td>Non-weighted</td>
<td>A (4)</td>
<td>3.75</td>
</tr>
<tr>
<td>AP History Seminar = 25.00</td>
<td>Full-weight</td>
<td>A (5)</td>
<td>5.00</td>
</tr>
<tr>
<td>5-6) AP Chemistry = 50.00</td>
<td>Full-weight</td>
<td>A (5)</td>
<td>10.00</td>
</tr>
<tr>
<td>7) Honors Calculus = 170.50</td>
<td>Full-weight</td>
<td>B (3.5)</td>
<td>5.00</td>
</tr>
<tr>
<td>158.75 quality points</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GPA 4.53</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Transfer Credits

Transfer credits for a Vineland pupil from other secondary schools will be exchanged credit for credit. Approval for such courses should first be obtained from the Vineland High School Principal to be certain the course offering is suitable for the pupil's program whether it be for early graduation or for a regular four year pupil.

To be considered eligible as an Honor Pupil, pupils must have studied at least one full semester in Vineland High School during their Senior year.

Adopted: 09 June 2010
Revised: 02 May 2018
The Board of Education values excellence and wishes to instill in pupils the desire to do their best in all things.

The Board will recognize the outstanding achievements of pupils by means appropriate to the grade level of the pupil and to the nature of the accomplishment.

The Board will maintain membership in the National Honor Society and will follow the guidelines of that organization in selecting members from the pupils in this district.

In each high school graduating class, the pupil who has earned the highest grade point average shall be named valedictorian and the pupil who has earned the next highest grade point average shall be named salutatorian provided that any pupil so named shall have been enrolled in this district for at least two years immediately prior to high school graduation. Pupils who have not enrolled two full academic years or fifty percent of four years on and at the Vineland High School campus shall be eligible for other pupil achievement honors, such as class rank, honor list, honor graduate, academic awards, National Honor Society and co-curricular awards.

The on-campus requirement set forth in the paragraph immediately preceding shall not apply to pupil(s) for whom accommodations have been made pursuant to the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, the New Jersey Law Against Discrimination and/or other applicable Federal and/or State laws and/or regulations, including but not necessarily limited to pupil(s) with a disability as defined pursuant to applicable law and/or regulation. Additionally, the on-campus requirement shall not apply to pupil(s) receiving home instruction as a result of a disability as set forth immediately hereinabove. To the extent not inconsistent with applicable law and/or regulation, the Board may require, at its sole expense, medical documentation and independent medical examination with respect to determining a pupil(s) disability.

Grade point average shall be determined in accordance with Policy No. 5430 and shall, for the purpose of this recognition, be calculated at the end of the last marking period.

In the event the highest or next highest grade point average has been earned by two or more pupils, both or all the pupils who have tied for first or second place shall be named co-valedictorian or co-salutatorian, as the case may be.
The Superintendent shall develop regulations for the recognition of pupil achievement that establish fair standards for recognition, assure that all eligible pupils are offered an equal opportunity to meet those standards, and provide for appropriate recognition ceremonies and awards.

Notwithstanding any accommodation made hereinafore, in determining the recipients of the awards of valedictorian and salutatorian, the Superintendent or designee may review the program of study, manner of instruction, and other relevant issues, and in his/her discretion, with the assistance of the school district administration, may designate multiple valedictorians and/or salutatorians to ensure that all pupils have an equal opportunity to compete for these awards.


Adopted: 09 June 2010
5450  ATHLETIC AWARDS

The Board of Education believes that interscholastic sports are an important part of the school program and will recognize the achievements of pupils who give many hours of their time in the district athletic program.

Individual athletic achievement will be recognized by the award of a letter. All members of a championship team or group in interscholastic competition will be recognized by issuance of a certificate and/or award selected and approved by the Superintendent.

Community groups and individuals may recognize the athletic achievements of pupils provided that the award and the criteria by which its recipient is selected have been approved by the Superintendent.

The Superintendent shall develop procedures for the recognition of pupil athletes that ensure the equitable selection of award recipients, the designation of appropriate awards, and the arrangement of suitable presentation ceremonies.

Adopted: 09 June 2010
The Board of Education will recognize the successful completion of the secondary school instructional program by the award of a State-endorsed diploma certifying the student has met all State and local requirements for high school graduation. The Board will annually certify to the Executive County Superintendent each student who has been awarded a diploma has met the requirements for graduation.

A. High School Graduation Requirements
   A graduating student must have earned a minimum of 122.5 (four-year high school: no fewer than one hundred twenty) credits in courses designed to meet all of the New Jersey Student Learning Standards (NJSLS) including, but not limited to, the following credits:
   1. At least twenty credits in English language arts aligned to grade nine through twelve standards;
   2. At least fifteen credits in mathematics, including Algebra I or the content equivalent; geometry or the content equivalent; and a third year of mathematics that builds on the concepts and skills of algebra and geometry and that prepares students for college and 21st century careers;
   3. At least fifteen credits in social studies, including satisfaction of N.J.S.A. 18A:35-1 and 18A:35-2; five credits in world history; and the integration of civics, economics, geography, and global content in all course offerings;
   4. At least fifteen credits in science, including at least five credits in laboratory biology/life science or the content equivalent; one additional laboratory/inquiry-based science course, which shall include chemistry, environmental science, or physics; and one additional laboratory/inquiry-based science course;
   5. At least three and three-quarters credits in health, safety, and physical education during each year of enrollment, distributed as one hundred fifty minutes per week, as required by N.J.S.A. 18A:35-5, 7, and 8;
   6. At least five credits in visual and performing arts;
   7. At least five credits in world languages or student demonstration of proficiency as set forth in N.J.A.C. 6A:8-5.1(a)2ii(2);
8. At least two and one-half credits in financial, economic, business, and entrepreneurial literacy;

9. Technological literacy, consistent with the NJSLS, integrated throughout the curriculum;

10. At least five credits in 21st century life and careers, or career-technical education; and

11. Electives as determined by the high school program sufficient to total a minimum of 122.5 (must be at least one hundred twenty) credits.

As defined in N.J.A.C. 6A:8-1.3, “credit” means the award for the equivalent of a class period of instruction which meets for a minimum of forty minutes, one time per week during the school year or as approved through N.J.A.C. 6A:8-5.1(a)2.

Option Two-

The high school graduation credit requirement may be met in whole or in part through program completion of a range of experiences that enable students to pursue a variety of personalized learning opportunities, as follows:

1. The district shall establish a process to approve individualized student learning opportunities that meet or exceed the NJSLS.
   a. Individualized student learning opportunities in all NJSLS areas include, but are not limited, to the following:
      (1) Independent study;
      (2) Online learning;
      (3) Study abroad programs;
      (4) Student exchange programs; and
      (5) Structured learning experiences, including, but not limited to, work-based programs, internships, apprenticeships, and service learning experiences.
   b. Individualized student learning opportunities based upon specific instructional objectives aimed at meeting or exceeding the NJSLS shall:
      (1) Be based on student interest and career goals as reflected in the Personalized Student Learning Plans;
      (2) Include demonstration of student competency;
POLICY

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High School Graduation

(3) Be certified for completion based on the district process adopted according to 2. below; and

(4) Be on file in the school district and subject to review by the Commissioner or designee.

c. Group programs based upon specific instructional objectives aimed at meeting or exceeding the NJSLS shall be permitted and shall be approved in the same manner as other approved courses.

2. The district shall establish a process for granting of credits through successful completion of assessments that verify student achievement in meeting or exceeding the NJSLS at the high school level, including standards achieved by means of the individualized student learning opportunities enumerated as outlined in N.J.A.C. 6A:8-5.1(a2). Such programs or assessments may occur all or in part prior to a student’s high school enrollment; no such locally administered assessments shall preclude or exempt student participation in applicable Statewide assessments at grades three through twelve.

a. The district shall choose assessments that are aligned with or exceed the NJSLS and may include locally designed assessments.

b. The district shall choose from among the following assessment options to determine if students have achieved the level of language proficiency designated as Novice-High as defined by the American Council on the Teaching of Foreign Languages (ACTFL) and recognized as fulfilling the world languages requirement of the NJSLS:

(1) The Standards-based Measurement of Proficiency (STAMP) online assessment;

(2) The ACTFL Oral Proficiency Interview (OPI) or Modified Oral Proficiency Interview (MOPI); or

(3) Department of Education-approved locally designed competency-based assessments.

3. The district shall establish a process to approve post-secondary learning opportunities that may consist of: Advanced Placement (AP) courses; or concurrent/dual enrollment at accredited higher education institutions.

a. The district shall award credit for successful completion of an approved, accredited college course that assures
achievement of knowledge and skills that meets or exceeds the NJSLS.

B. Additional Graduation Requirements
   1. Attendance requirements as indicated in Policy and Regulation 5200;
   2. Any statutorily mandated requirements for earning a high school diploma; and
   3. Any Statewide assessment graduation requirements as determined by the New Jersey Department of Education (NJDOE), and as outlined in C. below.

C. Statewide Assessment Graduation Requirements
   1. The requirement that all students demonstrate proficiency in the high school end-of-course Partnership for Assessments of Readiness for College and Careers (PARCC) assessment in ELA 10 and Algebra I, or through the alternate means set forth at N.J.A.C. 6A:8-5.1(f) through (i);
   2. The Board of Education will provide students who have not demonstrated proficiency on the high school end-of-course PARCC assessments in ELA 10 and Algebra I with the opportunity to demonstrate such competence through one of the alternate means set forth below:
      a. For the graduating classes of 2016, 2017, 2018, and 2019, students who do not take both the ELA 10 and the Algebra I end-of-course PARCC assessments or who take, but do not achieve a passing score on both assessments, as required by N.J.A.C. 6A:8-5.1(a)6, may satisfy the State requirement to demonstrate proficiency in English language arts and mathematics in one of the following ways:
         (1) Achieve a passing score, as determined by the Commissioner, on a corresponding substitute competency test in English language arts and/or mathematics, as applicable, or substitute a passing score on another end-of-course PARCC assessment, including ELA 9, ELA 11, Geometry, or Algebra II; or
(2) Meet the criteria of the portfolio appeals process; and

b. For the graduating class of 2020, students who take all applicable high school end-of-course PARCC assessments for all courses in which they are enrolled, including those students who received a waiver for ELA 11 pursuant to N.J.A.C. 6A:8-4.1(c)3i, as of September 6, 2016, and thereafter, but do not achieve a passing score on both the ELA 10 and Algebra I end-of-course PARCC assessments pursuant to N.J.A.C. 6A:8-5.1 (a)6, may satisfy the State requirement to demonstrate proficiency in English language arts and mathematics in one of the following ways:

(1) Achieve a passing score, as determined by the Commissioner, on a corresponding substitute competency test in English language arts and/or mathematics, as applicable, or substitute a passing score on another end-of-course PARCC assessment, including ELA 9, ELA 11, Geometry, or Algebra II; or

(2) Meet the criteria of the portfolio appeals process.

2. Beginning with the graduating class of 2021, students who take all applicable high school end-of-course PARCC assessments for all courses in which they are enrolled, including those students who received a waiver for ELA 11 pursuant to N.J.A.C. 6A:8-4.1(c)3i, as of September 6, 2016, and thereafter, but do not achieve a passing score on both the ELA 10 and Algebra I end-of-course PARCC assessments pursuant to N.J.A.C. 6A:8-5.1(a)6, by the conclusion of their senior year and after multiple opportunities to take the assessments, may satisfy the State requirement to demonstrate proficiency in English language arts and mathematics by meeting the criteria of the portfolio appeals process.

3. In accordance with a NJDOE Memorandum dated January 24, 2017, students in the graduating cohort of 2020 and 2021 who completed an Algebra I course prior to September 6, 2016 and:
a. Took the PARCC Algebra I assessment, but did not pass and are now in an advanced mathematics course (e.g. Geometry or Algebra II); or
b. Did not receive a valid test score, but are now in an advanced mathematics course (e.g. Geometry or Algebra II); or
c. Did not have an opportunity to take the PARCC Algebra I assessment because the NJDOE did not offer a summer test administration, but are now in advanced mathematics course (e.g. Geometry or Algebra II). Only students in the graduating cohorts of 2020 and 2021 described in the three specific groups above in a. b., and c. are eligible to utilize the following pathways to demonstrate proficiency in mathematics:
   (1) Take or retake the PARCC Algebra I assessment and pass; or
   (2) Utilize the NJDOE portfolio appeals process, provided they take the PARCC Geometry assessment and the PARCC Algebra II assessment (if enrolled in the Algebra II course) and receive valid scores; or
   (3) Take and pass the Geometry or Algebra II assessment.

4. All English Language Learners (ELLs) shall satisfy the requirements for high school graduation, except ELLs may demonstrate they have attained State minimum levels of proficiency through passage of the portfolio appeals process in their native language, when available, and passage of a Department of Education-approved English fluency assessment.

5. Students with disabilities as defined in N.J.A.C. 6A:14-1.3 or eligible under Section 504 of the Rehabilitation Act who participate in the alternative assessment for students with disabilities are not required to participate in repeated administration of high school end-of-course PARCC assessments.
D. Attendance
Regular attendance is required for the successful completion of a course of study and graduation. Students are expected to be present in every scheduled class except as their attendance is excused in accordance with Board Policy 5200.

E. Students with Disabilities
1. Through the Individualized Educational Plan (IEP) process and pursuant to N.J.A.C. 6A:14-4.11 - Graduation, the district may specify alternate requirements for a State-endorsed diploma for individual students with disabilities as defined in N.J.A.C. 6A:14-1.3.
   a. The district shall specifically address any alternate requirements for graduation in a student’s IEP, in accordance with N.J.A.C. 6A:14-4.11.
   b. The district shall develop and implement procedures for assessing whether a student with a disability has met the specified alternate requirements for graduation individually determined in an IEP.
2. If a student with a disability attends a school other than that of the school district of residence, which is empowered to grant a diploma, the student shall have the choice of receiving the diploma of the school attended or the diploma of the school district of residence.
   a. If the school the student is attending declines to issue a diploma to the student, the district of residence Board of Education shall issue the student a diploma if the student has satisfied all State and local graduation requirements, as specified in the student’s IEP.
3. If the Board of Education grants an elementary school diploma, a student with a disability who fulfills the requirements of his or her IEP shall qualify for and receive a diploma.
4. Students with disabilities who meet the standards for graduation according to the school district’s graduation requirements shall have the opportunity to participate in graduation exercises and related activities on a nondiscriminatory basis.
5. A student with a disability whose IEP prescribes continued special education programs beyond the fourth year of high school shall be permitted to participate in commencement ceremonies with his/her
graduating class and shall receive a certificate of attendance, provided the student has attended four years of high school.

6. When a student with a disability graduates or exceeds the age of eligibility, the student shall be provided a written summary of his or her academic achievement and functional performance prior to the date of the student’s graduation or the conclusion of the school year in which he or she exceeds the age of eligibility. The summary shall include recommendations to assist the child in meeting his or her postsecondary goals.

F. High School Diploma
   1. The Board of Education shall award a State-endorsed high school diploma to prospective graduates who have met all of the requirements adopted in accordance with State and local Board of Education requirements.
   2. The Board of Education shall not issue a high school diploma to any student not meeting the criteria specified in State and local requirements.
      a. The district shall provide students exiting grade twelve without a diploma the opportunity for continued high school enrollment to age twenty, or until the requirements for a State-endorsed diploma have been met, whichever comes first.
      b. The district shall allow any out-of-school individual to age twenty who has otherwise met all State and local graduation requirements, but has failed to pass high school end-of-course PARCC assessments to demonstrate proficiency as set forth in N.J.A.C. 6A:8-5.1(f) pursuant to the standards applicable to the student’s graduating class. Students in graduating classes prior to 2016 shall demonstrate proficiency as set forth in N.J.A.C. 6A:8-5.1(f)(1). Upon certification of passing the test applicable to the student’s class in accordance with N.J.A.C. 6A:8, a State-endorsed diploma shall be granted by the high school of record.
   3. The Commissioner of Education shall award a State-issued high school diploma in accordance with the provisions of N.J.A.C. 6A:8-5.2(c) and (d).
4. The Board of Education shall award a State-endorsed high school diploma to any currently enrolled student, regardless of grade level, who:
   a. Has demonstrated proficiency in the high school end-of-course PARCC assessments in ELA 10 and Algebra I, or as set forth in N.J.A.C. 6A:8-5.1(f);
   b. Has presented official transcripts showing at least thirty general education credits leading to a degree at an accredited institution of higher education; and
   c. Has formally requested such early award of a State-endorsed high school diploma.

G. Notification
Each student who enters or transfers into the high school and the student’s parent(s) will be provided a copy of the school district’s requirements for a State-endorsed diploma, and the programs available to assist students in attaining the State-endorsed diploma, in accordance with N.J.S.A. 18A:7C-5.

H. Reporting
The Superintendent, in accordance with N.J.S.A. 18A:7C-7 and 18A:7E-3, shall report annually to the Board of Education at a public meeting not later than September 30, and to the Commissioner of Education:
1. The total number of students graduated;
2. The number of students graduated under the substitute competency test process;
3. The number of students graduated under the portfolio appeals process;
4. The number of students receiving State-endorsed high school diplomas as a result of meeting any alternative requirements for graduation as specified in their IEP’s;
5. The total number of students denied graduation from the twelfth grade class; and
6. The number of students denied graduation from the twelfth grade class solely because of failure to pass the high school end-of-course PARCC assessments, substitute competency tests, or portfolio appeals process based on the provisions of N.J.A.C. 6A:8.
I. The Superintendent shall provide to the Executive County Superintendent the district’s graduation requirements each year they are evaluated through the Quality Single Accountability Continuum (QSAC) and update the filed copy each time the graduation policy is revised.

N.J.A.C. 6A:8-1 et seq.; 6A:8-5.1; 6A:8-5.2; 6A:14-4.11 et seq.

Adopted: 09 June 2010
Revised: 10 Aug 2011
Revised: 13 May 2015
Revised: 06 July 2016
Revised: 24 Aug 2016
Revised: 07 June 2017
5466 GRADUATION AND YEARBOOK FEES

The Board of Education recognizes that the cost of graduation ceremonies, if any, directly paid by graduating pupils and the cost of a yearbook directly paid by the graduating pupil may create a financial hardship for the parent(s), legal guardian(s) or other person having legal custody of the graduating pupil.

The Board of Education will not exclude from the graduation ceremony any pupil who is unable to pay the fees required of the graduating pupil to participate in the graduation ceremony because of financial hardship for the parent(s), legal guardian(s) or other person having legal custody of the graduating pupil.

Furthermore, the Board will pay the cost for a graduating pupil to purchase a yearbook if the graduating pupil is unable to pay the fees required of the graduating pupil to participate in the graduation ceremony because of financial hardship for the parent(s), legal guardian(s) or other person having legal custody of the graduating pupil.

In determining financial hardship, the criteria will be the same as the Statewide eligibility standards established by the State Board of Education for free and reduced price meals under the State School Lunch Program.

N.J.S.A. 18A:7C-5.1

Adopted: 09 June 2010
5500 EXPECTATIONS FOR PUPIL CONDUCT

The Board of Education believes that pupils should commit themselves to learning and to the development of their unique potential. Pupils should know that their attitudes and acts affect both their own and their classmates’ learning and should accept responsibility for helping to create a positive school environment. With the support and assistance of school staff members and parent(s) or legal guardian(s), all pupils can contribute to the effectiveness of the schools and the value of their education.

The Board expects all pupils in this school district, commensurate with their age and ability, to:

1. Prepare themselves mentally and physically for the process of learning;
2. Respect the person, property, and intellectual and creative products of others;
3. Take responsibility for their own behavior;
4. Use time and other resources responsibly;
5. Share responsibilities when working with others;
6. Meet the requirements of each course of study;
7. Monitor their own progress toward school objectives; and
8. Communicate with parent(s) or legal guardian(s) and appropriate school staff members.

The Superintendent shall, in consultation with staff members, parent(s) or legal guardian(s), and, where appropriate, pupils, develop a statement of specific pupil behaviors that exemplify these expectations and shall publish both this policy and the statement of behaviors to all pupils, parent(s) or legal guardian(s), and professional staff members.


Adopted: 09 June 2010
POLICY 5511.1 MASTER POLICY – SCHOOL UNIFORMS

The Vineland Board of Education recognizes that the legislature has statutorily authorized boards of education to either mandate or permit uniforms be worn in a school in certain circumstances. The statute provides that a board of education may adopt such a requirement for a particular school if (1) requested by the school’s principal, staff and parents/guardian; and (2) the board determines that the policy would enhance the school learning environment.

The Board believes school uniforms contribute to a positive and productive learning environment in many ways, including without limitation:
- Uniforms enhance security by enabling school officials to recognize intruders;
- Uniforms reduce the “cliques” on school campuses and prevent gang affiliation symbols, colors and clothing;
- Uniforms promote attention and focus by reducing distractions;
- A sense of school unity will be created;
- Like dress eliminates peer pressure related to student attire;
- Uniforms help instill discipline;
- The apparent socioeconomic differences present among students are equalized with school uniforms, minimizing the status attributed to labels and designers;
- Uniforms reduce the economic burden of fashion related costs for the families by limiting fashion choices during school hours.

Therefore this Master Policy is adopted: (1) to set forth the requirements and procedures for any school within this District to follow in requesting this Board to adopt a mandatory uniform policy for that individual school; and (2) to set forth general requirements that will be followed and included in any policy for any individual school.

1. The principal of any school within this District may submit a written request to this Board to adopt a mandatory school uniform policy for that school upon satisfactory compliance with the following requirements and procedures:
   A. Documentation of efforts to furnish staff and parents/guardians with information on school uniforms and any studies, materials or articles regarding the relationship between uniforms and education, school spirit and behavior.
   B. A comprehensive description of the types and colors of the uniforms with illustrations which the principal, staff and parents/guardians have selected;
   C. Narrative setting forth in detail how the requested policy permitting the uniforms will “enhance the school learning environment”;
   D. Detailed procedures for the identification of and a mechanism to assist students who are economically disadvantaged, including:
      1. procedures for dissemination of cost information to parents;
      2. procedures and criteria to identify families in need of financial assistance;
      3. identification of public and private resources for financial assistance to families such as the creation of a special fund in the school based budget or PTA/PTO assistance;
4. designation of specific individual or individuals to assist those families in apply for financial aid.

E. A confirmation that the request for a uniform policy has been endorsed by 51% or more of the staff, and 51% of those parents/guardians who have responded to written surveys.

2. The following general requirements will be applicable to any individual school uniform policy hereafter requested by a school and adopted by this Board:
   A. The Board shall hold a public hearing prior to adoption of any mandatory uniform policy for any particular school and shall not implement that policy with less than three months notice to the parents/guardians of the students.
   B. Any school’s uniform policy shall not preclude students who participate in a nationally recognized youth organization such as Boy Scouts and Girl Scouts which is approved by the Board of Education from wearing organization uniforms to school on days that the organization has scheduled a meeting. The principal shall maintain a list of approved organizations.
   C. The principal of any school where a uniform policy is in effect shall design and implement at the end of each school year an evaluation of the effectiveness of the school’s uniform program. A report of the evaluation shall be submitted to the Board and Superintendent by July 1st immediately following the close of the school year.

Adopted: 10 May 2000
Revised: 09 June 2010
REVISED: 14 November 2012

POLICY

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Policy Mandating School Uniforms

POLICY #5511.2 Policy Mandating School Uniforms in Vineland Public Schools

Pursuant to the Master Policy on School Uniforms #5511.1, the principal, staff and parents of Vineland High School (North Campus), Vineland High School (South Campus), Cunningham Alternative School, Pillai Middle School, Veterans Memorial Middle School, Wallace Middle School, Anthony Rossi Elementary School, Dane Barse Elementary School, D’Ippolito Elementary School, Marie Durand Elementary School, Johnstone School, Dr. William Mennies Elementary School, Pauline Petway Elementary School, Sabater Elementary School, Dr. John Winslow Elementary School, and Casimer Dallago Pre School have requested that the Board adopt a policy mandating uniforms at his/her respective school. This Board has considered the written request submitted by the principals and after full discussion, finds that a policy permitting school uniforms will enhance the learning environment at each school and hereby grants the various requests for a school uniform policy.

1. There is hereby established for the various schools set forth above, a mandatory school uniform policy. Students at the various schools shall be required to wear uniforms consisting of a polo shirt, without emblems, either red, black, white (or gray only at VHS) in color, pants for boys of khaki or black color and skirts or slacks for girls, likewise in khaki or black color. The uniforms may contain an embroidered monogram on the polo shirt reading “Vineland Public Schools” or the name of an individual school, but shall not contain any other monogram specifically identifying any designer or manufacturer. All determinations regarding student compliance with these uniform specifications shall be made by the individual principal.

2. The principal and/or his/her designee shall communicate with parents and students so that expectations and benefits are understood and achieved. Communications may include school newsletters, parent forums, PTO/PTA meetings, correspondence and poster displays.

3. The principal shall develop and implement detailed procedures for the identification of and a mechanism to assist students who are economically disadvantaged, including:

   a. Designation of a specific individual or individuals to assist those families in applying for assistance;
   b. Procedures and criteria to identify families in need of financial assistance;
   c. Identification of public and private resources for assistance to families.

4. This policy shall not preclude students who participate in a nationally recognized youth organization such as Boy Scouts or girl Scouts which is approved by the board of Education from wearing organization uniforms to school on days that the organization has scheduled a meeting. The principal shall maintain a list of approved organizations.

5. The principal shall design and implement at the end of each school year an evaluation of the effectiveness of the school’s uniform program. A report of that evaluation shall be submitted to the board and superintendent by July 1st immediately following the close of the school year.

Adopted: 13 Feb. 2013
Revised: 09 August 2017
Revised: 03 March 2020
5512 HARASSMENT, INTIMIDATION, AND BULLYING

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A. Policy Statement

The Board of Education prohibits acts of harassment, intimidation, or bullying of a student. 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. Harassment, intimidation, or bullying is unwanted, aggressive behavior that may involve a real or perceived power imbalance. Since students learn by example, school administrators, faculty, staff and volunteers should be commended for demonstrating appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment, intimidation, or bullying.

For the purposes of this Policy, the term "parent," pursuant to N.J.A.C. 6A:16-1.3, means the natural parent(s) or adoptive parent(s), legal guardian(s), foster parent(s), or parent surrogate(s) of a student. Where parents are separated or divorced, "parent" means the person or agency which has legal custody of the student, as well as the natural or adoptive parent(s) of the student, provided such parental rights have not been terminated by a court of appropriate jurisdiction.

B. Harassment, Intimidation, and Bullying Definition

“Harassment, intimidation, or bullying” means any gesture, any written, verbal or physical act, or any electronic communication, as defined in N.J.S.A. 18A:37-14, whether it be a single incident or a series of incidents that:

1. Is reasonably perceived as being motivated by either any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or 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 his/her person or damage to his/her 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.

Schools are required to address harassment, intimidation, and bullying occurring off school grounds, when there is a nexus between the harassment, intimidation, and bullying and the school (e.g., the harassment, intimidation, or bullying substantially disrupts or interferes with the orderly operation of the school or the rights of other students).

“Electronic communication” means a communication transmitted by means of an electronic device, including, but not limited to: a telephone, cellular phone, computer, or pager.

C. Student Expectations

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

The Board believes that standards for student behavior must be set cooperatively through interaction among the students, parents, school employees, school administrators, school volunteers, and community representatives, producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for school district and community property on the part of students, staff, and community members.
Students are expected to behave in a way that creates a supportive learning environment. The Board believes the best discipline is self-imposed, and it is the responsibility of staff to use instances of violations of the Code of Student Conduct as opportunities to help students learn to assume and accept responsibility for their behavior and the consequences of their behavior. Staff members who interact with students shall apply best practices designed to prevent student conduct problems and foster students’ abilities to grow in self-discipline.

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


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, students, instructional staff, student support services staff, school administrators, and school volunteers, as well as community organizations, such as faith-based, health and human service, business and law enforcement, in the development of this Policy. Based on locally determined and accepted core ethical values adopted by the Board, pursuant to N.J.A.C. 6A:16-7.1(a)2, the Board must develop guidelines for student conduct pursuant to N.J.A.C. 6A:16-7.1. These guidelines for student conduct will take into consideration the developmental ages of students, the severity of the offenses and students’ histories of inappropriate behaviors, and the mission and physical facilities of the individual school(s) in the district. This Policy requires all students in the district to adhere to the rules established by the school district and to submit to the remedial and consequential measures that are appropriately assigned for infractions of these rules.

Pursuant to N.J.A.C. 6A:16-7.1, the Superintendent must annually provide to students and their parents the rules of the district regarding student conduct. Provisions shall be made for informing parents whose primary language is other than English.
The district prohibits active or passive support for acts of harassment, intimidation, or bullying. Students are encouraged to support other students who:

1. Walk away from acts of harassment, intimidation, and bullying when they see them;
2. Constructively attempt to stop acts of harassment, intimidation, or bullying;
3. Provide support to students who have been subjected to harassment, intimidation, or bullying; and
4. Report acts of harassment, intimidation, and bullying to the designated school staff member.

D. Consequences and Appropriate Remedial Actions

Consequences and Appropriate Remedial Actions – Students

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

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

Factors for Determining Consequences – Student Considerations

1. Age, developmental and maturity levels of the parties involved and their relationship to the school district;
2. Degrees of harm;
3. Surrounding circumstances;
4. Nature and severity of the behavior(s);
5. Incidences of past or continuing patterns of behavior;
6. Relationships between the parties involved; and
7. Context in which the alleged incidents occurred.

Factors for Determining Consequences – School Considerations

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

Factors for Determining Remedial Measures

Personal

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

Environmental

1. School culture;
2. School climate;
3. Student-staff relationships and staff behavior toward the student;
4. General staff management of classrooms or other educational environments;
5. Staff ability to prevent and manage difficult or inflammatory situations;
6. Social-emotional and behavioral supports;
7. Social relationships;
8. Community activities;
9. Neighborhood situation; and
10. Family situation.
Consequences for a student who commits one or more acts of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion of students, as set forth in the Board’s approved Code of Student Conduct pursuant to N.J.A.C. 6A:16-7.1. Consequences for a student who commits an act of harassment, intimidation, or bullying are those that are varied and graded according to the nature of the behavior; the nature of the student’s disability, if any, and to the extent relevant; the developmental age of the student; and the student’s history of problem behaviors and performance consistent with the Board’s approved Code of Student Conduct and N.J.A.C. 6A:16-7, Student Conduct. The use of negative consequences should occur in conjunction with remediation and not be relied upon as the sole intervention approach.

Remedial measures shall be designed to correct the problem behavior, prevent another occurrence of the problem, protect and provide support for the victim of the act, and take corrective action for documented systemic problems related to harassment, intimidation, or bullying. The consequences and remedial measures may include, but are not limited to, the examples listed below:

Examples of Consequences

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

Examples of Remedial Measures

Personal – Student Exhibiting Bullying Behavior

1. Develop a behavioral contract with the student. Ensure the student has a voice in the outcome and can identify ways he or she can solve the problem and change behaviors;
2. Meet with parents to develop a family agreement to ensure the parent and the student understand school rules and expectations;
3. Explain the long-term negative consequences of harassment, intimidation, and bullying on all involved;
4. Ensure understanding of consequences, if harassment, intimidation, and bullying behavior continues;
5. Meet with school counselor, school social worker, or school psychologist to decipher mental health issues (e.g., what is happening and why?);
6. Develop a learning plan that includes consequences and skill building;
7. Consider wrap-around support services or after-school programs or services;
8. Provide social skill training, such as impulse control, anger management, developing empathy, and problem solving;
9. Arrange for an apology, preferably written;
10. Require a reflective essay to ensure the student understands the impact of his or her actions on others;
11. Have the student research and teach a lesson to the class about bullying, empathy, or a similar topic;
12. Arrange for restitution (i.e., compensation, reimbursement, amends, repayment), particularly when personal items were damaged or stolen;
13. Explore age-appropriate restorative (i.e., healing, curative, recuperative) practices; and
14. Schedule a follow-up conference with the student.

Personal – Target/Victim

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

Parents, Family, and Community

1. Develop a family agreement;
2. Refer the family for family counseling; and
3. Offer parent education workshops related to bullying and social-emotional learning.
Examples of Remedial Measures – Environmental
(Classroom, School Building, or School District)

1. Analysis of existing data to identify bullying issues and concerns;
2. Use of findings from school surveys (e.g., school climate surveys);
3. Focus groups;
4. Mailings – postal and email;
5. Cable access television;
6. School culture change;
7. School climate improvement;
8. Increased supervision in “hot spots” (e.g., locker rooms, hallways, playgrounds, cafeterias, school perimeters, buses);
9. Adoption of evidence-based systemic bullying prevention practices and programs;
10. Training for all certificated and non-certificated staff to teach effective prevention and intervention skills and strategies;
11. Professional development plans for involved staff;
12. Participation of parents and other community members and organizations (e.g., Parent Teacher Associations, Parent Teacher Organizations) in the educational program and in problem-solving bullying issues;
13. Formation of professional learning communities to address bullying problems;
14. Small or large group presentations for fully addressing the actions and the school’s response to the actions, in the context of the acceptable student and staff member behavior and the consequences of such actions;
15. School policy and procedure revisions;
16. Modifications of schedules;
17. Adjustments in hallway traffic;
18. Examination and adoption of educational practices for actively engaging students in the learning process and in bonding students to pro-social institutions and people;
19. Modifications in student routes or patterns traveling to and from school;
20. Supervision of student victims before and after school, including school transportation;
21. Targeted use of monitors (e.g., hallway, cafeteria, locker room, playground, school perimeter, bus);
22. Targeted use of teacher aides;
23. Disciplinary action, including dismissal, for school staff who contributed to the problem;
24. Supportive institutional interventions, including participation in the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
25. Parent conferences;
26. Family counseling;
27. Development of a general harassment, intimidation, and bullying response plan;
28. Behavioral expectations communicated to students and parents;
29. Participation of the entire student body in problem-solving harassment, intimidation, and bullying issues;
30. Recommendations of a student behavior or ethics council;
31. Participation in peer support groups;
32. School transfers; and
33. Involvement of law enforcement officers, including school resource officers and juvenile officers or other appropriate legal action.

Consequences and Appropriate Remedial Actions – Adults

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

Target/Victim Support

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

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

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

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

E. Harassment, Intimidation, and Bullying Reporting Procedure

The Board of Education requires the Principal at each school to be responsible for receiving complaints alleging violations of this Policy. All Board members, school employees, and volunteers and contracted service providers who have contact with students are required to verbally report alleged violations of this Policy to the Principal or the Principal’s designee on the same day when the individual witnessed or received reliable information regarding any such incident. All Board members, school employees, and volunteers and contracted service providers who have contact with students, also shall submit a report in writing to the Principal within two school days of the verbal report.

The Principal or designee will inform the parents of all students involved in alleged incidents, and, as appropriate, may discuss the availability of counseling and other intervention services. The Principal or designee shall take into account the circumstances of the incident when providing notification to parents of all students involved in the reported harassment, intimidation, or bullying incident and when conveying the nature of the incident, including the actual or perceived protected category motivating the alleged offense. The Principal, 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 violations of this Policy to the Principal on the same day when the individual witnessed or received reliable information regarding any such incident.

A person may report, verbally or in writing, an act of harassment, intimidation, or bullying committed by an adult or youth against a student anonymously. The Board will not take formal disciplinary action based solely on the anonymous report.
A Board member or school employee who promptly reports an incident of harassment, intimidation, or bullying and who makes this report in compliance with the procedures set forth in this Policy, is immune from a cause of action for damages arising from any failure to remedy the reported incident.

In accordance with the provisions of N.J.S.A. 18A:37-18, the harassment, intimidation, and bullying law does not prevent a victim from seeking redress under any other available law, either civil or criminal, nor does it create or alter any tort liability.

The district may consider every mechanism available to simplify reporting, including standard reporting forms and/or web-based reporting mechanisms. For anonymous reporting, the district may consider locked boxes located in areas of a school where reports can be submitted without fear of being observed.

A school administrator who receives a report of harassment, intimidation, and bullying from a district employee, and fails to initiate or conduct an 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.

F. Anti-Bullying Coordinator, Anti-Bullying Specialist, and School Safety/School Climate Team(s)

1. The Superintendent shall appoint a district Anti-Bullying Coordinator. The Superintendent shall make every effort to appoint an employee of the school district to this position.

The district Anti-Bullying Coordinator shall:

a. Be responsible for coordinating and strengthening the school district’s policies to prevent, identify, and address harassment, intimidation, or bullying of students;

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

c. Provide data, in collaboration with the Superintendent, to the Department of Education regarding harassment, intimidation, or bullying of students;
d. Execute such other duties related to school harassment, intimidation, or bullying as requested by the Superintendent; and

e. Meet at least twice a school year with the school Anti-Bullying Specialist(s) to discuss and strengthen procedures and policies to prevent, identify, and address harassment, intimidation, and bullying in the district.

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

The school Anti-Bullying Specialist shall:

a. Chair the School Safety/School Climate Team as provided in N.J.S.A. 18A:37-21;

b. Lead the investigation of incidents of harassment, intimidation, or bullying in the school; and

c. Act as the primary school official responsible for preventing, identifying, and addressing incidents of harassment, intimidation, or bullying in the school.

3. A School Safety/School Climate Team shall be formed in each school in the district to develop, foster, and maintain a positive school climate by focusing on the on-going systemic operational procedures and educational practices in the school, and to address issues such as harassment, intimidation, or bullying that affect school climate and culture. Each School Safety/School Climate Team shall meet, at a minimum, two times per school year. The School Safety/School Climate Team shall consist of the Principal or the Principal’s designee who, if possible, shall be a senior administrator in the school and the following appointees of the Principal: a teacher in the school; a school Anti-Bullying Specialist; a parent of a student in the school; and other members to be determined by the Principal. The school Anti-Bullying Specialist shall serve as the chair of the School Safety/School Climate Team.
The School Safety/School Climate Team shall:

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

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

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

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

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

f. Participate in the training required pursuant to the provisions of N.J.S.A. 18A:37-13 et seq. and other training which the Principal or the district Anti-Bullying Coordinator may request. The School Safety/School Climate Team shall be provided professional development opportunities that may address effective practices of successful school climate programs or approaches; and

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

Notwithstanding any provision of N.J.S.A. 18A:37-21 to the contrary, a parent who is a member of the School Safety/School Climate Team shall not participate in the activities of the team set forth in 3. a., b., or c. above or any other activities of the team which may compromise the confidentiality of a student, consistent with, at a minimum, the requirements of the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232 and 34 CFR Part 99), N.J.A.C. 6A:32-7, Student Records and N.J.A.C. 6A:14-2.9, Student Records.
G. Harassment, Intimidation, and Bullying Investigation

The Board requires a thorough and complete investigation to be conducted for each report of violations and complaints which either identify harassment, intimidation, or bullying or describe behaviors that indicate harassment, intimidation, or bullying.

[Option – Principal’s Preliminary Determination]

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

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

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

The investigation shall be initiated by the Principal or the Principal’s designee within one school day of the verbal report of the incident. The investigation shall be conducted by the school Anti-Bullying Specialist in coordination with the Principal. The Principal may appoint additional personnel who are not school Anti-Bullying Specialists to assist with the investigation. Investigations or complaints concerning adult conduct shall not be investigated by a member of the same bargaining unit as the individual who is the subject of the investigation. An investigation concerning a staff member shall not be conducted by a staff member who is supervised by the staff member being investigated or who is an administrator in the district. The Principal or designee, in consultation with the Superintendent or designee, will appoint a staff member to complete these investigations.
The investigation shall be completed and the written findings submitted to the Principal as soon as possible, but not later than ten school days from the date of the written report of the incident. Should information regarding the reported incident and the investigation be received after the end of the ten-day period, the school Anti-Bullying Specialist shall amend the original report of the results of the investigation to ensure there is an accurate and current record of the facts and activities concerning the reported incident.

The Principal shall proceed in accordance with the Code of Student Conduct, as appropriate, based on the investigation findings. The Principal shall submit the report to the Superintendent within two school days of the completion of the investigation and in accordance with the Administrative Procedures Act (N.J.S.A. 52:14B-1 et seq.). As appropriate to the findings from the investigation, the Superintendent shall ensure the Code of Student Conduct has been implemented and may decide to provide intervention services, order counseling, establish training programs to reduce harassment, intimidation, or bullying and enhance school climate, impose discipline, or take or recommend other appropriate action, as necessary.

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

Parents of involved student offenders and targets/victims shall be provided with information about the investigation, in accordance with Federal and State law and regulation. The information to be provided to parents shall include the nature of the investigation, whether the district found evidence of harassment, intimidation, or bullying, and whether consequences were imposed or services provided to address the incident of harassment, intimidation, or bullying. This information shall be provided in writing within five school days after the results of the investigation are reported to the Board of Education.

A parent may request a hearing before the Board of Education after receiving the written information about the investigation. Any request for such a hearing shall be filed with the Board Secretary no later than sixty calendar days after the written information is provided to the parents. The hearing shall be held within ten business days of the request. The Board of Education shall conduct the hearing in executive session, pursuant to the Open Public Meetings Act (N.J.S.A. 10:4-1 et seq.), to protect the confidentiality of the students. At the hearing, the Board may hear testimony from and consider information
provided by the school Anti-Bullying Specialist and others, as appropriate, regarding the incident, the findings from the investigation of the incident, recommendations for consequences or services, and any programs instituted to reduce such incidents, prior to rendering a determination.

At the regularly scheduled Board of Education meeting following its receipt of the Superintendent’s report on the results of the investigations to the Board or following a hearing in executive session, the Board shall issue a decision, in writing, to affirm, reject, or modify the Superintendent’s decision. The Board’s decision may be appealed to the Commissioner of Education, in accordance with N.J.A.C. 6A:3, Controversies and Disputes, no later than ninety days after issuance of the Board of Education’s decision.

A parent, student, or organization may file a complaint with the Division on Civil Rights within one hundred eighty days of the occurrence of any incident of harassment, intimidation, or bullying based on membership in a protected group as enumerated in the "Law Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.).

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

The Board shall establish a range of responses to harassment, intimidation, and bullying incidents and the Principal and the Anti-Bullying Specialist shall appropriately apply these responses once an incident of harassment, intimidation, or bullying is confirmed. The Superintendent shall respond to confirmed harassment, intimidation, and bullying, according to the parameters described in this Policy. The range of ways in which school staff will respond shall include an appropriate combination of counseling, support services, intervention services, and other programs. The Board recognizes that some acts of harassment, intimidation, or bullying may be isolated incidents requiring the school officials respond appropriately to the individual(s) committing the acts. Other acts may be so serious or parts of a larger pattern of harassment, intimidation, or bullying that they require a response either at the classroom, school building, or school district level or by law enforcement officials.

For every incident of harassment, intimidation, or bullying, the school officials must respond appropriately to the individual who committed the act. The range of responses to confirmed harassment, intimidation, or bullying acts should include individual, classroom, school, or district responses, as appropriate to the findings from each incident. Examples of responses that apply to each of these categories are provided below:
1. Individual responses can include consistent and appropriate positive behavioral interventions (e.g., peer mentoring, short-term counseling, life skills groups) intended to remediate the problem behaviors.

2. Classroom responses can include class discussions about an incident of harassment, intimidation, or bullying, role plays (when implemented with sensitivity to a student’s situation or involvement with harassment, intimidation, and bullying), research projects, observing and discussing audio-visual materials on these subjects, and skill-building lessons in courtesy, tolerance, assertiveness, and conflict management.

3. School responses can include theme days, learning station programs, “acts of kindness” programs or awards, use of student survey data to plan prevention and intervention programs and activities, social norms campaigns, posters, public service announcements, “natural helper” or peer leadership programs, “upstander” programs, parent programs, the dissemination of information to students and parents explaining acceptable uses of electronic and wireless communication devices, and harassment, intimidation, and bullying prevention curricula or campaigns.

4. District-wide responses can comprise of adoption of school-wide programs, including enhancing the school climate, involving the community in policy review and development, providing professional development coordinating with community-based organizations (e.g., mental health, health services, health facilities, law enforcement, faith-based organizations), launching harassment, intimidation, and bullying prevention campaigns.

I. Reprisal or Retaliation Prohibited

The Board prohibits a Board member, school employee, contracted service provider who has contact with students, school volunteer, or student from engaging in reprisal, retaliation, or false accusation against a victim, witness, or one with reliable information, or any other person who has reliable information about an act of harassment, intimidation, or bullying or who reports an act of harassment, intimidation, or bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the administrator after consideration of the nature, severity, and circumstances of the act, in accordance with case law, Federal and State statutes and regulations, and district policies and procedures. All suspected acts of reprisal or retaliation will be taken seriously and appropriate responses will be made in accordance with the totality of the circumstances.
Examples of consequences and remedial measures for students who engage in reprisal or retaliation are listed and described in the Consequences and Appropriate Remedial Actions section of this Policy.

Examples of consequences for a school employee or a contracted service provider who has contact with students who engage in reprisal or retaliation may include, but not be limited to: verbal or written reprimand, increment withholding, legal action, disciplinary action, termination, and/or bans from providing services, participating in school district-sponsored programs, or being in school buildings or on school grounds. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.

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

J. Consequences and Appropriate Remedial Action for False Accusation

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

1. Students - Consequences and appropriate remedial action for a student found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation may range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1 et seq., Discipline of Students and as set forth in N.J.A.C. 6A:16-7.2, Short-term Suspensions, N.J.A.C. 6A:16-7, Long-term Suspensions and N.J.A.C. 6A:16-7.5, Expulsions and those listed and described in the Consequences and Appropriate Remedial Actions section of this Policy.

2. School Employees - Consequences and appropriate remedial action for a school employee or contracted service provider who has contact with students found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation could entail discipline in accordance with district policies, procedures, and agreements which may include, but not be limited to: reprimand, suspension, increment withholding, termination, and/or bans from providing services, participating in school district-sponsored programs, or being in school buildings or on school grounds. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.
3. Visitors or Volunteers - Consequences and appropriate remedial action for a visitor or volunteer found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation could be determined by the school administrator after consideration of the nature, severity, and circumstances of the act, including law enforcement reports or other legal actions, removal of buildings or grounds privileges, or prohibiting contact with students or the provision of student services. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.

K. Harassment, Intimidation, and Bullying Policy Publication and Dissemination

This Policy will be disseminated annually by the Superintendent to all school employees, contracted service providers who have contact with students, school volunteers, students, and parents who have children enrolled in a school in the district, along with a statement explaining the Policy applies to all acts of harassment, intimidation, or bullying, pursuant to N.J.S.A. 18A:37-14 that occur on school property, at school-sponsored functions, or on a school bus and, as appropriate, acts that occur off school grounds.

The Superintendent shall ensure that notice of this Policy appears in the student handbook and all other publications of the school district that set forth the comprehensive rules, procedures, and standards for schools within the school district.

The Superintendent shall post a link to the district’s Harassment, Intimidation, and Bullying Policy that is prominently displayed on the homepage of the school district’s website. The district will notify students and parents this Harassment, Intimidation, and Bullying Policy is available on the school district’s website.

The Superintendent shall post the name, school phone number, school address, and school email address of the district Anti-Bullying Coordinator on the home page of the school district’s website. Each Principal shall post the name, school phone number, address, and school email address of both the Anti-Bullying Specialist and the district Anti-Bullying Coordinator on the home page of each school’s website.

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

The Superintendent and Principal(s) shall provide training on the school district’s Harassment, Intimidation, and Bullying Policy to current and new school employees; including administrators, instructors, student support services, administrative/office support, transportation, food service, facilities/maintenance; contracted service providers; and volunteers who have significant contact with students; and persons contracted by the
district to provide services to students. The training shall include instruction on preventing bullying on the basis of the protected categories enumerated in N.J.S.A. 18A:37-14 and other distinguishing characteristics that may incite incidents of discrimination, harassment, intimidation, or bullying.

Each public school teacher and educational services professional shall be required to complete at least two hours of instruction in harassment, intimidation, and bullying prevention within each five year professional development period as part of the professional development requirement pursuant to N.J.S.A. 18:37-22.d. The required two hours of suicide prevention instruction shall include information on the risk of suicide and incidents of harassment, intimidation, or bullying and information on reducing the risk of suicide in students who are members of communities identified as having members at high risk of suicide.

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

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

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

The school district shall annually observe a “Week of Respect” beginning with the first Monday in October. In order to recognize the importance of character education, the school district will observe the week by providing age-appropriate instruction focusing on the prevention of harassment, intimidation, and bullying as defined in N.J.S.A. 18A:37-14. Throughout the school year the district will provide ongoing age-appropriate instruction on preventing harassment, intimidation, or bullying, in accordance with the Core Curriculum Content Standards, pursuant to N.J.S.A. 18A:37-29.

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

The Superintendent shall develop and implement a process for annually discussing the school district’s Harassment, Intimidation, and Bullying Policy with students.

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

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

The Superintendent shall report two times each school year, between September 1 and January 1 and between January 1 and June 30 at a public hearing all acts of violence, vandalism, and harassment, intimidation, and bullying which occurred during the previous reporting period in accordance with the provisions of N.J.S.A. 18A:17-46. The information shall also be reported to the New Jersey Department of Education in accordance with N.J.S.A. 18A:17-46.

O. School and District Grading Requirements

Each school and each district shall receive a grade for the purpose of assessing their efforts to implement policies and programs consistent with the provisions of N.J.S.A. 18:37-13 et seq. The grade received by a school and the district shall be posted on the homepage of the school’s website and the district’s website in accordance with the provisions of N.J.S.A. 18A:17-46. A link to the report that was submitted by the Superintendent to the Department of Education shall also be available on the school district’s website. This information shall be posted on the websites within ten days of receipt of the grade for each school and the district.

P. Reports to Law Enforcement

Some acts of harassment, intimidation, and bullying may be bias-related acts and potentially bias crimes and school officials must report to law enforcement officials either serious acts or those which may be part of a larger pattern in accordance with the provisions of the Memorandum of Agreement Between Education and Law Enforcement Officials.
Q. Collective Bargaining Agreements and Individual Contracts


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

R. Students with Disabilities


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

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

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

N.J.A.C. 6A:16-7.1 et seq.; 6A:16-7.9 et seq.
Model Policy and Guidance for Prohibiting Harassment, Intimidation, and Bullying on School Property, at School-Sponsored Functions and on School Buses – April 2011 – New Jersey Department of Education
POLICY

VINELAND
BOARD OF EDUCATION

STUDENTS
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Harassment, Intimidation, and Bullying

Adopted: 09 June 2010
Revised: 31 Aug 2011
Revised: 13 Nov 2013
Revised: 13 May 2015 (as per court settlement of Oct 2014)
Revised: 08 Aug 2018
5512.02 CYBER-BULLYING

Policy Statement

A safe and civil environment in school is necessary for pupils to learn and achieve high academic standards. Cyber-bullying by a pupil in the district directed toward another school district pupil or school staff member is conduct that disrupts both a pupil’s ability to learn and a school’s ability to educate its pupils in a safe environment.

The Board of Education prohibits acts of cyber-bullying by school district pupils through the use of any school district owned, operated, and supervised technologies. The Building Principal or designee may report allegations of cyber-bullying to law enforcement authorities.

Definitions

“Cyber-Bullying” is the use of electronic information and communication devices, to include but not be limited to, e-mail messages, instant messaging, text messaging, cellular telephone communications, internet blogs, internet chat rooms, internet postings, and defamatory websites, that:

1. Deliberately threatens, harasses, intimidates an individual or group of individuals; or

2. Places an individual in reasonable fear of harm to the individual or damage to the individual’s property; or

3. Has the effect of substantially disrupting the orderly operation of the school. “School district owned, operated, or supervised technologies” is any computer, networking system, electronic equipment, or any other equipment or device that may be used by a person to communicate to another which is owned, leased, operated, or under the control or supervision of the school district and/or school district staff.

Reporting Procedure and Investigation

Any pupil or school staff member who believes he/she has or is being subjected to cyber-bullying, as well as any person who has reason to believe a pupil or school staff member has knowledge or reason to believe another pupil or school staff member is being subjected to or has been subjected to cyber-bullying shall immediately make a report to the Building Principal or designee.
The Building Principal or designee shall investigate all reports of such conduct. If the investigation results indicate cyber-bullying was not committed, the Building Principal or designee will inform the affected parties of the investigation results. In the event the investigation results indicate cyber-bullying was committed by a school district pupil on school grounds and/or using school district technologies, the pupil will be subjected to appropriate discipline.

In the event the investigation results indicate cyber-bullying was committed by a school district pupil using non-school district technologies away from school grounds, the Building Principal or designee may report the investigation results to local law enforcement. In addition, school authorities have the right to impose a consequence on a pupil for conduct away from school grounds, including on a school bus or at a school-sponsored function pursuant to N.J.A.C. 6A:16-7.6. This authority shall be exercised only when it is reasonably necessary for the pupil’s physical or emotional safety, security, and well-being or for reasons relating to the safety, security, and well-being of other pupils, staff, or school grounds, pursuant to N.J.S.A. 18A:25-2 and 18A:37-2. This authority shall be exercised only when the conduct, which is the subject of the proposed consequence, materially and substantially interferes with the requirements of appropriate discipline in the operation of the school. Consequences shall be handled in accordance with Policy and Regulation 5600, N.J.A.C. 6A:16-7.1, and as appropriate, in accordance with N.J.A.C. 6A:16-7-2, 6A:16-7.3, or 6A:16-7.5.

Any investigation regarding an allegation of cyber-bullying will provide all parties the appropriate due process rights, including the right to appeal the determination of the Building Principal or designee as outlined in Regulation 5512.

**Discipline and Consequences**

Some acts of cyber-bullying may be isolated incidents requiring the school district to respond appropriately to the individual committing the acts. Other acts may be so serious or part of a larger pattern of cyber-bullying that require a response either at the classroom, school building, or school district level or by law enforcement officials.

Consequences and appropriate remedial actions for pupils who commit an act of cyber-bullying 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. In addition, cyber-bullying using district technology violates Policy 2361 – Acceptable Use of Computer Network/Computer and Resources and subjects the pupil to discipline and sanctions of Policy and Regulation 2361.

Prevention and intervention techniques to prevent cyber-bullying and to support and protect victims shall include appropriate strategies and activities as determined by the Building Principal or designee.
Reprisal or Retaliation Prohibited

The school district prohibits reprisal or retaliation against any person who reports an act of cyber-bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the Building Principal or designee after consideration of the nature and circumstances of the act, in accordance with case law, Federal and State statutes and regulations, and district policies and procedures.

Consequences for False Accusation

Consequences and appropriate remedial action for a pupil found to have falsely accused another of an act of cyber-bullying 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.

Consequences and appropriate remedial action for a school employee found to have falsely accused another of an act of cyber-bullying shall be disciplined in accordance with district policies and procedures.

Policy Publication

This Policy will be disseminated annually to all school staff, pupils, and parent(s) or legal guardian(s).

Adopted: 09 June 2010
5513  CARE OF SCHOOL PROPERTY

The Board of Education believes that the schools should help pupils learn to respect property and to develop feelings of pride in community institutions. The Board charges each pupil enrolled in this district with responsibility for the proper care of school property and the school supplies and equipment entrusted to his/her use.

Pupils who cause damage to school property will be subject to disciplinary measures. The Board authorizes the imposition of a fine for the loss, damage, or defacement of a textbook and reserves the right to withhold a report card or diploma from any pupil whose payment of a fine is in arrears.

A pupil 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 and damaged textbooks.

N.J.A.C. 6A:23-6.6

Adopted: 09 June 2010
5514  PUPIL USE OF VEHICLES

The Board of Education regards the operation by pupils of any vehicle for transportation to and from school as a matter subject to Board authority because pupil safety is of paramount concern to the Board.

The Board will permit the use of motor vehicles by pupils in grades eleven and twelve in accordance with district rules.

The Board will permit the use of bicycles, skateboards, and other vehicles by pupils in accordance with district rules.

The Board will not be responsible for any vehicle that is lost, stolen, or damaged.

N.J.S.A. 39:4-10 et seq.; 39:4-10.5

Adopted: 09 June 2010
5516 USE OF ELECTRONIC COMMUNICATION AND RECORDING DEVICES (ECRD)

The Board of Education believes students and/or school staff members should not be subject to having a video or audio recording taken of any student(s) or school staff member(s) for any purpose without the consent of the student, the student’s parent, and/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. In addition, 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. Therefore, the Board of Education adopts this Policy regarding student use of electronic communication and recording devices.

“Electronic communication and recording device (ECRD)” includes any device with the capability to audio or video record or is capable of receiving or transmitting any type of communication between persons. An ECRD includes, but is not limited to, cameras, cellular and wireless telephones, pagers/beepers, laptop computers, electronic readers, personal digital assistants (PDAs), two-way radios, portable fax machines, video broadcasting devices, and any other device that allows a person to record and/or transmit, on either a real time or delayed basis, sound, video, or still images, text, or other information.

A student is permitted to have turned on or use an ECRD on school grounds during the school day or when the student is participating in a curricular or school-sponsored co-curricular activity with permission from the staff member in charge. A student’s personal ECRD may be used on school grounds in an emergency situation or before and after the school day or with the permission of a school staff member supervising the student in a curricular or school-sponsored co-curricular activity. Any audio and/or video recording by a student using their personal ECRD with permission of a school staff member while participating in a curricular or school-sponsored activity where other students or staff members are present shall require the permission for such recording from any other student and their parent and/or staff members whose voice or image is to be recorded. This Policy is not intended to prohibit appropriate use of electronic devices for authorized or approved official curricular or school-sponsored co-curricular activities such as yearbook photographs, staff member/teacher-directed and approved activities, classroom presentations, athletic events, and drama production filming. A student authorized or approved to use an ECRD may not use an ECRD to access internet sites or view information or internet-based material that is inappropriate or would be blocked from student access by the school district’s acceptable use of computers and networks policy. Nothing in this Policy is intended to prevent a student from using their personal ECRD and recording school-sponsored co-curricular activities as a non-participant when the activity is open to the general public.
Students may use their ECRD in the classroom only with the permission of the teacher, or staff member in charge. Students must abide by the Acceptable Use Policy when using their ECRD.

For the purposes of this policy, “school grounds” means and includes land, portions of land, structures, buildings, and structures that support these buildings, including, but not limited to, administrative buildings, kitchens, maintenance shops, and garages. “School grounds” also includes other facilities as defined in N.J.A.C. 6A:26-1.2, playgrounds, and other recreational places owned by the local municipalities, private entities, or other individuals during those times when the school district has exclusive use of a portion of such land.

An ECRD used in violation of this Policy will be confiscated by a school staff member or Principal or designee and the student will be subject to appropriate disciplinary action.

A student shall not knowingly bring or possess any remotely activated paging device on any school grounds, including on a school bus or at a school-sponsored function, at any time and regardless of whether school is in session or other persons are present without the express written permission of the Superintendent or designee. The student must submit a written request and establish to the satisfaction of the Superintendent or designee a reasonable basis for the possession of the device. The written request must include the purpose for the student possessing and/or bringing the device on school property and the date or dates in which the student requests to possess and/or bring the device on school property. The written request must also include the date in which the student will no longer need to bring and/or possess the device on school property.

The Superintendent or designee, upon reviewing the request from the student, will make a determination. The determination will be in writing and if approved, written permission for the student to bring and/or possess a remotely activating paging device will be provided to the student. Permission will only be provided for the school year.

The student must submit a new request if the time in which permission is given to bring and/or possess a device expires. The student that is granted permission to possess and/or bring the device must be in the possession of the device at all times. The Principal or designee shall immediately notify the Superintendent of Schools and the appropriate criminal justice or juvenile justice agency if a student brings or possesses a remotely activated paging device in violation of N.J.S.A. 2C:33-19 and this Policy.

A student who is an active member in good standing of a volunteer fire company, first aid, ambulance or rescue squad may bring or possess a remotely activated paging device on school property only if the student is required to respond to an emergency and the student provides a statement to the Superintendent or designee from the chief executive officer of the volunteer fire company, first aid, ambulance or rescue squad authorizing the possession of the device by the student at all times and that the student is required to respond to an emergency.
The Principal or designee will confiscate the remotely activated paging device, take appropriate disciplinary action and shall immediately notify the Superintendent of Schools and the appropriate criminal justice or juvenile justice agency if a student brings or possesses a remotely activated paging device in violation of N.J.S.A. 2C:33-19 and this Policy.

N.J.S.A. 2C:33-19

Adopted: 09 June 2010
Revised: 12 March 2014 (for one month only), 09 April 2014
Revised: 13 April 2016
5517 PUPIL IDENTIFICATION CARDS

The Board of Education recognizes school building security measures are important for the safety and welfare of all pupils, staff, parents and community members in school buildings. In recognizing this important responsibility, the Board requires all pupils to carry school district issued identification cards at all times while in school. A pupil must present the card to any school staff member upon request. Pupils who fail to have the card in their possession or to produce it when asked to do so may be disciplined.

The school district issued Identification Card will be issued to all pupils in selected school buildings, and may be presented for:

1. Identification at school district activities on school district property other than the school attended by the pupil;
2. Admission to school dances and other school-related activities;
3. Identification for library media services to include library book, periodical and other resource check-out;
4. Entrance for Scholastic Aptitude Tests, State Standardized Tests and other testing programs administered on school district property;
5. Identification for transportation services offered by the district including the use of activity and/or late buses;
6. Identification for admission to certain school-related and school district sponsored functions; and
7. Other purposes and activities as determined by the Building Principal.

Pupils will be issued one card every year. A replacement fee will be charged, at the cost equal to the reproduction cost, for all lost identification cards.

Adopted: 09 June 2010
5520 DISORDER AND DEMONSTRATION

The Board of Education is responsible for providing a thorough and efficient system of education for pupils in this district and is authorized to preserve order so that the system may function properly. Pupils will not be disturbed in the exercise of their constitutionally guaranteed rights to assemble peaceably and to express ideas and opinions, privately or publicly, provided that their activities do not infringe on the rights of others and do not interfere with the operation of the educational program.

The Board will not permit the conduct on school premises of any willful activity engaged in by an individual acting alone or by a group of individuals that interferes with the orderly operation of the educational program or offends the rights of others. The Board specifically prohibits any assembly or expression that materially disrupts instruction; is obscene, slanderous, or grossly prejudicial; advocates the use of dangerous or harmful materials; advocates the use of force or the violation of law or school rules; or advertises goods or services for unauthorized commercial gain.

Disorderly pupils will be disciplined in accordance with law and Board Policy No. 5600; staff members who assist pupils in disorderly conduct may be subject to disciplinary measures.

The Board directs all staff members to attempt to resolve pupil conflict and dissent by reason and arbitration. Pupils who express dissent should be made aware of the lawful procedures available to them for the resolution of their grievances.

The Superintendent shall establish procedures for the prompt resolution of any disorder that occurs on school premises. The Building Principal shall be responsible for the identification and resolution of disorders in any school building and may summon law enforcement officers as necessary.

N.J.S.A. 2C:12-3; 2C:33-1; 2C:33-2; 2C:33-8

Adopted: 09 June 2010
Policy 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.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.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 a 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 pupil not following through on the recommendations of an evaluation for alcohol or other drug abuse and related behaviors.

C. Instruction
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.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.


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

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 Outreach to Parents
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.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

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.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). 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). 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.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 shall 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.A.C. 6A:16-1.1 et seq.; 6A:16-4.1 et seq.; 6A:16-6.1 et seq.

Adopted: 09 June 2010
REVISED: 13 April 2011
Re-approved: 14 December 2011
Re-Approved: 8 August 2012
REVISED: 10 Dec 2014
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.

[Optional – 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 will immediately notify the parent and the Superintendent or designee. The Principal or designee will 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 and Policy and Regulation 5530 – Substance Abuse.

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 or a controlled dangerous analog pursuant to N.J.S.A. 2C:35-2, the Principal or designee will immediately notify the parent and the Superintendent or designee. The Principal or designee will 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 and Policy and Regulation 5530 – Substance Abuse. Principals and designees will be trained to identify controlled dangerous substances in electronic smoking devices.]

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.

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).
[Optional]

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 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. 2A:170-51.4
N.J.S.A. 2C:35-2
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

Adopted: 09 June 2010
Revised: 13 Nov 2013
Revised: 11 July 2018
5550 DISAFFECTED PUPILS

The Board of Education believes that the educational needs of all pupils should be served. The Board will make every reasonable effort to identify and serve disaffected pupils whose learning is impeded by environmental circumstances, the pupil's attitude, or an inappropriate instructional program.

For the purposes of this policy, "disaffected pupil" means the pupil who has instructional needs that are not being met by the regular instructional program and who is performing well below his/her social or academic capacity.

Disaffected pupils may include pupils unable to function properly within a traditional school program; pupils of average or above average intelligence and ability who achieve below their potential; pupils unable to establish occupational or future goals; pupils with a pattern of behavior problems, including problems with attendance and tardiness; pupils who lack motivation, direction, and decision making ability; pupils who possess a poor self-image; pupils suffering stressful family settings; pupils hostile toward adults and authority figures; pupils in difficulty with community and law enforcement agencies; and pupils lacking interest in school and avoiding involvement in school activities.

Teaching staff members shall be alert to pupils experiencing difficulty in their classes. Any such pupil who does not appear to be disabled may be referred to the 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: 09 June 2010
5560 DISRUPTIVE PUPILS

The Board of Education believes that the pupils of this district are entitled to an education free from undue disruption. Pupils who willfully disrupt the educational program shall be subject to the discipline procedures of this district. Every reasonable effort shall be made to determine and remediate the cause or causes of a chronically disruptive pupil's unacceptable conduct.

For the purposes of this policy, "disruptive pupil" means the pupil who has difficulty establishing good relationships with peers and adult authority figures and who exhibits a pattern of conduct which is in defiance of school rules or regulations and which hinders academic success for other pupils as well as for himself or herself.

Disruptive pupils may be disciplined in accordance with Policy No. 5600.

A disruptive pupil who does not appear to be disabled may be referred to the 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.A.C. 6A:14-1.1 et seq.

Adopted: 09 June 2010
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 of Education 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 Policy and Regulation 5561 – Use of Physical Restraint and Seclusion Techniques for Students with Disabilities, 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 Policy and Regulation 5561 – Use of Physical Restraint and Seclusion Techniques for Students with Disabilities, 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 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. 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 annually inform parents of students with disabilities about the Board’s Policy regarding restraint and seclusion.

New Jersey Department of Education Restraint and Seclusion Guidance for Students with Disabilities – July 10, 2018

Adopted: 08 June 2011
Revised: 11 July 2018
Revised: 03 October 2018
The Board of Education requires that all individuals involved in or attending the athletic and intramural programs sponsored by the Board exhibit sportsmanship when representing the school at any athletic event. Sportsmanship is defined as abiding by the rules of the contest as defined or accepted by the participating teams and the gracious acceptance of victory or defeat. In exhibiting sportsmanship all participants shall:

1. Understand and follow the rules of the contest;
2. Recognize skilled performance of others regardless of affiliation;
3. Display respect for all individuals participating in the athletic event;
4. Treat opponents in an empathetic manner; and
5. Congratulate opponents in victory or defeat.

Failure to exhibit good sportsmanship shall include, but not be limited to the following conduct:

1. Any person who strikes or physically abuses an official, coach, player or spectator;
2. Any person who intentionally incites participants or spectators to abusive action;
3. Any person who uses obscene gestures or unduly provocative language or action towards officials, coaches, opponents or spectators;
4. Any school or athletic staff member who is publicly critical of a game official or opposing coaches and/or players;
5. Any person who engages in conduct which exhibits bias based on race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability; and
6. Schools or school organizations engaging in pre-event activities of an intimidating nature, e.g. use of fog machines, blaring sirens, unusual sound effects or lighting, or similar activities.
7. Other conduct judged by the Athletic Director and/or Building Principal to be unsportsmanlike in character.


Failure to exhibit good sportsmanship may result in the Board denying the opportunity for any individual to participate in the athletic program or attend athletic events. All athletes are expected to comply with the established high school discipline code.

NJSIAA Guidelines

Adopted: 09 June 2010
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 12.1; 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:16-7.8, 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.A.C. 6A:16-7.1 et seq.; 6A:14-1.1 et seq.

Adopted: 09 June 2010
Revised: 18 July 2012
Revised: 10 Dec 2014
Revised: 03 April 2019
Policy 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 NJSA 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,” NJSA 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.

The Board's failure to take any such action at its second regular meeting after the suspension or at any regular meeting thereafter will terminate the suspension, and the student shall be readmitted to school.

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.

Student records are subject to challenge by parents and adult students in accordance with N.J.A.C. 6A:32-7.7 and 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:54-20g [vocational districts]
N.J.A.C. 6A:16-7.2; 6A:16-7.3; 6A:32-7.7; 6A:14-2.8

Adopted: 09 June 2010
REVISED: 10 Sept 2014
Revised: 13 Sept 2017
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, to 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.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: 09 June 2010
Revised: 10 Sept 2014
Revised: 03 April 2019
POLICY

VINELAND

BOARD OF EDUCATION

STUDENTS

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Assaults on District Board of Education Members or Employees

5612 ASSaults On District Board of Education 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.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: 09 June 2010
Revised: 10 Sept 2014
Revised: 03 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:16-5.6(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(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(e1).

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.

 Adopted: 10 Sept. 2014
 Revised: 03 April 2019
Policy 5615 Suspected Gang Activity

Students that initiate, advocate, or promote unacceptable activities or conduct, 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. This unacceptable conduct, including but not limited to, physical or verbal harassing, intimidating, or bullying conduct; unlawful use of force; threats; violence; or other violations of the school district's student code of conduct by a student or group of students directed toward any school staff member or any other student or group of students anywhere 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 believes any unacceptable activities or 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 students representing a "criminal street gang" (hereinafter referred to as a "gang") as defined in N.J.S.A. 2C:44-3.h 2C:33-29.

In accordance with N.J.S.A 2C:33-29, "criminal street gang" means three or more persons associated in fact: (1) two of the following seven criteria that indicate criminal street gang membership apply: (a) self-proclamation; (b) witness testimony or official statement; (c) written or electronic correspondence; (d) paraphernalia or photographs; (e) tattoos; (f) clothing or colors; (g) any other indicia of street gang activity; and (2) individually or in combination with other members of a criminal street gang, while engaging in gang-related activity, have committed or conspired or attempted to commit, within the preceding five years from the date of the present offense, excluding any period of imprisonment, one or more offenses on separate occasions of robbery, carjacking, aggravated assault, assault, aggravated sexual assault, sexual assault, arson, burglary, kidnapping, extortion, tampering with witnesses and informants or a violation of Chapter 11, Section 3, 4, 5, 6, or 7 of Chapter 35, or Chapter 39 of Title 2C of the New Jersey Statutes.

If it is determined unacceptable activities or conduct was committed by students representing a gang or by students that may be representing a gang, the Principal or designee will assign appropriate disciplinary action and will notify the parent of the victim(s) and the offender(s). The Principal or designee will also inform the Superintendent of Schools 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 while 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 student has membership in, or affiliation with, any gang associated with criminal activities pursuant to N.J.S.A. 18A:11-9.

The parent of any student identified as being potentially involved in gang-related activities shall be notified by the Principal or designee. A student identified as being potentially involved in gang-related activities shall be offered appropriate counseling by school district staff.
The Superintendent of Schools, Assistant Superintendent, Principal, or other administrator employed by the school district shall attend a gang education seminar program pursuant to N.J.S.A. 52:17B-4.7 within the first year of initial employment as an administrator in the district. The Superintendent of Schools, Assistant Superintendent, Principal, or other administrator shall be exempt from this requirement if the administrator has successfully completed a gang education seminar conducted by a public school district which is substantially equivalent to the seminar required pursuant to N.J.S.A. 52:17B-4.7. Other 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 student discipline and/or the school district's student code of conduct. This Policy shall be made available to school staff, students, and parent(s) or legal guardian(s).

N.J.S.A. 2C:33-29
New Jersey State Police Street Gang Units - Know the Signs: A Guide to Gang Identification

Adopted: 09 June 2010
Revised: 18 Nov 2015
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 et seq. 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.

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.

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.A.C. 6A:16-7.4; 6A:14 et seq.

Adopted: 09 June 2010
Revised: 13 Sept 2017
5700 PUPIL RIGHTS

The Board of Education recognizes that pupils possess both the right to a free public education and the rights of citizenship. In granting pupils the educational opportunities to which they are entitled, the Board shall provide them with the nurture, counsel, and custodial care appropriate to pupils' ages and maturity. At the same time, the Board will respect the right of each pupil to equal treatment and equal access to the educational program, the due process of law, freedom of expression and association, and the privacy of his/her own thoughts.

Attendant on the rights guaranteed to each pupil are certain responsibilities, which include respect for the rights of others, obedience to properly constituted school authority, and compliance with the policies and regulations of this district.

As pupils differ in age and maturity, so they differ in the ability to assume both the rights and the concomitant responsibilities of citizenship. Accordingly, the exercise of each right will be granted with due regard for the degree of responsibility possessed by the pupil and the pupil's need for continuing guidance and control.

A pupil who has reached the age of majority and is emancipated, possesses the full rights of an adult and may issue authorizations previously delegated to his/her parent(s) or legal guardian(s). The adult pupil is fully responsible for his/her educational performance, attendance, compliance with district regulations, and care of school property. The parent(s) or legal guardian(s) of each adult pupil will be informed of the rights of the pupil and will continue to be informed of the pupil's progress in school.

N.J.S.A. 9:17B-1
N.J.S.A. 18A:36-20

Adopted: 09 June 2010
5701  PLAGIARISM

A. Pupils are expected to be honest in all of their academic work. This means that they will not engage in any of the following acts:

1. Cheating on examinations, including but not limited to, the non-authorized use of books or notes, the use of crib sheets, copying from other pupils’ papers, exchanging information with other pupils orally, in writing, or by signals, obtaining copies of the examination illegally and other similar activities.

2. Plagiarism is not permitted in term papers, themes, essays, reports, images, take-home examinations, and other academic work. Plagiarism is defined as stealing or use without acknowledgment of the ideas, words, formulas, textual materials, on line services, computer programs, etc. of another person, or in any way presenting the work of another person as one’s own.

3. Falsifications, including forging signatures, altering answers after they have been graded, the insertion of answers after the fact, the erasure of grader’s markings, and other acts that allow for falsely taking credit.

B. A pupil found guilty of academic dishonesty may be subjected to a full range of penalties including, but not limited to, reprimand and loss of credit for all of the work that is plagiarized.

C. A teacher who believes that a pupil has been academically dishonest in his/her class should resolve the matter in the following manner:

1. Reprimand the pupil orally and/or in writing. The teacher is also authorized to withhold credit in the work tainted by the academic dishonesty.

2. If warranted, the teacher shall file a written complaint against the pupil with the Building Principal, requesting a more stringent form of discipline. The complaint must describe in detail the academic dishonesty that is alleged to have taken place, and must request that the matter be reviewed by the Building Principal.

3. The Building Principal will determine if further discipline of the pupil is appropriate, and will determine the nature of the discipline on a case-by-case basis.

4. If the pupil is not in agreement with the disciplinary action of the Building Principal, he/she may appeal the action to the Superintendent. If the pupil is dissatisfied with the Superintendent’s disposition of the case, he/she may grieve the action in accordance with Policy No. 5710, Pupil Grievance.

Adopted: 09 June 2010
5710 PUPIL GRIEVANCE

The Board of Education believes that pupils are citizens who possess the right to request redress of grievances and that pupils should be encouraged to respect lawful procedures for the resolution of disputes. Accordingly, the Board will establish and observe procedures by which the grievances of pupils will be heard.

For the purposes of this policy, a pupil grievance means any complaint that arises out of the acts or policies of this Board or the acts of its employees.

A pupil grievance will be heard in the following manner:

1. A pupil should first make the grievance known to the staff member most closely involved or with a guidance counselor and both shall attempt to resolve the matter informally and directly;

2. A grievance not resolved at the first step must be reduced to a written statement in which the pupil sets forth the specific nature of the grievance, the facts that gave rise to it, the relief sought, and the reasons why that relief is appropriate;

3. The written grievance may be submitted to the Building Principal, the Superintendent, and the Board of Education, in that order and within a suitable period of time to be allowed at each level for the hearing of the grievance and the preparation of a response;

4. At each step beyond the first, the school authority hearing the grievance may summon the parent(s) or legal guardian(s) of a grievant who is not an adult. The grievant may summon the assistance of his/her parent(s) or legal guardian(s) at any step;

5. A pupil grievance that proceeds to the Board will be determined promptly and the Board will issue a decision in no more than ten calendar days. The pupil will be informed of the right to appeal a decision of the Board to the Commissioner of Education.

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

Adopted: 09 June 2010
5721 INDEPENDENT PUBLICATIONS

The Board of Education respects the right of pupils to express themselves in written word or picture, or video image or computer generated illustrations, and to distribute printed materials as part of that expression; at the same time, the Board recognizes that the exercise of that right is limited by the rights of other members of the school community.

For the purposes of this policy, “printed materials” include any written or printed cards, letters, circulars, books, pamphlets, notices, newspapers, and similar materials but do not include any publication that is sponsored by this Board.

Certain printed materials are not protected by a pupil’s right of free expression because they violate the rights of others. The Board may identify and prohibit the distribution on school premises of printed materials that are grossly prejudicial to an ethnic, national, religious, or racial group or to either gender; libel any person or persons; seek to establish the supremacy of a particular religious denomination, sect, or point of view over any other; advocate the use or advertise the availability of any substance or material that constitutes a direct and substantial danger to the health of pupils; contain obscenity or material otherwise deemed to be harmful to impressionable pupils; incite violence, advocate the use of force, or urge the violation of law or school regulations; advertise goods or services for the benefit of profit-making organizations; fail to identify the pupil responsible for distribution and the agent responsible for reproduction; solicit funds for nonschool organizations when such solicitations have not been approved by the Board; or promote, favor, or oppose any candidate for election to the Board or the adoption of any bond issue, proposal, or questions submitted at any election.

The Board requires that the distribution of printed material take place only at the places and during the times established by rule in order not to disrupt the orderly operation of the educational program.

N.J.S.A. 2C:34-3

Adopted: 09 June 2010
5723 PUPIL PUBLICATIONS - PHOTOGRAPHS

School yearbooks or pupil directories may be published by pupils of any school in this District subject to the requirements of this policy.

Pupils attending Vineland High School, any intermediate school or any elementary school may publish a yearbook or pupil directory only if a designated faculty advisor supervises and coordinates all activities relating to the development of any such pupil publication. In conjunction with the development of a pupil publication, the Building Principal may designate photographers to take photographs for inclusion in any yearbook or pupil directory. In accordance with Board Policy 6660 and in conjunction with the Assistant Superintendent for Business the Principal shall also establish and maintain a “pupil activities” account for receipts and disbursements of any funds.

Before any photographer may perform services in any school buildings the photographer shall execute a purchase order issued by the Assistant Superintendent for Business setting forth the terms and conditions for the performance of the photographer’s services as set forth herein. Principals, Vice-Principals and teachers are not authorized to execute any contracts with photographers or to designate photographers unless related to pupil publications.

Photographers may photograph pupils in the Vineland School District only if the following terms and conditions are met:

1. The school Principal has approved a pupil publication such as a yearbook or pupil directory.

2. The school Principal has designated a faculty advisor to supervise and coordinate all activities relating to the development of any such pupil publication.

3. The designated photographer may only take photographs of pupils whose parent(s) or legal guardian(s) has granted written permission for the child to be photographed and who has consented to the child’s photograph and information to be included in the pupil publication.

4. Prior to performing any services in the school building, the photographer shall submit to the Assistant Superintendent for Business, a certificate of insurance with a minimum limit of $1,000,000 covering the photographer for personal injury liability and property damage arising out of the performance of their services, naming the Vineland Board of Education as an additional insured.
5. Designated photographers shall provide for inclusion in the yearbook or pupil directory, “publication ready” pupil photographs to the school at no cost and at such time as set forth in the purchase order.

6. Pursuant to Board Policy 7230, any donations, contributions or gifts from any designated photographer must be approved by the Vineland Board of Education before acceptance by any school Principal or staff member.

7. Photographers may sell photographs to parent(s) or legal guardian(s) of pupils only if all requirements set forth in this policy are met by the school and the photographer.

8. The Superintendent or his/her designee shall provide guidelines for implementation of this policy.

Adopted: 08 October 2008
Revised: 09 June 2010
5750 EQUAL EDUCATIONAL OPPORTUNITY

The Board of Education directs that all students enrolled in the schools of this district shall be afforded equal educational opportunities 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 the student’s 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 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 eliminate discrimination, promote mutual acceptance and respect among students, and enable students to interact effectively with others, regardless of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation, gender, gender identity or expression, socioeconomic status, or disability:

1. School climate/learning environment;
2. Courses of study, including Physical Education;
3. Instructional materials and strategies;
4. Library materials;
5. Software and audio-visual materials;
6. Guidance and counseling;
7. Extra-curricular programs and activities;
8. Testing and other assessments.
POLICY

The school district’s curricula will include Multi-cultural Education content and practices, instruction on African-American History in the teaching of U.S. History and instruction on the Holocaust and other acts of genocide.

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 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 race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation, gender, gender identity or expression, socioeconomic status, or disability shall be considered to be conduct unbecoming to a professional staff member of this district and shall be subject to appropriate discipline.

The Superintendent shall develop and promulgate a procedure by which a 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
N.J.A.C. 6A:7-1.1 et seq.; 6A:14-1.2

Adopted: 09 June 2010
REVISED: 10 August 2016
5751 SEXUAL HARASSMENT

The Board of Education will not tolerate sexual harassment of pupils by school employees, other pupils, or third parties. Sexual harassment of pupils is a form of prohibited sex discrimination. School district staff will investigate and resolve allegations of sexual harassment of pupils engaged in by school employees, other pupils (peers), or third parties.

The Board shall establish a grievance procedure through which school district staff and/or pupils can report alleged sexual discrimination, including sexual harassment which may include quid pro quo harassment and hostile environment.

Definitions:

1. Quid pro quo harassment occurs when a school employee explicitly or implicitly conditions a pupil’s participation in an educational program or activity or bases an educational decision on the pupil’s submission to unwelcomed sexual advances, requests for sexual favors, or other favors, or other verbal, nonverbal, or physical conduct of a sexual nature. Quid Pro Quo Harassment is equally unlawful whether the pupil resists and suffers the threatened harm or submits and thus avoids the threatened harm.

2. Hostile environment sexual harassment is sexually harassing conduct (which can include unwelcomed sexual advances, requests for sexual favors, or other favors, or other verbal, nonverbal, or physical conduct of a sexual nature) by an employee, by another pupil, or by a third party that is sufficiently severe, persistent, or pervasive to limit a pupil’s ability to participate in or benefit from an educational program or activity, or to create a hostile or abusive educational environment.

This Policy protects any “person” from sex discrimination; accordingly both male and female pupils are protected from sexual harassment engaged in by school district employees, other pupils, or third parties. Sexual harassment, regardless of the gender of the harasser, even if the harasser and the pupil being harassed are members of the same gender is prohibited. Harassing conduct of a sexual nature directed toward any pupil, regardless of the pupil’s sexual orientation, may create a sexually hostile environment and therefore constitute sexual harassment. Nonsexual touching or other nonsexual conduct does not constitute sexual harassment.

The regulation and grievance procedure 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 pupils shall be published and distributed to pupils and employees to ensure all pupils and employees understand the nature of sexual harassment and that the Board will not tolerate it. The Board shall provide training for all staff and age-appropriate classroom information for pupils to ensure the staff and the pupils understand what type of conduct 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 schools. The Superintendent, or designee, will formulate, interpret, and apply the policy so as to protect free speech rights of staff, pupils and third parties.

In addition, if the Board accepts federal funds, the Board shall be bound by Title IX of the Education Amendments of 1972 prohibiting sexual harassment of pupils. Title IX applies to all public school districts that receive federal funds and protects pupils in connection with all the academic, educational, extra-curricular, athletic, and other programs of the school district, whether they take place in the school facilities, on the school bus, at a class or training program sponsored by the school in a school building or at another location.


Adopted: 09 June 2010
5752 MARITAL STATUS AND PREGNANCY

The Board of Education will not discriminate among pupils 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 pupils will be provided a special instructional program in accordance with Policy No. 2416.

N.J.A.C. 6A:7-1.7(a)6

Adopted: 09 June 2010
5755 EQUITY IN EDUCATIONAL PROGRAMS AND SERVICES

Equity In Student Access

It is the policy of the Board of Education to ensure equal and bias-free access to all school facilities, courses, programs, activities, and services, regardless of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation, 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 each school’s enrollment reflects the composition of the districtwide 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 schools, courses, classes, programs, or extracurricular activities. Bias-free
multiple measures for determining the special needs of language-minority students and students with disabilities will be utilized. Pregnant students will be permitted to remain in the regular school program and activities and if not permitted to attend school by her doctor, the student will be provided equivalent instruction.

Equity in Guidance Programs and 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: 09 June 2010
REVISED: 10 August 2016
5756 TRANSGENDER STUDENTS

The Board of Education is committed to provide a safe, supportive, and inclusive learning environment for all students. The New Jersey Law Against discrimination (NJLAD), N.J.S.A. 10:5-12(11)(t), generally makes it unlawful for schools to subject individuals to differential treatment based on gender identity or expression. Title IX of the Education Amendments of 1972 ("Title IX") specifically prohibits discrimination on the basis of sex in Federally-funded education programs and activities [20 U.S.C. § 1681(a)].

NJ.S.A. 18A:36-41 directs the Commissioner of education to establish guidelines outlined in this Policy to provide direction for schools in addressing common issues concerning the needs of transgender students, and to assist schools in establishing policies and procedures that ensure a supportive and nondiscriminatory environment for transgender students.

Definitions/Terms

A safe and supportive environment within a school begins with understanding and respect. The Board believes students, teachers, and administrators should be provided with common terminology associated with gender identity. The terms listed below are commonly used by advocacy and human rights groups, however students may prefer other terms to describe their gender identity, appearance, or behavior. It is recommended school personnel discuss with the student the terminology and pronouns each student has chosen.

"Gender identity" means a person's internal, deeply held sense of gender. All People have a gender identity, not just transgender people. For transgender people, the individual's internal gender identity is not the same as the gender assigned at birth.

"Gender expression" means external manifestations of gender, expressed through a person's name, pronouns, clothing, haircut, behavior, voice, and/or body characteristics. Society identifies these cues as masculine and feminine, although what is considered masculine or feminine changes over time and varies by culture.

"Assigned sex at birth (ASAB)" refers to the biological sex designation recorded on a person's birth certificate upon the initial issuance of that certificate, should such a record be provided at birth.

"Gender assigned at birth" refers to the gender a child is assigned at birth or assumed to be, based on their biological sex assigned at birth.
"Sexual orientation" describes a person's enduring physical, romantic, and/or emotional attraction to another person. Gender identity and sexual orientation are not the same. A transgender person may be straight, lesbian, gay, bisexual, or asexual. For example, a person who transitions from male to female and is attracted solely to men may identify as a straight woman.

"Transgender" is a term for an individual whose gender identity and/or gender expression differs from those typically associated with the sex and gender assigned at birth.

"Transition" is the process by which a transgender person recognizes that their authentic gender identity is not the same as the gender assigned at birth, and develops a more affirming gender expression that feels authentic. Some individuals socially transition, for example, through dress, use of names/or pronouns. Some individuals may undergo physical transition, which might include hormone treatments and surgery. School district personnel should avoid the phrase "sex change," as it is an inaccurate description of the transition process; the process is more accurately described as "gender-confirming."

"LGBTQ" is an acronym for "lesbian, gay, bisexual, transgender, and queer/questioning."

"Gender nonconforming" describes a person whose gender expression does not conform to the gender expectations of their family or community. Gender nonconformity is not necessarily an indication that a youth is transgender; many non-transgender youth do not conform to stereotypical expectations.

"Gender expansive, Gender diverse, Gender fluid, Gender non-binary. A gender, Gender queer" are terms that convey a wider, more flexible range of gender identity and/or expression than typically associated with the binary gender system. For example, students who identify as gender queer or gender fluid might not identify as boys or girls; for these students, the non-binary gender identity functions as the student's gender identity.

"Cisgender" refers to individuals whose gender identity, expression, or behavior conforms with those typically associated with their sex assigned at birth.

Student-Centered Approach

The school district shall accept a student's asserted gender identity; parental consent is not required. A student need not meet any threshold diagnosis or treatment requirements to have his or her gender identity recognized and respected by the school district, school, or school staff members. In addition, a legal or court-ordered name change is not required. There is no affirmative duty for any school district staff member to notify a student's parent of the student's gender identity or expression.
There may be instances where a parent of a minor student disagrees with the student regarding the name and pronoun to be used at school and in the student's education records. In the event a parent objects to the minor student's name change request, the Superintendent or designee should consult the Board Attorney regarding the minor student's civil rights and protections under the NJLAD. School staff members should continue to refer to the student in accordance with the student's chosen name and pronoun at school and may consider providing resource information regarding family counseling and support services outside of the school district.

School districts should be mindful of disputes between minor students and parents concerning the student's gender identity or expression. Many support resources are available through advocacy groups and resources from the New Jersey Department of Children and Families and New Jersey Department of Education's "Child Abuse, Neglect, and Missing Children" webpage.

The Principal or designee should have an open, but confidential discussion with the student to ascertain the student's preference on matters such as chosen name, chosen pronoun to use, and parental communications. A transgender student shall be addressed at school by the name and pronoun chosen by the student, regardless of whether a legal name change or change in official school records has occurred. The school shall issue school documentation for a transgender student, such as student identification cards, in the name chosen by the student. A transgender student shall be allowed to dress in accordance with the student's gender identity.

The Principal or designee should also discuss with the student, and any other individuals at the student's request, the risks associated with the student's transgender status being inadvertently disclosed. For example, the Principal or designee should inform the student the transgender status may be revealed due to other students' discussions at home. The Principal or designee should work with the transgender student to ensure awareness of activities and events that may inadvertently disclose the transgender student's status.

Safe and Supportive Environment

The Board developed and adopted this Policy to ensure that its schools provide a safe and supportive learning environment that is free from discrimination and harassment for transgender students, including students going through a gender transition. Gender based policies, rules, and practices can have the effect of marginalizing, stigmatizing, and excluding students, whether they are gender nonconforming or not.
The Superintendent or designee shall review and update existing policies and procedures, including those regarding classroom activities, school ceremonies, school photographs, and dress codes, to verify transgender students are not excluded. In addition, the school district shall take the following steps to establish and maintain a nondiscriminatory environment for all students, including transgender and transitioning students:

- The school district must comply with N.J.S.A. 18A:37-15 and N.J.A.C. 6A:16-7.7, which prohibit harassment, intimidation, and bullying. The Board is required to develop, adopt, and implement a Policy in accordance with N.J.S.A. 18A:37-15 and N.J.A.C. 6A:16-7.7 that prohibits harassment, intimidation, or bullying on school property, at a school-sponsored function, or on a school bus. If harassment, intimidation, or bullying based on gender identity creates a hostile environment, the school must take prompt and effective steps to end the harassment, intimidation, or bullying, prevent it recurrence, and, as appropriate, remedy its effects.

- The Superintendent or designee should ensure training is provided to school staff members on sensitivity and respect towards transgender students.

- Social and Emotional Learning (SEL) concepts should be incorporated into school culture and curricula.

- The school district may seek a variety of professionals, including counselors and school psychologists, to provide emotional supports for all students who demonstrate a need. The Superintendent or designee shall ensure school counselors are knowledgeable regarding issues and concerns relevant to transgender students, students facing other gender identity issues, or students who may be transitioning.

- Student dress codes should not be enforced more strictly for transgender and gender nonconforming students than for other students.

- The school district shall honor and recognize a student's asserted gender identity, and shall not require any documentation or evidence in any form, including diagnosis, treatment, or legal name change.

- A school's obligation to ensure nondiscrimination on the basis of gender identity requires schools to provide transgender students equal access to educational programs and activities, even in circumstances in which other students, parents, or community members raise objections or concerns.
Confidentiality and Privacy

School staff members may not disclose information that may reveal a student's transgender status except as allowed by law. The Principal or designee is advised to work with the student to create an appropriate confidentiality plan regarding the student's transgender or transitioning status.

The School district shall keep confidential a current, new, or prospective student's transgender status. Schools should address the student using a chosen name and the student's birth name should be kept confidential by school and school staff members.

Due to a specific and compelling need, such as the health and safety of a student or an incident of bias-related crime, the school district may be obligated to disclose a student's status. In this event, the Principal or designee should inform the student the school or school district intends to disclose the student's transgender status for the student's protection and well-being. Prior to disclosure, the student should be given the opportunity to personally disclose that information. The school district should make every effort to ensure any disclosure is made in a way that reduces or eliminates the risk of re-disclosure and protects the transgender student from further harassment. Those measures may include the facilitation of counseling for the student and the student's family to facilitate the family's acceptance and support of the student's transgender status.

During a harassment, intimidation, or bullying investigation the school district is obligated to develop a procedure to report, verbally and in writing, an act of harassment, intimidation, and bullying committed by an adult or youth against a student, pursuant to N.J.S.C. 6A:16-7.7(a)2viii. In this instance, the Principal or designee should inform the student of the school's obligation to report the findings of the harassment, intimidation, and bullying investigation pursuant to N.J.S.A. 18A:37-15(d), which permits the parents of the students who are parties to the investigation to receive information about the investigation in accordance with Federal and State law and regulation. Under harassment, intimidation, and bullying legal requirements, parents are entitled to know the nature of the investigation; whether the district found evidence of harassment, intimidation, or bullying; or whether disciplinary action was imposed or services provided to address the incident of harassment, intimidation, or bullying.

The Principal or designee shall take into account the circumstances of the incident when providing notification to parents or all students involved in the reported harassment, intimidation, or bullying incident and when conveying the nature of the incident, including the actual or perceived protected category motivating the alleged offense, pursuant to N.J.A.C. 6A:16-7.7(a)2viii(2).
Disclosure of personally identifiable information from a student's education record to other school officials within the school district, whom the school district has determined have a legitimated educational interest in the information, may be permissible under Family Educational Rights and Privacy Act (FERPA) (34 C.F.R. § 99.31(a)(l)). The school district shall make a concerted effort to ensure school officials obtain access to only those education records in which they have legitimate educational interests.


School Records

If a Student has expressed a preference to be called by a name other than their birth name, permanent student records, containing the student's birth name should be kept in a separate, confidential file. This file should only be shared with appropriate school staff members after consultation with a student. A separate file containing records bearing the student's chosen name may also be kept. If the student has previously been known at school or in school records by a birth name, the Principal or designee should direct school staff members to use the student's chosen name and not the student's birth name.

To ensure consistency among teachers, school administrations, substitute teachers, and other school staff members, every effort should be made to immediately update student education records (for example, attendance records, transcripts, Individualized Education Programs (IEP), etc.) with the student's chosen name and gender pronouns, consistent with the student's gender identity and expression, and not circulate records with the student's birth name, unless directed by the student.
• The school district shall report to the New Jersey Department of Education (NJDOE) through NJ SMART a student's name or gender based upon that student's chosen name and corresponding gender identity. Changing the name or gender identity from what was reported in previous years will not affect the reliability of the data reported.

• If the school district changes a student's name or gender identity, it must also maintain locally a separate record reflecting the student's legal name and sex assigned at birth until receipt of documentation of a legal change of name or gender.

Activities

With respect to gender-segregated classes or athletic activities, including intramural and interscholastic athletics, all students must be allowed to participate in a matter consistent with their gender identity.

The school district shall:

• Provide transgender students with the same opportunities to participate in physical education as other students in accordance with their gender identity;

• Permit a transgender student to participate in gender-segregated school activities in accordance with the student's gender identity;

• Permit and support the formation of student clubs or programs regarding issues related to lesbian, gay, bisexual, transgender, and queer/questioning (LOBTQ) youth; and

• Offer support in the creation of peer-led educational groups.

Use of Facilities

All Students are entitled to have access to restrooms, locker rooms and changing facilities in accordance with their gender identity to allow for involvement in various school programs and activities.
In all cases, the Principal or designee must work with the student and school staff members so all parties are aware of facility policies and understand the student may access the restroom, locker room, and changing facility that corresponds to the student's gender identity. While some transgender students will want this arrangement, others may be uncomfortable with it. Transgender students who are uncomfortable using a sex-segregated restroom should be provided with a safe and adequate alternative, such as a single "unisex" restroom or the nurse's restroom. Similarly, some transgender students may be uncomfortable using the changing facilities that correspond to the student's gender identity. Non-transgender students should also be afforded the option to use a private facility, such as a unisex facility or the nurse's restroom, should they feel uncomfortable.

- The school district shall allow a transgender student to use a restroom or locker room based on the student's gender identity.
- Reasonable alternative arrangements shall be made if needed to ensure a student's safety and comfort. This direction for accommodations should come from the student.

The Superintendent or designee will make available to school staff members a variety of resources regarding professional development opportunities as sourced by the NJDOE as well as developmentally appropriate information for students regarding LGBTQ issues.

The Board adopts this Policy to help school and district administrators take steps to create and inclusive environment in which transgender and gender nonconforming students feel safe and supported, and to ensure each school provides equal educational opportunities for all students, in compliance with N.J.A.C. 6A:7-1.1 et seq.

N.J.A C 6A:7-1.1 et seq.; N.J.A.C. 6A:16-7.7
New Jersey Department of Education October 2018
Transgender Student Guidance for School Districts

Adopted: 10 Dec 2014
Revised: 18 Nov 2015
Revised: 03 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 schools and of safeguarding the safety and well-being of the pupils in their care. In the discharge of that responsibility, a teaching staff member may search or request the search of the person or property of a pupil as authorized by this policy, with or without the pupil’s consent, whenever he/she has reasonable grounds to suspect that the search is required to discover evidence of a violation of law or of school rules. The extent of the search will be governed by the seriousness of the alleged infraction, the pupil’s age, and the pupil’s disciplinary history. Except in exigent circumstances, an intrusive search of a pupil’s person or intimate personal belongings shall be conducted by a person of the pupil’s gender.

The Board acknowledges the need for the in-school storage of pupils’ possessions and shall provide storage places, including desks and lockers, for that purpose. Where locks are provided for such storage places, pupils may lock them against incursion by other pupils. In no storage place provided by the Board shall pupils have such an expectation of privacy as to prevent examination by a school official. Pupils shall be notified in writing at the beginning of each school year that inspections of their lockers, desks, and other storage facilities on school district property may be conducted. The school Principal or designee is directed to conduct, without further notice, the regular inspection of such facilities provided to pupils for the storage of property.

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.


Adopted: 09 June 2010
5810 PUPIL PARTICIPATION IN SCHOOL GOVERNANCE

The Board of Education believes that pupils should be encouraged to participate appropriately in the governance of various school activities. As institutions fundamental to the operation of a democratic society, the schools should strive to exemplify the democratic ideal of citizen participation in decision making.

The Board directs that pupils be invited to participate, as appropriate to the pupils’ ages and interests, in deliberations and decisions regarding pupil conduct and the disciplinary code, curriculum planning, co-curriculum planning, grading systems, safety programs, the selection of resource materials, and the scheduling of the school day. Pupil participation should fairly represent the interests of the entire student body, and participants should be duly elected representatives of pupil organizations.

Suggestions for the improvement of the schools may be offered by any pupil. Suggestions should be constructive and contribute toward the realization of the educational goals of the district.

Adopted: 09 June 2010
5820 STUDENT GOVERNMENT

The Board of Education recognizes the importance of offering pupils the opportunity to participate in representative self-government and to develop leadership skills. Pupils shall have the right to organize, conduct meetings, elect officers and representatives, and petition the Board of Education.

The Board recognizes the Student Government as the official voice of the student body for pupils in grades nine through twelve, provided the constitution and bylaws of that organization have been duly approved by the pupils it represents and by the Board and provided that all pupils have equal access to their student government and an equal opportunity to vote and hold office.

The Board shall appoint a qualified teaching staff member to serve as advisor to student government activities.

The Board directs that decisions made and actions duly taken by the official student government, in accordance with and within the scope of its constitution and bylaws, may not be voided or vetoed by any staff member.

Adopted: 09 June 2010
5830  PUPIL FUND RAISING

The Board of Education will limit the solicitation of funds by and from the pupils of this district in order to protect pupils from unnecessary pressures and the instructional program from disruption.

“Pupil fund raising” means the solicitation and collection of money by pupils, on or off school premises, for any purpose associated directly or indirectly with the school district or under circumstances in which the solicitors are identified as pupils of this district.

Pupils may solicit and collect money on behalf of approved school organizations, provided the fund raising has been approved by the Building Principal.

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 Building Principal.

Pupils may solicit and collect money on behalf of nonschool organizations, provided the fund raising has been approved by the Building Principal.

Out-of-school solicitation of money for nonschool organizations must be approved by the Building Principal.

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. The Building Principal shall distribute this policy and the Superintendent’s regulations to each recognized pupil organization.

Adopted: 09 June 2010
5841 SECRET SOCIETIES

The Board of Education affirms the legislative prohibition of pupil organizations with closed membership practices as hostile to the democratic ideals of public education.

No social organization of pupils will be granted the use of school facilities or permitted the use of the name of the school or this school district unless that organization has first been approved by the Building Principal. The application for such approval will set forth the purposes, constitution, and bylaws of the organization; its membership qualifications; and the process by which a person becomes a member.

No organization will be approved if its purposes conflict with the authority and goals of this Board or the best interests of the pupils of this district; if membership is drawn from outside the currently enrolled student body; if membership qualifications are based on considerations of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, disability or political beliefs, or any other consideration not appropriate to the purpose of the organization; or if any qualifying pupil who applies may be denied membership.

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 pupil who seeks to form or is a member of a fraternity, sorority, or other secret organization formed in whole or in part of pupils enrolled in this district may be disciplined by this Board. The Board reserves the right to require that any pupil attest as to his/her membership in a secret organization.


Adopted: 09 June 2010
5842 EQUAL ACCESS OF PUPIL ORGANIZATIONS

The Board of Education will permit the use of school facilities by pupil-initiated organizations for non-curricular pupil activities. A pupil-initiated organization, regardless of the size of the group, will not be denied an opportunity to meet and use school facilities on the basis of the religious, political, philosophical, or other content of the speech at their meeting.

An application for permission to meet on school premises shall be made to the Building Principal, who shall grant permission provided that he/she determines that:

1. The activity has been initiated by pupils;
2. Attendance at the meeting is voluntary;
3. No agent or employee of the district will promote, lead, or participate in the meeting;
4. The meeting is for a lawful purpose;
5. The meeting does not materially and substantially interfere with the orderly conduct of instructional activities in the school;
6. Nonschool persons do not direct, conduct, control, or regularly attend the activity; and
7. The activity is adequately supervised by appropriately certified school district staff.

A pupil-initiated group granted permission to meet on school premises shall be subject to the same rules and regulations that govern the meetings of pupil organizations sponsored by this Board, except as provided by this policy. Participation in a pupil-initiated meeting must be available to all pupils who wish to attend and cannot be denied on the basis of a pupil's race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability. The Board will not permit the organization of a fraternity, sorority, or secret society. A pupil-initiated meeting may be attended by no more than three outside resource persons.

Access to school facilities by pupil organizations will be provided within 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 pupil-initiated meeting in a custodial capacity and shall not participate in the activity while serving in this custodial capacity. No teaching staff member shall be compelled to attend a pupil-initiated meeting if the content of the speech at the meeting is contrary to his/her beliefs.

The Building Principal may take such actions as may be necessary to maintain order and discipline on school premises and to protect the safety and well-being of pupils and staff members.

20 U.S.C.A. 1701 et seq.
United State Department of Education - Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools

Adopted: 09 June 2010
Policy 5850 SOCIAL EVENTS AND CLASS TRIPS

The Board of Education recognizes the value of social events and class trips that will enhance and enrich the school experience for the pupils of this district.

For purposes of this policy, a "social event" is a party, celebration, or dance organized for the participation of pupils, and "class trips" are trips taken by pupils in a single graduating class, pupils who share a particular interest in an activity, or pupils who are enrolled in a particular subject area. Social events and class trips are not related or are only indirectly related to the curriculum.

The Board will make school facilities available and assign staff members as appropriate for the conduct of social events on school premises that have been approved by the Superintendent and for social events and class trips away from school premises that have been approved by the Superintendent. A social event or class trip may be considered to have been approved by this Board only when the Board has duly assigned one or more chaperones to supervise participating pupils. The Board will assume no responsibility for a pupil social event or trip that has not been approved in accordance with this policy.

The Board reserves the right to cancel any scheduled trip.

Social events or class trips are not part of the thorough and efficient system of education provided by the Board. Participation in them is therefore not a right and may be denied to any pupil without the due process of notice and an opportunity to be heard. A pupil who demonstrates disregard for school rules may summarily be denied participation in social events and class trips.

Pupils who participate in approved social events and class trips are subject to district rules for pupil conduct and must submit to the authority of assigned chaperones. Infractions of the rules will be subject to discipline in the same manner as are infractions of rules during the regular school program.
A pupil who possesses or consumes alcohol or drugs in the course of an approved social event or class trip will be deemed to have placed all other participating pupils at risk and shall be immediately dismissed from the event or trip. Any such pupil will be returned home by appropriate and safe means of transportation in the company of a chaperone, the pupil's parent(s) or legal guardian(s), or a representative of the pupil's parent(s) or legal guardian(s). Any expenses incurred by the dismissal will be the responsibility of the pupil and/or the pupil's parent(s) or legal guardian(s).

The Superintendent will develop regulations governing the conduct and safety of all participants in social events and class trips and will distribute them to pupil and adult participants.
5860 SAFETY PATROL

The Board of Education recognizes the value of a school safety patrol as a means of preventing accidents, instructing pupils in good habits, and providing opportunities for leadership training.

The Board authorizes the establishment of a school safety patrol of pupils in grades four through eight.

All eligible pupils may apply for appointment to the safety patrol. No pupil may serve without the written consent of his/her parent(s) or legal guardian(s). All applicants must acknowledge the possible hazards of safety patrol duty and agree that in the case of injury no liability will be attached to the Board or to any employee of this Board. Selection among applicants will be made on the basis of the applicant’s demonstrated sense of responsibility, good citizenship, leadership capacity, maturity, and academic proficiency. Members of the safety patrol must attend a training program before they may assume duties. A member may be removed from the safety patrol for violation of school rules or failure to maintain the high standard of conduct expected of school safety patrol members.

Members of the school safety patrol may be assigned to control and direct pupil traffic on school grounds, on school buses, on sidewalks and paths adjacent to a street or roadway, and across streets and roadways. No school safety patrol member shall be permitted to direct or place himself or herself in the path of vehicular traffic.

All pupils shall be instructed to respect the authority of school safety patrol members in the performance of their duties.

No liability shall attach to the Board or any person holding office, position or employment under the Board, by virtue of the organization, maintenance or operation of a school safety patrol organized, maintained, and operated under authority of N.J.S.A. 18A:42-1.

N.J.A.C. 6A:26-12.2(a)3

Adopted: 09 June 2010
5880 PUBLIC PERFORMANCES BY PUPILS

The Board of Education recognizes the value to pupils 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 pupils.

Public performances of pupil organizations must be approved in advance by the Building 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 pupils 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, pupils 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 pupils organized for a school activity.


Adopted: 09 June 2010
6111 SPECIAL EDUCATION MEDICAID INITIATIVE (SEMI) PROGRAM

Every New Jersey school district, with the exception of any district that obtains a waiver of the requirements of N.J.A.C. 6A:23A-5.3 pursuant to the procedures set forth at N.J.A.C. 6A:23A-5.3(b), shall take appropriate steps to maximize its revenue from the Special Education Medicaid Initiative (SEMI) Program by following policies and procedures to maximize participation in the program as set forth in N.J.A.C. 6A:23A-5.3(d) and to comply with all program requirements as set forth in N.J.A.C. 6A:23A-5.3(e).

The school district may seek, in the 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 Department of Education shall provide each school district with a projection of available SEMI reimbursement for the budget year, as determined by the State Department of Treasury’s third party administrator for SEMI.

Beginning with the 2009-2010 school year, the school district shall recognize as revenue in its annual school district budget no less than ninety percent of the projection provided by the Department of Education. The district may seek approval from the Executive County Superintendent to use its own projection of SEMI reimbursement upon demonstration that the numbers it used in calculating the projection are more accurate than the projection provided.

The school district shall strive to achieve maximum participation in the SEMI program. “Maximum participation” means obtaining a ninety percent return rate of parental consent forms for all SEMI eligible pupils. Districts shall enter all pupils following their evaluations into the third-party system to identify the district’s universe of eligible pupils. This can be done without parental consent.

Districts participating in the SEMI reimbursement program shall comply with program requirements as outlined in N.J.A.C. 6A:23A-5.3(e).

A school district that has less than ninety percent participation of SEMI eligible pupils in the prebudget year or that has failed to comply with all program requirements set forth in N.J.A.C. 6A:23A-5.3(e) shall submit a SEMI action plan to the Executive County Superintendent for review and approval as part of the school district’s proposed budget submission. The district’s SEMI action plan shall include the components as outlined in N.J.A.C. 6A:23A-5.3(g).
Districts that did not achieve ninety percent participation or achieve their approved benchmarks in the SEMI program for a given budget year and cannot demonstrate that they fully implemented their Department of Education approved SEMI action plan, shall be subject to review for the withholding of State aid by the Commissioner pursuant to N.J.S.A. 18A:55-3 in an amount equal to the SEMI revenue projection based on their approved benchmark for the budget year, if applicable, less actual SEMI reimbursements for the budget year. The State aid deduction shall be made in the second subsequent year after the budget year.

N.J.A.C. 6A:23A-5.3

Adopted: 09 June 2010
POLICY #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 New Jersey Department of Education 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 Titles I, II-A, II-D, III, III Immigrant, IV and V of the No Child Left Behind Act (NCLB), the Individuals with Disabilities Education Act (IDEA), and the Carl D. Perkins Career and Technical Education Improvement Act of 2006 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. Reimbursement requests shall be made for individual titles and awards and only one reimbursement request per month may be submitted for an individual title or award. Reimbursement requests may only be for expenditures that have already occurred or will occur by the last calendar day of the month in which the request is made.

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 by the last calendar day of the month in which the request is made and that the expenditures are allowable and appropriate to the cost objective(s) of the subgrant. Reimbursement requests must be in accordance with approved grant applications.

The Superintendent of Schools 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 of Schools 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 or $50,000 for IDEA, Perkins, and NCLB (per title); whichever is less.

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 of Schools 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 applicable Federal Office of Management and Budget Circular: A-21, "Cost Principles for Educational Institutions;" A-87, "Cost Principles for State, Local, and Indian Tribal Governments;" A-122, "Cost Principles for Non-Profit Organizations;" and Education Department General Administrative Regulations (EDGAR). 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 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 according to the requirements of the CMIA.

New Jersey Department of Education Policies and Procedures for Reimbursement of Federal and Other Grant Expenditures - July 2008

Adopted: 08 December 2010
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 as approved by this Board of Education.

N.J.S.A. 54:4-75

Adopted: 09 June 2010
6150 TUITION INCOME

The Board of Education will charge and assess tuition for attendance in the schools of this district by pupils not entitled to receive a free public education in this district and whose enrollment has been approved by the Board.

Tuition rates will be determined, charged and paid in accordance with N.J.A.C. 6A:23-3.1 et seq.

A receiving public school district Board and a sending public school district Board will establish a written contractual agreement for the ensuing school year with a tentative tuition charge multiplied by the estimated average daily enrollment in accordance with N.J.A.C. 6A:23-3.1(f). The sending district will pay in accordance with contractual agreement. Adjustments will be made in accordance with N.J.A.C. 6A:23-3.1(f).

The Board will, with consent of the Board upon such terms, admit nonresident pupils on a tuition basis pursuant to N.J.S.A. 18A:38-3.

The Board Secretary shall be responsible for the assessment and collection of tuition. Tuition assessment and billing will be in accordance with N.J.A.C. 6A:23-3.1 et seq.

The County Superintendent in the county in which the receiving district is located should be consulted to mediate disputes that arise from tuition matters as defined in N.J.A.C. 6A:23-3.1(f)5.

N.J.A.C. 6A:23-3.1 et seq. through 3.4 et seq.
N.J.A.C. 6A:14-7.8

Adopted: 09 June 2010
6160  GRANTS FROM PRIVATE SOURCES

The Board of Education encourages the development of proposals to private foundations and other sources of financial aid to subsidize such activities as innovative projects, feasibility studies, long-range planning, and research and development. Any such activity must:

1. Be based on a specific set of project objectives that relate to the established goals of the district;

2. Provide measures for evaluating whether or not project objectives are being achieved; and

3. Conform to applicable state and federal laws and to Board policies.

All grant proposals must be approved by the Board. The Superintendent shall establish regulations for the processing of proposal ideas throughout the district.

Adopted: 09 June 2010
6162 CORPORATE SPONSORSHIPS

Advertising on School Facilities

The Vineland Board of Education hereby authorizes the placement of advertising signs at Gittone Stadium on the fences situated at the east and west end zone areas of the stadium.

The Superintendent and his/her designee are hereby authorized and directed to administer implementation of and insure compliance with this policy.

Signs shall be uniform in size and format. Signs shall be three and one-half feet by seven feet and made of vinyl for purposes of storage convenience and durability.

The advertiser shall prepay the cost of fabrication directly to the fabricator designated by the district.

The advertiser shall prepay a fee of $250.00 for each football season in which the advertiser elects to participate.

Signs shall be erected at the start of the football season and shall remain in place during the season including playoffs. Thereafter the signs will be removed and stored by district personnel. If an advertiser elects not to renew the contract for the next season, the district shall return the sign to the advertiser if requested.

No advertising shall be accepted for intoxicating beverages, tobacco or tobacco accessories, any controlled dangerous substances, drugs and medications, contraceptives, personal hygiene products, political messages, or other products or services deemed objectionable and inappropriate.

The Superintendent shall prepare appropriate regulations and guidelines for the administration and implementation of this policy.

Adopted: 09 June 2010
The annual budget is the financial plan for the effectuation of the educational plan for the district; its preparation is, therefore, one of the most important functions performed by the Board of Education. The budget shall be designed to carry out that plan in a thorough and efficient manner, to maintain school district facilities, and to honor continuing obligations of the district.

A proposed budget requires the critical analysis of every member of the Board during its preparation. The administration shall work with the Board to ensure Board members have a thorough understanding of the budget appropriations, budget revenue, the proposed educational program and the budget's impact to the local tax levy. The Board shall also provide for community input during the budget development process.

The annual school district budget and supporting documentation shall be prepared in accordance with the provisions of N.J.S.A. 18A:7F et seq. and N.J.A.C. 6A:23A-8.1 et seq. The Board will obtain approval of the local funding for a non-referendum capital project (school facility project or other capital project) in accordance with the provisions of N.J.A.C. 6A:23A-8.4.

The Board will submit its proposed budget and supporting documentation as prescribed by the Commissioner to the Executive County Superintendent for approval.

The budget will be presented to the Board of Education to allow adequate time for review and adoption. The budget should evolve primarily from the needs of the individual schools as expressed by the Building Principals and the district educational program as expressed by the central administrative staff and be compatible with approved district plans.

The 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 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 Internet site, 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..


Adopted: 09 June 2010
REVISED: 08 June 2011
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.


Adopted: 09 June 2010
Policy 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 Federal Acquisition Regulations (FAR) Subpart 9.4 - Debarment, Suspension, and Ineligibility.

The School Business Administrator/Board Secretary shall be responsible to check the web-based Excluded Parties Lists System (EPLS) maintained by the General Services Administration (GSA). The purpose of the EPLS 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 review the EPLS to determine if the vendor has been disbarred, suspended, or proposed for disbarment. The School Business Administrator/Board Secretary shall also review the EPLS 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 EPLS list or proposed for disbarment, the School Business Administrator/Board Secretary shall comply with the contracting restrictions as outlined in FAR Subpart 9.405.

Continuation of current contracts and restrictions on subcontracting with vendors who are on the EPLS list or proposed for disbarment shall be in accordance with the limitations as outlined in FAR Subparts 9.405.1 and 9.405.2.

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.

Federal Acquisition Regulations (FAR) Subpart 9.4

Adopted: 08 June 2011
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 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 and/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.


Adopted: 09 June 2010
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 (any time 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
6361 RELATIONS WITH VENDORS

The Board of Education shall maintain honest and ethical relations with vendors and shall guard against favoritism, improvidence, extravagance, and corruption in its contracting processes and practices.

The Board will not 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 (codified at NJSA 19:44A-1 et seq.) to a member of the Board of Education during the preceding one-year period.

Contributions reportable by the recipient under P.L. 1973, c. 83 (codified at NJSA 19:44A-1 et seq.) to any member of the school Board from any business entity doing business with the school district are prohibited during the term of a contract. The Commissioner shall take appropriate action for any violations.

When a business entity 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.

The disclosure requirement set forth in section 2 of P.L. 2005, c. 271 (codified at NJSA 19:44A-20.26) also shall apply when the contract is required by law to be publicly advertised for bids.

N.J.A.C. 6A:10A-4.1 shall not apply to a contract when a school district emergency requires the immediate delivery of goods or services and shall not apply to contributions made prior to the effective date of these regulations.

N.J.A.C. 6A:10A-4.1(e)

Adopted: 09 June 2010
Policy 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: 09 June 2010
REVISIED: 13 April 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 Business office staff has determined whether the proposed purchase is subject to bid, whether sufficient funds exist in the line item, and whether the goods are available elsewhere in the district.

Whenever the estimated value of a purchase or contract for goods or services other than professional services N.J.S.A. 18A:18A-5(1) and work by employees of the Board N.J.S.A. 18A:18A-5(3) is fifteen percent or more of the bid threshold established in accordance with N.J.S.A. 18A:18A-3 and N.J.S.A. 18A:18A-37 and is not made under a state contract, the purchasing agent shall, whenever practicable, solicit at least two quotations from independent vendors. All quotations received will be attached to and retained with a copy of the voucher used to pay the vendor.

All contracts that are in the aggregate less than fifteen percent of the bid threshold may be awarded by the School Business Administrator/Board Secretary without soliciting competitive quotations.

The purchase or contract may be awarded on the basis of the lowest responsible quotation received or to the vendor who submits the quotation most advantageous to the Board on the basis of price and other factors. If it is determined that it is impractical to seek quotations for an extraordinary, unspecifiable service or that the purchase or contract for which quotations were sought should not be awarded on the basis of the lowest quotation received, the reasons for that determination will be set forth in writing and attached to the resulting purchase order or contract.

Supplies commonly used in the various schools will be standardized to the extent that it is educationally feasible to do so. Alternate suggestions will be made to a requisitioner if better service, delivery, economy, or utility can be achieved by a change in the proposed order.

When a purchase order is placed or a contract entered, the Business office staff shall commit the expenditure against a specific budget line item or project category in order to guard against the creation of liabilities in excess of appropriations.

N.J.A.C. 5:34-2.1; 5:34-2.2

Adopted: 09 June 2010
6422  BUDGET TRANSFERS

Budget transfers will be approved by the Board and the New Jersey Department of Education as required.

N.J.S.A. 6A:23-2.11

Adopted: 09 June 2010
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Expenditures for Non-Employee Activities, Meals
and Refreshments

6423 EXPENDITURES FOR NON-EMPLOYEE ACTIVITIES, MEALS
AND REFRESHMENTS

There may be school district activities where expenditures for non-employee activities, meals, and refreshments may occur. Expenditures for non-employee activities, meals, and refreshments for school district activities are allowed provided the expenses are in accordance with the provisions of N.J.A.C. 6A:23A-5.8. For the purposes of this Policy, unless the context clearly indicates otherwise, “activities” means events or functions provided or held for the benefit of pupils, dignitaries, and other “non-district” employees (e.g. parents) which are paid from public funds. “Dignitary” means a notable or prominent public figure; a high level official; or one who holds a position of honor. A dignitary, for purposes of this Policy, is not a school district employee or Board of Education member.

Allowable expenditures for non-employee school district activities shall include:

1. All reasonable costs, including light meals and refreshments, directly related to activities that benefit pupils and are part of the instructional program including expenditures for field trips and extracurricular programs that are not solely for entertainment. Nothing in this Policy or N.J.A.C. 6A:23A-5.8 shall preclude the district from using student activity funds or accepting donations to support pupil activities that are solely for pupil entertainment;

2. All reasonable costs directly related to activities of dignitaries and other “non-district” employees (e.g. parents), including light meals and refreshments and any other directly related expense. Expenditures for this purpose shall be minimal and infrequent;

3. All reasonable costs of commencement and convocation activities for pupils; and

4. Expenditures related to district employees to the extent such employees are essential to the conduct of the activity.

The Board shall, at a minimum, take actions regarding pupil activities as follows:

1. Pre-approve field trip destinations;
2. Establish dollar thresholds for awards to recognize special accomplishments; and

3. Establish a budget for each category of activity in a non-discriminatory manner.

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: 09 June 2010
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 need 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 a 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 a 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. 40A:11-1 et seq.
N.J.A.C. 5:34-7
N.J.A.C. 6A: -21.5

Adopted: 09 June 2010
Revised: 09 December 2020
POLICY

VINELAND

BOARD OF EDUCATION

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Payment of Claims

POLICY 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. In accordance with N.J.S.A. 18A:19-4.1, the School Business Administrator/Board Secretary and the Superintendent are authorized to approve payment of claims interest on bonds as it becomes due, payments to redeem bonds as they become due, progress payments to contractors in accordance with a contract approved by the Board, and warrants to cover approved payrolls.
and agency account deposits prior to presentation to the Board. Any such approval of payment must be presented to the Board for ratification at the next regular Board meeting.

All claims 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, and the purchase requisition. The list of approved warrants will be included in the minutes of the Board meeting.

When a claim for payment is duly approved in accordance with this Policy, the School Business Administrator/Board Secretary and/or a designated staff member shall promptly prepare a warrant for payment, cancel the commitment placed against the appropriate account, and post the actual expenditure. All warrants 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.A.C. 6A:23A-6.10

Adopted: 09 June 2010
REVISED: 16 Jan 2013
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 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. 40A:5-16.5
N.J.A.C. 5:30-9A.1 et seq.

Adopted: 09 December 2020
6471 SCHOOL DISTRICT TRAVEL

The Board of Education shall ensure the effective and efficient use of funds by adopting and implementing policies and procedures that are in accordance with N.J.S.A. 18A:11-12 and State of New Jersey Department of the Treasury, Office of Management and Budget (NJOMB) Circulars 08-19-OMB and 06-14-OMB (OMB Circulars) and any superseding circulars pertaining to travel, meals, events and entertainment, and the additional requirements set forth in N.J.A.C. 6A:23A-7. If any superseding circulars of the Office of Management and Budget conflict with the provisions of N.J.A.C. 6A:23A-7, the provisions of the superseding circulars shall govern.

A. Definitions

1. For the purposes of this Policy, “travel expenditures” means those costs paid by the school district using local, State, or Federal funds, whether directly by the school district or by employee reimbursement, for travel by school district employees and district Board of Education members, to the following five types of travel events:

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

   b. Conventions and conferences - means general programs, sponsored by professional associations on a regular basis, which address subjects of particular interest to a school district or are convened to conduct association business. The primary purpose of employee attendance at conferences and conventions is the development of new skills and knowledge or the reinforcement of those skills and knowledge in a particular field related to school district operations. These are distinct from formal staff training and seminars, although some training may take place at such events;

   c. School district sponsored events - means conferences, conventions, receptions, or special meetings where the school district plans, develops, implements, and coordinates the event and is the event’s primary financial backer. School district employees are actively involved in working the event and other employees may attend as participants;
d. Regular school district business - means all regular official business travel, including attendance at meetings, conferences, and any other gatherings which are not covered by the definitions included in a., b., and c. above. Regular school district business travel also includes attendance at regularly scheduled in-State county meetings and Department of Education sponsored or association sponsored events provided free of charge and regularly scheduled in-State professional development activities with a registration fee that does not exceed $150 per employee or Board member. Beginning in 2009-2010 the $150 limit per employee or Board member may be adjusted by inflation; and

e. Retreats - means meetings with school district employees and school Board members, at which organizational goals and objectives are discussed.

B. School District Travel Expenses

1. Any sections in either the State or Federal Circulars that conflict with New Jersey school law (N.J.S.A. 18A:1-1 et seq.) shall not be included in this Policy nor authorized under N.J.A.C. 6A:23A-7.1 et seq. This includes, but is not limited to, the authority to issue travel charge cards as allowed under the State Circular, but not authorized for school districts under New Jersey school law.

2. School district travel expenditures shall include, but are not limited to, all costs for transportation, meals, lodging, and registration or conference fees directly related to participation in the event.

3. School district travel expenditures in accordance with this Policy and N.J.A.C. 6A:23-7.1 et seq. shall include costs for all required training and all travel authorized in school district employee contracts and school Board policies. This includes, but is not limited to, required professional development, other staff training and required training for Board members, and attendance at specific conferences authorized in existing employee contracts, provided that such travel meets the requirements of N.J.A.C. 6A:23-7.1 et seq.

4. All such expenditures are subject to the requirements of N.J.A.C. 6A:23-7.1 et seq., including but not limited to, inclusion in the annual travel limit, prior Board approval, separate tracking, and per diem reimbursements.
C. School District Travel Requirements

1. All travel by Board of Education employees and Board members must be educationally necessary and fiscally prudent and all school district travel expenditures shall be:

   a. Directly related to and within the scope of the employee’s or Board member’s current responsibilities and, for school district employees, the school district’s professional development plan, the school building professional development plan, and an employee’s individual professional development plan;

   b. For travel that is critical to the instructional needs of the school district or furthers the efficient operation of the school district; and

   c. In compliance with State travel payment guidelines as established by the Department of the Treasury and with guidelines established by the Federal Office of Management and Budget; except those guidelines that conflict with the provisions of Title 18A of the New Jersey Statutes shall not be applicable, including, but not limited to, the authority to issue travel charge cards. The Board specifies in this Policy the applicable restrictions and requirements set forth in the State and Federal guidelines including, but not limited to, types of travel, methods of transportation, mileage allowance, subsistence allowance, and submission of supporting documentation including receipts, checks, or vouchers.

2. Reimbursement for all in-State and out-of-State travel shall be made pursuant to N.J.S.A. 18A:11-12. In accordance with the provisions of N.J.A.C. 6A:23A-5.9:

   a. Out-of-State travel events shall be limited to the fewest number of Board members or affected employees needed to acquire and present the content offered to all Board members or staff, as applicable, at the conclusion of the event. Where the event is sponsored by a New Jersey-based organization and targeted to employees and/or Board members of New Jersey school districts, reimbursement for lodging may be permitted only where the sponsoring organization obtains a waiver pursuant to the provisions of N.J.A.C. 6A:23A-7.11. Where the event is national or regional in scope and targeted to school district employees and/or Board members from multiple States, reimbursement for lodging may only be provided if the event occurs on two or more consecutive days and where home to event commute exceeds fifty miles.
b. Where a travel event has a total cost that exceeds $5,000, regardless of the number of attendees, or where more than five individuals from the district are to attend a travel event out-of-State, the school district shall obtain the prior written approval of the Executive County Superintendent. The Executive County Superintendent shall promptly review the request and render a decision within ten working days.

c. For all employee and Board member travel events out of the country, regardless of cost or number of attendees, the school district shall obtain the prior written approval of the Executive County Superintendent. Such requests must be supported by detailed justification. The Executive County Superintendent shall promptly review the request and render a decision within ten working days. It is expected that approvals will be rare.

D. Travel Reimbursements

1. Travel reimbursements will be paid only upon compliance with all provisions of N.J.A.C. 6A:23A-7 and the Board's procedures and approval requirements. The Board will not ratify or approve payments or reimbursements for travel after completion of the travel event, except as provided at N.J.A.C. 6A:23A-7.4(d).

E. Board Member Voting On School District Travel

1. A Board member shall recuse him/herself from voting on travel if the Board member, a member of his/her immediate family, or a business organization in which he/she has an interest, has a direct or indirect financial involvement that may reasonably be expected to impair his/her objectivity or independence of judgment.

2. A Board member shall not act in his/her official capacity in any matter in which he/she or a member of his/her immediate family has a personal involvement that is or creates some benefit to the school official or member of his/her immediate family; or undertake any employment or service, whether compensated or not, which may reasonably be expected to prejudice his/her independence of judgment in the execution of his/her official duties.
F. Maximum Travel Budget

1. Annually in the prebudget year, the Board shall establish by Board resolution, a maximum travel expenditure amount for the budget year which the school district shall not exceed. The Board resolution shall also include the maximum amount established for the prebudget year and the amount spent to date.

   a. The maximum school district travel expenditure amount shall include all travel supported by local and State funds.

   b. The Board may elect to exclude travel expenditures supported by Federal funds from the maximum travel expenditure amount. If Federal funds are excluded from the established maximum amount, the Board shall include in the resolution the total amount of travel supported by Federal funds from the prior year, prebudget year, and projected for the budget year.

   c. Exclusion of Federal funds from the annual maximum travel budget does not exempt such travel from the requirements applicable to State and local funds.

G. Travel Approval Procedures

1. All travel requests for employees of the district shall be approved in writing by the Superintendent of Schools and approved by a majority of the full voting membership of the Board, prior to obligating the school district to pay related expenses and prior to attendance at the travel event.

   a. The Superintendent shall designate an alternate approval authority to approve travel requests in his/her absence when necessary to obtain timely Board approval.

   b. Regulation 6471 provides the procedures for the internal levels of approval required prior to the Superintendent’s or designee’s approval of the travel event, as applicable.

2. All travel requests for Board members shall require prior approval by a majority of the full voting membership of the Board, except where the Board has excluded regular business travel from prior approval pursuant to the provisions of N.J.A.C. 6A:23A-7.3(b), and the travel shall be in compliance with N.J.S.A. 18A:12-24 and N.J.S.A. 18A:12-24.1.
3. The Board may approve, at any time prior to the event, travel for multiple months as long as the Board approval, as detailed in Board minutes, itemizes the approval by event, total cost, and number of employees and Board members attending the event. General or blanket pre-approval is not authorized.

4. Where occasional unforeseen emergent situations arise wherein a travel request cannot obtain prior approval of the Board, justification shall be included in the text of the travel request. Such requests shall require prior written approval of the Superintendent or designee and the Executive County Superintendent or designee. The Board shall ratify the request at its next regularly scheduled meeting. Travel to conferences, conventions, and symposiums are not considered to be emergencies and shall not be approved after the fact.

H. Required Documentation for Travel

1. Neither the Superintendent or designee, nor the Board shall approve a travel request unless the written request for travel includes the following information:

   a. Name and dates of event;

   b. A list of Board members and/or employees to attend either by name or title;

   c. Estimated cost associated with travel;

   d. A justification and brief statement that includes the primary purpose for the travel and the key issues that will be addressed at the event and their relevance to improving instruction or the operation of the school district. For training events, whether the training is needed for a certification required for continued employment, continuing education requirements, requirements for Federal or State law, or other purpose related to the programs and services currently being delivered or soon to be implemented in the school district, or related to school district operations;

   e. Account number and funding source – Federal, State, private, or local; and

   f. In the case of annual events, total attendance and cost for the previous year.
2. Detailed documentation shall be maintained on file in the school district which demonstrates compliance with the Board's travel policy, including travel approvals, reports, and receipts for all school district funded expenditures, as appropriate.

I. Accounting for School District Travel

1. The School Business Administrator/Board Secretary or designee shall prepare itemized travel budgets by function and object of expense for each cost center, department or location maintained in the school district’s accounting system, as applicable, as part of the preparation of and documentation for the annual school district budget:

   a. The aggregate amount of all travel budgets shall not exceed the Board approved maximum travel expenditure amount for the budget year as required by N.J.A.C. 6A:23A-7.3.

2. The School Business Administrator/Board Secretary shall maintain separate accounting for school district travel expenditures as necessary to ensure compliance with the school district's maximum travel expenditure amount. This may include, but need not be limited to, a separate or offline accounting of such expenditures or expanding the school district's accounting system. The tracking system shall be sufficient to demonstrate compliance with the Board's policy and N.J.A.C. 6A:23-7, and shall be in a detailed format suitable for audit.

3. The School Business Administrator/Board Secretary or designee, shall review and approve all requests for travel expenditure reimbursement submitted for expenses incurred in the course of school district business as to cost and support documentation required by N.J.A.C. 6A:23A-7:

   a. The School Business Administrator/Board Secretary shall not approve or issue payment of travel expenditures or reimbursement requests until all required documentation and information has been submitted to support the payment and shall not approve any travel expenditure that when added to already approved travel expenditures would exceed the Board approved maximum travel expenditure amount for the budget year.
4. The School Business Administrator/Board Secretary shall be responsible for the adequacy of documentation of transactions processed by their staff and the retention of that documentation to permit audits of their records.

5. An employee of the Board, a Board member, or organization, shall not receive payment, either partial or full, for travel and travel-related expenses in advance of the travel pursuant to N.J.S.A. 18A:19-1 et seq. The payment of travel and travel-related expenses shall be made personally by a school district employee or Board member and reimbursed at the conclusion of the travel event. This applies to travel-related purchases for which a purchase order is not applicable. This provision does not preclude the district from paying the vendor directly with the proper use of a purchase order (e.g., for registration, airline tickets, hotel).

J. Sanctions for Violations of Travel Requirements


2. A person who approves any travel request or reimbursement in violation of N.J.A.C. 6A:23A-7 shall be required to reimburse the school district in an amount equal to three times the cost associated with attending the event pursuant to N.J.S.A. 18A:11-12:

   a. As required in N.J.A.C. 6A:23A-7.7(b)(1) the Board designates the Superintendent of Schools and the School Business Administrator/Board Secretary as the person(s) with the final approval authority for travel and therefore shall be subject to this penalty.

3. An employee or Board member who violates the school district's travel policy or these rules shall be required to reimburse the school district in an amount equal to three times the cost associated with attending the event pursuant to N.J.S.A. 18A:11-12.
4. In the event it is determined a violation of the provisions of N.J.A.C. 6A:23A-7 has occurred after Board payment has been made, the Superintendent of Schools shall be responsible to ensure the sanctions as outlined in N.J.A.C. 6A:23A-7.7 are imposed. If a violation is determined prior to payment or reimbursement of the travel event, no consequences as outlined in N.J.A.C. 6A:23A-7.7 shall be imposed; however, the Superintendent may impose disciplinary action as necessary.


K. Prohibited Travel Reimbursements

1. The following types of expenditures are not eligible for reimbursement:

   a. Subsistence reimbursement for one-day trips, except for meals expressly authorized by and in accordance with the provisions of N.J.A.C. 6A:23A-7.12;

   b. Subsistence reimbursement for overnight travel within the State, except where authorized by the Commissioner in accordance with the procedures set forth in N.J.A.C. 6A:23A-7.11;

   c. Travel by Board members or employees whose duties are unrelated to the purpose of the travel event or who are not required to attend to meet continuing education requirements or to comply with law or regulation;

   d. Travel by spouses, civil union partners, domestic partners, immediate family members, and other relatives;

   e. Costs for employee attendance for coordinating other attendees' accommodations at the travel event;

   f. Lunch or refreshments for training sessions and retreats held within the school district including in-service days and for employee participants traveling from other locations within the school district;
g. Training to maintain a certification that is not required as a condition of employment (example: CPE credits to maintain a CPA license if the employee is not required to be a CPA for continued school district employment);

h. Charges for laundry, valet service, or entertainment;

i. Limousine services and chauffeuring costs to or during the event;

j. Car rentals, either utilized for airport transportation or transportation at a conference, convention, etc., unless absolutely necessary for the conduct of school district business. Justification must accompany any request for car rentals. If approved, the most economical scheduling of car rental is to be used, including the use of subcompacts, discounted, and special rates. An example of the justified use of car rental is when an employee is out of State, making inspections at various locations, and the use of public transportation is impracticable. When car rental is authorized, the employee shall not be issued an advance payment for the anticipated expense associated with the rental;

k. Alcoholic beverages;

l. Entertainment costs including amusement, diversion, and social activities and any costs directly associated with such costs (such as tickets to shows or sports events, meals, lodging, rentals, transportation, and gratuities);

m. Gratuities or tips in excess of those permitted by Federal per diem rates;

n. Reverse telephone charges or third party calls;

o. Hospitality rooms;

p. Souvenirs, memorabilia, promotional items, or gifts;

q. Air fare without documentation of quotes from at least three airlines and/or online services; and

r. Other travel expenditures that are unnecessary and/or excessive.
L. Travel Methods

1. For the purposes of this Policy, “transportation” means necessary official travel on railroads, airlines, shuttles, buses, taxicabs, school district-owned or leased vehicles, and personal vehicles.

2. The purchase or payment of related transportation expenses shall be made by purchase order or personally by a school district employee or Board member and reimbursed at the conclusion of the travel event. An actual invoice or receipt for each purchase or expense shall be submitted with a claim for reimbursement.

3. Pursuant to OMB Circulars, the following travel methods requirements apply:
   
a. Air and rail tickets shall be purchased via the Internet, if possible, using airline or online travel services such as Travelocity, Expedia, or Hotwire;

b. Air travel shall only be authorized when determined that it is necessary and advantageous to conduct school district business:

   (1) The most economical air travel should be used, including the use of discounted and special rates;

   (2) The following options should be considered when booking tickets:

      (a) Connecting versus nonstop flights;

      (b) Departing earlier or later compared to the preferred departure time;

      (c) Utilizing alternative airports within a city, i.e. Chicago, Illinois – Midway Airport versus O’Hare Airport;

      (d) Utilizing alternative cities, i.e. Newark versus Philadelphia;

      (e) Utilizing "low cost" airlines; and

      (f) Exploring alternate arrival and/or departure days.
(3) No employee or Board member can earn benefits as a result of school district funded travel. Employees and Board members are prohibited from receiving "Frequent Flyer" benefits accruing from school district funded travel;

(4) Airfare other than economy (i.e., Business or First Class) shall not be fully reimbursed by the school district except when travel in such classes:

(a) Is less expensive than economy;

(b) Avoids circuitous routings or excessive flight duration; or

(c) Would result in overall transportation cost savings.

(5) All airfare other than economy and not covered by the above exceptions purchased by an employee or Board member shall only be reimbursed at the economy rate for the approved destination;

(6) Cost estimates on travel requests and associated authorizations shall be consistent with current airline tariffs, with consideration of available special fares or discounts, for the requested destination;

(7) Airline tickets shall not be booked until all necessary approvals have been obtained;

(8) Justification shall be required when actions by a traveler result in additional expenses over and above the authorized travel request. Sufficient justification shall be considered only for factors outside the control of the purchaser. Additional expenses without sufficient justification shall not be reimbursed; and

(9) Justification shall accompany requests for airline ticket reimbursement when purchased by employees or Board members contrary to the above regulations. Sufficient justification shall be considered only for factors outside the control of the purchaser. Noncompliant purchases without sufficient justification shall not be reimbursed. Reimbursement of purchases with sufficient justification shall be otherwise permitted and reimbursed in accordance with the above procedures.
c. Rail travel shall only be authorized when determined that it is necessary and advantageous to conduct school district business:

(1) The most economical scheduling of rail travel shall be utilized, including excursion and government discounts, whenever applicable;

(2) When one employee or Board member is traveling within the Northeast Corridor, NJ Transit shall be used as the rail option. Use of Amtrak will not be authorized unless it is the only means of travel available;

(3) The use of high speed rail services, such as Acela, shall not be authorized;

(4) When two or more employees and/or Board members are traveling to the same event in the Northeast Corridor (between Boston, MA and Washington, DC), rail travel shall not be authorized. In those cases, the travelers must use a school district vehicle or, if not available, a personally-owned vehicle must be used; and

(5) All rail travel, including rail travel in the Northeast Corridor must be processed in the same manner as prescribed for air travel above.

d. Use of a school district-owned or leased vehicle shall be the first means of ground transportation. Use of a personally-owned vehicle on a mileage basis shall not be permitted for official business where a school district-owned or leased vehicle is available:

(1) Mileage allowance in lieu of actual expenses of transportation shall be allowed at the rate authorized by the annual State Appropriations Act, or a lesser rate at the Board’s discretion for an employee or Board member traveling by his/her personally-owned vehicle on official business:

(a) In accordance with the OMB circular, if any condition in an existing negotiated contract is in conflict with the circular, such as the mileage reimbursement rate, the provision of the contract will prevail;
(b) Parking and toll charges shall be allowed in addition to mileage allowance;

(c) Reimbursement for travel to points outside the State by automobile shall be permitted when such arrangements prove to be more efficient and economical than other means of public transportation;

(d) In determining the relative costs of private and public transportation, all associated costs (i.e., tolls, taxicabs, airport, or station transfers, etc.) shall be considered;

(e) All employees and Board members using privately-owned vehicles in the performance of their duties for the school district shall present a New Jersey Insurance Identification Card indicating that insurance coverage is in full force and effect with companies approved by the State Department of Banking and Insurance. The card shall be made available to the Superintendent or designee before authorization to use privately-owned vehicles;

(f) Employees and Board members who are out-of-State residents must provide appropriate insurance identification in lieu of the New Jersey Insurance Identification Card;

(g) School district-owned or leased vehicles shall be utilized in accordance with N.J.A.C. 6A:23A-6.12;

(h) Necessary taxicab charges are permitted. However, travel to and from airports, downtown areas, and between hotel and event site shall be confined to regularly scheduled shuttle service, whenever such service is complimentary or is less costly. If shuttle service is not available, taxicabs may be used; and

(i) Cruises are not permitted for travel events or transportation.
M. Routing of Travel

1. Pursuant to OMB Circulars:
   a. All travel shall be by the most direct, economical, and usually-traveled route. Travel by other routes as a result of official necessity shall only be eligible for payment or reimbursement if satisfactorily established in advance of such travel.
   b. In any case where a person travels by indirect route for personal convenience, the extra expense shall be borne by the individual.
   c. Reimbursement for expenses shall be based only on charges that do not exceed what would have been incurred by using the most direct, economical, and usually traveled route.

N. Subsistence Allowance – Overnight Travel

1. Pursuant to the OMB Circulars, one-day trips that do not involve overnight lodging shall not be eligible for subsistence reimbursement, except for meals expressly authorized by and in accordance with the provisions of N.J.A.C. 6A:23A-7.12.

2. Pursuant to the OMB Circulars, generally, overnight travel shall not be eligible for subsistence reimbursement if travel is within the State. Overnight travel is permitted if such travel is authorized pursuant to N.J.A.C. 6A:23A-7.11(c), or is a required component of a grant, donation, or other funding agreement with the district. The specific required overnight in-State travel event must be detailed in the approved grant, donation, or other fund acceptance agreement along with the number of employee(s), Board member(s), and total cost. All reimbursements are subject to these rules unless the funding acceptance agreement specifies otherwise.

3. The Commissioner is authorized to grant waivers for overnight travel for school Board members and school district employees to attend in-State conferences in accordance with N.J.A.C. 6A:23A-7.11(c). If a waiver is granted by the Commissioner, it shall permit reimbursement for travel expenses for only those individuals whose home to the convention commute exceeds fifty miles.
4. Overnight travel within the State shall not be eligible for subsistence reimbursement if travel is on the day prior to the start of the conference. Reimbursement shall be prohibited for lodging prior to check-in time for the first day of the event or after check-out time on the last day of the event.

5. The United States General Services Administration publishes a schedule of Federal per diem rates in the Federal Register for approved overnight travel by the event location. The latest Federal per diem rates schedule for lodging, meals, and incidental expenses by location can be found at www.gsa.gov. The following restrictions apply to allowable per diem reimbursements.

   a. Allowable per diem reimbursement for lodging, meals, and incidentals shall be actual reasonable costs, not to exceed the Federal per diem rates for the event location. Registration and conference fees are not subject to the Federal per diem rate caps. If the event location is not listed, the maximum per diem allowance shall be $31 for meal/incidental expenses and $60 for lodging, or amounts listed in any superseding NJOMB circular.

   b. Pursuant to N.J.S.A. 18A:11-12(o), reimbursement for lodging expenses for overnight travel, out-of-State or in-State as authorized by the Commissioner, may exceed the Federal per diem rates if the hotel is the site of the convention, conference, seminar or meeting, and the going rate of the hotel is in excess of Federal per diem rates.

      (1) If the hotel at the site of the current travel event is not available, lodging may be paid for similar accommodations at a rate not to exceed the hotel rate at the site of the current event.

      (2) If there is no hotel at the site of the current travel event (e.g. Atlantic City Convention Center), then reimbursement for lodging shall not exceed the Federal per diem rate.

   c. If the meal is not part of a one-sum fee for a travel event, reimbursement may be approved for the full cost of an official convention meal that the employee or Board member attends, when such meal is scheduled as an integral part of the convention or conference proceedings.
(1) Receipts shall be submitted in order to obtain reimbursement in such situations. The amount of the Federal per diem rate for the corresponding meal shall be deducted from that day’s subsistence allowance.

d. The allowance for a meal or meals, or incidentals shall not be eligible for reimbursement when included and paid in the registration fee, the cost of lodging or transportation charge.

e. Receipts shall be required for all hotel and incidental expenses.

f. In any case in which the total per diem reimbursement is greater than the Federal per diem rates, the costs shall be considered excessive in the absence of substantial justification accompanying the travel voucher submitted by the employee or Board member. In such cases, receipts shall be submitted for all costs including meals.

g. Employees and Board members shall patronize hotels and motels that offer special rates to government employees unless alternative lodging offers greater cost benefits or is more advantageous to the conduct of school district business.

h. Actual subsistence expenses shall not be reimbursable if paid by the traveler to a member of his/her family, to another school district employee, or to a member of the family of another school district employee.

O. Meal Allowance – Special Conditions – And Allowable Incidental Travel Expenditures


2. Meals during one-day, out-of-State trips required for school business purposes may be authorized for breakfast, lunch, and/or dinner in an amount permitted by NJOMB. The Commissioner shall post the most current rates on the Department of Education website for reference.
3. Lunch for training sessions and retreats may be authorized for an amount up to $7 per person only when it is necessary that employees or Board members remain at a site other than their school district and there are no viable options for lunch at the off-site location.

   a. If lunch is included in a one-sum registration fee for the training session, the full amount is eligible for reimbursement if reasonable.

   b. Refreshments for breaks may also be provided at training sessions and retreats held at a site other than the school district. Providing lunch for staff meetings and in-service days or for staff that come from other parts of the school district shall not be permitted (See N.J.A.C. 6A:23A-7.12(d)).

   c. In accordance with N.J.S.A. 18A:11-12a(1)(d), employee and Board member retreats shall be held onsite unless there is no school district site available.

4. Subsistence expenses for an employee or Board member shall not be allowed at the school district or within a radius of ten miles thereof, except for meals expressly authorized by and in accordance with the provisions of Section O of this Policy and N.J.A.C. 6A:23A-7.12. Non-allowed expenses include, but are not limited to, meals and refreshments for staff meetings and in-service days.

5. Reimbursement may be approved for the cost of an official luncheon or dinner, up to $7 and $10, respectively, that an employee or Board member is authorized to attend, where such a meal is scheduled as an integral part of an official proceeding or program related to school district business and the employee's responsibilities.

   a. School district business above refers to the management operations of the district and does not refer to activities that benefit pupils and are part of the instructional program. Pursuant to N.J.A.C. 6A:23A-5.8(b)(4), all reasonable expenditures related to district employees that are essential to the conduct of a pupil activity are permitted.

6. Regular meetings, special meetings, and work sessions of the Board of Education shall be limited to light meals and refreshments for all Board members.
a. The meals may be served to employees who are required to attend the event and where it is impractical for the employee to commute to and from his or her residence between the end of the work day and the beginning of the event, or where the employee is required to remain at the school district to prepare for the event.

b. The school district shall acquire the light meals and refreshments by the solicitation of quotes if required pursuant to N.J.S.A. 18A:18A-1 et seq.

c. Where the school district’s food service program can prepare comparable meals at a lower cost, the food service program shall be used.

d. The average cost per meal shall not exceed $10.

e. The school district shall purchase or prepare foods that are sufficient to provide each Board member, dignitary, non-employee speaker, or allowable staff member one meal. Meals should be carefully ordered to avoid left-over food. Unintended left-over food should be donated to a charitable shelter or similar facility, if at all possible.

7. Allowable incidental travel expenses are defined as those that are essential to transacting official business.

a. Charges for telephone calls on official business may be allowed. The voucher must show the dates on which such calls were made, the points between which each call was made and the cost per call.

b. Employees and Board members using their personally-owned telephone for business may request reimbursement, less Federal Communications Tax. Calls for business are tax exempt and the telephone company will make allowances for the tax if the employee or Board member certifies to the telephone company when paying bills for personally-owned phones that said calls were business calls.

c. Incidental expenses, when necessarily incurred by the traveler in connection with the transaction of official business, may be submitted for reimbursement only when the necessity and nature of the expense are clearly and fully explained on the travel voucher and the voucher is approved. Travel vouchers shall be supported by receipts showing the quantity and unit price.
P. Records and Supporting Documentation

1. All persons authorized to travel on business must keep a memorandum of expenditures chargeable to the school district, noting each item at the time the expense is incurred, together with the date incurred.

2. The travel voucher shall be completed by the employee or Board member to document the details of the travel event. The travel voucher must be signed by the employee or Board member to certify to the validity of the charges for which reimbursement is sought. The form must also bear the signatures of approval officials for processing.

3. Sufficient documentation shall be maintained centrally by the school district to support payment and approval of the travel voucher.

4. Each person authorized to travel shall submit a brief report that includes the primary purpose for the travel, the key issues addressed at the event and their relevance to improving instruction or the operations of the school district. This report shall be submitted prior to receiving reimbursement.

5. Documentation for requests for travel reimbursement shall show:

   a. The dates and individual points of travel, number of miles traveled between such points, and kind of conveyance used;

   b. If the distance traveled between any given points is greater than the usual route between these points, the reason for the greater distance must be stated;

   c. The hours of the normal work day and actual hours worked must be shown when requesting meal reimbursement for non-overnight travel;

   d. Original receipts shall be required for all reimbursable expenses, except for meals that qualify for per diem allowances and for parking meters;

   e. Actual vendor receipts for personal credit card charges shall be attached to reimbursement requests. Credit card statements shall not be accepted as documentation of expenses;
f. Personal charges on a hotel bill shall be deducted and shown on the bill;

g. When lodging is shared jointly, the fact must be stated on the travel voucher;

h. Where travel is not by the most economical, usually-traveled route, the employee or Board member reimbursement request shall set forth the details of the route, the expenses actually incurred, the hour of departure, the hour of arrival, and an explanation for the use of costlier travel arrangements;

i. When travel is authorized in the employee’s or Board member’s own automobile on a mileage basis, the points between which travel was made and the distance traveled between each place must be shown. A statement as to ownership of the auto or other conveyance used, as well as a certification that liability insurance is in effect, must be documented;

j. Reimbursement requests must be supported by other receipts as required;

k. The voucher shall be itemized; and

l. Reimbursement requests shall be rendered monthly when in excess of $25. Travel for a single travel event must be reported as soon as possible after the trip.

6. All outstanding travel vouchers for the school year ending June 30 shall be submitted as soon as possible after June 30 regardless of amount, notwithstanding N.J.A.C. 6A:23A-7.13(e)(12).

7. Travel mileage reimbursement requests of the just completed school year, that are not submitted by July 30 or the date approved by the district for the closing of books, whichever is earlier, for the just completed school year shall not be approved or paid.

N.J.A.C. 6A:23A-5.9; 6A:23A-7 et seq.

Adopted: 09 June 2010
POLICY 6480 Purchase of Food Supplies (Revised)

The Board of Education authorizes the purchase of certain food supplies without resort to advertising for bids.

For the purpose of this policy, "food supplies" means only those supplies that are to be eaten or drunk and those substances that may enter into the composition of a food in the operation of a school cafeteria or in a home economics class.

The Board of Education authorizes the School Business Administrator/Board Secretary or designee to purchase all food supplies without advertising for bids in accordance with N.J.S.A. 18A:18A:5 and N.J.A.C. 6A:23A-16.5 et seq.

The School Business Administrator/Board Secretary or designee shall obtain price quotations for all food supplies purchased without advertising for bids in accordance with N.J.A.C. 6A:23A-16.5 et seq.

Vendors interested in providing food supplies to the school district shall submit a written request to the School Business Administrator/Board Secretary or designee to receive specifications for food supplies to be purchased by the school district. The School Business Administrator/Board Secretary or designee will maintain a list of interested vendors and will mail specifications for food supplies to those vendors who requested such specifications.

Each time a purchase of food supplies is to be made, the School Business Administrator/Board Secretary or designee shall solicit quotations from interested, eligible vendors. Quotations for fresh or frozen fruits, vegetables, and meats need not be solicited more than once in any two week period.

The School Business Administrator/Board Secretary or designee shall provide definite and uniform specifications governing standards of quality to each eligible vendor from whom quotations are solicited. Specifications for food supplies will indicate a time in which all quotations must be submitted to the school district for consideration.

All quotations from interested, eligible vendors will be evaluated by the School Business Administrator/Board Secretary or designee. Food supplies shall be purchased from the vendor who submits the lowest quotation, except that food supplies may be purchased from another vendor who submitted a quotation when the School Business Administrator/Board Secretary or designee can justify the purchase. Any such justification, together with all quotations received, shall be kept in permanent record form, attached to the purchase order and available to school officials, the Board, and the State Department of Education for a minimum of three years following the purchase.

The School Business Administrator/Board Secretary or designee may purchase food supplies for any school cafeteria or home economics class to the extent of not more than $500.00 any
month without soliciting quotations provided the School Business Administrator/Board Secretary provides a written signed statement filed with the invoice indicating the reason why quotations could not be obtained. The signed statement filed with the invoice shall be retained for review and audit.

Nothing in this Policy shall prevent the Board from purchasing food supplies by advertising for bids and awarding contracts in accordance with N.J.S.A. 18A:18A-4.

N.J.A.C. 6A:23A-16.5

Adopted: 09 June 2010
REVISED: 13 March 2013
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, the salary or rate of pay the person is to receive, and the school, grade, class or special assignment, as appropriate.

No person may be assigned duties as a substitute employee whose employment has not been approved by the Board. The list to be approved by the Board will include the names of recommended substitutes, the duties to which each may be assigned, and the rate of pay.

The minutes of Board meetings will record personnel actions of the Board, to include, but not limited to, the appointment, promotion, resignation, retirement, death, discharge, compensation, or leave of absence for each employee. The minutes will also include effective dates for personnel action.

Certain categories of staff members designated by the Superintendent of Schools, shall be required to use a time clock or sign in and out of work daily in order to verify days and hours worked. The service of extra-duty personnel must be certified by the appropriate supervisor before payment can be made.

The School Business Administrator/Board Secretary is authorized to withhold salary or wages for services not rendered, in accordance with Board policy.

Staff members shall be paid in accordance with the provisions in their collective bargaining agreement and/or in accordance with a schedule provided to all employees prior to the beginning of the contract or school year.

In accordance with N.J.A.C. 6A:23A-5.7, beginning with the 2008-2009 school year, at least once every three years, between the months of September through May, the Superintendent of Schools shall require each district employee to report to a central location and produce picture identification and sign for release of his or her paycheck or direct deposit voucher. The accepted picture identification shall be in the form of a district-issued identification card, valid drivers’ license, official passport, or other picture identification issued by a State, county, or other local government agency.
The Superintendent of Schools shall designate an appropriately qualified staff member to match the picture identification to the position control roster maintained by the office of personnel or human resources prior to release of the pay check or direct deposit voucher. If the district elects to conduct this payroll verification prior to the district’s required implementation of the position control roster pursuant to N.J.A.C. 6A:23A-6.8, the district may use similar and suitable office of personnel or human resources generated listing of employees. Where no appropriate identification can be produced, the School Business Administrator/Board Secretary shall withhold paychecks or stop direct deposits until such time the payee/district employee can produce appropriate identification or until an investigation and corrective action is concluded, as appropriate to the circumstances.

Upon completion of the payroll check distribution verification procedures set forth in this Policy and N.J.A.C. 6A:23A-5.7, the Superintendent of Schools shall submit a certification of compliance, in a form prescribed by the Department of Education, to the Executive County Superintendent. Verification of the district’s compliance with the provisions of N.J.A.C. 6A:23A-5.7 will be required as part of the annual audit.

The payroll journal will be certified by the Board Secretary, the President of the Board, and approved by the Superintendent.

N.J.A.C. 6A:23A-5.7

Adopted: 09 June 2010
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 shall establish imprest petty cash funds for use by various departments on an annual basis.

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.

The custodian of a petty cash fund shall submit to the Board Secretary a request for replenishment when the moneys available in the fund have declined to fifty percent or less of the authorized amount of the fund. The purchase of gift cards is prohibited. The Board Secretary shall prepare 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. All petty cash funds will be closed out for audit at the end of the school year, and unused funds will be returned to the depository. The custodian of each fund will report to the Board on amounts disbursed from the fund not less than once each year.

N.J.S.A. 2C:21-15
N.J.A.C. 6A:23-2.9 et seq.

Adopted: 09 June 2010
6630 ATHLETIC FUND

The Board of Education directs the establishment of an athletic fund for the financial administration of the interscholastic athletic program. Moneys may be collected from and disbursed for only the interscholastic athletic program duly approved by the Board of Education.

The Board will facilitate the interscholastic athletic program by providing sufficient funds to overcome any deficit existing in the athletic fund at the conclusion of the school year.

The Business office shall be responsible for the administration of the athletic fund. The fund will be audited annually and will be administered under appropriate accounting controls. The books of account will include income and expenses separately for each approved athletic program.

All gate receipts must be turned in to the Athletic Director or designee by the next business day and must be deposited on the day they are received. Any money left in the building overnight must be secured in the school safe.

All payments for supplies, equipment, and services for the interscholastic athletic program will be made in accordance with established purchasing procedures of the district. Disbursements from the athletic fund will be made by check and approved by the School Business Administrator/Board Secretary, Board President and Treasurer of School Monies.


Adopted: 09 June 2010
6640 CAFETERIA FUND

The Board of Education directs that all moneys derived from the operation, maintenance, or sponsorship of the food service facilities of this district be deposited in the Vineland Cafeteria Account, a special checking account, and shall be administered by the Business office in the same manner as are other moneys belonging to the district.

Cafeteria funds shall be expended in such manner as may be approved by the Board, but no amount shall be transferred from the Vineland Cafeteria Account to any other account or fund of this district, except as authorized by the Board.

The School Business Administrator/Board Secretary is authorized to disburse funds from the Vineland Cafeteria Account in accordance with law.

Adopted: 09 June 2010
6650  SCHOLARSHIP FUND

In order to administer special funds bequeathed to this district for scholarship purposes, the Board of Education requires each such fund to be deposited in an interest bearing bank account.

The Building Principal is authorized to obtain interest for each scholarship fund at the fixed bank rate on such terms as may seem to him/her advisable and to make, execute, and deliver all instruments of assignment and transfer.

Disbursements from a scholarship fund shall be made by individuals authorized as signers on each specific account.


Adopted: 09 June 2010
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.

In accordance with the provisions of N.J.A.C. 6A:23A-16.12(a), the School Business Administrator/Board Secretary designates the school Building Principal to administer the student activity account in each school building.

Funds collected for a student activity shall be turned into the school Building Principal and deposited in the bank within twenty-four hours or the next school day 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 and shall be classified by school in the event only a single student activity account is established for all schools in the district. The interest earned shall be disbursed to each individual student activity fund in proportion to the balances on deposit for each activity.

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 school and 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 and if the School Business Administrator designated an administrator of a student activity account, a copy of the reconciliation shall be submitted to the School Business Administrator/Board Secretary for review and approval. 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.


Adopted: 09 June 2010
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 and authorized by the Board that secure public funds in accordance with statute.

The School Business Administrator/Board Secretary or his/her designee 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. 40:3-7
N.J.S.A. 40A:5-14; 40A:5-15.1

Adopted: 09 June 2010
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.

    18A:19-1 et seq.; 18A:22-7 et seq.
N.J.A.C. 6A:23-2.2 et seq.

Adopted: 09 June 2010
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. 54:4-75

Cross reference: Policy Guide No. 1320

Adopted: 09 June 2010
REVISED: 08 June 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.A.C. 6A:23-2.2(i).

The Board shall annually cause an audit to be made of the district's accounts and financial transactions. The audit will be conducted in accordance with law by the public school accountant appointed by the Board and will be completed within four months after the end of the school fiscal year. The Board will engage only a licensed public school accountant to conduct the audit in accordance with N.J.S.A. 18A:23-1 et seq. which has an external peer/quality report as required in N.J.A.C. 6A:23-2.2(i).1.

The audit shall include test measures to assure that documentation prepared for income tax purposes complies fully with the requirements of Federal and State laws and regulations, including, but not limited to the requirements of N.J.A.C. 6A:23A-4.2, regarding compensation which is required to be reported.

The Board Secretary will receive the audit report and recommendations of the public school accountant and prepare or have prepared a synopsis or a summary of the annual audit and recommendations prior to the meeting at which the report will be discussed by the Board. Copies of the summary will be available to members of the public.

Within thirty days of the receipt of the audit report, the Board will, at a regularly scheduled public meeting, cause the recommendations of the public school accountant to be read and discussed and the discussion duly noted in the minutes of the Board meeting.

The Board will implement the audit recommendations and report such implementation to the Commissioner.

In the event the district has repeat audit findings in the Auditor’s Management Report submitted with the CAFR in any year shall, within thirty days of the CAFR submission, submit to the Executive County Superintendent or State fiscal monitor, as applicable, a specific corrective action plan for addressing the repeat audit findings in accordance with the provisions of N.J.A.C. 6A:23A-4.4.
The Board directs the Superintendent and other appropriate district officers and employees to cooperate fully with the public school accountant and to keep faithfully such records and reports as will assist in the audit process.

N.J.A.C. 6A:23-2.2 et seq; 6A:23-4.1 et. seq.
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: 09 June 2010
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. 18A:7G-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.

N.J.A.C. 6A:26-2.1 et seq.

Adopted: 09 June 2010
Revised: 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).

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
7102 SITE SELECTION AND ACQUISITION

The Board of Education may need to select and acquire new sites for school district facilities. Site acquisition for school purposes and every acquisition of land will be made pursuant to N.J.A.C. 6A:26-3.12 and N.J.A.C. 6A:26-7.1 through 7.3.

Every acquisition of land, whether by purchase, condemnation, or by gift or grant, to be used as a school site shall comply with the requirements of N.J.A.C. 6A:26-7.1 et seq. The school district, or the New Jersey Schools Development Authority (Development Authority) on behalf of the district, shall submit information to the Division of Administration and Finance (Division) to obtain approval for land in connection with a school facilities project in accordance with the provisions of N.J.A.C. 6A:7.1(b).

In the event the school district intends to acquire land not in connection with a school facilities project, the district shall submit all of the information required under N.J.A.C. 6A:26-7.1(b) except N.J.A.C. 6A:26-7.1(b).ii and N.J.A.C. 6A:26-7.1(b).iii, and shall further be excepted from the requirements of N.J.A.C. 6A:26-7.1(d) and N.J.A.C. 6A:26-7.1(e). If the school district later intends to change the use of the land and use as a school site, the school district shall be required to submit all of the information required under N.J.A.C. 6A:26-7.1 and the exceptions outlined above shall no longer apply.

In accordance with the provisions of N.J.A.C. 6A:26-7.1(d), school site sizes shall be directly related to the acreage required for the structures and activities to be situated thereon. Except where specifically noted for multiple or shared use, the acreage shall be considered for single use.

All school sites shall have sufficient acreage for the placement of the school facility; expansion of the building to its maximum potential enrollment; the placement of all other structures such as greenhouses, storage buildings, school bus maintenance buildings or garages, and any other above or below ground structure, which is to be placed thereon; multi-purpose physical education fields and, for preschool through grade five school facilities, a playground required to support the achievement of the New Jersey Student Learning Standards as defined by the number of physical education teaching stations applicable to the school
facility pursuant to the facilities efficiency standards and the approved
programmatic model; disabled-accessible pedestrian walkways, roadways, and
parking areas on which people and vehicles access the building; public and
service access roads onto the site including, where warranted, a one-way school
bus road of thirty foot width and a two-way road of thirty-six foot width; a school
bus drop-off area; and eighteen foot wide posted fire lanes for fire apparatus; and
a thirty-foot wide access around the entire building.

Land owned by the Board of Education that does not meet the standards of
N.J.A.C. 6A:26-7.1 may be supplemented pursuant to the requirements of

Pursuant to N.J.A.C. 6A:26-7.1(g), the Division’s approval shall remain effective
for three years, after which time Division approval shall again be required to be
obtained prior to acquiring land.

The Development Authority may acquire land on behalf of a school district
eligible for one hundred percent State support of final eligible costs for school
facilities projects that are consistent with the school district’s approved Long
Range Facilities Plan (LRFP). For such school districts, the New Jersey
Department of Education shall require submission of all information set forth in
N.J.A.C. 6A:26-7.1(b) to demonstrate compliance with N.J.A.C. 6A:26-7. The
Development Authority may submit the required information on behalf of such
school districts.

In accordance with N.J.A.C. 6A:7.3, the Board of Education may acquire an
existing facility through purchase, gift, lease, or otherwise provided the Board
complies with all procedures and rules pertaining to the appropriation and use of
capital funds as required by N.J.S.A. 18A:20-4 and 4.2 and the Board has the
facility approved in accordance with N.J.A.C. 6A:26-3, which applies to the
acquisition of a school site and for the construction of a new facility. Facilities to
be procured for temporary use shall comply with N.J.A.C. 6A:26-8 if subject to
educational-adequacy review pursuant to N.J.A.C. 6A:26-5.4(c) because the
facilities will house students.

N.J.A.C. 6A:26-3.12; 6A:26-7.1; 6A:26-7.2; 6A:26-7.3

Adopted: 15 November 2017
POLICY

Vineland
Board of Education

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7130 SCHOOL CLOSING

The Board of Education recognizes its responsibility to provide a thorough and efficient program of free public education and appropriate facilities to house that program. The Board further recognizes that declining enrollments, diminished resources, district reorganization, and/or other good cause may require the use of one or more district facilities for educational purposes be abandoned.

To receive approval for the closing of a school the Board shall provide the Division of Administration and Finance (Division) and the Executive County Superintendent with the following assurances:

1. The proposed closing is consistent with the district’s approved LRFP because:
   a. The school district has demonstrated that sufficient school building capacity exists to house students for the five years following the closing; or
   b. The school district has demonstrated through a feasibility study that the benefits of undertaking new construction outweigh those of rehabilitating the school proposed for closure.

2. The use of temporary facilities in the remaining schools does not result or increase from an overall facilities shortage caused by the school closing; and

3. The re-assignment of students to other schools in the district does not produce, sustain nor contribute to unlawful segregation, separation, or isolation of student populations on the basis of race or national origin.

A request for approval from the Division for the school closing shall include the recommendation of the Executive County Superintendent. A letter of approval from the Division based on the information in N.J.A.C. 6A:26-7.5(a) and as listed above shall be required before the school’s closing.

The Division shall notify the school district in writing of its determination with respect to the requested school closing, with a copy provided to the Executive County Superintendent.

N.J.A.C. 6A:26-7.5
Adopted: 15 November 2017
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 $10,000.00 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 pupils and the educational program of the district. In no case shall acceptance of a gift be considered to be an endorsement by the Board of a commercial product 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 schools to consult with the Principal or Superintendent before appropriating funds to that end;
3. Report to the Board all gifts that have been accepted on behalf of the Board;

4. Acknowledge the receipt of any gift accepted by the Board; and

5. Prepare fitting means for recognizing or memorializing gifts to the school district.


Adopted: 09 June 2010
7230.1  ACQUISITION AND USE OF DONATED VEHICLES

The Board recognizes that the use of vehicles in the educational process for automotive technology is essential as part of this automotive career training experience. These technologies are to be viewed as a tool to enhance the learning process among other tools that are required for teachers and pupils to fully explore the curriculum. In addition, these vehicles can be used to enhance the curriculum offered by the district. The Board encourages the administration and teaching staff to use manufacturer donated vehicles as a regular part of the learning process.

For purposes of this policy “vehicle” means a motor vehicle, its systems and subsystems, both wholly or in part for purposes of teaching and learning diagnostic procedures as they pertain to the learning of this technology. References to use of vehicle activities or initiatives in this policy by the school district shall also include utilization of said vehicles on site in learning and diagnostic activities.

Any proposed donation of vehicles shall be submitted to the Superintendent in writing for his/her review and recommendation to the Board. Acceptance of the donation can only be given by the Board by way of formal action at a public meeting. Any contracts to be executed in connection with the donated vehicles shall be in the name of the Board of Education, approved by the Board and executed by the Board President and Secretary.

Adopted: 09 June 2010
7231 GIFTS FROM VENDORS

In accordance with N.J.A.C. 6A:10A-4.1(f), no school district employee shall solicit, receive or agree to receive any compensation, reward, employment, gift, meal, honorarium, travel, reimbursement, or any other thing of value from any person, firm, corporation, association, partnership or business that is the recipient of, or a potential bidder for, or applicant for any contract, professional services contract, or purchase order from the school district. The policy shall be consistent with the requirements of N.J.S.A. 18A:12-21 et. seq., School Ethics Act.

There is no threshold for the amount of contract, professional services agreement, purchase order, or other agreement to do business with the school district. A certification shall be completed by all signatories who are school district employees to any business transactions that the contract, agreement, or purchase order has been executed consistent with the terms of N.J.A.C. 6A:10A-4.1(f).

Any school district employee who violates the terms of N.J.A.C. 6A:10A-4.1(f) will be subject to consequences which may include, but are not limited to, suspension, termination of employment, withholding of annual increments or demotion.

N.J.A.C. 6A:10-4.1(f)

Adopted: 09 June 2010
7243  SUPERVISION OF CONSTRUCTION

The Board of Education directs that the Executive Director of Facilities be responsible for the supervision of all building construction in this district. Supervision shall include field inspection of the contractor's operations, administrative review of the activities of the architect relating to the construction, and any other construction matters relating to the interests of the school district.

The Superintendent and School Business Administrator/Board Secretary shall report periodically to the Board that by his/her personal knowledge the work of the construction contractor and the architect is being performed in accordance with the plans, specifications, and contracts approved by the Board.

A change order involving additional cost will be submitted by the architect for Board review.

Upon completion of a building project and a final inspection of all its aspects by the architect, contractors, and school officials, a recommendation for acceptance shall be made to the Board by the architect.


Adopted: 09 June 2010
Policy 7250 NAMING OF BUILDINGS AND FACILITIES

1. Numerous opportunities are available to our citizens to contribute their time, talent, and skills in order to advance the goals and quality of our public educational system here in the City of Vineland. The Vineland Board of Education recognizes and acknowledges that this district has benefited and continues to benefit from active participation and contributions by citizens, staff, and school officials in district operations and programs. In certain cases, these contributions and participation warrant consideration by the Board to name buildings or facilities in honor of an individual.

2. A building or facility may be named to honor and memorialize the contribution and service of a school official, district employee, resident or former resident:
   (a) Who has significantly contributed his/her time, effort and skills to any program, sport, activity, school, facility, or volunteer organization of this district or to the City of Vineland; and/or
   (b) Who has significantly contributed funds, equipment, or other resources to any program, sport, activity, school, facility, or volunteer organization of this district or to the City of Vineland; and
   (c) With respect to naming a building, an individual who passed away at least five years prior to the vote.

3. Buildings and facilities shall be named only by formal action of the Board of Education. In naming buildings and facilities, the Board shall strive to honor the traditions and high ideals of this District and the community it serves.

4. The naming of an existing or proposed building or facility may be initiated by the Board and/or Superintendent or by public request. For purposes of this Policy, the term “building” shall mean a school, administrative office building, warehouse, or similar structure. The term Facility” shall mean an entrance way, gymnasium, all-purpose room, auditorium or any other part of a building. The term “Facility” shall also mean an athletic field, tennis courts, walkways, track or other parts of grounds owned by the Vineland Board of Education.
5. PROCESS INITIATED BY THE BOARD AND/OR SUPERINTENDENT:

(a) A Board member and/or the Superintendent may recommend that the Board receive nominations from the public to name a building or facility in honor of an individual. In response to any such recommendation by a Board member and/or the Superintendent, the entire Board shall meet and determine at a public meeting whether or not a building or facility should be named in honor of any individual meeting the requirements set forth in this Policy.

(b) If a majority of the Board votes to name a building or facility in honor of an individual, the Board shall direct the Board Secretary to solicit nominations and supporting data from the public. The means of solicitation shall include newspaper advertisement, public television notification, and website posting.

(c) Written nominations and supporting data shall be submitted directly to the Board Secretary by a certain date set forth in the various notices. The deadline for submission of written nominations shall be no less than 20 days from the date of the Board vote authorizing the solicitation of nominations from the public. During this nomination period, any written nomination received by a Board member or any District employee shall be forwarded to the Board Secretary. After the deadline, no additional nominations may be proposed to and considered by the Board.

(d) The Superintendent and Board President shall place the matter on the Agenda for a special meeting of the Vineland Board of Education at which time a public hearing and vote on the naming of the building or facility shall be taken. The Board Secretary shall arrange for the immediate publication of newspaper, television and website notices that includes the date, time and place of the upcoming special meeting, identification of all of the nominees and notification that prior to the vote public comment on the nominations will be part of the special meeting agenda. At the special meeting in which the vote is to be taken, no additional nominations shall be proposed to the Board. Only the written nominations submitted to the Board Secretary under Section 5(c) above shall be considered by the Board.

6. PROCESS INITIATED BY THE PUBLIC

An individual or group or organization my request that a specific building or facility be named in honor of a specific individual meeting the requirements set forth in this Policy. The request, together with supporting data, shall be submitted in writing to the Board Secretary.
(a) PROCEDURE WHERE NOMINATION TO NAME A FACILITY IS INITIATED BY THE PUBLIC

1. Upon receipt of the request to name a facility initiated by an individual or group or organization, the Board Secretary shall submit the request and the supporting data to the Superintendent and to the entire Board. The Superintendent and Board President shall place the matter on the agenda for the next scheduled work session of the Board of Education.

2. Following Board discussion at the work session, the matter shall be placed on the agenda for the following weeks regular meeting for a vote by the board. The Board Secretary shall arrange for the immediate publication of newspaper, television and website notices that including the date, time and place of the regular meeting, identification of the nominee and facility to be named and notification that prior to the vote public comment on the nomination will be part of the regular meeting agenda. At the meeting in which the vote is to be taken, no additional nominations shall be proposed to the Board. However, the Board may designate the naming of a facility in honor of the nominee other than the facility initially proposed by an individual or group or organization.

(b) PROCEDURE WHERE NOMINATION TO NAME A BUILDING IS INITIATED BY THE PUBLIC

1. Upon receipt of the request to name a building initiated by an individual or group or organization, the Board Secretary shall submit the request and the supporting data to the Superintendent and to the entire Board. The Superintendent and Board President shall place the matter on the agenda for the next scheduled work session of the Board of Education.

2. If the consensus of the Board is to name the building in honor of an individual, the Board shall direct the Board Secretary to solicit additional nominations and supporting data from the public. The means of solicitation shall include newspaper advertisement, public television notification, and website posting.

3. Written nominations and supporting data shall be submitted directly to the Board Secretary by a certain date set forth in the various notices. The deadline for submission of written nominations shall be no less than 20 days from the date of the Board vote authorizing the solicitation of nominations from the public. During this nomination period, any written
nomination received by a Board member or any District employee shall be forwarded to the Board Secretary. After the deadline, no additional nominations may be proposed to and considered by the Board.

4. The Superintendent and Board President shall place the matter on the agenda for a special meeting of the Vineland Board of Education at which time a public hearing and vote on the naming of the building or facility shall be taken. The Board Secretary shall arrange for the immediate publication of newspaper, television and website notices that includes the date, time and place of the upcoming special meeting, identification of all of the nominees and notification that prior to the vote public comment on the nominations will be part of the special meeting agenda. At the special meeting in which the vote is to be taken, no additional nominations shall be proposed to the Board. Only the written nominations submitted to the Board Secretary under Section 6(b)1 and 6(b)3 above shall be considered by the Board.

7. The procedures set forth in this Policy only apply in the event that an existing or planned school building or facility is proposed to be named in honor of an individual.

Adopted: 09 June 2010
REVISED: 10 Dec 2014
REVISED: 13 May 2015
REVISED: 13 April 2016
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.A.C. 6A:26-7.4

Adopted: 09 June 2017
Revised: 15 November 2017
The Board of Education recognizes that the fixed assets of this district represent a significant investment of this community; their maintenance is, therefore, of prime concern to the Board.

The Board will develop, approve, and implement a comprehensive maintenance plan in accordance with the requirements of N.J.A.C. 6A:26A-3.1 and 6A:26A-3.2. A “comprehensive maintenance plan” means a multi-year maintenance plan developed by a school district covering required maintenance activities for each school facility in the school district pursuant to N.J.A.C. 6A:26A-1.1 et seq.

Required maintenance activities, in accordance with N.J.A.C. 6A:26A-2.1, are those specific activities necessary for the purpose of keeping a school facility open and safe for the use or in its original condition, and for keeping its constituent building systems fully and efficiently functional and for keeping their warranties valid. The activities address interior and exterior conditions; include preventative and corrective measures; and prevent premature breakdown or failure of the school facility and its building systems.

Expenditures for required maintenance activities set forth in N.J.A.C. 6A:26A-2.1 shall be accounted for in accordance with the requirements of N.J.A.C. 6A:26A-2.2.

The required annual maintenance budget amount in the comprehensive maintenance plan shall be included in the district’s annual budget certified for taxes in accordance with the provisions of N.J.A.C. 6A:26A-4.1(a). The required annual maintenance budget amount shall be calculated and adjusted in accordance with the provisions of N.J.A.C. 6A:26A:4.1(b). The Executive County Superintendent, in accordance with the provisions of N.J.A.C. 6A:26A:4.1(c), may not approve the school district’s budget if the required annual maintenance budget is not included in the budget certified for taxes.

Facilities maintenance, repair scheduling and accounting shall be in accordance with the provisions of N.J.A.C. 6A:23A-6.9 and Regulation 7410.01

N.J.A.C. 6A:26A:-1.1 et seq.; 6A:23A-6.9

Adopted: 09 June 2010
The Board of Education recognizes that the health and physical well-being of the pupils and staff of this district depend in large measure upon the cleanliness and sanitary management of the schools.

The Board directs that a program of hygienic management be instituted in the schools and explained annually to all staff members. Each school shall be inspected for cleanliness and sanitation by the Building Principal and Executive Director of Facilities on a regular basis.

The Board will cooperate with the local board of health in the sanitary inspection of the schools’ toilets, washrooms, food vending machines, water supply, and sewage disposal systems.

The Superintendent shall prepare, in consultation with the school medical inspector, regulations, first aid and emergency medical procedures that utilize universal precautions in the handling and disposal of blood and body fluids, whether or not pupils or staff members with HIV infection are present. School staff members and volunteers shall be provided the supplies for implementing the procedures. In particular, school nurses, custodians, and teachers shall be trained in proper handling procedures. These regulations and procedures will comply with the regulations of the State Department of Health and State Department of Labor (OSHA Standards for Occupational Exposure to Bloodborne Pathogens) and recommendations of the Centers for Disease Control and Prevention.

Bloodborne Pathogens

The Board recognizes that school employees may in the performance of their duties reasonably anticipate contact with human blood or other potentially infectious body fluids that may expose them to bloodborne pathogens such as Hepatitis B Virus (HBV) and Human Immunodeficiency Virus (HIV). 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, 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 Executive Director 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 Executive Director of Facilities will serve as Chemical Hygiene Officer for all schools in the district and shall be responsible for the examination of all school facilities to determine where hazardous chemicals are used and to ensure compliance of all school facilities with the Chemical Hygiene Plan.

The Superintendent shall develop and supervise a program for the cleanliness and sanitary management of the school buildings, school grounds, and school equipment pursuant to statute, rules of the State Board of Education, and regulations of the State Board of Health.

The day to day monitoring of the cleanliness of each school building shall be the responsibility of the Building Principal.

29 C.F.R. 1910
N.J.A.C. 6:3-8.1; 6A:16-1.4; 6A:16-2.3(e); 6A:26-12.4

Adopted: 09 June 2010
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 Vineland School District.

IPM Coordinator (IPMC)

The Executive Director 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 Schools

Implementation of Integrated Pest Management (IPM) procedures will determine when to control pests and whether to use mechanical, physical, cultural, biological, or chemical methods. Applying IPM principles prevents unacceptable levels of pest damage by the most economical means and with the least possible hazard to people, property, and the environment.

The Integrated Pest Management Coordinator (IPMC) shall consider the full range of management options, including no action at all. Non-pesticide pest management methods are to be used whenever possible. The choice of using a pesticide shall be based on a review of all other available options and a determination that these options are not effective or not reasonable. When it is determined that a pesticide must be used, low impact pesticides and methods are preferred and shall be considered for use first.

Development of IPM plans

The Superintendent, in collaboration with the school Building Principal(s) and the IPMC, shall be responsible for the development of the IPM Plan for the school district. The school district’s Integrated Pest Management (IPM) Plan is a blueprint of how the school district will manage pests through IPM methods. The school district’s IPM Plan will state the school district’s goals regarding the management of pests and the use of pesticides for all school district property. The Plan will reflect the school district’s site-specific needs and a description of how each component of the school district’s Integrated Pest Management Policy and Regulation will be implemented for all school property.
Education/Training

The school community will be educated about potential pest problems and IPM methods used to achieve the pest management objectives.

The IPMC, other school staff, and pesticide applicators involved with implementation of the district’s IPM policy will be trained in appropriate components of IPM as it pertains to the school environment.

Pupils and parents/legal guardians will be provided information on this policy and instructed on how they can contribute to the success of the IPM program.

Recordkeeping

Records of pesticide use shall be maintained on site to meet the requirements of the State regulatory agency and the Board.

Records shall also include, but are not limited to, pest surveillance data sheets and other non-pesticide pest management methods and practices utilized.

Notification/Posting

The Building Principal of each school, working with the IPMC, is responsible for timely notification to pupils, 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: 09 June 2010
[See POLICY ALERT Nos. 214 and 222]

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. 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.

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 (i).

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(k).

N.J.S.A. 58:12A-1 et seq.
N.J.A.C. 6A:26-12.4

Adopted: 14 April 2021
7432 EYE PROTECTION

The Board of Education directs the rigorous implementation and enforcement of eye safety practices for pupils, staff members, and visitors exposed to conditions potentially hazardous to the eyes in the instructional program of this district.

The Superintendent shall be responsible for the continual monitoring of the school program, including, but not limited to, all vocational education, industrial arts education, science education, technology education and arts education, for conditions under which pupils, staff members, or visitors are exposed to a process or activity that might have a tendency to cause damage to the eyes.

Each pupil, staff member, and visitor exposed to a condition identified as hazardous to the eyes must wear an eye protective device appropriate to the activity and certified to meet the standards established by the State Board of Education, the American National Standard Practice for Occupational and Educational Eye and Face Protection, ANSI Z87.1-1979, and American National Standard Practice for the Safe Use of Lasers, ANSI Z136.1-1986 and the New Jersey Administrative Code. The eye protective device shall be supplied by the Board, except that the pupil, staff member, or visitor may wear personal eye wear that is appropriate to the activity and certified, in writing, by a licensed optician or other qualified licensed eye professional to meet or exceed those standards. District owned eye protective devices shall be inspected regularly by the appropriate staff member, and defective or poorly fitting devices shall be returned to the Principal for repair or discard. Any shared eye protective devices shall be disinfected between uses by the method prescribed by the school medical inspector.

Each classroom, shop, laboratory, and other area of the school in which pupils or staff members are exposed to caustic materials that can cause damage to the eyes shall be equipped with an emergency eye wash fountain in accordance with standards established by the Department of Education.

The Building Principal shall ensure that each area in the school identified as housing an activity hazardous to the eyes shall be posted with conspicuous signs that warn participants that an appropriate eye protective device must be worn during the activity. Staff members of such activities are responsible for instructing pupils in appropriate eye safety practices and for serving as exemplary models in the implementation of such practices.

The Board authorizes each staff member responsible for an activity or process hazardous to the eyes to compile and maintain, for the duration of the course of study, a list of pupils in the course who wear contact lenses.
A pupil who refuses or persistently neglects to wear an eye protective device when required to do so or fails to observe established eye safety practices shall be dismissed from the day's class by his/her teacher. Any such dismissal from class will be considered to be an absence, in accordance with Board policy on pupil attendance, and an accumulation of such absences may result in loss of course credit.

A staff member who refuses or persistently neglects to wear an eye protective device when required to do so or fails to observe established eye safety practices may be disciplined for insubordination for failing to obey the rules established by this Board. The proper implementation of eye protection practices shall be a criterion in the evaluation of every staff member required to observe such practices.

A visitor to the schools who refuses or persistently neglects to wear an eye protective device when required to do so or fails to observe established eye safety practices may be requested to leave the school premises.

The Superintendent shall promulgate regulations to implement this policy that conform to rules of the State Board of Education and shall provide in-service training to staff members whose instructional duties include activities hazardous to the eyes. The Superintendent shall report annually to the Board on the implementation of the eye protection program and the eye injuries, if any, occurring in the course of the instructional program.

N.J.A.C. 6A:26-12.5

Adopted: 09 June 2010
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 Executive Director of Facilities 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 Executive Director of Facilities 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: 09 June 2010
Policy 7434 SMOKING IN SCHOOL BUILDINGS AND ON SCHOOL GROUNDS

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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 the smoke from, exhaling 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 the local municipalities, private entities, or other individuals during those times when the school district has exclusive use of a portion of such land.

In accordance with 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 pupils 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. Pupils 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 Principal 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
The Principal or designee may request the assistance of law enforcement to accomplish this departure and removal.

In the event a person 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).

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: 9 June 2010
Revised: 10 Nov 2010
Revised: 13 Nov 2013
POLICY

BOARD OF EDUCATION

PROPERTY
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Alcoholic Beverages on School Premises

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 can be a disorderly persons offense.

The Board of Education prohibits the possession and consumption of alcoholic beverage on any School District property or facility. Sealed containers may be permitted for gifts with prior permission from the Superintendent or Building Principal.

Any pupil who possesses or uses or is under the influence of alcohol on school premises or at any school sponsored activities on or offsite 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.


Adopted: 09 June 2010
Revised: 10 July 2019
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 available 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.

Adopted: 09 June 2010
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.

The Board shall provide to local law enforcement authorities a copy of the current blueprints and maps for all schools and school grounds within the school district or nonpublic school. In the case of a school building located in a municipality in which there is no municipal police department, a copy of the blueprints and maps shall be provided to an entity designated by the Superintendent of the New Jersey State Police. The Board shall provide revised copies to the applicable law enforcement authorities or designated entities any time that there is a change to the blueprints or maps.

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.

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. 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. The School Safety Specialist shall also serve as the school district’s 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 main 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.A.C. 6A:16-1.3; 6A:26-1.2

Adopted: 09 June 2010
Revised: 14 March 2018
Revised: 03 April 2019
Revised: 09 December 2020
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 of Education policy and regulations regarding confidential student records. If the content of the surveillance system becomes the subject of a disciplinary proceeding, it shall be treated like other evidence in the proceeding.

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 of Education 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. 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 of Education 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.


Adopted: 09 June 2010
Revised: 14 March 2018
7446 SCHOOL SAFETY OFFICERS – SCHOOL SECURITY

In order to enhance the safety of all building occupants, the Board of Education may employ and provide a written authorization for a law enforcement officer who retired in good standing, and who has a valid permit to carry a handgun issued pursuant to N.J.S.A. 2C:58-4, to possess a handgun in school buildings or on school grounds during his/her workday provided the employee meets the exception to N.J.S.A. 2C:39-5(b) outlined in N.J.S.A. 2C:39-6(1).

School District Employed Security Officers – (Unarmed)

The Board of Education authorizes the employment of school district security officers. The District’s security officers will be required to wear Board-approved uniforms and shall work in cooperation with the school administration to provide security services on school grounds. The security officers will be provided uniforms and the necessary equipment to perform the security functions assigned by the administration. The District’s security officers will not carry a gun. The Superintendent of Schools will ensure all school district security officers receive appropriate training for the responsibilities of the position.

School District Employed Armed Security Officers

The Board of Education authorizes the employment of armed school district security officers. The District’s security officers will be required to wear Board-approved uniforms and shall work in cooperation with the school administration to provide security services on school grounds. The security officers will be provided uniforms and radios to perform the security functions assigned by the administration. (Each employed security officer shall provide his/her own handgun). The Superintendent of Schools may recommend for Board approval the employment of a school security officer who was a law enforcement officer who retired in good standing and has a valid permit to carry a handgun issued pursuant to N.J.S.A.2C:58-4, and a permit to possess a handgun in a school building or on school grounds during his/her workday provided the employee meets the exception to N.J.S.A. 2C:39-5 outlined in N.J.S.A.2C:39-6(1).

In order for a school security officer to be authorized to carry a handgun in a school building or on school grounds, the school security officer must provide the Superintendent of Schools with documentation supporting compliance with the requirements of N.J.S.A. 2C:39-6(1), including, but not limited to, a copy of an indemnification card issued by the Superintendent of the State Police permitting the retired officer to carry a handgun in accordance with N.J.S.A. 2C:39-(1)(4). The identification card shall be valid for one year from the date of issuance, valid through the
State, not transferable to any other person, and shall be carried at all times on the person of the retired law enforcement officer while the officer is carrying a handgun. The retired law enforcement officer shall produce the identification card for review on the demand of any law enforcement officer or authority.

The Superintendent of Schools will contact the Superintendent of the State Police to confirm the issuance of the identification card permitting the retired officer to carry a handgun in accordance with N.J.S.A. 2C:39-6(1)(4). The Superintendent of Schools will also submit the identification card to the School District’s insurance company to ensure the Board of Education has the appropriate insurance for a school security officer to carry a handgun in accordance with this Policy. The school security officer’s authorization to carry a handgun in school buildings and on school grounds will be dependent upon receipt of written confirmation from the School District’s insurance company that sufficient insurance coverage, as determined by the Board, will be provided to the School District and school employees should any liability arise from the school security officer’s handgun. The inability to obtain sufficient insurance coverage may independently form the basis for denial of a school security officer’s authorization to carry a handgun in school buildings and on school grounds. The Superintendent may designate the Assistant Superintendent for Administration, the Executive Director of Personnel or other members of administration to carry out the duties under this Paragraph.

The employment of any armed school district security officer and the authorization for a school security officer to carry a handgun in school buildings and on school grounds must be recommended by the Superintendent and approved by the Board of Education. Any authorization will only be for the time period the New Jersey State Police issued identification card is valid and under no circumstances will the authorization exceed one year. The Superintendent of Schools, if recommending a school staff member be authorized to carry a handgun in school buildings and on school grounds, will provide the Board of Education with a copy of all the information submitted by the school security officer in support of the application, any documentation from law enforcement agencies, and information from the District’s insurance company. The Board of Education may approve the Superintendent’s recommendation after review of the documentation, and upon such approval, the Superintendent of Schools will provide written authorization to the school security officer along with any conditions on the authority to carry a handgun in school buildings or on school grounds. The Superintendent of Schools or designee will inform local law enforcement officials of any school district security officer(s) authorized to carry a handgun in school buildings or on school grounds. A school security officer authorized to carry a handgun is not authorized to carry a handgun in school buildings or on school grounds beyond the hours of the officer’s workday or work assignment.

A school security officer approved and authorized by the Board of Education to carry a handgun in school buildings and on school grounds must comply with applicable New Jersey laws, including but not limited to N.J.S.A. 2C:39-4; N.J.S.A. 2C:39-5; N.J.S.A. 2C:39-6; and N.J.S.A. 2C:58-4.

40A:14-146.10; 40A:14-146.11; 40A:14-146.14

Adopted: 06 June 2018
[See POLICY ALERT No. 221]

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.


Adopted: 09 June 2010
Revised: 09 December 2020
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 and in accordance with the district’s Use of School Facilities Policy 7510.

The Board directs the Superintendent to have conspicuous notices posted forbidding the parking of motor vehicles in undesignated areas of the school grounds.

The Board reserves the right to prosecute in a court of competent jurisdiction any person whose violation of this rule results in damage to the property of this district.

N.J.S.A. 2C:17-3

Adopted: 09 June 2010
POLICY

Vineland Board of Education

Use of School Facilities

[See POLICY ALERT Nos. 196 and 221]

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 ________________. 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:

Number the following uses in the appropriate order

___ Uses and groups directly related to the schools and the operations of the schools, including student and teacher groups;

___ 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;

___ Departments and agencies of the municipal government;

___ Governmental agencies;

___ Community organizations formed for charitable, civic, social, or educational purposes;

___ Community political organizations;

___ Community church groups;

___ Private groups and organizations;

___ ____________________________ (other).
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

   Optional

   [and use by ____________ (list organizations)]

   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.


Adopted: 09 June 2010
Revised: 08 July 2015
Revised: 18 April 2018
Revised: 21 August 2019
Revised: 09 December 2020
7510.1 ADVERTISING ON SCHOOL FACILITIES

The Vineland Board of Education hereby authorizes the placement of advertising signs at Gittone Stadium on the fences situated at the east and west end zone areas of the Stadium.

The Superintendent and his/her designee are hereby authorized and directed to administer implementation of and insure compliance with this policy.

Signs shall be uniform in size and format. Signs shall be 3 ½ feet by 7 feet and made of vinyl for purposes of storage convenience and durability.

The advertiser shall prepay the cost of fabrication directly to the fabricator designated by the district.

The advertiser shall prepay a fee of $250 for each football season in which the advertiser elects to participate.

Signs shall be erected at the start of the football season and shall remain in place during the season including playoffs. Thereafter the signs will be removed and stored by district personnel. If an advertiser elects not to renew the contract for the next season, the district shall return the sign to the advertiser if requested.

No advertising shall be accepted for intoxicating beverages, tobacco or tobacco accessories, any controlled dangerous substances, drugs and medication, contraceptives, personal hygiene products, political messages, or other products or services deemed objectionable and inappropriate.

The Superintendent shall prepare appropriate regulations and guidelines for the administration and implementation of this policy.

Adopted: 10 August 2005
Revised: 09 June 2010
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. Pupils 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.


Adopted: 09 June 2010
7513.1 PLAYGROUND EQUIPMENT

The Playground Equipment Policy is first governed by the Vineland School District Mission Statement as stated below:

Vineland Public Schools Mission Statement

The mission of the Vineland Public Schools is based upon the conviction that all pupils can learn. We recognize that learning is the result of a strong partnership of parent(s) or legal guardian(s), teachers, and the community, as pupils are challenged to become active participants in the quest for excellence. Our goal is to ensure a safe, creative, stimulating, and caring environment which promotes self-esteem, sound character, responsibility and respect for diversity. This will enable pupils to become knowledgeable, skillful, life-long learners who are contributing citizens in our changing society. We expect the best from our pupils and will give no less of ourselves.

In keeping with the safe environment phrase in the mission statement, all equipment placed on school grounds must fall under the guidelines in the Handbook for Public Playground Safety published by the U.S. Consumer Product Safety Commission, Washington, D.C.

In keeping with district policy and curriculum, any equipment placed on school grounds must be supported by the "Rationale for Physical Education" as stated in the School District Curriculum Manual as follows:

Vineland Public Schools Rationale for Physical Education

It is our belief that a total physical education program should accomplish the following developmental goals:

1. Organic power - Strengthen muscles, develop resistance to fatigue and increase cardiovascular efficiency.

2. Neuromuscular development - Develop skills, grace, a sense of rhythm, and improved reaction time.

3. Personal - social attitudes and adjustment – Encourage self-confidence, esteem, dignity, sociability, sportsmanship, self-direction, and a feeling of belonging.

4. Interpretive and intellectual development – Develop imagination, originality and an understanding of safety factors.
5. Emotional responsiveness - Develop an appreciation of esthetic experiences, a willingness to accept challenges, expression of fun.

The installation of any equipment on school grounds shall be monitored by the Playground Equipment Committee, a standing committee appointed by the Superintendent of Schools. The members of the Playground Equipment Committee shall be:

1. One Principal from the elementary level;
2. One physical education teacher from intermediate level;
3. The Supervisor of Maintenance; and
4. An "open chair" which, depending on need, will include a teacher, playground aide or parent(s) or legal guardian(s).

The Playground Equipment Committee will have an understanding of the guidelines from the Handbook for Public Playground Safety. The committee will serve as a resource for those schools that are considering placing a playground on the school site.

Any Principal wishing to place equipment on his/her school site must first consult with this committee through the office of the Superintendent. The Principal should also involve at least two parent representatives from the school parent organization in the process of recommending and ultimately selecting appropriate playground equipment.

Adopted: 09 June 2010
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/Assistant Superintendent and when such equipment is unobtainable elsewhere.

School equipment may be removed from school property by pupils or staff members only when such equipment is necessary to accomplish a task arising from their school or job responsibilities. The consent of the Building Principal and/or immediate supervisor is required for such removal. The removal of school equipment from school property by pupils 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: 09 June 2010
7610 VANDALISM

The Board of Education believes that all school district property should be respected and all persons who use or have access to school district property should respect such property and take pride in the institutions of this community and the schools of this district.

Any person who purposely or knowingly damages school district property or damages school district property recklessly or negligently in the employment of fire, explosives or another dangerous means listed in accordance with N.J.S.A. 2C:17-2 or purposely or recklessly tampers with the tangible property of the school district so as to endanger school district property shall be reported to the appropriate law enforcement agency. Where the damage to district property is more than minimal or has been caused by a pupil or a minor not a pupil of this district, the Board will hold liable for the amount of the damage the parent(s) or legal guardian(s) having legal custody and control of the minor responsible for the damage.

A person convicted of an offense that involves an act of graffiti will be required to reimburse the school district the cost of damages and may be required to perform community service, which may include removing the graffiti from the property, in accordance with the law. In addition, the courts may suspend or postpone driving privileges of any person, at least thirteen and under eighteen years of age, if convicted of an act of graffiti.

A person who purposely defaces or damages district property with any symbol that exposes persons to violence, contempt, or hatred on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability is guilty of a crime and shall be reported to appropriate law enforcement authorities. The Board may also report to the appropriate law enforcement agencies any person whose vandalism of school property is serious or chronic.

The Superintendent shall develop regulations to implement this policy and to protect textbooks, school equipment, and school facilities from undue wear, damage, or loss.

N.J.S.A. 2C:33-10 et seq.

Adopted: 09 June 2010
The Board of Education adopts this Policy concerning the assignment, use, tracking, maintenance, and accounting of school district vehicles in accordance with the provisions of N.J.A.C. 6A:23A-6.11 and 6A:23A-6.12. For the purposes of this Policy, a “school district vehicle” means a vehicle purchased, leased, leased-purchased, or acquired without cost by gift, donation, or other method by the school district regardless of funding source.

School district vehicle assignment and use shall be in compliance with N.J.A.C. 6A:23A-6.12 and in accordance with OMB Circular 08-16-ADM or any superseding circulars. The Board of Education, upon the recommendation of the Superintendent, may authorize, at its discretion, by an affirmative vote of the Board’s full membership, the lease, lease-purchase, or purchase and assignment of school district vehicles for the conduct of official school district business.

The vehicles may be assigned either to individuals or to units within the school district for pool use according to classifications as outlined in N.J.A.C. 6A:23A-6.12(b). No individual assignment shall be made for the primary purpose of commuting. Vehicle use logs shall be maintained for all individual and pool assignments in order to accurately record all usage of each vehicle, including the driver, mileage, and starting and destination points. All changes to vehicle assignment, whether pool or individual, shall require prior written approval of the Superintendent and the authorization of an affirmative majority vote of the full Board.

A school district vehicle shall only be used for business purposes and incidental and reasonable personal use of a school vehicle is prohibited without the approval of the Superintendent and the authorization of an affirmative majority vote of the full Board.

If a school district vehicle is misused the driver's driving privileges for school district vehicles shall be suspended or revoked, and additional disciplinary action shall be taken as appropriate. The Board shall establish and implement a policy for progressive, uniform, and mandatory disciplinary actions to be applied as necessary in the event it is determined a staff member misused a school vehicle.

The Board designates the Assistant Superintendent for Business as the school vehicle coordinator(s) for district vehicles. The school vehicle coordinator(s) shall maintain inventory control records pursuant to the requirements of N.J.A.C. 6A:23A-6.11(a)1., driving records of operators of school district vehicles pursuant to the requirements of N.J.A.C. 6A:23A-6.11(a)2., and the records of maintenance, repair and body work pursuant to the requirements of N.J.A.C. 6A:23A-6.11(a)3.


Adopted: 09 June 2010
8110 ATTENDANCE AREAS

The Board of Education directs the assignment of pupils to the schools, programs, and classes in a manner that is consistent with the best interests of the pupils and the best uses of the resources of this district.

The Board shall determine the school attendance areas of the district to determine the assignment of pupils to school in accordance with Policy No. 5120.

The Superintendent shall annually review existing attendance areas and recommend to the Board such changes as may be justified by considerations of safe pupil transportation and travel; convenience of access to the schools; financial and administrative efficiency, the effectiveness of the instructional program, and a wholesome and educationally sound balance of pupil populations.

Adopted: 09 June 2010
8130 SCHOOL ORGANIZATION

The Board of Education directs the organization of the instructional program of this district in the following schools and grades:

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<tr>
<th>Schools</th>
<th>Grades</th>
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<tbody>
<tr>
<td>Vineland High School North</td>
<td>9 – 12</td>
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<tr>
<td>Vineland High School South</td>
<td>9 – 12</td>
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<tr>
<td>Pilla Middle School</td>
<td>6 – 8</td>
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<tr>
<td>Memorial Middle School</td>
<td>6 – 8</td>
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<tr>
<td>Wallace Middle School</td>
<td>6 – 8</td>
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<tr>
<td>Rossi Elementary School</td>
<td>K– 5</td>
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<tr>
<td>D’Ippolito Elementary School</td>
<td>K– 5</td>
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<tr>
<td>Petway Elementary School</td>
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<td>Sabater Elementary School</td>
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<td>Barse Elementary School</td>
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<tr>
<td>Durand Elementary School</td>
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<td>Mennies Elementary School</td>
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<td>Winslow Elementary School</td>
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<td>Johnstone School</td>
<td>5 - 12</td>
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<tr>
<td>Cunningham School</td>
<td>7 - 12</td>
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<tr>
<td>Casmier Dallago PreSchool</td>
<td>Pre K</td>
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The Superintendent shall continually monitor the effectiveness of the district organizational plan and recommend to the Board such modifications in the plan as may be in the best interest of pupils, make most effective use of district resources, and serve the educational goals of the Board.

Adopted: 09 June 2010
8140 PUPIL ENROLLMENTS

The Board of Education recognizes that efficient district operations require an accurate and up to date accounting of the number of pupils resident in this district and enrolled in district classes and programs.

Pupil attendance shall be recorded in the school register during school hours on each day the school is in session. Separate registers shall be kept for pupils attending preschool, Kindergarten, grades one through five, grades six through eight, grades nine through twelve, each preschool class for the disabled, each class for the disabled, shared-time classes for regular pupils, shared-time classes for pupils with disabilities, full-time bilingual education programs and vocational day programs, summer schools operated by the district, and any other programs as required by the New Jersey Department of Education and N.J.A.C. 6A:32-8.1(d).

A pupil who has been placed on home instruction shall have his or her attendance status recorded on the regular register attendance pages for the program in which the pupil is enrolled. For the period beginning the first day the pupil is unable to attend school and ending the day before the first instructional day at the pupil’s place of confinement, the pupil shall be marked absent. No absences will be recorded for the pupil while on home instruction, providing the hours of instruction are no less than required by N.J.A.C. 6A:14-4.8 and 4.9. The number of possible days of enrollment for a pupil on home instruction shall be the same as for other pupils in the program in which the pupil 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.A.C. 6A:14-4.8; 6A:14-4.9; 6A:32-8.1; 6A:32-8.2

Adopted: 09 June 2010
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 determine annually the days when the schools will be in session for instructional purposes. The school calendar will provide no fewer than one hundred eighty days of instruction. Days on which school is closed for holidays, teachers’ institutes, and inclement weather shall not be considered as days in session.

A school day shall consist of not less than four hours of actual instruction, except that in an approved Kindergarten, one continuous session of two and one half hours may be considered a full day. A half-day class shall be considered the equivalent of a full day’s attendance only if the class is in session for four hours or more, exclusive of recess periods or lunch periods.

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 pupils 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 local education association, annually prepare and submit to the Board a school calendar no later than April 30. The Board reserves the right to alter the school calendar when such alteration is feasible and serves the best interests of the pupils of this district.

N.J.A.C. 6A:32-8.3

Adopted: 09 June 2010
8220 SCHOOL DAY

The Board of Education shall determine the times that school will be in session for the purpose of providing adequate time for pupils to profit from the educational program of the district.

The schools of the district will be in session for pupils on those days specified by the Board as recommended by the Superintendent.

The Superintendent may close the schools, 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 pupils and staff members. 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 emergency closing of the schools.

N.J.A.C. 6:20-1.3; 6:21-2.5

Adopted: 09 June 2010
The Board of Education recognizes its responsibility to maintain the public records of this
district and to make such records available to residents of New Jersey for inspection and
reproduction. The Board designates the School Business Administrator/Board Secretary as the
custodian of government records for the district.

Government Record or Record (N.J.S.A. 47:1A-1.1)

"Government records" or "records" pursuant to N.J.S.A. 47:1A-1.1 include any record that has
been required by law to be made, maintained, or kept on file by the Board, its officials, or its
employees. Except as such records that may be exempted by law or this policy, a "government
record" or "record" means any paper, written or printed book, document, drawing, map, plan,
photograph, microfilm, data processed or image processed document, information stored or
maintained electronically or by sound-recording or in a similar device, or any copy thereof, that
has been made, maintained or kept on file in the course of the official business of the Board of
Education or that has been received in the course of the official business of the Board of
Education.

Board meeting minutes may be inspected and copied as soon as they are prepared; unapproved
minutes will be so labeled. Minutes of executive/closed session Board meetings conducted in
accordance with the Open Public Meetings Act will be preserved separately and will not be
available for immediate public inspection. These minutes will be integrated with minutes of
public meetings only after the matter discussed at the executive/closed session meeting has been
made public.

A "government record" or "record" does not include inter-agency or intra-agency advisory,
consultative, or deliberative material.

A "government record" or "record" does not include excluded information as outlined in N.J.S.A.
47:1A-1.1. The excluded information includes, but is not limited to, information which is
deemed to be confidential as per N.J.S.A. 47:1A-1 et seq. Victims' records; trade secrets and
proprietary commercial or financial information; any record within the attorney-client privilege;
administrative or technical information regarding computer hardware, software and networks
which, if disclosed, would jeopardize computer security; emergency or security information or
procedures for any buildings or facility which, if disclosed, would jeopardize security; security
measures and surveillance techniques and information which, if disclosed, would give an
advantage to competitors or bidders are examples of excluded government records.
Information generated by or on behalf of the Board or Board employees in connection with any sexual harassment complaint filed within the Board or with any grievance filed by or against an individual or in connection with collective negotiations, including documents and statements of strategy or negotiating position; information which is a communication between the district and its insurance carrier, administrative service organization or risk management office; information which is to be kept confidential pursuant to court order and that portion of any most documents which discloses the social security number, credit card number, unlisted telephone number or driver license number of any person; and personnel and pension records of an individual, except the individual's name, title of position, salary, payroll record, length of service, date of separation and the reason therefore, the amount and type of pension he/she receives, and data, other than detailed medical or psychological information, that shows conformity with qualifications for employment and pensions are examples of excluded government records.

Test questions, scoring keys and other examinations for employment or for pupil achievement; information concerning individual pupil records or information regarding grievance or disciplinary proceedings against a pupil to the extent disclosure would reveal the identity of the pupil and all other information as defined in N.J.S.A. 47:1A-1 et seq.

Public Right of Inspection, Copies and Fees (N.J.S.A. 47:1A-2 et seq.)

All government records or records as defined in N.J.S.A. 47:1A-1.1 will be deemed to be public records. Every citizen of this State also has the right, during such regular business hours and under the supervision of a representative of the custodian, to copy such records by hand, and will also have the right to purchase copies of such records.

Copies of records will be made available upon the payment of such price as established each year and specified in Regulation 8310.*

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 record to be inspected, examined, and copied pursuant to N.J.S.A. 47:1A-5 et seq. by any person during regular business hours. In the case of a Board of Education having a total district enrollment of 500 or fewer, the custodian will permit the records to be inspected, examined and copied during not less than six regular business hours over not less than
three business days per week or the entity's regularly-scheduled business hours, whichever is
less, unless the government record is exempt from public access as per N.J.S.A. 47:1A-5.a.

Copy Purchase (N.J.S.A. 47:1A-5 et seq.)

If the custodian can demonstrate its actual costs for duplication of a government record exceed
the Board approved rates, the district is permitted to charge the actual cost of duplicating the
record. Whenever the nature, format, manner of collation, or volume of a government record
embodied in the form of printed matter to be inspected, examined, or copied pursuant to this
policy is such that the record cannot be reproduced by ordinary document copying equipment in
ordinary business size or involves an extraordinary expenditure of time and effort to
accommodate the request, the district will charge, in addition to the actual cost of duplicating the
record, a special service charge that will be reasonable and will be based upon the actual direct
cost of providing the copy or copies. The custodian will provide the requestor an opportunity to
review and object to the charge prior to it being incurred.

A custodian will permit access to a government record and provide a copy thereof in the medium
requested if the district maintains the record in that medium. If the district does not maintain the
record in the medium requested, the custodian will either convert the record to the medium
requested or provide a copy in some other meaningful medium. If a request is for a record in a
medium not routinely used by the district; not routinely developed or maintained by the district
or requiring a substantial amount of manipulation or programming of information technology,
the district will charge, in addition to the actual cost of duplication, a special charge that will be
reasonable and based on the cost for any extensive use of information technology, or for the
labor cost of personnel providing the service, that is actually incurred by the district or
attributable to the district for the programming, clerical, and supervisory assistance required, or
both.

Immediate access ordinarily will be granted to budgets, bills, vouchers, contracts, including
collective negotiations agreements and individual employment contracts, and public employee
salary and overtime information.

The custodian will adopt a form for the use of any person who requests access to a government
record held or controlled by the district. The request form will include information in
accordance with the requirements of N.J.S.A. 47:1A-5.f. Requests for access to a government
record will be in writing and hand-delivered, mailed, transmitted electronically, or otherwise
conveyed to the custodian and the custodian will promptly comply with a request in accordance
with N.J.S.A. 47:1A-5.g.
Any officer or employee of the district who receives a request for access to a government record will forward the request to the custodian of the record or direct the requestor to the custodian of the record.

The custodian will grant access to a government record or deny a request for access to a government record in accordance with N.J.S.A. 47:1A-5.1 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.

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. will not abrogate any exemption of a public or government record from public access heretofore made pursuant to N.J.S.A. 47:1A-1 et seq.; any other statute; resolution of either or both Houses of the Legislature; regulation
promulgated under the authority of any statute or Executive Order of the Governor; Executive Order of the Governor; Rules of Court; any federal law; federal regulation; or federal order.

The provisions of this policy and N.J.S.A. 47:1A-1 et seq. will not abrogate or erode any executive or legislative privilege or grant of confidentiality heretofore established or recognized by the Constitution of this State, statute, court rule or judicial case law, which privilege or grant of confidentiality may duly be claimed to restrict public access to a public or government record.

N.J.S.A. 10:4-14
N.J.S.A. 47:1A-1.1 et seq.; 47:3-16
N.J.A.C. 6:3-6.1 et seq.
*As per Smith v. Hudson County Register, 411 N.J. Super. 538 (App.Div.2010)

Adopted: 09 June 2010
REVISED: 13 July 2010 (effective July 1, 2010)
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.


Adopted: 09 June 2010
The Vineland Board of Education is committed to selecting the most qualified individual for all vacant positions. All vacant positions will be advertised both internally and externally through various avenues and for a minimum of two weeks so as to afford all qualified applicants the opportunity to apply. Vacant positions will be advertised in all school locations, the district website, cable television, colleges, universities and/or various news publications.

Applications are reviewed and evaluated based upon the established criteria. A selection of candidates is scheduled to be interviewed. In the rare event where there is only one qualified candidate, then the candidate will go through the interview process. In the event the candidate is not selected for this position, the position will be re-posted and/or re-advertised.

The Interview Committee will be determined by the Superintendent or his/her designee.

Adopted: 13 May 2009
Revised:: 09 June 2010
POLICY

VINELAND
BOARD of EDUCATION

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 of Education shall compile and maintain student records and regulate access, disclosure, or communication of information contained in educational records in a manner that assures the security of such records in accordance with the provisions of N.J.A.C. 6A:32-7.1 et seq. Student records shall contain only such information as is relevant to the education of the student and is objectively based on the personal observations or knowledge of the certified school personnel who originate(s) the record. The school district shall provide annual, written notification to parents, adult students, and emancipated minors of their rights in regard to student records and student participation in educational, occupational, and military recruitment programs. Copies of the applicable State and Federal laws and local policies shall be made available upon request. The school district shall make every effort to notify parents and adult students in their dominant language.

Nothing in this Policy shall be construed to prohibit certified school personnel from disclosing student records to non-adult students or to appropriate persons in connection with an emergency, if such knowledge is necessary to protect the health or safety of the student or other persons.
No liability shall be attached to any member, officer, or employee of the Board of Education permitting access or furnishing student records in accordance with N.J.A.C. 6A:32-7.1 et seq.

Student Information Directory

A student information directory is a publication of the Board of Education 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 school district personnel and for designated official use by judicial, law enforcement, and medical personnel and not for general public consumption. In the event the school 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 school district from including any or all types of information about the student in any student information directory before allowing access to such directory to educational, occupational, and military recruiters pursuant to N.J.S.A. 18A:36-19.1 and P.L. 107-110 sec. 9528, Armed Forces Recruiter Access to Students and Student Recruiting Information of the No Child Left Behind Act of 2001.

School Contact Directory for Official Use

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

Mandated student records are those records school districts have been directed to compile by State statute, regulations, or authorized administrative directive in accordance with N.J.A.C. 6A:32-7.3.

Permitted student records are 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 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 school district. Policy and Regulation 8330 assure that access to such records is limited to authorized persons.

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

Student health records, whether stored on paper or electronically, shall be maintained separately from other student records, until such time as graduation or termination, whereupon the health history and immunization record shall be removed from the student's health record and placed in the student's mandated record. Records shall be accessible during the hours in which the school program is in operation.

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

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

The district 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.

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

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

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

Nothing in N.J.A.C. 6A:32-7.1 et seq. or in 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, individuals shall adhere to requirements pursuant to N.J.S.A. 47:1A-10, the Open Public Records Act (OPRA) and 34 CFR Part 99, the Family Educational Rights and Privacy Act (FERPA).
Conditions for Access to Student Records

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

Rights of Appeal for Parents and Adult Students

Student records are subject to challenge by parents and adult students on the grounds of inaccuracy, irrelevancy, impermissive disclosure, inclusion of improper information or denial of access to organizations, agencies, and persons in accordance with N.J.A.C. 6A:32-7.7(a).

To request a change in the record or to request a stay of disclosure pending final determination of the challenged procedure, the parent or adult student shall follow the procedures pursuant to N.J.A.C. 6A:32-7.7(b).

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

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

Retention and Disposal of Student Records

A student's record is considered to be incomplete and not subject to the provisions of the Destruction of Public Records Law, N.J.S.A. 47:3-15 et seq., while the student is enrolled in the school district. The school district shall retain the student health record and the health history and immunization record according to the School District Records Retention Schedule, as determined by the New Jersey State Records Committee.

Student records of currently enrolled students, other than that described in N.J.A.C. 6A:32-7.8(e), may be disposed of after the information is no longer
POLICY

Vineland Board of Education

OPERATIONS
8420/page 1 of 2
Emergency and Crisis Situations

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[See POLICY ALERT Nos. 140, 172, 189, 191 and 221]

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 will develop and implement written plans and procedures to provide for the protection of health, safety, security, and welfare of the school population; the prevention of, intervention in, response to and recovery from emergency and crisis situations; the establishment and maintenance of a climate of civility; and supportive services for staff, students, and their families.

The Superintendent of Schools or designee shall consult with law enforcement agencies, health and social services provider agencies, emergency management planners, and school and community resources, as appropriate, in the development of the school district’s plans, procedures, and mechanisms for school safety and security. The plans, procedures, and mechanisms shall be consistent with the provisions of N.J.A.C. 6A:16-5.1 and the format and content established by the Domestic Security Preparedness Task Force, pursuant to N.J.S.A. App. A:9-64 et seq., and the Commissioner of Education and shall be reviewed annually, and updated as appropriate.

A copy of the school district’s school safety and security plan shall be disseminated to all school district employees. New employees shall receive a copy of the school district’s safety and security plan, as appropriate, within sixty days of the effective date of their employment. All employees shall be briefed in writing, as appropriate, regarding updates and changes to the school safety and security plan.

The school district shall develop and provide an in-service training program for all school district employees to enable them to recognize and appropriately respond to safety and security concerns, including emergencies and crisis, consistent with the school district’s plans, procedures, and mechanisms for school safety and security and the provisions of N.J.A.C. 6A:16-5.1. New employees shall receive this in-service training, as appropriate, within sixty days of the effective date of their employment. This in-service training program shall be reviewed annually and updated, as appropriate.

The Board shall ensure individuals employed in the district in a substitute capacity are provided with information and training on the district’s practice 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.
In accordance with N.J.S.A. 18A:41-1, at least one fire drill and one school security drill will be conducted each month within school hours, including any summer months, which the school is open for instructional programs. A school security drill means an exercise, other than a fire drill, to practice procedures that respond to an emergency situation including, but not limited to, a non-fire evacuation, lockdown, bomb threat, or active shooter situation that is similar in duration to a fire drill. Schools are required to hold a minimum of two active shooter, non-fire evacuation, bomb threat, and lockdown security drills annually. Fire alarm systems shall be initiated only during a fire drill evacuation. Responses made necessary by the unplanned activation of emergency procedures or by any other emergency shall not be substituted for a required school security drill.

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. Although these outside agencies are not required to observe school security drills, the Principal is encouraged to invite representatives from local law enforcement and emergency responder agencies to attend and observe at least four different security drills annually.

Such drills and in-service training programs shall be conducted in accordance with a building security drill guide and training materials that educate school employees on proper evacuation and lockdown procedures in a variety of emergency situations on school grounds as provided by the New Jersey Office of Homeland Security and Preparedness.

The school district will be required to annually submit a security drill statement of assurance to the New Jersey Department of Education by June 30 of each school year. Each school in the district will be required to complete a security drill record form as required by the New Jersey Department of Education.

N.J.S.A. 2C:33-3
N.J.A.C. 6A:16-5.1; 6A:27-11.2

Adopted: 09 June 2010
Revised: 13 April 2011
Revised: 09 December 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, disclosure, or communication of information contained in educational records in a manner that assures the security of such records in accordance with the provisions of N.J.A.C. 6A:32-7.1 et seq. Student records shall contain only such information as is relevant to the education of the student and is objectively based on the personal observations or knowledge of the certified school personnel who originate(s) the record. The school district shall provide annual, written notification to parents, adult students, and emancipated minors of their rights in regard to student records and student participation in educational, occupational, and military recruitment programs. Copies of the applicable State and Federal laws and local policies shall be made available upon request. The school district shall make every effort to notify parents and adult students in their dominant language.

A nonadult student may assert rights of access only through his or her parent(s). However, nothing in 6A:32-7 shall be construed to prohibit certified school personnel from disclosing at their discretion student records to non-adult students or to appropriate persons in connection with an emergency, if such knowledge is necessary to protect the health or safety of the student or other persons.
POLICY

Vineland Board of Education

OPERATIONS
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Student Records

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:32-7.1 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 school district personnel and for designated official use by judicial, law enforcement, and medical personnel and not for general public consumption.

In the event the school 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 school district from including any or all types of information about the student in any student information directory before allowing access to such directory to educational, occupational, and military recruiters pursuant to N.J.S.A. 18A:36-19.1 and 20 U.S.C. §8528 - Armed Forces Recruiter Access to Students and Student Recruiting Information of the Elementary and Secondary Education Act (ESEA) of 1965. 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 school district that includes the following information for each student: name; address; telephone number; date of birth; and school enrollment. The district shall compile and maintain a school contact directory for official use that is separate and distinct from the student information directory. The student contact directory may be provided for official use only to judicial and law enforcement personnel, and to medical personnel currently providing services to the student in question. To exclude any information from the school contact directory for official use the parent, adult student, or emancipated minor shall notify the Superintendent or designee in writing.
Mandated and Permitted Student Records

Mandated student records are those records school districts have been directed to compile by State statute, regulations, or authorized administrative directive in accordance with N.J.A.C. 6A:32-7.3.

Permitted student records are 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 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 school district. Policy and Regulation 8330 assure that access to such records is limited to authorized persons.

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

Student health records, whether stored on paper or electronically, shall be maintained separately from other student records, until such time as graduation or termination, whereupon the health history and immunization record shall be removed from the student’s health record and placed in the student’s mandated record. Records shall be accessible during the hours in which the school program is in operation.

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

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

The district 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.

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

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

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

Nothing in N.J.A.C. 6A:32-7.1 et seq. or in 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, individuals shall adhere to requirements pursuant to N.J.S.A. 47:1A-10, the Open Public Records Act (OPRA) and 34 CFR Part 99, the Family Educational Rights and Privacy Act (FERPA).
Conditions for Access to Student Records

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

Rights of Appeal for Parents and Adult Students

Student records are subject to challenge by parents and adult students on the grounds of inaccuracy, irrelevancy, in permissive disclosure, inclusion of improper information or denial of access to organizations, agencies, and persons in accordance with N.J.A.C. 6A:32-7.7(a).

To request a change in the record or to request a stay of disclosure pending final determination of the challenged procedure, the parent or adult student shall follow the procedures pursuant to N.J.A.C. 6A:32-7.7(b).

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

Regardless of the outcome of any appeal, a parent or adult student shall be permitted to place in the student record a statement commenting upon the information in the student record or setting forth any reasons for disagreement with the decision made in the appeal. Such statements shall be maintained as part of the student record as long as the contested portion of the record is maintained. If the contested portion of the record is disclosed to any party, the statement commenting upon the information shall also be disclosed to that party.

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 school district. The school district shall retain the student health record and the health history and immunization record according to the School District Records Retention Schedule, as determined by the New Jersey State Records Committee.
Student records of currently enrolled students, other than that described in N.J.A.C. 6A:32-7.8(e), may be disposed of after the information is no longer necessary to provide educational services to a student and in accordance with the provisions of N.J.A.C. 6A:32-7.8(b).

Upon graduation or permanent departure of a student from the school district, the parent or adult student shall be notified in writing that a copy of the entire student record will be provided to them upon request. Information in student records, other than that described in N.J.A.C. 6A:32-7.8(e), may be disposed of, but only in accordance with the Destruction of Public Records Law, N.J.S.A. 47:3-15 et seq. Such disposition shall be in accordance with the provisions of N.J.A.C. 6A:32-7.8(c)2.

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

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

6A:32-7.6; 6A:32-7.7; 6A:32-7.8
20 U.S.C. §8528

Adopted: 09 June 2010
Revised: 12 April 2017
Revised: 14 April 2021
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 pupils certain rights with respect to the pupil’s education records. FERPA requires the district to provide parents and adult pupils 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 pupils 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: 09 June 2010
8431 PREPAREDNESS FOR TOXIC HAZARD

The Board of Education is concerned for the safety of the pupils and staff members assigned to district schools and will take reasonable steps to protect pupils and staff members from hazards that may result from industrial accidents beyond the control of school officials.

The Board will appoint an employee to serve as Toxic Hazard Preparedness (THP) Officer. The THP Officer will, in accordance with procedures prepared by the Superintendent, identify potential sources of toxic hazard and develop a plan that includes preventive and remedial measures to be followed in the event pupils and staff members are exposed to a toxic hazard. The plan will also include a system for the periodic evaluation of school environments.

The THP Officer will enlist the aid of county and municipal authorities and, if possible, the owners or operators of identified potential sources of toxic hazard. The Board may, in its discretion, appoint and charge an ad hoc committee of community representatives to assist the THP Officer.

The plan for toxic hazard preparedness developed by the THP Officer and approved by this Board will be disseminated to the public. Teaching staff members will be instructed in the specific measures to be taken when toxic hazard is present and in the recognition of toxic hazards in the environment. A teaching staff member who detects a toxic hazard in school shall immediately notify the school Principal and the school nurse or, in the absence of either, 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. 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: 09 June 2010
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 events, 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.

6A:16-2.1(a)4

Adopted: 09 June 2010
REVISED: 24 August 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 pupils and employees of this district. To that end and to the end that legitimate employee claims for worker’s compensation be expedited, the Board requires that accidents be reported and evaluated. Any accident that results in an injury, however slight, to a pupil, an employee of the Board, or a visitor to the schools must be reported promptly and in writing to the district business office. Injured persons shall be referred immediately to the school nurse for such medical attention as may be appropriate.

The injured employee or visitor or the staff member responsible for an injured pupil shall complete a form, available in the office of the Building Principal, that includes the date, time and place of the incident; the names of persons involved; the nature of the injury, to the extent that it is known; and a description of all relevant circumstances.

The school nurse will review all accident/incident reports before these are filed. A copy of the report will be placed in the pupil’s cumulative folder. The original and one copy of the report will be sent to the Supervisor of School Health Services.

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: 09 June 2010
8451 CONTROL OF COMMUNICABLE DISEASE

The Board of Education recognizes that control of the spread of communicable disease is essential to the well-being of the school community and to the efficient operation of the schools.

The Board shall be bound by the statutes and by rules of the State Board of Education for the exclusion and readmission of pupils who have contracted a communicable disease and of teachers and pupils who have been exposed to a communicable disease and for the instruction of teachers in health and the prevention of disease. The Board shall comply with regulations of the New Jersey Department of Health and the Vineland 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.

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: 09 June 2010
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. Pupils 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 pupils, parent(s) or legal guardian(s), staff members, school volunteers, and members of the community with information intended to increase awareness of HIV and AIDS, including information regarding the nature of the disease and its prevention. The Board will cooperate with other agencies to provide HIV/AIDS awareness information to the community.

N.J.S.A. 26:5C-5; 26:5C-6; 26:5C-7; 26:5C-8; 26:5C-9; 26:5C-10; 26:5C-11; 26:5C-12; 26:5C-13; 26:5C-14
N.J.A.C. 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: 09 June 2010
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.

In accordance with N.J.A.C. 6A:16-5.3 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).


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 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 the annual report on acts of 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.

A Board of Education shall submit and implement corrective action plans for high incidences of violence, vandalism, or alcohol or other drug abuse upon notification by the Commissioner of Education.
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.A.C. 6A:16-5.2; 6A:16-5.3

Adopted: 09 June 2010
Revised: 03 April 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, and N.J.S.A. 9:6-8.10.

Employees, volunteers, or interns working in the school district shall immediately notify designated child welfare authorities of incidents of alleged missing, abused, and/or neglected children. Reports of incidents of alleged missing, abused, or neglected children shall be reported to the New Jersey State Central Registry (SCR) at 1-877 NJ ABUSE 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 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 Office of the Assistant 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.A.C. 6A:16-11.1

Adopted: 09 June 2010
Revised: 10 Sept 2014
Revised: 06 July 2016
Revised: 11 July 2018
8465 HATE CRIMES AND BIAS-RELATED ACTS

The Board of Education is committed to providing a safe and healthy environment for all children in the school district. Hate crimes and bias-related acts involving pupils can lead to further violence and retaliation. Hate crimes and bias-related acts, by their nature are confrontational, inflame tensions, and promote social hostility and will not be tolerated by the school district. The school district employees will work closely with local law enforcement and the county prosecutor’s office to report or eliminate the commission of hate crimes and bias-related acts.

Definitions

A “hate crime” is any criminal offense where the person or persons committing the offense acted with a purpose to intimidate an individual or group of individuals because of race, color, disability, religion, sexual orientation, or ethnicity.

A “bias-related act” is an act directed at a person, group of persons, private property, or public property that is motivated in whole or part by racial, gender, disability, religion or sexual orientation, or ethnic prejudice. A bias-related act need not involve conduct that constitutes a criminal offense. All hate crimes are also bias-related acts, but not all bias-related acts will constitute a hate crime.

Required Actions

Whenever any school employee in the course of his/her employment develops reason to believe that (1) a hate crime has been committed or is about to be committed on school property, or has been or is about to be committed by any pupil, whether on or off school property and whether or not such offense was or is about to be committed during operating school hours, or (2) a pupil enrolled in the school has or is about to become the victim of a hate crime, whether committed on or off school property or during operating school hours, the school employee shall immediately notify the Building Principal and Superintendent, who in turn shall notify the Vineland Police Department and Bias Investigation Officer for the county prosecutor’s office. The Principal shall notify the Vineland Police Department and the county prosecutor’s office immediately if there is reason to believe that a hate crime that involves an act of violence has been or is about to be physically committed against a pupil or there is otherwise reason to believe that a life has been or will be threatened.
Whenever any school employee in the course of his/her employment has reason to believe that a bias-related act has been committed or is about to be committed on school property, or has been or is about to be committed by any pupil, whether on or off school property and whether or not such bias-related act was or is to be committed during operating school hours, the school employee should immediately notify the Building Principal and Superintendent, who in turn should promptly notify the Vineland Police Department.

In deciding whether to refer the matter of a bias-related act to the Vineland Police Department or the county prosecutor’s office, the Building Principal and the Superintendent, should consider the nature and seriousness of the conduct and the risk that the conduct posed to the health, safety and well-being of any pupil, school employee or member of the general public. The Building Principal and Superintendent should also consider the possibility that the suspected bias-related act could escalate or result in some form of retaliation which might occur within or outside school property.

It is understood a referral to the Vineland Police Department or county prosecutor’s office is only a transmittal of information that might be pertinent to a law enforcement investigation and is not an accusation or formal charge.

Unless the Vineland Police Department or the county prosecutor’s office request otherwise, the school district may continue to investigate a suspected hate crime or bias-related act occurring on school property and may take such actions as necessary and appropriate to redress and remediate any such acts.

School officials will secure and preserve any such graffiti or other evidence of a suspected hate crime or bias-related act pending the arrival of the Vineland Police Department or the county prosecutor’s office. The school officials, when feasible, will cover or conceal such evidence until the arrival of the Vineland Police Department or county prosecutor’s office.

N.J.A.C. 6A:16-6.1 et seq.; 6A:16-6.3(e)
State Memorandum of Agreement approved by the Department of Law & Public Safety and the Department of Education

Adopted: 09 June 2010
8467  WEAPONS

The Board of Education prohibits the possession, use, or exchange of any weapon in any school building, on school grounds, at any school-sponsored event, and on school sanctioned transportation except as the possession and use of a weapon is authorized by law and required in the performance of the possessor’s duty.

For the purpose of this policy, "weapon" means anything readily capable of lethal use or of inflicting serious bodily injury. "Weapon" includes, but is not limited to, all firearms, knives, dangerous instruments intended to inflict harm, components that can be readily assembled into a weapon, explosive devices, and imitation firearms. For the purposes of this policy “firearm” means those items enumerated in N.J.S.A. 2C:39-1f and 18 U.S.C. 921.

Any pupil or school employee who has reasonable grounds to suspect the presence of a weapon prohibited by this policy shall immediately report his/her suspicion to the Building Principal or designee and/or immediate supervisor. The Building Principal or designee and/or immediate supervisor shall conduct an appropriate search in accordance with Policy No. 5770 and confiscate any weapon discovered in the course of the search. He/she shall, if appropriate and feasible, summon the aid of law enforcement officers in the conduct of the search. Any school employee who confirms the presence of a weapon under circumstances that place persons at serious risk may confiscate the weapon immediately and may use such force as is reasonable and necessary to obtain possession.

Unless the weapon has been taken into custody by a law enforcement officer, the Building Principal or designee and/or immediate supervisor shall immediately store any confiscated weapon in a securely locked box or container and report the presence of the weapon to the Superintendent. The Superintendent shall promptly notify, by telephone call and by letter, the Chief of Police of Vineland that a weapon is present on school premises; the notice shall request removal of the weapon by an authorized law enforcement officer. The Superintendent shall obtain and file a receipt for any weapon removed by a law enforcement officer.

Any pupil who possesses, uses, or exchanges a weapon in violation of this policy shall be subject to stringent discipline, which may include expulsion. Any pupil or school employee who suspects or knows of the presence of a weapon in violation of this policy and fails to report the same shall be subject to discipline. Any person who possesses a weapon on school premises or school transportation or at a school-sponsored function shall be reported to the appropriate law enforcement agency.
Any pupil who is convicted or is an adjudicated delinquent for possession of a firearm or who is found to be in possession of a firearm on school property must be immediately removed from the regular education program and provided with an alternative program, pending a hearing before the Board of Education. Pupils convicted or found to be delinquent for possessing a firearm on school property, on a school bus, or at a school-sponsored function or committing a crime while possessing a firearm shall be immediately removed from the regular education program for a period of not less than one calendar year and placed in an alternative education school or program pending a hearing before the Board of Education to remove the pupil. (Chapters 127 and 128 of 1995, The Zero Tolerance for Guns Act)

Any pupil who commits an assault upon members of the school community with a weapon other than a firearm on school property must be immediately removed from the regular education program and provided with an alternative program, pending a hearing before the Board of Education. (Chapters 127 and 128 of 1995, The Zero Tolerance for Guns Act)

Pupils with disabilities violating the provisions of this policy shall be dealt with in accordance with Policy No. 2460 and Regulation No. 2460.6.

Nothing in this policy shall be construed to prohibit the reporting of a crime committed by a child with a disability to the appropriate law enforcement or judicial authorities, or to prevent such authorities from exercising their responsibilities with regard to the application of federal or state law to crimes committed by a child with disabilities.

Any pupil requiring removal from the regular education program for the reasons enumerated above shall be removed in accordance with Policy and Regulation No. 5611.

The Superintendent, or designee, shall prepare regulations to implement this policy for the guidance of school staff in dealing with incidents involving weapons in the school district.

N.J.S.A. 23:4-16
N.J.A.C. 6A:14-2.8 et seq.
Chapters 127 and 128 of 1995, The Zero Tolerance for Guns Act
18 U.S.C. 921
20 U.S.C 1415

Adopted: 09 June 2010
8470 RESPONSE TO CONCERTED JOB ACTION

In the event of a concerted job action, including but not limited to a work stoppage by any employee or groups of employees, the Superintendent shall be empowered to take necessary steps within statutory limits to protect the safety and welfare of pupils and staff and to ensure the security of school property, both real and personal. The Board of Education shall meet, in emergency session if necessary, as quickly and as frequently as required to ratify or alter the steps taken by the Superintendent.

Emergency Powers of the Superintendent

The broad powers conferred on the Superintendent by this policy or elsewhere in this policy manual include, but are not necessarily limited to, the authority to:

1. Decide whether school shall remain open or closed and change school opening and closing times as the Superintendent deems appropriate;

2. Cancel all extra- and co-curricular activities when the Superintendent deems cancellation to be in the best interest of the school district;

3. Arrange a meeting place for the Board and a place for the school administration to function off school premises and outside the community, if necessary or desirable;

4. Arrange for the installation of unlisted telephone numbers in schools, in alternate Board and administrative facilities, in the homes of the Board President and the Superintendent, and in a nearby unidentified location;

5. Purchase or lease portable radio communication devices for use within buildings as a security measure;

6. Arrange for daily press releases via the designated Board spokesperson;

7. Employ around-the-clock security for all school buildings and grounds and increase that security when deemed appropriate;

8. Employ support staff help if school employees honor picket lines;

9. Arrange rental of storage facilities off school premises for vendor deliveries during picketing;
10. Employ a locksmith to change locks on all outside doors, repair damaged locks, and prepare extra keys as needed for staff to function;

11. Arrange transportation across picket lines for any staff members who are concerned for the safety of their vehicles and/or their persons;

12. Establish an identification system that will ensure that only authorized personnel can enter school buildings;

13. Establish emergency working hours for administrative, supervisory, custodial, and office staff as necessary to ensure that certain district buildings are secured;

14. Expend moneys to communicate to pupils, parent(s) or legal guardian(s), and the community at large the day-to-day circumstances of the work stoppage and to issue special instructions to pupils;

15. Withhold paychecks from striking employees, in accordance with this policy;

16. Advise nonworking employees and all other employees of the status of the work stoppage, decisions of the Board, decisions of the courts, if any;

17. Issue special directives and notices to nonworking employees and other employees;

18. Accept assistance from volunteers as needed;

19. Alter the educational program as required to cope with an emergency situation;

20. Cancel leaves of absence for the duration of the emergency;

21. Purchase food for personnel forced to remain in school buildings during any emergency and for those who are involved in extended negotiations sessions;

22. Institute criminal prosecution of any individual apprehended or witnessed in the act or suspected of causing damage to school equipment, supplies, facilities, vehicles, or grounds;

23. Remove vital communication equipment such as postage meters, typewriters, computers, word processors, addressing devices, photocopiers, and duplicating machines from school premises to an alternate site and place such communication equipment under around-the-clock security;
24. Establish a special internal and external communication and documentation system for events occurring at each facility during a job action; and

25. Take such other emergency steps as the Superintendent deems necessary and expedient to protect the safety and welfare of staff and pupils and the integrity of the school district.

The Superintendent shall report promptly to the Board all emergency actions taken pursuant to this policy.

Emergency Board Policies

The following emergency policies of the Board of Education shall apply:

1. All usual policy adoption and revision procedures shall be suspended for the duration and the policy may be adopted, revised, or rescinded at any regular or special meeting of the Board;

2. Effective immediately, all employee absence for medical reasons, regardless of the duration of the absence, must be substantiated by a physician's written verification;

3. Each unauthorized absence shall result in an appropriate payroll deduction;

4. Payment for services rendered up to the date of a work stoppage will be processed, but no salary will be paid to an employee who does not report to work on a day when a concerted job action is in process;

5. Board members and administrators shall be reimbursed for expenses incurred for transportation, telephone, and meals in conjunction with attendance at meetings and negotiating sessions during a concerted job action;

6. Every reasonable effort shall be made to meet with employee representatives during a concerted job action to seek the grounds for the earliest possible settlement of differences;

7. The Board President may call meetings of the Board on less than adequate notice during a work stoppage, in strict accordance with applicable requirements of the Open Public Meetings Act;
8. In the event a previously negotiated contract has expired and no successor agreement has been accepted by the parties, no deductions other than those required by federal and state law will be made from the wages of employees who participate in a concerted job action.


Adopted: 09 June 2010
8500 FOOD SERVICES

The Board of Education recognizes the midday meal as an important part of each pupil's school day. The Superintendent shall ensure a wholesome, nutritious food services program in the district and one which reinforces the concepts of nutrition education as taught in the classrooms of this district.

The Board shall provide food service facilities for the consumption of food on school premises. All pupils not expressly excused by the Principal shall be expected to remain at school for lunch.

The operation and supervision of the food services program shall be the responsibility of the School Business Administrator/Board Secretary.

The district shall participate in the Federal Child Nutrition Program.

The Food Service Program shall be operated on a nonprofit basis. All moneys derived from the operation, maintenance, or sponsorship of the food service facilities shall be deposited in the Food Service Account. The net cash resources of the food service account may not exceed three months' operating cost. A periodic review of the food service account shall be made by the Cafeteria Manager. Any surplus funds shall be used to reduce the cost of the service to pupils or to purchase cafeteria equipment.

The Superintendent shall ensure the maintenance of sanitary, neat premises, free from fire and health hazards, for the preparation and consumption of food and the safekeeping and storage of food and food equipment in strict compliance with regulations of the New Jersey State Department of Health.

N.J.A.C. 6A:23-2.6 et seq.
N.J.A.C. 8:24-2.1 through 7.5

Adopted: 09 June 2010
POLICY 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.

The Principal or a School Wellness Policy Coordinator designated by the Principal will be responsible to ensure the school complies with the requirements in this Policy. The Superintendent of Schools will designate a District Wellness Policy Coordinator who will have the authority and responsibility to ensure each school in the district complies with the requirements outlined in this Policy.

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 School Wellness Policy Coordinator 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 School Wellness Policy Coordinator, 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 or School Wellness Policy Coordinator 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 School Wellness Policy Coordinator 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 and for students to make informed
choices about nutrition, health, and physical activity.
d. Staff Wellness – the Board of Education highly values the health and well-being of every staff
member and will plan and implement activities and policies that support personal efforts by staff to
maintain a healthy lifestyle. The District will promote Staff health and wellness and encourage
healthy eating, physical activity, and other elements of a healthy lifestyle among school staff.

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. The district will establish a District Wellness Committee (DWC). The DWC will:
      (1) Be comprised of a Principal, at least one health/physical education teacher, a school nurse, at least two parents, at least two students, at least one food service staff member representing all school levels in the district, and the District Wellness Policy Coordinator; and
      (2) Meet at least four times per year to establish goals for and oversee school health and safety policies and programs, including development, implementation, and periodic review and update of the district-wide Wellness Policy.
   b. The Principal or School Wellness Policy Coordinator 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 Principal and/or School Wellness Policy Coordinator.
   d. The Principal and/or School Wellness Policy Coordinator will encourage fund-raising activities that promote physical activity such as walk-a-thons, teacher-student activity competitions, family activity nights, and school dances.
   e. Safe Routes to School – The Board of Education will assess and, if necessary and to the extent possible, make needed improvements to make it safer and easier for students to walk and bike to school. When appropriate, the district will work together with local public works, public safety, and/or police departments in those efforts. The school district will explore the availability of federal “safe routes to school” funds, administered by the state department of transportation, to finance such improvements. Due to the fact that Vineland has 6% of walkers, we support and encourage safe bicycling and walking via the Safe Routes to School Program and other initiatives.

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 Wellness Policy Coordinator in an Annual School Progress Report provided to the Superintendent of Schools before May 1.
   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 District Wellness Policy Coordinator will compile an Annual District Summary Progress Report to be presented to the Superintendent and Board of Education at a public meeting before May 30 of the current 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 requirements for any food or beverages sold in schools must meet a range of calorie and nutrient requirements as outlined in the HHFKA and a smart snack calculator shall be on file in each school for each product sold.

2. The school district will comply with the HHFKA beverage requirements and beverage portion requirements for each appropriate grade level. 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 pre-approved by the Principal or designee and the District Wellness Policy Coordinator.

4. The Board of Education will permit food in the school that is not sold to students to be brought into school by parents, students, or staff members for classroom activities, parties, or snacks, or other food provided to students as an incentive. Any occasion where food is brought into the school for such purposes must be approved by the Principal or designee, who will ensure safeguards are in place to protect students who may have a food or related allergy.
C. District Coordinator
1. The District Wellness Policy Coordinator shall be available to consult with school-based administrators, staff members, and the School Wellness Policy Coordinator(s) on the district’s Wellness Policy.
2. The District Wellness Policy Coordinator shall also be responsible to ensure parents, students representatives of the school food authority, teachers of physical education, school health professionals, the Board of Education, school administrators, and the general public are permitted to participate in the development, implementation, review, and update of this Wellness Policy.
3. The District Wellness Policy Coordinator shall be responsible to inform and update the public (including parents, students, and others in the community) about the content, implementation, updates and implementation status of the district’s Wellness Policy through the district’s website, school publications, and/or other school communications made available to the public.
   a. The information and update shall provide as much information as possible about the school nutrition environment, including a summary of the events and activities related to the Wellness Policy implementation in the school district.

D. Wellness Policy Assessment
1. The District Wellness Policy Coordinator will prepare an assessment of the district’s Wellness Policy in accordance with the requirements of the United States and New Jersey Departments of Agriculture on the extent to which the school(s) in the district are in compliance with the district’s Wellness Policy, the extent to which the district’s Wellness Policy compares to model school wellness policies, and a description of the progress made in attaining the goals outlined in the district’s Wellness Policy.
2. The District Wellness Policy Coordinator will present this assessment to the Board of Education at a public Board meeting, make such assessment available to the public, and recommend any updates to the Policy accordingly.

E. Records
1. The District Wellness Policy Coordinator shall ensure records are maintained to document compliance with the requirements of the District Wellness Policy. Such records will include, but not be limited to:
   a. The Board-approved Wellness Policy;
   b. Documentation demonstrating the Policy has been made available to the public;
   c. Documentation of the efforts made in the school district to review and update the Policy;
   d. Documentation demonstrating compliance with the annual public notification requirements;
   e. Documentation demonstrating the most recent assessment on Policy implementation; and
f. Documentation demonstrating the most recent assessment on the implementation of the School Wellness Policy has been made available to the public.

F. Publication/Dissemination
This Policy and Assessment 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: 09 June 2010
Revised: 13 March 2013
Revised: 11 June 2014
Revised: 10 Dec 2014
REVISED: 13 April 2016
Revised: 13 Sept 2017
8506 SCHOOL LUNCH PROGRAM BIOSECURITY PLAN

The Board of Education is committed to protecting the health of the children and adults in school buildings 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 all the schools in the district; however, the Plan will address the specific roles and responsibilities for individual schools 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: 09 June 2010
[For School Districts that Implement a Breakfast Offer Versus Serve Program]

8507 BREAKFAST OFFER VERSUS SERVE (OVS)

The Board of Education, to be in compliance with the Healthy Hunger Free Kids Act (HHFKA) of 2010, adopts this Offer Versus Serve (OVS) Policy. Offer Versus Serve is a Policy for Federally reimbursable meals that allows students to decline a certain number of food components in the meal to reduce plate waste and food cost. Board of Education approval to implement a Breakfast OVS Policy is optional at all grade levels. The provisions of the Breakfast OVS Policy shall be in accordance with the requirements of the HHFKA of 2010.

A school breakfast eligible for Federal reimbursement shall offer four food items from the three food components in the appropriate amounts per grade grouping:

- Fruit (including optional vegetable)
- Grains (including optional meat/meat alternate)
- Milk

Students are allowed to decline one of the four food items offered, but must select at least a half cup of either fruit or half cup of vegetable or half cup of a fruit/vegetable combination.

After taking the half cup fruit or half cup of vegetable or half cup of a fruit/vegetable combination, students must select at least two additional food items in the full amounts (per grade group requirements) to count toward the reimbursable offer versus serve meal.

A student’s decision to accept all four food items or to decline one food item shall not affect the price charged for the meal as the breakfast is priced as a unit. If students do not choose enough food items to comprise a reimbursable meal, a la carte prices will be charged.

School staff members cannot make exceptions to the Policy, such as requiring every student to take a particular food component. It is the student’s choice to select any three or all four food items of the reimbursable meal.

At each school implementing this OVS Policy, school food service staff members will be trained annually on the provisions of the district’s Breakfast OVS Policy.
[Select One Option]

_____ Breakfast OVS will be implemented at the following schools: (List all schools in the district that will implement a Breakfast OVS Policy)

________________________________________
________________________________________
________________________________________
________________________________________

X Breakfast OVS will be implemented in all schools in the district.

Adopted: 14 March 2018
[For School Districts with High School Grades and Optional for all Other School Districts]

8508 LUNCH OFFER VERSUS SERVE (OVS)

The Board of Education, to be in compliance with the Healthy Hunger Free Kids Act (HHFKA) of 2010, adopts this Offer Versus Serve (OVS) Policy. Offer Versus Serve is a Policy for Federally reimbursable meals that allows students to decline a certain number of food components in the meal to reduce plate waste and food cost. Board of Education approval to implement a Lunch OVS Policy is required at the high school level and is optional at all other grade levels. The provisions of the Lunch OVS Policy shall be in accordance with the requirements of the HHFKA of 2010.

A school lunch eligible for Federal reimbursement shall offer five food components in the appropriate amounts per grade grouping:

- Fruit;
- Vegetable;
- Milk;
- Grain; and
- Meat/Meat Alternate.

Students are allowed to decline two of the five required food components, but must select at least a half cup of either fruit (or fruit combination) or a half cup of vegetable (or vegetable combination) or half cup of a fruit/vegetable combination.

After selecting the half cup fruit or vegetable requirement, students must select at least two additional full components in the full amounts (per age/grade grouping required amounts) to count toward the reimbursable offer versus serve meal.

The student's decision to accept all five food components or to decline two food components shall not affect the price charged for the meal as the lunch is priced as a unit. If students do not choose enough food items to comprise a reimbursable meal, a la carte prices will be charged.

School staff members cannot make exceptions to the Policy, such as requiring every child to take a particular food component. It is the student's choice to select any three, four, or all five components of the reimbursable meal.
At each school implementing this Lunch OVS Policy, food service staff members will be trained annually on the provisions of the district’s Lunch OVS Policy.

[Select One Option]

_____ Lunch OVS will be implemented at the following schools: (List all schools in the district that will implement the Lunch OVS Policy – all high school grade level schools must be listed below)

________________________  ________________________
________________________  ________________________
________________________  ________________________
________________________  ________________________

X Lunch OVS will be implemented in all schools in the district.]

Adopted: 05 December 19
Policy 8540 School Nutrition Programs

The Board of Education recognizes the importance of a child receiving a nutritious, well-balanced meal to promote sound eating habits, to foster good health and academic achievement, and to reinforce the nutrition education taught in the classroom. Therefore, the Board of Education may participate in the school nutrition programs of the New Jersey Department of Agriculture in accordance with the eligibility criteria of the program. These programs may include the National School Lunch Program, the School Breakfast Program, the After-School Snack Program, and the Special Milk Program.

The Board of Education shall sign an Agreement with the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture for every school nutrition program operated within the school district. Any child nutrition program operated within the school district shall be operated in accordance with the provisions of the Agreement and all the requirements of the program.

Students may be eligible for free or reduced pricing in accordance with the requirements of the program operating in the school district. Prices charged to paying children shall be established by the Board of Education, but must be within the maximum prices established by the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture. Prices charged to adults shall be in accordance with the requirements of the program.

The Superintendent or designee shall annually notify parents of all children in the school district of the availability, eligibility requirements, and application procedures for free or reduced price meals or free milk in accordance with the notification requirements and procedures of the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture.

The Superintendent will designate in the annual notification to parents, the person who will determine, in accordance with standards issued by the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture, a the student's eligible eligibility for free or reduced price meals rate or free milk depending on the programs operated in the school district.

A parent may request a household application and instructions from the Principal of their child's school. A household application must be completed before eligibility is determined. Where necessary, the Principal or designee shall assist the applicant in the preparation of the household application.

Applications shall be reviewed in a timely manner. An eligibility determination will be made, the family will be notified of its status, and the status will be implemented as soon as possible within ten operating days of the receipt of the completed application. Any student found eligible shall be offered free or reduced price meals or free milk immediately upon the establishment of his/her eligibility and shall continue to receive such meals during the pendency of any inquiry regarding his/her eligibility in accordance with the requirements of the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture. Carry-over of previous year's eligibility for students shall be in accordance with the requirements of the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture.
A denial of eligibility for free or reduced price meals or free milk shall be in writing and shall include the reasons for which eligibility was denied, notice of the parent's right to appeal the denial, the procedures for an appeal, and a statement reminding parents that they may reapply at any time during the school year. Appeal procedures shall include: a hearing, if requested by the parent, held with reasonable promptness and convenience of the parent and before a hearing officer other than the school official who denied the application; the parent's opportunity to be represented by counsel; a decision rendered promptly and in writing; and an opportunity to appeal the decision of the hearing officer to the School Business Administrator/Board Secretary. The appeal hearing will be conducted in accordance with the provisions as outlined by the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture.

There shall be no overt identification of any child(ren) who may be eligible to receive free or reduced price school meals or free milk. The identity of students who receive free or reduced price meals will be protected. Eligible students shall not be required to work in consideration for receiving such meals or milk. Eligible children shall not be required to use a separate dining area, go through a separate serving line, enter the dining area through a separate entrance, or consume their meals or milk at a different time. A student's eligibility status will not be disclosed at any point in the process of providing free or reduced price meals or free milk in accordance with the requirements of the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture.

The School Business Administrator/Board Secretary or designee will verify applications of those eligible for free or reduced price meals in accordance with the requirements of the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture.

The Board of Education will comply with all the requirements of the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture Local Education Agency (LEA) Agreement and all requirements outlined in the School Nutrition Electronic Application Reimbursement System (SNEARS).

7 C.F.R. 210.1 et seq.
N.J.A.C. 2:36

Adopted: 09 June 2010
Revised: 18 Nov 2015
POLICY 8550 – Unpaid Meal Charges/Outstanding Food Service Charges

The Board of Education understands a student may forget to bring breakfast or lunch, as applicable, or money to purchase breakfast or lunch to school on a school day. When this happens, the food service program will provide the student with breakfast or lunch with an expectation payment will be made the next school day or shortly thereafter. However, there may be circumstances when payment is not made and a student's school breakfast/lunch bill is in arrears. The school district will manage a student's breakfast or lunch bill that is in arrears in accordance with the provisions of N.J.S.A. 18A:33-21 and this Policy.

In the event a student's school lunch or breakfast bill is in arrears, the student will continue to receive lunch or breakfast and their account will be charged accordingly. The Principal or Cafeteria Manager shall contact the student's parent with a district approved letter to provide notice of the amount in arrears and shall provide the parent a period of ten school days to pay the full amount due. If the student's parent does not make an attempt to fulfill payment to the Principal or Cafeteria Manager by the end of the ten school days, the Principal or designee shall again contact the student's parent to provide a second notice that their child's lunch or breakfast bill is in arrears. If Attempt of payment is not made within one week from the date of the second notice, the student will be provided a alternate breakfast or lunch, as applicable, that will contain the essentials in balanced nutritional selections as prescribed by the Bureau of Child Nutrition Programs, New Jersey Department of Agriculture and the Food and Nutrition Services of the United State Department of Agriculture beginning the eighth calendar day from the date of the second notice.

A parent who has received a second notice that their child's lunch or breakfast bill is in arrears and who has not made an attempt to fulfill the payment within one week from the date of the second notice will be contacted by the Superintendent or designee to discuss and resolve the matter. In the event the parent refuses or is unable to resolve the matter, the Superintendent or designee will work with Sodexo and the family to resolve the debt. If the Superintendent or designee is unable to resolve the matter with the parent, the Superintendent or designee will report the parent's failure to provide breakfast or lunch, as applicable, for the child, to the New Jersey Department of Children and Families, Division of Child Protection and Permanency.

If the student’s breakfast or lunch bill is in arrears, but the student has the money to purchase breakfast or lunch, the student will be provided breakfast or lunch and the food service program will not use the student’s money to repay previously unpaid charges if the student intended to use the money to purchase that day’s meal.

The food service program will prevent the overt identification of children through the method of payment used to purchase a meal and whose breakfast or lunch bill is in arrears.

This provisions of N.J.S.A. 18A:33-21 and this Policy will be made available to parents of all children in the school district in a manner as determined by the Superintendent.

In accordance with the provisions of the United States Department of Agriculture, this Policy shall be provided in writing to all households at the start of each school year and to households transferring to the school or school district during the school year. The school district may post this Policy on the school or
school district’s website provided there is a method in place to ensure this Policy reaches all households, particularly those households without access to a computer or the Internet.

This Policy shall also be provided to all school and food service staff responsible for the enforcement of this Policy, including school administrators to ensure this Policy is supported.

The food service program will comply with all meal charge policy requirements of the United States and New Jersey Department of Agriculture and NJS 18A:33-21.


Adopted: 18 Nov 2015
REVISED: 13 April 2016
Revised: 13 Sept 2017
[See POLICY ALERT Nos. 215, 216, 217 and 221]

[SCHOOL DISTRICTS NOT PARTICIPATING IN A UNITED STATES DEPARTMENT OF AGRICULTURE’S (USDA) SCHOOL NUTRITION PROGRAMS ARE NOT REQUIRED TO ADOPT POLICY 8561.]

8561 PROCUREMENT PROCEDURES FOR SCHOOL NUTRITION PROGRAMS

The Board of Education adopts this Policy to identify their procurement plan for the United States Department of Agriculture’s (USDA) School Nutrition Programs. School Nutrition Programs include, but are not limited to: the National School Lunch Program (NSLP); School Breakfast Program (SBP); Afterschool Snack Program (ASP); Special Milk Program (SMP); Fresh Fruit and Vegetable Program (FFVP); Seamless Summer Option (SSO) of the NSLP; Summer Food Service Program (SFSP); the At-Risk Afterschool Meals component of the Child and Adult Care Food Program (CACFP); and the Schools/Child Nutrition USDA Foods Program.

The Board of Education is ultimately responsible for ensuring all procurement procedures for any purchases by the Board of Education and/or a food service management company (FSMC) comply with all Federal regulations, including but not limited to: 7 CFR Parts 210, 220, 225, 226, 245, 250; 2 CFR 200; State procurement statutes and administrative codes and regulations; local Board of Education procurement policies; and any other applicable State and local laws.

The procurement procedures contained in this Policy will be implemented beginning immediately, until amended. All procurements must maximize full and open competition. Source documentation will be maintained by the School Business Administrator/Board Secretary or designee and will be available to determine open competition, the reasonableness, the allowability, and the allocation of costs.

The Board of Education intentionally seeks to prohibit conflicts of interest in all procurement of goods and services.
A. General Procurement

The procurement procedures will maximize full and open competition, transparency in transactions, comparability, and documentation of all procurement activities. The school district’s plan for procuring items for use in the School Nutrition Programs is as follows:

1. The School Business Administrator/Board Secretary will ensure all purchases will be in accordance with the Federal Funds Procurement Method Selection Chart – State Agency Form #358 - Appendix. Formal procurement procedures will be used as required by 2 CFR 200.318 through .326 and any State and local procurement code and regulations. Informal procurement procedures (small purchase) will be required for purchases under the most restrictive small purchase threshold.

2. The following procedures will be used for all purchases:

<table>
<thead>
<tr>
<th>Product/Services</th>
<th>Estimate Dollar Amount</th>
<th>Procurement Method</th>
<th>Evaluation</th>
<th>Contract Award Type</th>
<th>Contract Duration/Frequency</th>
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</table>

B. Micro-Purchase Procedures

1. Public/Charter Schools

Purchases of supplies or services, as defined by 2 CFR 200.67, will be awarded without soliciting competitive price quotations if the price is reasonable in accordance with N.J.S.A. 18A:18A-37(a) and below thresholds established by the State Treasurer for informal receipt of quotations. Purchases will be distributed equitably among qualified suppliers with reasonable prices. Records will be kept for micro-purchases.
2. Non-Public Schools

Purchases of supplies or services, within the Federal micro-purchase threshold (the aggregate amount does not exceed the Federal micro-purchase threshold as set by 2 CFR 200.67 will be awarded without soliciting competitive price quotations if the price is reasonable. Purchases will be distributed equitably among qualified suppliers with reasonable prices. Records will be kept for micro-purchases.

3. Formal bid procedures will be applied on the basis of:

[Choose one or more of the following:

___centralized system;
___individual school;
___multi-school system; and/or
___State contract.]

4. Because of the potential for purchasing more than public or non-public informal/small purchase threshold amount, or the Board approved threshold if less, it will be the responsibility of the School Business Administrator/Board Secretary to document the amounts to be purchased so the correct method of procurement will be followed.

C. Formal Procurement

When a formal procurement method is required, the following competitive sealed bid or an Invitation for Bid (IFB) or competitive proposal in the form of a Request for Proposal (RFP) procedures will apply:

1. An announcement of an IFB or a RFP will be placed in the Board designated official newspaper to publicize the intent of the Board of Education to purchase needed items. The advertisement for bids/proposals or legal notice will be published in the official newspaper for at least one day in accordance with the provisions of N.J.S.A. 18A:18A-21.
2. An advertisement in the official newspaper for at least one day is required for all purchases over the school district’s small purchase threshold as outlined in Appendix – Federal Funds Procurement Method Section Chart. The advertisement will contain the following:
   a. A general description of items to be purchased;
   b. The deadline for submission of questions and the date written responses will be provided, including addenda to bid specifications, terms, and conditions as needed;
   c. The date of the pre-bid meeting, if provided, and if attendance is a requirement for bid award;
   d. The deadline for submission of sealed bids or proposals; and
   e. The address of the location where complete specifications and bid forms may be obtained.

3. In an IFB or RFP, each vendor will be given an opportunity to bid on the same specifications.

4. The developer of written specifications or descriptions for procurements will be prohibited from submitting bids or proposals for such products or services.

5. The IFB or RFP will clearly define the purchase conditions. The following list includes requirements, not exclusive, to be addressed in the procurement document:
   a. Contract period for the base year and renewals as permitted;
   b. The Board of Education is responsible for all contracts awarded (statement);
   c. Date, time, and location of IFB/RFP opening;
d. How the vendor is to be informed of bid acceptance or rejection;

e. Delivery schedule;

f. Requirements (terms and conditions) the bidder must fulfill in order for bid to be evaluated;

g. Benefits to which the Board of Education will be entitled if the contractor cannot or will not perform as required;

h. Statement assuring positive efforts will be made to involve small and minority businesses, women’s business enterprises, and labor surplus area firms;

i. Statement regarding the return of purchase incentives, discounts, rebates, and credits under a cost reimbursement FSMC contract to the Board of Education’s nonprofit school food service account;

j. Contract provisions as required in Appendix II to 2 CFR 200:

(1) Termination for cause and convenience – contracts in excess of $10,000;

(2) Equal Opportunity Employment – “federally assisted construction contracts”;

(3) Davis-Bacon Act – construction contracts in excess of $2,000;

(4) Contract work Hours and Safety Standards – contracts in excess of $100,000;

(5) Right to inventions made under a contract or agreement – if the contract meets the definition of a “funding agreement” under 37 CFR 401.2(a);
(6) Clean Air Act – contracts in excess of $150,000;

(7) Debarment and Suspension – all Federal awarded contracts;

(8) Byrd Anti Lobbying Amendment – contracts in excess of $100,000; and

(9) Contracts must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

k. Contract provisions as required in 7 CFR 210.21(f) for all cost reimbursable contracts;

l. Contract provisions as required in 7 CFR 210.16(a)(1-10) and 7 CFR 250.53 for food service management company contracts;

m. Procuring instrument to be used are purchase orders from firm fixed prices after formal bidding;

n. Price adjustment clause for renewal of multi-year contracts as defined in N.J.S.A. 18A:18A-42. The “index rate” means the annual percentage increase rounded to the nearest half percent in the implicit price deflator for State and local government purchases of goods and services computed and published quarterly by the U.S. Department of Commerce, Bureau of Economic Analysis;

o. Method of evaluation and type of contract to be awarded (solicitations using an IFB are awarded to the lowest responsive and responsible bidder; solicitations using a RFP are awarded to the most advantageous bidder/offeror with price as the primary factor among factors considered);
p. Method of award announcement and effective date (if intent to award is required by State or local procurement requirements);

q. Specific bid protest procedures including contact information of person and address and the date by which a written protest must be received;

r. Provision requiring access by duly authorized representatives of the Board of Education, New Jersey Department of Agriculture (NJDA), United States Department of Agriculture (USDA), or Comptroller General to any books, documents, papers, and records of the contractor which are directly pertinent to all negotiated contracts;

s. Method of shipment or delivery upon contract award;

t. Provision requiring contractor to maintain all required records for three years after final payment and all other pending matters (audits) are closed for all negotiated contracts;

u. Description of process for enabling vendors to receive or pick up orders upon contract award;

v. Provision requiring the contractor to recognize mandatory standards/policies related to energy efficiency contained in the Energy Policy and Conservation Act (PL 94-163);

w. Signed statement of non-collusion;

x. Signed Debarment/Suspension Certificate, clause in the contract or a copy of search results from the System for Award Management (SAM);
y. Provision requiring “Buy American” as outlined in 7 CFR Part 210.21(d) and USDA Guidance Memo SP 38-2017, including specific instructions for prior approval and documentation of utilization of non-domestic food products only; and

z. Specifications and estimated quantities of products and services prepared by the school district and provided to potential contractors desiring to submit bids/proposals for the products or services requested; and

aa. The Board of Education’s Electronic Signature Policy.

6. If any potential vendor is in doubt as to the true meaning of specifications or purchase conditions, questions may be sent to the School Business Administrator/Board Secretary. The School Business Administrator/Board Secretary or designee’s response will be provided in writing to all potential bidders within _____________ days.

a. The School Business Administrator/Board Secretary will be responsible for providing responses to questions and securing all bids or proposals.

b. The School Business Administrator/Board Secretary will be responsible to ensure all Board of Education procurements are conducted in compliance with applicable Federal, State, and local procurement regulations.

c. The following criteria will be used in awarding contracts as a result of bids/proposals. Price must be the highest weighted criteria. Examples of other possible criteria include quality, service, delivery, and availability.
In awarding a RFP, a set of award criteria in the form of a weighted evaluation sheet will be provided to each bidder in the initial bid document materials. Price alone is not the sole basis for award, but remains the primary consideration among all factors when awarding a contract. Following evaluation and negotiations, a firm fixed price or cost reimbursable contract is awarded.

a. The contracts will be awarded to the responsible bidder/proposer whose bid or proposal is responsive to the invitation and is most advantageous to the Board of Education, price as the primary, and other factors considered. Any and all bids or proposals may be rejected in accordance with the law.

b. The School Business Administrator/Board Secretary or designee is required to sign on the bid tabulation of competitive sealed bids or the evaluation criterion score sheet of competitive proposals signifying a review and approval of the selections.

c. The School Business Administrator/Board Secretary shall review the procurement system to ensure compliance with applicable laws.

d. The School Business Administrator/Board Secretary or designee will be responsible for documentation that the actual product specified was received.

e. Any time an accepted item is not available, the School Business Administrator/Board Secretary will select the acceptable alternate. The contractor must inform the School Business Administrator/Board Secretary within one workday if a product is not available. In the event a nondomestic agricultural product is to be provided to the Board of Education, the contractor must obtain, in advance, written approval for the product. The School Business Administrator/Board Secretary must comply with the Buy American Provision.
f. Full documentation regarding the reason an accepted item was unavailable, and the procedure used in determining acceptable alternates, will be available for audit and review. The person responsible for this documentation is the School Business Administrator/Board Secretary.

g. The School Business Administrator/Board Secretary is responsible for maintaining all procurement documentation.

D. Small Purchase Procedures

If the amount of purchases for items is less than the school district’s small purchase threshold as outlined in the Federal Funds Procurement Method Selection Chart – See Appendix, the following small purchase procedures including quotes will be used. Quotes from a minimum number of three qualified sources will be required.

1. Written specifications will be prepared and provided to all vendors.

2. Each vendor will be contacted and given an opportunity to provide a price quote on the same specifications. A minimum of three vendors shall be contacted.

3. The School Business Administrator/Board Secretary or designee will be responsible for contacting potential vendors when price quotes are needed.

4. The price quotes will receive appropriate confidentiality before award.

5. Quotes/Bids will be awarded by the School Business Administrator/Board Secretary. Quotes/Bids will be awarded on the following criteria. Quote/Bid price must be the highest weighted criteria. Examples of other possible criteria include quality, service, delivery, and availability.

6. The School Business Administrator/Board Secretary will be responsible for documentation of records to show selection of vendor, reasons for selection, names of all vendors contacted, price quotes from each vendor, and written specifications.
7. The School Business Administrator/Board Secretary or designee will be responsible for documentation that the actual product specified is received.

8. Any time an accepted item is not available, the School Business Administrator/Board Secretary will select the acceptable alternate. Full documentation will be made available as to the selection of the acceptable item.

9. The School Business Administrator/Board Secretary or designee is required to sign all quote tabulations, signifying a review and approval of the selections.

E. Noncompetitive Proposal Procedures

If items are available only from a single source when the award of a contract is not feasible under small purchase, sealed bid or competitive negotiation, noncompetitive proposal procedures will be used:

1. Written specifications will be prepared and provided to the vendor.

2. The School Business Administrator/Board Secretary will be responsible for the documentation of records to fully explain the decision to use the noncompetitive proposal. The records will be available for audit and review.

3. The School Business Administrator/Board Secretary or designee will be responsible for documentation that the actual product or service specified was received.

4. The School Business Administrator/Board Secretary will be responsible for reviewing the procedures to be certain all requirements for using single source or noncompetitive proposals are met.
5. The noncompetitive micro-purchase method shall be used for one-time purchases of a new food item if the amount is less than the applicable Federal or State micro-purchase threshold to determine food acceptance by students and provide samples for testing purposes. A record of noncompetitive negotiation purchase shall be maintained by the School Business Administrator/Board Secretary or designee. At a minimum, the record of noncompetitive purchases shall include: item name; dollar amount; vendor; and reason for noncompetitive procurement.

6. A member or representative of the Board of Education will approve, in advance, all procurements that result from noncompetitive negotiations.

F. Miscellaneous Provisions

1. New product evaluation procedures will include a review of product labels and ingredients; an evaluation of the nutritional value; taste tests and surveys; and any other evaluations to ensure the new product would enhance the program.

2. The Board of Education agrees the reviewing official of each transaction will be the School Business Administrator/Board Secretary.

3. Payment will be made to the vendor when the contract has been met and verified and has met the Board of Education’s procedures for payment. (If prompt payment is made, discounts, etc., are accepted.)

4. Specifications will be updated as needed.

5. If the product is not as specified, the following procedure, including, but not limited to, will take place: remove product from service; contact vendor for approved alternate product; or remove product from bid.
G. Emergency Purchases

1. If it is necessary to make a one-time emergency procurement to continue service or obtain goods, and the public exigency or emergency will not permit a delay resulting from a competitive solicitation, the purchase must be authorized using a purchase order signed by the School Business Administrator/Board Secretary. The emergency procedures to be followed for such purchases shall be those procedures used by the school district for other emergency purchases consistent with N.J.S.A. 18A:18A-7. All emergency procurements shall be approved by the School Business Administrator/Board Secretary. At a minimum, the following emergency procurement procedures shall be documented to include, but not be limited to: item name; dollar amount; vendor; and reason for emergency.

H. Purchasing Goods and Services – Cooperative Agreements, Agents, and Third-Party Services (Piggybacking)

1. When participating in intergovernmental and inter-agency agreements the Board of Education will ensure that competitive procurements are conducted in accordance with 2 CFR Part 200.318 through .326 and applicable program regulations and guidance.

2. When utilizing the services of a co-op, agent, or third party the Board of Education will ensure that the following conditions have been met and considered as one source of pricing in addition to other prices:

   a. All procurements were subject to full and open competition and were made in accordance with Federal/State/local procurement requirements;

   b. The existing contract allows for the inclusion of additional Board of Educations that were not contemplated in the original procurement to purchase the same supplies/equipment through the original award;
Procurement Procedures for School Nutrition Programs

The specifications in the existing contract meets their needs and that the items being ordered are in the contract;

d. The awarded contract requires all the Federally required certifications; e.g. Buy American, debarment, restrictions on lobbying, etc.;

e. The agency will confirm the addition of their purchasing power (goods or services) to the procurement in scope or services does not create a material change, resulting in the needs to re-bid the contract;

f. Administrative costs (fees) for participating in the agreement are adequately defined, necessary and reasonable, and the method of allocating the cost to the participating agencies must be specified;

g. The Buy American provisions are included in the procurement of food and agricultural products; and

h. The agreement includes the basis for and method of allocating each discount, rebate, or credit and how they will be returned to each participating agency when utilizing a cost-reimbursable contract.

I. Records Retention

1. The Board of Education shall agree to retain all books, records, and other documents relative to the award of the contract for three years after final payment. If there are audit findings that have not been resolved, the records shall be retained beyond the three-year period as long as required for the resolution of the issues raised by the audit. Specifically, the Board of Education shall maintain, at a minimum, the following documents:

a. Written rationale for the method of procurement;
b. A copy of the original solicitation;
c. The selection of contract type;
d. The bidding and negotiation history and working papers;
e. The basis for contractor selection;
f. Approval from the State agency to support a lack of competition when competitive bids or offers are not obtained;
g. The basis for award cost or price;
h. The terms and conditions of the contract;
i. Any changes to the contract and negotiation history;
j. Billing and payment records;
k. A history of any contractor claims;
l. A history of any contractor breaches; and

J. Code of Conduct for Procurement

1. All procurements must ensure there is open and free competition and adhere to the most restrictive Federal, State, and local requirements. The Board of Education seeks to conduct all procurement procedures in compliance with stated regulations and to prohibit conflicts of interest and actions of employees engaged in the selection, award, and administration of contracts. All procurements will be in accordance with this Policy and all applicable provisions of N.J.S.A. 18A:18A – Public School Contracts Law.
2. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal, State, or local award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the 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.

3. The officers, employees, and agents of the non-Federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities 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. Based on the severity of the infraction, the penalties could include a written reprimand to their personnel file, a suspension with or without pay, or termination.

5. All questions and concerns regarding procurement solicitations, contract evaluations, and contract award, shall be directed to the School Business Administrator/Board Secretary.

K. Food Service Management Company (FSMC)

1. In the operation of the school district’s food service program, the school district shall ensure that a FSMC complies with the requirements of the Program Agreement, the school district’s Free and Reduced School Lunch Policy Statement, all applicable USDA program policies and regulations, and applicable State and local laws. In order to operate an a la carte food service program, the FSMC shall agree to offer free, reduced price, and full price reimbursable meals to all eligible children.
2. The school district shall monitor the FSMC billing invoices to ensure compliance with Federal and State procurement regulations.

3. In accordance with N.J.S.A. 18A:18A-5a.(22), RFPs are required in all solicitations for a FSMC.

New Jersey Department of Agriculture
“Procurement Procedures for School Food Authorities” Model Policy – September 2018
APPENDIX

FEDERAL FUNDS PROCUREMENT
METHOD SELECTION CHART

THERE ARE TWO (2) PROCUREMENT METHODS, FORMAL AND INFORMAL. THE METHOD THE SCHOOL FOOD AUTHORITIES (SFA) NEEDS TO USE DEPENDS ON TWO (2) FACTORS, THE AMOUNT OF THE CONTRACT AND WHETHER THE SFA IS A PUBLIC/CHARTER OR NON-PUBLIC SCHOOL.

NEW JERSEY PUBLIC/CHARTER SCHOOLS PURCHASING THRESHOLDS

<table>
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<tr>
<th>AMOUNT</th>
<th>ACTIVITY</th>
<th>PROCUREMENT METHOD</th>
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<tbody>
<tr>
<td>Below $4,350 without QPA</td>
<td>N.J.S.A 18A:18A-3</td>
<td>Sound Business Practice *</td>
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<tr>
<td>Below $6,000 with QPA</td>
<td>APPLIES TO PURCHASES BELOW THE QUOTATION THRESHOLDS</td>
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SMALL PURCHASE QUOTATION PROCEDURES

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<th>AMOUNT</th>
<th>ACTIVITY</th>
<th>PROCUREMENT METHOD</th>
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<tbody>
<tr>
<td>$4,351 OR $6,001 up to $29,000 or $40,000</td>
<td>N.J.S.A. 18A:18A–37</td>
<td>Quotation using SFA Internal Procurement Procedures</td>
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<td>ANY PURCHASE EXCEEDING QUOTATION THRESHOLDS REQUIRES A QUOTE UP TO THE APPLICABLE N.J.S.A. BID THRESHOLDS OF $29,000 (without a QPA*) OR $40,000 (with a QPA*)</td>
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NOTE: ANNUAL AGGREGATE AMOUNTS

FORMAL PROCUREMENT

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<th>PROCUREMENT METHOD</th>
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<tbody>
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<td>$29,000 or $40,000 and above</td>
<td>N.J.S.A. 18A:18A–37</td>
<td>Bid - Invitation for Bid (IFB) OR Request for Proposal (RFP)</td>
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<td>Bid Threshold without a QPA* - $29,000 Bid Threshold with a QPA* - $40,000</td>
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* QUALIFIED PURCHASING AGENT

NEW JERSEY NON-PUBLIC SCHOOL PURCHASING THRESHOLDS

<table>
<thead>
<tr>
<th>AMOUNT</th>
<th>ACTIVITY</th>
<th>PROCUREMENT METHOD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Below $10,000 *</td>
<td>Micro - purchases 2 CFR 200.320(a) Single Transaction aggregate cost less than $10,000</td>
<td>Sound Business Practice *</td>
</tr>
<tr>
<td>$10,001 - $249,999</td>
<td>Small purchase procedures 2 CFR 200.320(b)</td>
<td>Quotation using SFA Internal Procurement Procedures</td>
</tr>
</tbody>
</table>
Note: The Federal Funds Procurement Method Selection Chart is subject to change in accordance with the schedule set forth in N.J.S.A. 18A:18A-3 “Public School Contracts Law”. A “Qualified Purchasing Agent” must be qualified in accordance with N.J.S.A. 40A:11-9. In order to track updates to this Chart, the source document can be located on the New Jersey Department of Agriculture’s website under “Forms and Publications” it is titled, “State Agency Form #358.”

FORMAL PROCUREMENT

| $250,000 and above | As per Federal requirements in 2 CFR Parts 200.317 - 200.326 | Bid - Invitation for Bid (IFB) OR Request for Proposal (RFP) |

Adopted: 03 October 2018
Revised: 03 April 2019
Revised: 09 December 2020
POLICY

VINELAND
BOARD OF EDUCATION
OPERATIONS
8600 / Page 1 of 2
Pupil Transportation

POLICY 8600 TRANSPORTATION

The Board of Education shall transport eligible pupils to and from school and school related activities in accordance with N.J.S.A. 18A:39-1 et seq., N.J.A.C. 6A:27-1 et seq. and Board policy. Transportation shall be provided only to eligible public and nonpublic (and charter, if applicable) school pupils, authorized school staff members, and adults serving as approved chaperones.

The Board will provide transportation to and from school for public school pupils in grades Kindergarten through five who live more than one half mile from the school they attend; grades six through eight who live more than one and one half miles from the school they attend; grades nine through twelve who live more than two and one half miles from the school they attend.

This policy will be reviewed on an annual basis; among the factors to be considered shall be the availability of funding to permit the continuation of busing as provided in this policy.

The Board will transport pupils certified by a physician as temporarily disabled regardless of the distance between their home and school.


The Board will consider the provision of transportation to those pupils not otherwise provided transportation by this policy when the Board determines walking conditions to be hazardous.

The Board will not be responsible for the transportation of nonresident pupils to or from school, except that transportation to and from school will be provided for homeless children for whom the district is determined to be the district of residence and for homeless children enrolled in this district when no district of residence has been determined.

The Board will transport resident children who attend a nonpublic or charter school in the State of New Jersey not more than twenty miles from their residence, but not a lesser distance from their residence than that required for the transportation of pupils enrolled in the schools of this district. Pursuant to N.J.A.C. 6A:27-2.2, pupils living more than twenty miles from their nonpublic school are eligible for transportation services when other pupils living within the district, whose residence is less than twenty miles from school, are transported to the same nonpublic school.

The Coordinator of Pupil Transportation shall:

1. Prepare and promulgate procedures to be followed in the event of a bus emergency and rules governing the conduct of all pupils transported by the Board;

2. Maintain such records and make such reports regarding school transportation as are required by the State Board of Education; and

3. Prepare the specifications for each bus route or contract for which proposals will be sought by the Board.

Vehicles used to transport pupils to and from school or school related activities shall meet standards, registration and inspection requirements of the New Jersey Departments of Education and Transportation. The operation and fiscal
management of the district’s transportation system shall be conducted in strict accordance with rules of the State Board of Education and the Department of Education Policy and Procedures Manual for Pupil Transportation.

N.J.S.A. 27:15-16
N.J.S.A. 39:3B-1 et seq.

Adopted: 09 June 2010
REVISED: 14 August 2013
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 Rosemary Clarke.

The New Jersey Supreme Court, in Jerkins, indicated dangers exist for younger pupils 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 pupils after dismissal. The supervision provisions of Policy Guide 8601 are applicable to parents or legal guardians of pupils attending district-operated schools or programs in grades Pre-School to five 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 Pre-School to five, 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 in accordance with instructions on the Form.

The Form shall be made available in the Main office of the school building or the location of the program and 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 pupils 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 pupils are dismissed from school at the end of the school day.

Each 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 pupils 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 the parent(s) or legal guardian(s) or designated escort does not arrive to pick up their child(ren) after the dismissal time of school, the Principal or designee will attempt to contact the parent(s) or legal guardian(s) using the district’s emergency call procedures.

The pupil(s) shall be supervised by school staff in the designated area of the building and will only be released when the parent(s) or legal guardian(s) or designated escort arrives to pick up the pupil and signs the pupil out of school.

In order to ensure the safety of other pupils 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 pupils 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 each Principal or program administrator after considering the unique circumstances at the school building and the building’s typical dismissal protocol.

In the event of an emergency such that, when an unforeseen event prevents a parent or legal guardian or designated escort from arriving for the child(ren) at dismissal within the time period designated by the Principal or program administrator, the pupil will be relocated to the Main Office in the school building and will remain in the Main Office supervised by the Main Office staff until the parent(s) or legal guardian(s) or designated escort arrives and signs the pupil out of school.
The school will provide parent(s) or legal guardian(s) information regarding any supervised after-school services, if any, that may be available to pupils 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: 09 June 2010
Vineland Public Schools

REQUEST FOR SUPERVISION AT DISMISSAL FROM SCHOOL
FOR PUPILS IN GRADES PRE-K – 5

School Name:________________________

Parent/Legal Guardian Name __________________________________________________________

Phone#: (H)____________________(W)____________________(Cell)____________________

Child’s Name__________________________ Teacher’s Name _________________________

Child’s Name__________________________ Teacher’s Name _________________________

Child’s Name__________________________ Teacher’s Name _________________________

Please select one option below which will remain in effect for the entire school year and
will apply to all school dismissal situations (i.e. regular, early and emergency dismissals
as well as dismissal from all after school activities, clubs and sports). Any changes to this
form must be made in writing to the school.

Please check one option:

Option #1 - (This option is only for students who are eligible for transportation.)

_____ My child is eligible for district provided transportation and is not permitted to walk
home from school. (If Option #1 is selected, just sign, date and return the form to the
school.)

Option #2 -

_____ My child will either be driven home by an adult or has my permission to walk home at
dismissal which includes any emergency school closing days, early school closings, as well as
dismissal from all after school activities, clubs and sports. (If Option #2 is selected, just sign,
date and return the form to the school.)

Option #3-

_____ I am requesting my child listed above not be permitted to walk home from school at
dismissal unless accompanied by a parent or designated escort. (If Option #3 is selected,
please complete the other side of this form then sign, date and return the form to the
school.)
Vineland Public Schools

REQUEST FOR SUPERVISION AT DISMISSAL FROM SCHOOL
FOR PUPILS IN GRADES PRE-K – 5

Option #3 (continued)

The following persons are designated to pick-up my child after school dismissal in accordance with the terms of Board Policy #8601.

Parent/Legal Guardian: ____________________________________________

Escorts: ___________________________________ Phone# (H) __________ (C) __________

Escorts: ___________________________________ Phone# (H) __________ (C) __________

Escorts: ___________________________________ Phone# (H) __________ (C) __________

Escorts: ___________________________________ Phone# (H) __________ (C) __________

Furthermore, I understand my obligations in authorizing the school to maintain supervision of my child after school dismissal including but not limited to:

- I and/or my designated escort may not be able to enter the school building until a time designated by the Principal or program administrator, which may be after other children are dismissed from school.
- I and/or my designated escort will enter the school building and go directly to the location in the building the Principal or program administrator designates to pick-up my child.
- My designated escort or I will leave the school building promptly upon picking-up the child.
- I understand this request shall be for every school day, including half-session and early closing days due to emergencies, and shall apply for a duration period of the entire school year.
- I acknowledge a parent or designated escort is provided permission to enter the school building for the purpose to pick-up their child. My designated escort or I agree to pick-up my child in accordance with the timelines established by the Principal or program administrator or the parent may be subject to after-school program fees.
- Further, I understand that the Vineland School District will not honor phone calls to change my child’s dismissal procedure as we have no verification of with who we are speaking. Changes must be provided in writing at least a day in advance of any change being enacted.

Parent/guardian Signature: __________________________________________ Date: ____________________

Please return the completed/signed form to your child’s school as soon as possible.
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:39-17, 18, 19.1, and 20 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.

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 Department of Education 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. 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.

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.

N.J.S.A. 39:3B-25

Adopted: 09 June 2010
Revised: 12 January 2011
Revised: 13 May 2015
Revised: 24 August 2016
Revised: 14 March 2018
8635 PUPIL TRANSPORTATION VEHICLES AND SCHOOL BUSES

All pupil transportation vehicles and school buses will be scheduled to maximize their use while ensuring all routes are scheduled in a safe manner for drivers and passengers.

Pupil transportation vehicles and school buses will have time periods during the day between scheduled bus routes when they are not in use. These time periods may vary from route to route and vehicle to vehicle depending on issues such as a school's opening and ending times and the location of pupils transported to and from the school. Based on scheduling issues and the amount of time between transportation routes, the school bus driver will be required to return the school vehicle/bus to the school district transportation facility during the school day, if the school bus driver resides outside the city limits of Vineland. In the event the schedule does not provide adequate time or it is not practical for the vehicle/bus to be returned to the school district's transportation facility between routes during the school day, the school bus driver may be required to park the vehicle/bus at another school building or location in the school district designated by the Coordinator of Pupil Transportation.

The safety and security of the transportation staff and the school vehicle/bus will be the most important consideration.

Adopted: 09 June 2010
POLICY 8651  COMMUNITY USE OF TRANSPORTATION

In accordance with the statutes of the State of New Jersey and the regulations of the New Jersey Department of Education, the Vineland Board of Education will permit use of school buses owned or leased by this district for the purpose of transporting senior citizens' groups to and from events within the district or any contiguous district, for transporting handicapped citizens in any district, and for transporting children and adults participating in a recreation or other program operated by the City of Vineland. Such events shall include but not be limited to civic, social, cultural, educational, recreational, nutritional, and health programs and activities. The transportation of children and adults participating in a recreation or other program operated by the City of Vineland may be beyond this district or any contiguous district.

"Contiguous district" means a district adjoining the City of Vineland. "Group" means ten or more persons. "Senior citizens" means those citizens of the State of New Jersey who are sixty years of age or older. For purposes of this policy, spouses of senior citizens may be less than sixty years of age and still may be transported with his or her spouse.

The transportation of community members under this policy shall be limited to those hours and days when vehicles are not required for the transportation of pupils of this district. No vehicle will be supplied for the purposes of attendance to political activities. The Board reserves the right to refuse or cancel any community transportation in the interest of the educational program or the efficient operation of the district.

The vehicles must be operated by the holder of a valid New Jersey bus driver's license who is employed by this Board. School bus warning lamps shall not be used when transporting community members. School buses shall load and unload off the public roadway so as not to interfere with traffic.

The cost of community transportation shall be reimbursed to the Board in the amount of the actual cost of fuel and oil, driver's salary, insurance, maintenance, depreciation, and administrative overhead, to be calculated by the School Business Administrator/Board Secretary.
A request for community transportation must be submitted to the School Business Administrator/Board Secretary no less than thirty (30) days prior to a Vineland Board of Education meeting so that the Board may pass upon the request. Approval of the request by the Vineland Board of Education must be given prior to the event.

The Superintendent of Schools is hereby authorized and directed to adopt administrative guidelines and regulations, to include without limitation, the development of an application form, provision for the posting of a deposit by the applicant, and provision for the payment of any balance due the Board or refund due the applicant.

N.J.S.A. 39:3B-5.4
N.J.A.C. 6A:27-7.8 et seq.

Adopted: 09 June 2010
REVIS ED: 14 Oct 2015
8660 TRANSPORTATION BY PRIVATE VEHICLE

The Board of Education authorizes the transportation by private vehicle of pupils 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 Building Principal and/or immediate supervisor. The writing must set forth the date, time, and reason for the transportation; the places from and to which pupils will be transported; the name and address of the driver; the names of the pupils 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 pupils 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 pupils 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 pupils will extend to their transportation of pupils 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 pupils will be reimbursed by the Board at the approved mileage rate and upon presentation of evidence of costs for tolls and parking fees.

Vineland Public School students will not be permitted to utilize the services of ride sharing such as Uber or Lyft.


Adopted: 09 June 2010
Revised: 7 July 2021
8670 TRANSPORTATION OF DISABLED PUPILS

The Board of Education shall provide transportation services for pupils with disabilities as required by law and dictated by the pupil's educational needs and physical welfare. The Board will provide the transportation specified as a related service in the program of special education approved for a disabled pupil. Such transportation will conform to the pupil's Individualized Education Program (IEP) and the transportation requirements described by the Child Study Team or prescribed by the school physician. Transportation to a placement outside this district will conform to the school calendar of the receiving school.

The transportation of a disabled pupil may include such special equipment, transportation aides, and special arrangements for other assistance to and from and in and around the school. When necessary for the pupil's welfare, the case manager will provide the transportation coordinator and driver with specific information about the pupil. For pupils with disabilities below the age of five, safety belts or restraint systems will be used.

The transportation of disabled pupils to special education programs approved by the Board and located outside the state will conform to guidelines established by the New Jersey State Department of Education. Such transportation services will be dictated by the pupil's IEP and approved by the Child Study Team. The individual plan for a disabled pupil's out-of-state transportation will be submitted to the Office of the County Superintendent prior to its implementation. In general, transportation of out-of-state disabled pupils will be by the most economical and expeditious mode consistent with the pupil's special needs and will be limited to travel at the beginning and the ending of the school year.

State aid will be sought for the services provided in accordance with law and this policy. The Board directs that appropriate records be maintained and all relevant documentation be preserved in order that the district be properly reimbursed for the costs of transportation.

N.J.A.C. 6A:14-3.9(a)7; 6A:27-5.1 et seq.

Adopted: 09 June 2010
8690  MONITORING DEVICES ON SCHOOL VEHICLES

The Board of Education recognizes that safe and secure conditions for all pupils transported in school owned or contracted school vehicles is paramount. Pupils transported in a school owned or contracted school vehicle must maintain proper discipline in the vehicle at all times.

To maintain the safe and secure conditions for all pupils transported on school owned or contracted school vehicles, the Board may use devices to monitor and/or observe pupil behavior, teacher and support staff behavior, school bus driver discipline procedures and/or school bus driver driving techniques. The device may be a sound video camera, a voice monitoring device or other appropriate devices. Each school vehicle will have a sign clearly posted in the school vehicle stating that:

“Video And/Or Audio Monitoring Devices Are Used On School Owned And Contracted Vehicles And This Vehicle May Be Monitored At Any Time.”

The recording may be used in pupil and staff discipline matters, driver evaluations or for driver discipline or training. Notice of this policy will be provided to parent(s) or legal guardian(s) and all transportation personnel each year in staff, pupil and/or parent handbooks.

20 USCA 1231g
30 CFR 300.571 Part 99, 300.572, 300.5773

Adopted: 09 June 2010
POLICY 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.A.C.  6A:23A-16.4

Adopted: 09 June 2010
REVISED: 13 April 2011
8810 RELIGIOUS HOLIDAYS

The Board of Education recognizes the acknowledgment of religious holidays in the public school may be a source of community concern. It is a goal of the district educational program to teach mutual understanding and brotherhood and respect for group differences. In pursuing this goal, the educational program may recognize that various religious groups celebrate different holidays with different practices.

In the acknowledgment or observance of any religious holiday, the Superintendent shall ensure the school and/or school officials do not mandate, organize, participate in an official capacity, endorse, persuade, compel, prevent or deny participation in constitutionally protected prayer or religion in violation of the governing principles of the First Amendment of the United States Constitution. Consistent with these principles, the Superintendent shall ensure:

1. No worship or religious service of any kind is sponsored by the school district and conducted during the school day, whether or not conducted by a clergyman;

2. Religious exhibits or displays include only materials that are a necessary or integral part of the curriculum;

3. Any religious music played is selected primarily for its artistic content; and

4. Any acknowledgment of a religious holiday neither advances nor inhibits any particular religious sect or religion consistent with the governing principles of the First Amendment of the United States Constitution.

U.S. Consti., First Amendment
N.J. Consti., Art. 1, ¶4
United States Department of Education - Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools
N.J.S.A. 18A:36-16
N.J.A.C. 6:20-1.3(j)

Adopted: 09 June 2010
POLICY 8820 Opening Exercises/Ceremonies

The Board of Education requires the students in each school in the school district to salute the United States flag and repeat the pledge of allegiance to the flag of the United States in accordance with the provisions of N.J.S.A. 18A:36-3. The pledge of allegiance shall be rendered with the right hand over the heart, except that students who have a conscientious objection against such pledge or salute, or are children of accredited representatives of foreign governments to whom the United States government extends diplomatic immunity, shall not be required to render such salute and pledge or stand during such pledge or salute, but shall be required to show full respect to the flag while the pledge is being given.

The Board of Education authorizes observance of Commodore John Barry Day as required by N.J.S.A. 18A:36-10 through 12 and appropriate exercises for the development of a higher spirit of patriotism on the last day of school preceding Washington's Birthday (also celebrated as President's Day), Decoration of Memorial Day, Columbus Day, and Veterans Day as required by N.J.S.A. 18A:36-13. In accordance with N.J.S.A. 18A:36-13.1, the district may conduct a course of exercises or instruction in accordance with the Core Curriculum Content Standards to observe holidays, including, but not limited to, Martin Luther King Jr.'s Birthday, Lincoln's Birthday, Thanksgiving Day, Arbor Day, and other holidays as determined by the Board of Education.


Adopted: 09 June 2010
Revised: 18 Nov 2015
9100 PUBLIC RELATIONS

The Board of Education directs the implementation of a public relations program to foster the continuing and constructive cooperation of this school district with parent(s) or legal guardian(s), community organizations and institutions, representatives of business and industry, and other members of the community served by the school district.

The Superintendent shall consult with representatives of the community in the development of educational goals for the district, objectives and standards for the educational program, and the family life education curriculum. The Board encourages the involvement of community members in the governance of the district through advisory committees, in accordance with Policy No. 9140.

The Board respects the contributions to community life made by business, industry, labor, charitable organizations, cultural institutions, volunteer associations, and other community groups that enrich the educational potential of the community. The Superintendent shall be alert to opportunities for an educational program expanded and enriched by utilization, both within and without the schools, of a diversity of community resources. A file of community resources shall be maintained in each school building.

The Board directs all district employees to acquaint residents with the work of the schools; to give thoughtful and courteous consideration to all inquiries and suggestions and carefully investigate all complaints; to make parent(s) or legal guardian(s) feel welcome in the school and in the classroom; to cooperate with parent organizations and other groups of residents seeking information or offering assistance to the schools; to treat all pupils with firmness, sensitivity, intelligence, and fairness so as to command their respect and enlist the cooperation of their parent(s) or legal guardian(s); and to work with others in a manner conducive to high morale and meriting the respect of the community.

Adopted: 09 June 2010
9120 PUBLIC RELATIONS PROGRAM

The Board of Education believes all reasonable means should be employed to keep the community served by the school district informed on matters of importance regarding district programs, finances, personnel, policies, and operations.

The Board will determine which of its official actions have sufficient community impact and interest to warrant special release; the Board alone will release to the news media information about those matters of importance. The Board President may release information regarding Board actions of lesser importance as they have been recorded in the minutes of the Board meetings and upon the request of media representatives. The release of all other publications, photographs, and documents depicting the accomplishments of the pupils and staff of the district shall be approved by the Superintendent of Schools or designee.

The school district will not release or publish photographs or release other personal identifying information of an individual district pupil without the prior written permission of the parent(s) or legal guardian(s) or from the adult pupil. Written permission slips for such release from each parent(s) or legal guardian(s) or adult pupil will be obtained by the Principal or designee for the pupils in their school building or by the Program Administrator for pupils in programs where a Principal is not assigned. These written permission forms shall be maintained by the Principal or Program Administrator. Group photographs may be released by the district without permission, but in no event will an individual pupil in a group photograph be identified by name and/or by other personal identifier without written permission from the parent(s) or legal guardian(s) or adult pupil.

The Superintendent of Schools shall direct an information program designed to acquaint residents of the community and the public generally with the achievements and the needs of the schools. As a minimum, information shall be disseminated regarding the district’s educational goals; the district’s guarantee of equal educational opportunity; the district’s programs for basic skills improvement, special education, bilingual education, and English as a second language; and summary reports of the administration of statewide assessment tests. Every effort shall be made to foresee and avoid problems caused by misunderstanding or lack of information.

The public information program may include the publication and distribution of a district newsletter, meetings with parent(s) or legal guardian(s) and interested residents, a presentation and interpretation of the proposed annual budget, periodically distributed calendars and notices of events, the Superintendent’s annual report, and a pupil handbook, as well as the release of news and photographs of school activities for publication. Notices, publications, and other written materials may be prepared in languages other than English when necessary and appropriate for understanding.
The Board of Education adopts the following strategies to minimize the cost of public relations as defined in N.J.A.C. 6A:23A-9.3(c)14 in accordance with N.J.A.C. 6A:23A-5.2.

School district publications shall be produced and distributed in the most cost-efficient manner possible that will enable the school district to inform and educate the target community. The use of expensive materials or production techniques where lower cost methods are available 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 schools and community events, and TV productions that are not part of the instructional program or do not provide information about district or Board operations to the public, that are excessive in nature are prohibited. All activities involving promotional efforts to advance a particular position on school elections or any referenda are prohibited.

Nothing in N.J.A.C. 6A:23A-5.2 and this Policy shall preclude the school district from accepting donations or volunteer services from community members, local private education foundations and local business owners to conduct or assist in public relations services. Examples include, but are not limited to: providing school district flyers, newsletters, or other materials containing school-related information of public concern to local businesses, public meeting places, or other local organizations to display or make available for dissemination; making school district related information of public concern available to local newspapers to publish related articles; and utilizing volunteered services of local community members, district employees, members of parent organizations or local businesses with expertise in related areas such as printing, advertising, publishing, or journalism.
The Board of Education will establish annually prior to budget preparation, a maximum dollar limit for public relation, as defined in N.J.A.C. 6A:23A-9.3(c)14. In the event it becomes necessary to exceed the established maximum dollar limit for public relations, the Superintendent of Schools shall recommend to the Board of Education an increase in the maximum dollar amount for public. Any increase in the maximum dollar amount shall require formal Board action.

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

Adopted: 09 June 2010
9125 SCHOOL DISTRICT CABLE TELEVISION CHANNEL

The Board of Education participates in the operation of a cable television channel in cooperation with the city of Vineland and Cumberland County College through the local cable television provider. The school district’s office of communications produces programs for broadcast on that channel using studios at the district’s high schools and also with mobile broadcast vehicles. The Board shall establish and approve guidelines for programming that is broadcast on the cable television channel. All programs broadcast on the cable television channel shall be limited to those produced by education and governmental entities.

The operations and programming of the channel or its functional equivalent, are subject to all State and Federal regulations affecting the operating of a Government/Education Access Cable Television Channel and/or Access Channel in general if those regulations are applicable. This policy, if found contradictory, shall be amended immediately to conform to any such regulation.

It is the goal of the Board of Education to provide school district developed or other educational programming that is determined to be of interest in the community. Therefore, the channel will broadcast programming that is developed by the school district and/or programming that has been developed for public broadcasting. All programs to be broadcast shall be approved by the Superintendent or his/her designee.

Development of programs requested by the municipality to be broadcast shall be approved by the Superintendent or his/her designee consistent with this Policy. The municipality will be required to pay all costs associated with broadcasting any municipal programming. The municipality shall be required to provide the school district a certificate of insurance naming the school district as additional insured to indemnify and hold harmless the Board of Education for any liability resulting from any programming requested and broadcast on the channel by the municipality. The required levels of insurance shall be determined by the Board of Education.

The channel will not broadcast a program that endorses a candidate for public office, a political party, a public question election issue, and/or a referendum issue. Elected officials will be prohibited from appearing on the channel commencing sixty days prior to the date of an election in which said elected official is a candidate, except in their official capacities.

The school district may air live programming that is determined to be of interest to the community, with the approval of the Superintendent or his/her designee.

All non-school district developed programming to be broadcast on the channel shall only be broadcast with written authorization/permission from the developer or owner of the program. This written authorization/permission shall be provided to the Superintendent or his/her designee.
in advance of the program being aired. The program will not be broadcast if the authorization is not provided at least ten working days prior to the scheduled broadcast date. The school district reserves the right to edit any school district developed programs or block portions of programs from other sources for all programs broadcast on the school district cable television channel. Program providers shall hold the school district harmless from all liability regarding submitted programming.

The district’s Building Principals or his/her designee shall inform all parent(s) or legal guardian(s) of pupils in their school that their child(ren) may appear on the school district cable television station in a school district developed program. A parent(s) or legal guardian(s) may request their child not be included in any program by providing written notice to the Building Principal or his/her designee.

The Superintendent of Schools may place requirements on any programs to be broadcast on district cable television channel, with the approval of the Board of Education.

Adopted: 09 June 2010
9130 PUBLIC COMPLAINTS AND GRIEVANCES

Any person or group having a legitimate interest in the schools of this district may present a request, suggestion, or complaint concerning district personnel, the educational program, instructional or resource materials, or the operations of the district. The Board directs the establishment of procedures for the hearing and settlement of requests and complaints that provide a means for resolving them fairly and impartially, permit appropriate redress, and protect district personnel from unnecessary harassment.

When a Board member is confronted with an issue, he/she will withhold comment, commitment and/or opinion and refer the complaint or inquiry to the Superintendent, who shall review the complaint according to established procedures.

Only in those cases where satisfactory adjustment cannot be made by the Superintendent and the staff shall communications and complaints be referred to the Board for resolution.

Any misunderstandings or disputes between the public and school district staff 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. A complaint about a school program or personnel should be addressed to the Building Principal; a complaint about instructional or resource materials should be addressed to the Superintendent/designee.

The Superintendent shall establish procedures for the hearing of requests and complaints regarding district personnel, the educational program, instructional and resource materials, and the operation of the school district. Procedures will be governed by the following guidelines:

1. The matter will be resolved initially, wherever possible, by informal discussions between or among the interested parties.

2. A matter that cannot be resolved informally may be appealed at successive levels of authority, up to and including the Board of Education.

3. The complaint and its immediate resolution will be reduced to writing at the first and at each successive level of appeal.

4. A reasonable period of time, not to exceed five working days, will be permitted for the filing of an appeal in writing at each successive level. A decision at each level of appeal must be rendered in writing no later than seven working days after the appeal is filed, except that the Board shall have forty-five calendar days to make its decision.
5. In the case of complaints about instructional or resource materials, the initial complaint must set forth in writing the author, title, and publisher of the materials as well as those specific portions of the material or the work to which objection is taken; the complainant's familiarity with the work; the reasons for the objection; and the use of the work in the schools. The Superintendent shall appoint a committee of professional staff members and/or community representatives to review the challenged material against the standards for the selection of resource materials established by Board policy. The committee will report its findings and recommendations to the Board. No challenged material may be removed from the curriculum or from a collection of resource materials except by action of the Board of Education, and no challenged material may be removed solely because it presents ideas that may be unpopular or offensive to some. Any Board action to remove material will be accompanied by the Board's statement of its reasons for the removal.

6. A complainant shall be notified that a decision of the Board may be appealed to the Commissioner of Education.

Adopted: 09 June 2010
9140 CITIZENS ADVISORY COMMITTEES

The success of the school system depends, to a large extent, on open channels of communication between the school community and the community at large. Citizens advisory committees are particularly useful in keeping the Board of Education and the administration informed with regard to community opinion and in representing the community in the study of specific school problems.

The Board may establish advisory committees as standing committees to serve in a liaison function between the local community and the schools, as permanent committees for funded programs as the law requires, and as the need arises.

In creating a new advisory committee, the Board shall appoint members of the community who are able and interested in the subject and concerned about the schools; appoint members who represent a wide range of community interests and backgrounds; appoint a chairperson; and appoint one or more Board members to serve as ex officio members.

In charging a new advisory committee, the Board shall define the committee assignment in writing, set a date for a preliminary and final report, and establish a budget. Expenditures of district funds by advisory committees shall be made only upon the approval of the Superintendent.

Recommendations of an advisory committee shall not reduce the responsibility of the Board, which may accept or reject recommendations in the exercise of its statutory discretion.

Meetings of an advisory committee that are open to or attended by fewer than a majority of the members of the Board are not subject to the Open Public Meetings Act and need not be open to the public, except as expressly permitted by the Board.

N.J.A.C. 6:30-1.5; 6:31-1.14(b)

Adopted: 09 June 2010
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 schools, 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.

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.

Any person who is not a member of the school staff or student body and who loiters on or about any school building or grounds without written permission or who causes disturbances may be guilty of disorderly conduct and may be prosecuted according to law.

The Superintendent shall develop regulations that will protect pupils 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

Adopted: 09 June 2010
9160 PUBLIC ATTENDANCE AT SCHOOL EVENTS

The Board of Education welcomes the attendance of members of the community at athletic and other public events held by the schools of the district 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.

A schedule of fees for all school events shall be prepared by the Superintendent and adopted by the Board. Those possessing a Cumberland County Golden Card or Vineland School District issued card will be admitted to all school athletic events without charge. Residents of the district sixty years of age or older shall be admitted without charge to all school events. District personnel will be admitted without charge to all school events. Proof of age will be required.

The Board will honor athletic passes from all districts that are members of conferences in which teams of this district compete and that honor the passes of this district.

Adopted: 09 June 2010
9180 SCHOOL VOLUNTEERS

The Board of Education recognizes that the services of community 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 directs the institution of a program for the utilization of volunteer services in grades Pre-Kindergarten through twelve.

The Building Principal shall be responsible for the recruitment and screening of volunteers, may delegate the assignment of volunteers to specific tasks and must submit their names for Board approval.

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 pupils.

The Superintendent shall prepare and promulgate rules of conduct for school volunteers. 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 a teaching 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 teaching 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;

7. Volunteers may consult with the Principal regarding their duties and responsibilities;
8. Volunteers shall receive no financial remuneration from the Board.

All Board-approved school volunteers must have a criminal background check and be fingerprinted at their own expense, sign a waiver for workers’ compensation and provide documentation that a Mantoux test has been administered.

The Superintendent shall report periodically to the Board on the number of volunteers serving in the schools of the district, the duties performed by volunteers, and the number of volunteer hours served, by school.


Adopted: 09 June 2010
Policy #9181  VOLUNTEER ATHLETIC COACHES

The Board of Education recognizes the services of volunteer coaches bring unique skills to the district, enrich the athletic program, assist district's coaching staff members in the performance of their duties, and enhance the relationship between the school district and the community. The Board directs a program for the utilization of volunteer athletic coaches in grades six through twelve.

The Building Principal will be responsible for the recruitment and screening of volunteer coaches and their assignment. The district is not obligated to utilize the services of a volunteer coach whose abilities or interests do not serve the needs of the school district as determined by the Superintendent. The volunteer must be recommended by the Superintendent and approved by the Board of Education prior to assuming any coaching responsibilities.

The Supervisor of Health, Physical Education, Athletics, Student Activities and Intramurals will prepare and promulgate rules of conduct for volunteer athletic coaches. Each volunteer athletic coach will be given a copy of this policy and the rules of conduct.

Requirements for Volunteer Athletic Coaches:

1. Volunteer athletic coaches may serve only under the direction and immediate supervision of a head and/or assistant coach employed by the Board;

2. Volunteer athletic coaches must clearly understand their duties and responsibilities and perform no services outside those duties;

3. Volunteer athletic coaches serve only in a support capacity unless they are employed by the Board of Education and only head or assistant coaches employed by the Board are responsible for the supervision and instruction provided to pupils participating in the athletic program;

4. Volunteer athletic coaches shall respect the individuality, dignity and worth of each pupil;

5. Volunteer athletic coaches are not permitted access to pupil records;
6. Volunteer athletic coaches must exercise discretion in disclosing any confidential pupil matters the coach becomes aware of as a result of their volunteer responsibilities;

7. Volunteer athletic coaches must consult with the Supervisor of Health, Physical Education, Athletics, Student Activities and Intramurals regarding any matters or questions regarding their duties and responsibilities;

8. Volunteers shall receive no financial remuneration;

9. The Volunteer coach will be required to attend a workshop conducted by the school nurse in First Aid if they do not possess First Aid and CPR/AED certification.

10. Volunteer athletic coaches, may be immediately relieved of their volunteer responsibilities, with or without cause, by the Superintendent with such action to be recommended to the Board by the Superintendent at the next Board Meeting following relief of duties.

All school volunteers must have an approved criminal background check and fingerprinted at volunteer’s expense.


Adopted: 09 June 2010
REvised: 18 May 2011
9190 COMMUNITY ORGANIZATIONS

The Board of Education respects the contributions to community life made by business, industry, labor, charitable organizations, cultural institutions, volunteer associations and other community groups that enrich the educational potential of the community.

The Board directs the Superintendent to be alert to the opportunities for an educational program expanded and enriched by utilization, both within and without the school district, of a diversity of community resources.

The Superintendent shall direct each Building Principal to establish and maintain a file of community resources and invite the appropriate participation of community organizations and resource persons in the instructional program. The Superintendent shall determine those schools, instructional programs, and/or district operations that would profit by the involvement of community resources.

Adopted: 09 June 2010
9191  BOOSTER CLUBS

The Board of Education recognizes that the support offered by booster clubs can benefit the school district. Because the activities of booster clubs also reflect on the district, the Board establishes guidelines for the operation of booster clubs in order to ensure that their activities assist in the attainment of district goals and objectives.

A booster club that is organized for the purpose of endorsing and supporting a school sponsored activity shall:

1. Be incorporated as a nonprofit organization;
2. Enter into a contract with this Board for the conduct of intended activities;
3. Obtain liability insurance indemnifying the Board against all suits arising from the conduct of club activities;
4. Account to the Board for all funds raised through the conduct of school related activities;
5. Utilize all funds raised through the conduct of school related activities for the benefit of school programs;
6. Certify adherence to the policies of the school district;
7. Request permission of the Board before taking any group of pupils on a trip; and
8. Obtain the approval of the Superintendent before raising funds in the name of the district.

Nothing in this policy shall be construed as the Board's assumption of responsibility for any activity conducted by a booster club.

Adopted: 09 June 2010
9200  COOPERATION BETWEEN PARENTS AND SCHOOL

The Board of Education believes that the education of children is a joint responsibility that the Board shares with the parent(s) or legal guardian(s) of pupils. To ensure that the best interests of the child are served in this process, a strong program of communication between home and school must be maintained.

It is the position of the Board that parent(s) or legal guardian(s) bear the ultimate responsibility for their children's in-school behavior, including the behavior of pupils who have reached the legal age of majority, but are still for all practical purposes under parental authority.

The Board directs that cooperation be encouraged by parent-teacher conferences that permit two-way communication between home and school; open houses in district schools that provide parent(s) or legal guardian(s) with the opportunity to see the school facilities, meet the faculty, and observe the program on a first hand basis; meetings of staff members and groups of the parent(s) or legal guardian(s) of those pupils having special abilities, needs, or problems; and special events of a cultural, ethnic, or topical nature, which are initiated by parent groups, involve the cooperative effort of pupils and parent(s) or legal guardian(s), and are of general interest to the schools or community.

Adopted: 09 June 2010
9210 PARENT ORGANIZATIONS

The Board of Education will encourage and support organizations of parent(s) or legal guardian(s) whose objectives are to promote the educational interests of district pupils.

No parent organization may organize pupils or sponsor school activities or solicit moneys in the name of this school district or of any school in the district without the prior approval of the Board. Such approval must be sought by written application to the Superintendent.

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.

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 whose actions are inimical to the interests of the pupils of this district.

Adopted: 09 June 2010
9230 PARENTAL RESPONSIBILITIES

The Board of Education believes that children benefit when parent(s) or legal guardian(s) recognize and discharge a responsibility to encourage and support the learning process.

Parent(s) or legal guardian(s) can help children learn by:

1. Requiring that children obey all school rules and by accepting responsibility for a child's improper conduct;

2. Sending children to school with proper attention to health, personal cleanliness, and dress;

3. Maintaining an active interest in each child's daily work and making it possible for the child to complete assigned homework by providing a quiet place and suitable conditions for study;

4. Reading communications from the school and signing and returning them promptly when so requested;

5. Attending conferences arranged for the exchange of information on the child's progress in school; and

6. Scheduling family matters to minimize interference with school time.

Adopted: 09 June 2010
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.A.C. 6A:14-1.3; 6A:14-2.9; 6A:32-7.1; 6A:32-7.5

Adopted: 09 June 2010
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: 14 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 pupils and that the knowledge that they are vicariously liable for the acts of their children and wards will encourage parent(s) or legal guardian(s) to exercise that responsibility more vigorously.

Where any property, real or personal, owned by this Board has been willfully and maliciously damaged by any minor, whether or not the person is enrolled in this district, the Board shall bring civil action against the parent(s) or legal guardian(s) having legal custody and control of the person at the time the damage was caused, for the full amount of the damage.


Adopted: 09 June 2010
POLICY 9270 Home Schooling and Equivalent Education Outside the School (Mandated Changes)

The Board of Education encourages the enrollment of all children of school age resident in the district in public schools or in approved private schools so that they may enjoy the benefits of a well-planned educational program and the socialization possible in a group environment.

Every parent, legal guardian or other person having custody and control of a child between the ages of six and sixteen years shall cause such child regularly to attend the public school or a day school in which there is given instruction equivalent to that provided in the public schools for children of similar grades and attainments or to receive equivalent instruction elsewhere than at school. The Board recognizes its responsibility for assuring that every child of school age resident in the district is enrolled in a public or private school or is offered an equivalent thorough and efficient education elsewhere than at school. The Board acknowledges that 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. 18A: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 student, 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 pupils enrolled in the school district unless an entitlement or 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.
POLICY

VINELAND BOARD OF EDUCATION

U.S.C.A. 1401 et seq.
New Jersey Department of Education - Frequently Asked Questions:
  Home Schooling

Approved: 09 June 2010
REVISED: 18 July 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 pupils and the educational program in a constructive setting.

The Superintendent is directed to schedule parent-teacher conferences at such times as will permit the maximum attendance of parent(s) or legal guardian(s), including working parent(s) or legal guardian(s); to encourage the participation of parent(s) or legal guardian(s); and to provide in-service training to teachers to assist them in making most effective use of the conference.

The Board believes that the information exchanged in parent-teacher conferences can be of great importance to the pupil's ability to profit educationally; such conferences are, therefore, an essential part of the instructional program and an integral part of a teacher's professional responsibility. Accordingly, all teachers are required to attend the parent conferences scheduled for the children assigned to them. A teacher's failure to observe this policy may be cause for discipline.

The Board regards parent-teacher conferences as non-adversarial meetings in which all persons present are united in a common interest in the educational well-being of the pupil. The parent(s) or legal guardian(s) of the pupil may bring to the conference additional persons who share that interest and wish to aid the parent(s) or legal guardian(s) and the teacher. When a parent(s) or legal guardian(s) desires the representation of legal counsel at the conference, however, the Board may wish to be similarly represented. Accordingly, the parent(s) or legal guardian(s) who plans to bring legal counsel to a parent-teacher conference shall notify the school Principal of that intention no later than two working days in advance of the conference in order that the Superintendent may secure such legal representation as he/she may deem advisable.

The purposes of the parent-teacher conference are best served when all persons present share freely and candidly their knowledge of the pupil's educational progress and information relating to that progress. Any person present may make and preserve notes, for his/her benefit, of the information shared and may, if permitted, 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: 09 June 2010
9320 COOPERATION WITH LAW ENFORCEMENT AGENCIES

The Board of Education acknowledges the law compelling school attendance vests in the Board a custodial responsibility for the children in its charge and a duty to protect those children from persons not associated with the school district.

The Board further recognizes that its interest in helping children understand and respect the law is best served by a close and cooperative relationship with local law enforcement. The Board adopts Policy and Regulation 9320 in accordance with N.J.A.C. 6A:16-6.1 et seq. to ensure cooperation between school staff and law enforcement officials in all matters relating to the unlawful possession, distribution and disposition of controlled dangerous substances, as defined in N.J.S.A. 24:21-2, including anabolic steroids, drug paraphernalia, alcoholic beverages and/or firearms as defined in subsection f. of N.J.S.A. 2C:39-1.1(f); and other deadly weapons as defined in N.J.S.A. 2C:39-1.(r) and in the planning and conduct of law enforcement activities and operations occurring on school property, including arrest procedures and undercover school operations. The Board directs the Superintendent to institute a program of such communication and cooperation.

Policy and Regulation 9320, as adopted by the Board, will be submitted for approval to the County Superintendent of Schools in accordance with N.J.A.C. 6A:16-6.2(a)2.

Policy and Regulation 9320 have been developed and approved by the Board to protect the interests of pupils and serve the legitimate needs of law enforcement in accordance with N.J.A.C. 6A:16-6.1 et seq.

N.J.A.C. 6A:16-6.1 et seq.

Adopted: 09 June 2010
9323 NOTIFICATION OF JUVENILE OFFENDER CASE DISPOSITION

School Principals have a need to receive and have access to juvenile justice proceedings involving juveniles who are registered pupils in the school building. The school Principal shall have access to information relating to juvenile justice proceedings in accordance with N.J.S.A. 2A:4A-60.

The school Principal may request from law enforcement agencies at the time of charge, adjudication or disposition, information as to the identity of a juvenile pupil charged, the adjudication and the disposition. The school Principal may inform school staff members of this information if the Principal deems it appropriate for maintaining order, safety or discipline in the school or for planning programs relevant to the juvenile’s educational and social development. This information will not become part of the juvenile pupil’s permanent school record and shall not be maintained except as authorized by regulation of the Department of Education.

A law enforcement or prosecuting agency shall at the time of charge, adjudication or disposition, advise the school Principal of the school where the juvenile is enrolled, of the identity of the juvenile charged, the offense charged, the adjudication and the disposition if:

1. The offense occurred on school property or a school bus, occurred at a school-sponsored function or was committed against an employee or official of the school; or

2. The juvenile was taken into custody as a result of information or evidence provided by school officials; or

3. An offense, if committed by an adult, would constitute a crime and the offense:
   a. Resulted in death or serious bodily injury or involved an attempt or conspiracy to cause death or serious bodily injury; or
   b. Involved the unlawful use or possession of a firearm or other weapon; or
   c. Involved the unlawful manufacture, distribution or possession with intent to distribute a controlled dangerous substance or controlled substance analog; or
d. Was committed by a juvenile who acted with a purpose to intimidate an individual or group of individuals because of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability; or

e. Would be a crime of the first or second degree.

Information provided in accordance with the section above shall be treated as confidential. The school Principal may inform school staff members of this information if the Principal deems it appropriate for maintaining order, safety or discipline in the school or to planning programs relevant to the juvenile’s educational and social development. This information will not become part of the juvenile pupil’s permanent school record and shall not be maintained except as authorized by regulation of the Department of Education.

Law enforcement or the prosecuting agency may provide the school Principal with information identifying one or more juveniles who are under investigation or who have been taken into custody for the commission of any act that would constitute an offense if committed by an adult when the law enforcement or prosecuting agency determines that the information may be useful to the Principal in maintaining order, safety, or discipline in the school or in planning programs relevant to the juvenile’s educational and social development. Information provided in accordance with the section above shall be treated as confidential, but the school Principal may inform school staff members of this information if the Principal deems it appropriate for maintaining order, safety or discipline in the school or for planning programs relevant to the juvenile’s educational and social development. No information provided in accordance with this paragraph shall be maintained.

The Principal who requests and/or receives information as specified in this policy shall notify the Superintendent or designee within twenty-four hours.

The school district shall comply with the Department of Education rules and regulations concerning the creation, maintenance and disclosure of pupil records regarding school Principal notification of juvenile offender case disposition and this policy.

P.L.1982, c.79
R.S.53:1-15
P.L.1985, c.69

Adopted: 09 June 2010
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 Vineland 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 Building Principal of each school notified by the Prosecutor’s Office will have the discretion to make the determination as to which employees within the school should be informed of the notification. The Building Principal should share the notice with any person who in the course of the duties of his/her employment or assignment is regularly in a position to observe unauthorized persons in or near the property of the notified school. If any persons to be notified by the Building Principal are employees of private contractors, the Principal or the Superintendent will notify the private vendor who will provide notice to the employees. The Principal shall only notify 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: 09 June 2010
9400 NEWS MEDIA RELATIONS

Representatives of the local newspapers and radio and television stations are an important link in the communications chain between the school district and the community it serves. The maintenance of a good working relationship with members of the media is essential to meeting the objectives of the district's school and community relations program.

The Board of Education must give formal approval to all basic practices governing relations between news media and the district and reserves the right to negotiate, on terms most favorable to the district, for the radio broadcasting, televising, filming, or sound recording of any school event by an outside agency.

The Communications Coordinator shall be the chief communications representative of the Board. He/she shall be readily available to media representatives, provide media representatives with all appropriate and necessary information, suggest or supply feature articles or stories, prepare "press kits," assist school and parent organizations with press relations, meet periodically with media representatives, and protect school personnel from any unnecessary demands on their time by news media representatives.

The Communications Coordinator must approve in advance interviews between staff members or pupils and media representatives and authorize the release of photographs, video or digital images of district subjects, personnel, or pupils. Photographs, video or digital images of disabled children shall not be disseminated or used in print or media in any way if they are identified as disabled unless permission is granted by the parent(s) or legal guardian(s). Photographs, video or digital images of children placed in the district by DYFS shall not be published without the permission of the Division case worker. Where the release of a photograph may violate the privacy of a pupil or staff member, the Communications Coordinator must first secure the written permission of the staff member or the pupil's parent(s) or legal guardian(s).

Adopted: 09 June 2010
Policy 9541  **STUDENT TEACHERS/STUDENT INTERNS**

The Board of Education encourages cooperation with colleges and universities in the education of teachers and other educational professionals, because the public school offers an experience essential to their training and interaction with students, teachers, and parents in our schools. Accordingly, the schools of this district will accept students from accredited institutions of higher learning as student teachers and/or student interns.

The Board, upon the recommendation of the Superintendent, shall approve all affiliation agreements with universities and colleges.

Student teachers/interns shall be assigned by the Superintendent/designee. The Superintendent/designee shall assign student teachers/student interns throughout the district in a manner that assures that no single school will be subject to an inordinate number of student teachers or interns.

Student teachers/student interns shall comply with the health examination requirements and criminal background checks under rules of the State Board of Education and that are required for all staff members by this Board.

Student teachers and interns shall at all times be subject to the policies of this Board. Student teachers and interns serving in the schools of this district shall be responsible to the Principal for their conduct. Student teachers will also be responsible 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, other professional training and educational research projects. Such students will be treated as visitors and will be under the direct supervision of the Principal.

N.J.A.C. 6A:9-6.5; 6A:9-10.2; 6A:9-10.3; 6A:9-10.4

Adopted: 09 June 2010

**REVISED: 06 July 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 pupils enrolled in the schools of this district.

All educational research by persons other than district employees must be approved in advance by the Board. A written application for approval must state the purpose of the research, the specific ways in which pupils will be involved, the estimated duration of the project, the persons who will conduct the research project and their relevant affiliations, and any possible benefits to pupils or to the school district. Approval will be granted only to those projects that will serve the interests of pupils and the educational program; approval will not be granted to projects that will impede or significantly disrupt the instructional program approved by the Board.

Parent(s) or legal guardian(s) will be informed of any educational research project that involves their children and may request the removal of their children from the project.

The conduct of research activities must rigorously protect pupils' privacy. Approved researchers may be given access to pupil records in accordance with rules of the State Board of Education and Board Policy No. 8330, but shall not abuse this privilege by using information in any way that may embarrass or harm individual pupils or their families. The Board must be satisfied that strict standards of anonymity and confidentiality will be observed.

N.J.A.C. 6A:32-7.5

Adopted: 09 June 2010
9560 ADMINISTRATION OF SCHOOL SURVEYS

The Protection of Pupil Rights Amendment (PPRA) requires written consent for certain pupil surveys, analysis and/or evaluations funded in whole or in part by a program of the United States Department of Education. The district will comply with the PPRA consent requirements and Policy 2415.05 for certain pupil surveys, analysis, and/or evaluations.

The district will also comply with the requirements of 34 CFR Part 98 – Student Rights in Research, Experimental Programs and Testing for certain programs administered by the Secretary of the United States Department of Education:

1. Instructional material used in connection with any research or experimentation program and project shall be made available for inspection by parents/legal guardians of pupils engaged in such program or project in accordance with the requirements of 34 CFR Part 98.3.

2. Prior written parental/legal guardian consent is required for any surveys, analysis, and/or evaluations that involve psychiatric or psychological examination, testing, or treatment; if the primary purpose is to reveal information as specified in 34 CFR Part 98.4(a)(1).
   a. 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.
   b. 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.

However, academic and nonacademic surveys, assessments, analyses, and/or evaluations may be administered to pupils for programs or activities that are not funded in whole or in part by a program of the United States Department of Education and/or programs not administered by the Secretary of the United States Department of Education as defined in 34 CFR Part 98.1. In accordance with N.J.S.A. 18A:36-34, the district shall receive prior written informed consent from a pupil’s parent or legal guardian before administering these academic and nonacademic surveys, assessments, analyses, and/or evaluations that reveal information concerning:

1. Political affiliations;
2. Mental or psychological problems potentially embarrassing to the pupil or the pupil’s family;
3. Sexual behavior and attitudes;
4. Illegal, anti-social, self-incriminating or demeaning behavior;
5. Critical appraisals of other individuals with whom a respondent has a close family relationship;
6. Legally recognized privileged or analogous relationships, such as lawyers, physicians, and ministers;
7. Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under a program;
8. Social security number; or
9. Religious practices, affiliations, or beliefs of the pupil or parent(s) or legal guardian(s).

When administering an academic and/or nonacademic survey, assessment, analysis, and/or evaluation that concern the issues listed in 1. through 9. above, the central office administration shall request written informed consent at least two weeks prior to the administration of the survey. The request for consent shall provide the parent/legal guardian the opportunity to view a copy of the document at a convenient location and time. The pupil shall not participate in the administration of the academic and/or nonacademic surveys, assessments, analyses, and/or evaluations if the requested written informed consent is not obtained.

N.J.S.A. 18A:36-34
34 CFR Part 98

Adopted: 09 June 2010
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 pupils. 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 pupils; make unreasonable demands upon the time and energies of staff and pupils or upon the resources of the district; interrupt or interfere with the regular school program; or involve a direct cost to the district.

The approval of the use of any material or the conduct of any activity offered by an 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 schools. 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 pupils in the school district for any organization outside the school district.

However, distribution of literature to or through pupils in the school district must be approved by the Superintendent of Schools or designee if the organization requesting the distribution of literature or a community, non-profit organization and the information is determined by the Superintendent or designee to be of special interest to school district pupils 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 pupils of this district in school buildings 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 pupils provided that information regarding pupils 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.

United States Department of Education - Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools

Adopted: 09 June 2010
[See POLICY ALERT Nos. 163 and 222]

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 student 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.

Elementary and Secondary Education Act of 1965 – §8528

Adopted: 09 June 2010
Revised: 14 April 2021
9720 SOLICITATIONS BY VENDORS

The Board of Education will permit vendors to solicit pupils and parent(s) or legal guardian(s) for the sale of goods and services through the schools of this district, 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 pupils, 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: 09 June 2010