

## ADOPTION RESOLUTION

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RESOLVED, that the bylaws and policies printed and codified in the comprehensive document entitled "Bylaws and Policies of the Monmouth County Vocational School District are hereby adopted and that all bylaws and policies heretofore adopted by the Monmouth County Vocational School District and inconsistent with the bylaws and policies hereby adopted are hereby rescinded, and be it further

RESOLVED, that in the event any policy, part of a policy or section of the bylaws is judged to be inconsistent with law or inoperative by a court of competent jurisdiction or is invalidated by a policy or contract duly adopted by this Board, the remaining bylaws, policies, and parts of policies shall remain in full effect.

Adopted by the Monmouth County Vocational School District in the County of Monmouth at a public meeting held at Freehold, New Jersey on the 16<sup>th</sup> day of September, 2008.

## INTRODUCTION

### Definitions

The following terms used in these bylaws, policies and regulations shall have the meanings set forth below unless the context requires a different meaning or a different definition is supplied:

“Board” means the Board of Education of Monmouth County Vocational School District.

“Bylaw” means a rule of the Board for its own operation.

“Chief School Administrator” means the Chief Executive Officer of this school district, whose title in this district is Superintendent.

“Commissioner” means the New Jersey State Commissioner of Education.

“Executive County Superintendent” means the Executive County Superintendent of Schools for Monmouth County.

“Day” means a calendar day.

“Full Board” means the authorized number of voting members of the Board of Education.

“Meeting” means a gathering that is attended by or open to all of the members of the Board of Education, held with the intent on the part of the Board members present to discuss or act as a unit on the specific public business of the Board of Education.

“Collective Bargaining” or “Negotiated Agreement” means a contract collectively negotiated by the Board of Education and a recognized bargaining unit.

“Parent” means the parent(s) or legal guardian(s) having legal custody and control of a pupil.

“Policy” means a statement, formally adopted by the Board of Education, in which the Board recognizes the mandates and constraints of law, establishes practices and standards binding on staff members and pupils, and gives direction to the Superintendent.

“Principal” and/or “Principal/Director” means the administrator in charge of a school building or facility; except where prohibited by law, “Principal” also means the qualified person duly delegated by the Principal and/or Principal/Director to discharge a particular duty in place of the Principal and/or Principal/Director.

“President” means the President of the Board of Education.

“Professional certified employee” means an employee who holds a position for which a certificate issued by the New Jersey State Board of Examiners is required.

“Pupil” or “Student” means a person enrolled in a school in this district.

“Regulation” means a statement developed and promulgated by the Superintendent that details the specific operations by which Board policy or a legal mandate is implemented.

“Secretary” means the Secretary of the Board of Education.

“Superintendent” means the Chief School Administrator of this school district; except where prohibited by law, “Superintendent or designee” also means the qualified person duly delegated by the Superintendent to discharge a particular duty in place of the Superintendent.

“Support staff member” means an employee who holds a position for which no certificate issued by the New Jersey State Board of Examiners is required.

“Teaching staff member” means an employee who holds a position for which a certificate issued by the New Jersey State Board of Examiners is required.

“Treasurer” means the Treasurer of School Moneys for this school district.

#### Construction

The following rules of construction apply to these bylaws, policies and regulations:

1. Wherever possible, language shall be given its clear and ordinary interpretation;
2. Language shall be construed to have a meaning that complies with law;
3. In the event bylaws, policies and regulations conflict with one another, the later adopted bylaw, policy or regulation shall take precedence over the earlier, and the more specific bylaw, policy or regulation shall take precedence over the more general;
4. Except as otherwise provided by the context, the auxiliary verbs “shall,” “will,” and “must” indicate a mandated action, and the auxiliary verb “may” indicates an action that is permitted but is not mandated.

## Effectuation

Except as may otherwise be expressly provided, a bylaw, policy or regulation will become effective on the date it is adopted and a revised bylaw, policy or regulation will become effective on the date it is revised.

## Citations

Bylaws, policies and regulations may contain citations to the following codifications of state and federal laws and regulations:

1. United States Statutes  
20 U.S.C.A. Education
2. United States Regulations  
34 C.F.R. Education
3. New Jersey Statutes
  - N.J.S.A. 2C Code of Criminal Justice
  - N.J.S.A. 9 Children-Juvenile and Domestic Relations
  - N.J.S.A. 10 Civil Rights
  - N.J.S.A. 11 Civil Service
  - N.J.S.A. 17 Corporations and Institutions for Finance and Insurance
  - N.J.S.A. 18A Education
  - N.J.S.A. 19 Elections
  - N.J.S.A. 24 Food and Drug
  - N.J.S.A. 26 Health and Vital Statistics
  - N.J.S.A. 27 Highways
  - N.J.S.A. 30 Institutions and Agencies
  - N.J.S.A. 34 Labor and Worker's Compensation
  - N.J.S.A. 36 Legal Holidays
  - N.J.S.A. 39 Motor Vehicles and Traffic Regulation
  - N.J.S.A. 41 Oaths and Affidavits
  - N.J.S.A. 45 Professions and Affidavits
  - N.J.S.A. 47 Public Records
  - N.J.S.A. 52 State Government, Departments, and Officers
  - N.J.S.A. 53 State Police
  - N.J.S.A. 54 Taxation
  - N.J.S.A. 59 Tort Claims

4. New Jersey Administrative Code

|                 |                       |
|-----------------|-----------------------|
| N.J.A.C. 1      | Administrative Law    |
| N.J.A.C. 6 & 6A | Education             |
| N.J.A.C. 8      | Health                |
| N.J.A.C. 10     | Human Services        |
| N.J.A.C. 13     | Law and Public Safety |
| N.J.A.C. 17     | Treasury-General      |

Severability

If any part of this manual is made invalid by judicial decision or legislative or administrative enactment, all other parts shall remain in full effect unless and until they are amended or repealed by the Board of Education or until regulations issued by the Superintendent are amended.

Enactment

The official record of the adoption, issuance, amendment, or repeal of the bylaws, policies and regulations of this district shall be the minutes of meetings of the Board of Education. Such alterations shall be duly entered in this manual; a master copy of the bylaw, policy and regulation manual shall be maintained by the Superintendent's office and shall be the manual to which all others may be compared for accuracy.

0000 BYLAWS

| <u>Number</u> | <u>Title</u>  |
|---------------|---|
| 0110          | Identification  |
| 0120          | Authority and Powers  |
| 0131          | Bylaws and Policies   |
| 0132          | Executive Authority   |
| 0133          | Adjudication of Disputes  |
| 0134          | Board Self Evaluation   |
| 0141          | Board Member Number and Term                                    |
| 0142          | Board Member Qualifications, Prohibited Acts and Code of Ethics |
| 0142.1        | Nepotism  |
| 0144          | Board Member Orientation  |
| 0146          | Board Member Authority  |
| 0147          | Board Member Travel Expenses                                    |
| 0147 A        | Appendix A--Board Member Travel Expenses                        |
| 0148          | Board Member Indemnification                                    |
| 0151          | Organization Meeting  |
| 0152          | Board Officers  |
| 0153          | Annual Appointments   |
| 0154          | Annual Motions and Designations                                 |
| 0155          | Board Committees  |
| 0157          | Board of Education Website                                      |
| 0161          | Call, Adjournment and Cancellation                              |
| 0162          | Notice of Board Meetings  |
| 0163          | Quorum  |
| 0164          | Conduct of Board Meetings                                       |
| 0165          | Voting  |
| 0166          | Executive Sessions  |
| 0167          | Public Participation in Board Meetings                          |
| 0168          | Recording Board Meetings  |
| 0169          | Board Member Use of Electronic Mail/Internet                    |
| 0171          | Duties of President and Vice President                          |
| 0172          | Duties of Treasurer of School Monies                            |
| 0173          | Duties of Public School Accountant                              |
| 0174          | Legal Services  |
| 0175          | Contracts with Independent Consultants                          |
| 0176          | Collective Bargaining and Contract Approval/Ratification        |
| 0177          | Professional Services   |

0110 IDENTIFICATION

Name

The official name of the Board of Education shall be “The Board of Education of the Vocational School in the County of Monmouth.”

Purpose

The Board of Education exists for the purpose of establishing and maintaining a vocational school in the County Vocational School District.

Composition

The Monmouth County Vocational School District is comprised of all the area within the County of Monmouth.

Classification

The school district shall be classified as a vocational district.

Address

The address of the Board of Education shall be:

4000 Kozloski Road  
PO Box 5033  
Freehold, New Jersey 07728-5033

N.J.S.A. 18A:8-1; 18A:9-2; 18A:9-3; 18A:10-2

N.J.S.A. 18A:54-12 et seq.; 18A:54-19

Adopted: 16 September 2008

0120 AUTHORITY AND POWERS

Authority

The Board of Education is constituted, authorized, and governed by the statutes of the State of New Jersey, Title 18A, Education.

Powers

The Board shall make, amend, and repeal rules not inconsistent with statutes or with the rules of the State Board of Education for its own government and the transaction of its business and for the government and management of the public schools and the public property of the school district and for the employment, regulation of, conduct, and discharge of its employees. The Board shall perform all acts and do all things, consistent with law and the rules of the State Board, necessary for the proper conduct, equipment and maintenance of the public schools of the district.

N.J.S.A. 18A:10-1; 18A:11-1; 18A:16-1; 18A:20-1; 18A:27-4  
N.J.S.A. 18A:54-20

Adopted: 16 September 2008



0131 BYLAWS AND POLICIES

The Board of Education shall exercise its rule-making power by adopting bylaws and policies for the organization and operation of the school district.

Adoption, Amendment, and Repeal

Bylaws and policies may be adopted, amended, and repealed at any meeting of the Board, provided the proposed adoption, amendment, or repeal has been proposed and approved at a previous meeting of the Board.

The Board may at its organization meeting and by a majority vote of those present and voting readopt existing bylaws and policies without prior notice.

The Board may, under emergency circumstances, suspend the operation of a bylaw or policy and adopt, amend, or repeal a bylaw or policy without prior notice. The emergency adoption, amendment, or repeal of a bylaw or policy shall terminate at the next meeting of the Board or at such earlier date as may be specified by the Board unless further acted upon by the Board.

The adoption, amendment, repeal, or suspension of a bylaw or policy shall be recorded in the minutes of the Board. Any policy or part of a policy that is superseded by a term in a negotiated agreement or by a subsequently adopted policy shall no longer be in force and effect as a policy.

Promulgation and Distribution

A manual of bylaws and policies shall be maintained. A copy of the manual of bylaws and policies shall be given to each Board member, the Superintendent, the Board Secretary, the Board Attorney, each Building Principal, and other individuals designated by the Superintendent.

The Superintendent shall institute a plan for the orderly promulgation of policies to staff members who are affected by them and shall provide staff members with access to an up-to-date manual of Board bylaws and policies.

The manual of bylaws and policies shall be considered a public record open to inspection in the office of the Superintendent. The manual retained by the Superintendent's office shall be considered the master copy of the policy manual and shall not be modified by any person other than the Superintendent or his/her designee.

## Development of Bylaws and Policies

Bylaws and policies will be developed and considered by the Board in accordance with the following procedure:

1. A new or revised bylaw or policy may be suggested to the Board by any Board member, the Superintendent, any staff member, or a member of the public;
2. A suggestion for a new or revised bylaw or policy may be referred, at the discretion of the President and as appropriate to the subject, to the Superintendent, a Board committee, or a public advisory committee for study and formulation of a recommendation to the Board. Any study of a policy suggestion should consider whether the matter is adequately addressed in existing Board policy and whether the matter is more appropriately addressed by administrative regulation;
3. If a recommendation for a new or revised bylaw or policy results from referral for study, a proposed draft will be submitted to the Board for discussion and approval on first reading. Copies of the proposed draft will be made available to staff members and the public, and comment will be invited. Changes in the draft may be made, by a simple majority vote, when the draft is presented for approval on first reading;
4. The proposed draft, approved on first reading, will be submitted for adoption at the next regular meeting of the Board. Changes in the draft may be made by a simple majority vote.

N.J.S.A. 18A:11-1

Adopted: 16 September 2008

0132 EXECUTIVE AUTHORITY

The Board of Education shall exercise its executive power in part by the appointment of a Superintendent as Chief School Administrator, who shall enforce the statutes of the State of New Jersey, rules of the State Board of Education, and policies of this Board.

The Superintendent shall prepare regulations for the administration of the school district that are not inconsistent with statutes or rules of the State Board of Education and are dictated by the policies of this Board.

The Superintendent shall have a seat on the Board and shall have the right to speak on all matters at meetings of the Board, but shall have no vote.

N.J.S.A. 18A:17-20  
N.J.S.A. 18A:54-22

Adopted: 16 September 2008

0133 ADJUDICATION OF DISPUTES

The Board of Education may assume jurisdiction over any dispute or controversy arising within this school district and concerning any matter over which authority has been vested in the Board by statute, rule of the State Board of Education, or a contract or policy of this Board.

The Board may hold hearings that will offer the parties to a dispute, on notice duly given, a fair and impartial forum for the resolution of the matter.

Beyond the basic requirements of due process a hearing will vary in form and content as dictated by the severity of the consequences that may flow from the Board's determination, the degree of difficulty of establishing findings of fact from conflicting evidence, and the impact of the Board's decision on the school district.

Regulations for the conduct of adjudicatory hearings of the Board shall be prepared as guidelines for those who may be heard by the Board.

A decision of the Board may be appealed to the Commissioner of Education.

N.J.S.A. 18A:11-1

Adopted: 16 September 2008

0134 BOARD SELF EVALUATION

The Board of Education is committed to the belief that every part of the school system in this district should be accountable to the public and that performance evaluation is essential to that accountability. The Board further believes that the improvement and growth of any institution depends upon an honest appraisal of its strengths and weaknesses. The Board accepts, therefore, responsibility for the conduct of a systematic program of self-evaluation and appraisal. The standards against which the Board will evaluate itself will be the educational goals, bylaws, and policies duly adopted by this Board.

The Board will annually adopt an evaluation instrument that permits individual Board members to record their assessments of the conduct of Board meetings, the fiscal management of the district, the conduct of the instructional program, and the relationship of the Board with the Superintendent, other district staff members, and the community.

The assessments of Board members will be tabulated and presented for discussion at a regular meeting of the Board in which the Superintendent will be invited to participate. The Board will formulate, as appropriate, goals and priorities that will serve to guide the Board in the ensuing school year.

N.J.S.A. 18A:11-1

Adopted: 16 September 2008

0141 BOARD MEMBER NUMBER AND TERM

The Board of Education shall consist of four members appointed by the County Freeholders and the County Executive Superintendent.

The term of a Board member shall be four years, except that:

1. Not more than two members appointed by the freeholders shall be members of the same political party.

N.J.S.A. 18A:12-6; 18A:12-9; 18A:12-11; 18A:12-15

N.J.S.A. 18A:54-16 et seq.

Adopted: 16 September 2008

0142 BOARD MEMBER QUALIFICATIONS, PROHIBITED  
ACTS AND CODE OF ETHICS

Each member of the Board of Education shall possess the qualifications required by law and shall be bound by the provisions of the School Ethics Act.

Qualification of Office

A Board member must be a citizen of the United States.

A Board member must be a resident of the district the member represents and must have been such for at least three years immediately preceding the member's election or appointment.

A Board member may not be convicted of a felony.

A Board member must be able to read and write.

A Board member must be registered to vote in the district and not disqualified from voting pursuant to N.J.S.A. 19:4-1.

A Board member cannot concurrently hold office as member of the governing body of Monmouth County.

Prohibited Acts

“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 stocks of a business but does not include the control of assets in a labor union.

“Immediate family” means the person to whom the Board member is legally married and any dependent child of the Board member residing in the same household.

No Board member 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.

BYLAWS  
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Board Member Qualifications, Prohibited  
Acts and Code of Ethics

No Board member shall use or attempt to use his/her official position to secure unwarranted privileges, advantages, or employment for him/herself, members of his/her immediate family, or others.

No Board member 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 Board member 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 Board member or a member of his/her immediate family.

No Board member 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 Board member 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, except that the member may have solicited or accepted contributions to his/her campaign for election to public office if he/she had no knowledge or reason to believe that the campaign contribution, if accepted, was given with the intent to influence him/her in the discharge of official duties. Board members may not accept offers of meals, entertainment or hospitality which are limited to clients/customers of the individual providing such hospitality. Board members may attend hospitality suites or receptions at conferences only when they are open to all persons attending the conference.

No Board member shall use, or allow to be used, his 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 Board member 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.



It is not a conflict of interest if, merely by reason of his/her participation in any matter voted upon by the Board, a Board member accrues material or monetary gain that is no greater than the gain that could reasonably be expected to accrue to any other member of the member's business, profession, occupation, or group.

No elected Board member shall be prohibited from making an inquiry for information on behalf of a constituent, if no fee, reward, or other thing of value is promised to or given to or accepted by the member or a member of his/her immediate family, whether directly or indirectly, in return for the information so requested.

Nothing shall prohibit a Board member or members of his/her immediate family from representing him/herself or themselves in negotiations or proceedings concerning his/her or their own interests, except that Board members shall disqualify themselves from participating in negotiations and voting on collective bargaining agreements where their spouse or dependent children are members of the bargaining unit.

Each Board member shall annually, in accordance with N.J.S.A. 18A:12-25 and 18A:12-26, file a disclosure statement regarding potential conflicts of interest.

#### Ineligibility for District Employment

A Board member cannot be appointed to a paid office or position required to be filled by the Board, except where law permits or requires that the office or position be filled by a Board member, and is ineligible for appointment to a paid office or position in the district for at least six months after the member's retirement, resignation, or removal from Board membership.

#### Code of Ethics

In accordance with N.J.S.A 18A:12-24.1 every Board member will abide by the following Code of Ethics. The Board member will:

1. Uphold and enforce all laws, rules and regulations of the State Board of Education and court orders pertaining to schools. Desired changes shall be brought about only through legal and ethical procedures.
2. Make decisions in terms of the educational welfare of children and seek to develop and maintain public schools that meet the individual needs of all children regardless of their ability, race, creed, sex, or social standing.

3. Confine his/her Board action to policy making, planning and appraisal, and help to frame policies and plans only after the Board has consulted those who will be affected by them.
4. Carry out his/her responsibility not to administer the schools, but together with fellow Board members, insure they are well run.
5. Recognize that authority rests with the Board of Education and make no personal promises nor take any private action that may compromise the Board.
6. Refuse to surrender his/her independent judgment to special interest or partisan political groups or to use the schools for personal gain or for the gain of friends.
7. Hold confidential all matters pertaining to the schools, which, if disclosed, would needlessly injure individuals, or the schools. In all other matters, he/she will provide accurate information and, in concert with fellow Board members, interpret to the staff the aspirations of the community for its school.
8. Vote to appoint the best-qualified personnel available after consideration of the recommendation of the chief administrative officer.
9. Support and protect school personnel in proper performance of their duties.
10. Refer all complaints to the chief administrative officer and act on the complaints at public meetings only after failure of an administrative solution.

Each Board member is required to sign an acknowledgment that he/she received a copy, read and will become familiar with the Code of Ethics for School Board Members contained within N.J.S.A. 18A:12-21 et seq. The Board Secretary will provide each Board member with a copy of the Code of Ethics and the required acknowledgement on an annual basis and will maintain the original signed acknowledgment(s) in the Business office.

The Board will receive a copy of and discuss the School Ethics Act and the Code of Ethics for School Board Members, pursuant to N.J.S.A. 12-21 et seq., at a regular scheduled public meeting each year. The discussion may include presentations by school administrative staff, the Board attorney, Board members and/or other professionals familiar with the School Ethics Act and the Code of Ethics. In addition, the Board Attorney, Superintendent and/or School Business Administrator/Board Secretary will keep the Board informed of decisions by the School Ethics Commission, Commissioner of Education, State Board of Education and courts.

### Oath of Office

Each Board member shall, before entering upon the duties of the office, swear or affirm under oath that he/she qualifies for membership and will faithfully discharge the duties of the office of Board member.

N.J.S.A. 18A:12-1; 18A:12-1.1; 18A:12-2;  
18A:12-2.1; 18A:12-21 through 18A:12-34  
N.J.S.A. 18A:54-17  
N.J.S.A. 41:1-3  
School Ethics Commission Policy Guideline 1.

Adopted: 16 September 2008

0142.1 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, 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.

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

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. However, in accordance with N.J.A.C. 6A:23A-6.2(a)2, the district may employ a relative of a Board member or Superintendent of Schools provided the district obtains the approval from the Executive County Superintendent of Schools. Such approval shall be granted only upon demonstration by the school district that it conducted a thorough search for candidates and that the proposed candidate is the only qualified and available person for the position.

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

A school district administrator shall 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

Revised March 22, 2010

0144 BOARD MEMBER ORIENTATION

The preparation of each member for the performance of Board of Education duties is essential to the proper functioning of the Board. The Board encourages each new Board member in the acquisition of information about school district governance, the separate functions of the Board and the Superintendent, the operations of the district, and Board procedures.

The Board directs that each new member receive access to and/or a copy of the Board of Education Bylaw and Policy Manual, each negotiated agreement, the current budget statement, and such other materials as deemed appropriate by the Superintendent.

Each new Board member will be invited and is encouraged to meet and discuss the responsibilities and authority of a Board member, Board functions, and Board policies and procedures with the Board President (if available), the Superintendent, and the Board Secretary.

Each newly elected or appointed Board member shall complete during the first year of the member's first term a training program to be prepared and offered by the New Jersey School Boards Association, in consultation with the New Jersey Association of School Administrators, the New Jersey Principals and Supervisors Association, and the Department of Education, regarding the skills and knowledge necessary to serve as a Board member.

The training program shall include information regarding the school district monitoring system established pursuant to P.L. 2005, c. 235, the New Jersey Quality Single Accountability Continuum, and the five key components of school district effectiveness on which school districts are evaluated under the monitoring system: instruction and program; personnel; fiscal management; operations; and governance.

The Board member shall complete a training program on school district governance in each of the subsequent two years of the Board member's first term.

Within one year after each re-election or re-appointment to the Board of Education, the Board member shall complete an advanced training program to be prepared and offered by the New Jersey School Boards Association. This advanced training program shall include information on relevant changes to New Jersey school law and other information deemed appropriate to enable the Board member to serve more effectively.

The New Jersey School Boards Association shall examine options for providing training programs to Board members through alternative methods such as on-line or other distance learning media or through regional-based training.

N.J.S.A. 18A:12-33

Adopted: 16 September 2008

0146 BOARD MEMBER AUTHORITY

A Board member does not possess individually the authority and powers that reside in the Board of Education. No Board member by virtue of his/her office shall exercise any administrative responsibility with respect to the operation of the school district or as an individual command the services of any school district employee.

Release of Information

Board member access to public, personnel, and pupil records shall be governed by law and by the provisions of Policy Nos. 8310, 8320, and 8330.

Confidential information to which a Board member becomes privy as a result of his/her office shall be used only for the purpose of helping the member discharge his/her responsibilities as Board member. No Board member shall reveal information contained in a confidential record or received during a duly convened private session of the Board except when that information has been released to the public by the Board.

Public Expressions

Board members are entitled to express themselves publicly on any matter, including issues involving the Board and the school district. Individual Board members cannot, however, express the position of the Board except as expressly authorized, in accordance with Board Policy No. 9120. A Board member shall not represent his/her personal opinion as the position of the Board and shall include in all formal expressions in which his/her Board affiliation is likely to be recognized, such as letters to government officials or newspapers, speeches to organizations, and the like, a statement that the opinions expressed do not necessarily represent those of the Board.

N.J.S.A. 18A:11-1

Adopted: 16 September 2008

0147 BOARD MEMBER TRAVEL EXPENSES

The Board of Education will reimburse Board members for travel expenses in accordance with applicable New Jersey Statutes.

For the purpose of this Policy:

1. Travel Expenditures - means those costs paid by the school district using local, State, or Federal funds, whether paid directly by the school district or by employee reimbursement, for travel by school district employees and/or Board of Education members to training and seminars, conventions and conferences, regular school district business, and retreats.
2. Training and Seminars - means all regularly scheduled, formal residential or non-residential training functions conducted at a hotel, motel, convention center, residential facility, or any educational institution or facility.
3. 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.
4. 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 for training and seminars and convention and conferences above.
5. Retreats - means meetings with school district employees and Board members held away from the normal work environment at which organizational goals and objectives are discussed. If available, school district facilities shall be utilized for this type of event.

School district travel expenditures include, but are not limited to, all costs for transportation, meals, lodging, and registration or conference fees to and from the travel event. School district travel expenditures include costs for all required training and travel authorized in existing school



district employee contracts and school Board policies. This includes, but is not limited to, required professional development and other staff training, required training for new school Board members, and attendance at specific conferences authorized in existing employee contracts.

The school district shall not bear costs for car rentals, limousine services, and/or chauffeuring costs to or during the event, as well as costs for employee attendance for coordinating other attendees' accommodations at the travel event.

All travel by Board members shall be educationally necessary and fiscally prudent and all travel expenditures shall be directly related to and within the scope of the Board member's current responsibilities. All travel expenditures must be for travel that is critical to the instructional needs of the school district or furthers the efficient operation of the school district and is 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 that 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.

A Board member shall submit to the School Business Administrator/Board Secretary within thirty calendar days of incurring the travel expense(s) a brief report that includes the primary purpose for the travel and the key issues that were addressed at the event and their relevance to improving instruction or the operation of the school district.

The detailed documentation that demonstrates compliance with P.L. 2007 c.53 and this Policy including travel approvals, reports, and receipts for all school district funded expenditures, as appropriate, shall be maintained in the Business office.

Travel for Board members may occur only upon prior approval by a majority of the full voting membership of the Board and the travel shall be in compliance with section 4 of P.L.1991, c.393 (C.18A:12-24) and section 5 of P.L.2001, c.178 (C.18A:12-24.1).

The Board may approve, at any time prior to the event, travel for multiple months as long as the Board approval, detailed in Board Meeting minutes, itemizes the approval by event, total cost, and number of employees and/or school Board members attending the event. General or blanket pre-approval for travel is not authorized. Approval shall be itemized by event, event total cost, and number of employees and school Board members attending the event.

Travel payments will be paid only upon compliance with P.L. 2007, c. 53 and this Policy's provisions and approval requirements.

The Board will not ratify or approve payments or reimbursements for travel after completion of the travel event. A Board member or organization shall not receive an amount for travel and/or travel-related expenses in advance of the travel pursuant to N.J.S.A. 18A:19-1 et seq.

A Board member shall recuse himself/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. 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.

The Board shall exclude from the requirements of prior Board approval any travel caused by or subject to contractual provisions, other statutory requirements, or Federal regulatory requirements. The Board may not exclude such travel from the subsistence requirements and annual maximum travel expenditure pursuant to P.L. 2007 c. 53.

One-day trips that do not involve overnight lodging are not eligible for a subsistence payment or reimbursement except in limited circumstances authorized in the Department of the Treasury guidelines. Overnight travel is eligible for a subsistence payment or reimbursement as authorized in the Department of the Treasury guidelines, except as otherwise superseded by the following provisions:

1. Per diem payment or reimbursement for lodging and meals will be actual reasonable costs, not to exceed the Federal per diem rates as established in the Federal register for the current year;
2. Lodging expenses 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 the Federal per diem rate. If the hotel at the site of the convention, conference, seminar, or meeting is no longer available, lodging may be paid for similar accommodations at a rate not to exceed the hotel rate for the event;
3. Receipts are required for hotel expenses;
4. Meal expenses under the Federal per diem allowance limits do not require receipts;

5. In any case in which the total per diem reimbursement is greater than the Federal per diem rate, except as stated in 2. above, the costs will be considered to be excessive and shall not be paid by school district funds;
6. The school district shall patronize hotels and motels that offer special rates to government employees unless alternative lodging offers greater cost benefits; and
7. Payment or reimbursement is approved for the full cost of an official convention meal that a Board member attends, when the meal is scheduled as an integral part of the convention or conference proceedings. If a meal is included in the registration fee, the allowance for the meal is not eligible for reimbursement.

Annually in the pre-budget year, the Board shall establish by Board resolution, a maximum travel expenditure amount for the budget year, which the school district shall not exceed in that budget year. The Board resolution shall also include the maximum amount established for the pre-budget year and the amount spent to date. The maximum school district travel expenditure amount shall include all travel in accordance with P.L. 2007 c. 53 supported by local and State funds.

The Board may elect by Board resolution to exclude travel expenditures to be supported by Federal funds in the maximum travel expenditure amount. The Board resolution shall include the total amount of travel supported by Federal funds from the prior year, pre-budget year, and projected for the budget year.

The school district 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 P.L. 2007 c. 53, and shall provide auditable information.

Any Board of Education that violates its established maximum travel expenditure as set forth in P.L. 2007 c. 53, or that otherwise is not in compliance with the travel limitations set forth in P.L. 2007 c. 53 may be subject to sanctions by the Commissioner as authorized pursuant to N.J.S.A. 18A:4-23 and N.J.S.A. 18A:4-24, including reduction of State aid in an amount equal to any excess expenditure.

A person who approves any travel in violation of the P.L. 2007 c. 53 or this Policy shall be required to reimburse the school district in an amount equal to three times the cost associated with attending the event. An employee or Board member who travels in violation of the Board's policy or P.L. 2007 c. 53 shall be required to reimburse the school district in an amount equal to three times the cost associated with attending the event.

P.L. 2007 c. 53

Adopted: 16 September 2008

0147 Appendix A BOARD MEMBER TRAVEL EXPENSES

A. Approval of Travel Expense Reimbursement

The following procedure shall be implemented for a Board member seeking to receive travel expense reimbursement:

1. A Request for Travel Expense Report must be submitted to the School Business Administrator/Board Secretary prior to the travel date(s) and at least thirty days before a Board meeting. The request shall include supporting documentation to include: the type of travel; location of the travel; occurrences of the travel; date(s) of travel; and all related costs including transportation expenses, parking, tolls, lodging, registration fees, meals, and other expenses.
2. The School Business Administrator/Board Secretary shall review the Request for Travel Expense Report to determine if the expenses as outlined in the supporting documentation are in compliance with State travel payment guidelines established by the Department of the Treasury and with guidelines established by the Federal Office of Management and Budget
  - a. If the requested travel expenses are in compliance with the guidelines the School Business Administrator/Board Secretary will include the travel expense information on the Board of Education Approval of Travel Expense Form.
  - b. If any travel expenses are not in compliance with the guidelines the Board member will be informed the Board will only pay those expenses that are in compliance with the guidelines. In the event the Board member decides to pursue the travel, the Board member shall assume the financial responsibility for those travel expenses not in compliance with the guidelines. The School Business Administrator/Board Secretary will include a summary of this documentation on the Board of Education Approval of Travel Expense Form.
  - c. The Board of Education Approval of Travel Expense Form shall be presented to the Board of Education. Approval by a majority of the full voting membership of the Board at a Board meeting is required for approval.

B. Reimbursement of Travel Expenses

All travel expenses that receive prior approval of the Board shall be reimbursed by the Board of Education in accordance with the following procedures:

1. The Board member, within thirty calendar days after incurring the approved travel expenses, shall be required to submit to the School Business Administrator/Board Secretary receipts documenting all prior Board approved travel expenses paid and/or incurred by the Board member during the travel. Reimbursement to the Board member will be made in accordance with the district's payment procedures. Travel payments will be paid only upon compliance with P.L. 2007 c. 53 and Policy 0147 provisions and approval requirements.
2. Receipts for the approved expenses to be paid directly to a vendor(s) accepting the school district purchase order will be obtained directly from the vendor by the Business office. Payments directly to a vendor will be made in accordance with the district's payment procedures.

0148 BOARD MEMBER INDEMNIFICATION

The Board of Education will indemnify Board members in accordance with law whenever a civil, administrative, criminal or quasi-criminal action or other legal proceeding is brought against a Board member for any act or omission arising out of and in the course of the performance of his/her duties as Board member. In the case of a criminal or quasi-criminal action which results in a final disposition in favor of the Board member, the Board will defray all costs of defending the action, including reasonable counsel fees and expenses, together with costs of appeal, and will save harmless and protect the Board member from any financial loss resulting from the action. Indemnification for exemplary or punitive damages is not required and will be governed by the standards and procedures set forth in N.J.S.A. 59:10-4.

The Board may arrange for and maintain appropriate insurance to cover all such damages, losses and expenses.

N.J.S.A. 18A:11.1; 18A:12-20; 18A:16-6;  
18A:16-6.1; 18A:18A-46; 18A:18A-47

Adopted: 16 September 2008

0151 ORGANIZATION MEETING

The Board of Education shall organize annually at a regular meeting held for that purpose on November 1 or the next business day a quorum can be reached.

The meeting shall be called to order by the Board Secretary, who shall serve as presiding officer pro tempore until the election of a President and Vice President.

The Board Secretary shall administer the oath of office to new Board members.

N.J.S.A. 18A:10-3; 18A:10-5

N.J.S.A. 41:1-1; 41:1-3

N.J.S.A. 18A:54-18 et seq.

Adopted: 16 September 2008



0152 BOARD OFFICERS

The Board of Education shall organize by electing one of its members as President and another as Vice President.

Any member may place a member's name in nomination; a second is not required. Election for each office will be conducted by roll call vote when the nominations for that office are closed. The candidate receiving the votes of a majority of Board members will be elected to office. In the event no candidate receives a majority of the votes cast, a second election shall be conducted between the two candidates receiving the highest number of votes.

Officers shall serve for one year and until their respective successors are elected and shall qualify, but if the Board shall fail to hold the organization meeting or to elect Board officers as prescribed by N.J.S.A. 18A:15-1, the Executive County Superintendent shall appoint from among the members of the Board a President and/or Vice-President.

A President or Vice-President who refuses to perform a duty imposed upon him/her by law may be removed by a majority vote of all of the members of the Board. In the event the office of President or Vice-President shall become vacant the Board shall, within thirty days thereafter fill the vacancy for the unexpired term. If the Board fails to fill the vacancy within such time, the Executive County Superintendent shall fill the vacancy for the unexpired term.

N.J.S.A. 18A:15-1; 18A:15-2

Adopted: 16 September 2008

0153 ANNUAL APPOINTMENTS

The Board of Education may appoint at the organizational meeting, but shall appoint before July 1 of the year in which the Board organizes:

1. A Board Secretary,  
N.J.S.A. 18A:17-2, 17-5,,  
N.J.S.A. 18A:54-20;
2. A Treasurer of School Moneys,  
N.J.S.A. 18A:17-31,,  
N.J.S.A. 18A:54-20e;
3. A public school accountant,  
N.J.S.A. 18A:23-1;
4. A medical inspector,  
N.J.S.A. 18A:40-1;
5. A member to serve as delegate to the New Jersey School Boards Association,  
N.J.S.A. 18A:6-46;
6. A member to serve as delegate to the Monmouth County School Boards Association;
7. An attorney; and
8. An insurance broker.

N.J.S.A. 18A:54-27

Adopted: 16 September 2008

0154 ANNUAL MOTIONS AND DESIGNATIONS

The Board of Education shall at the organizational meeting:

1. Designate one or more depositories for school funds, N.J.S.A. 18A:17-34;
2. Designate those persons authorized to sign school warrants, N.J.S.A. 18A:19-1;
3. Designate the official newspaper, N.J.S.A. 18A:22-11; 18A:39-3;
4. Designate a second newspaper for the publication of Board meetings, N.J.S.A. 10:4-8;
5. Designate the day, place, and time for regular meetings of the Board;
6. Approve the curriculum for all grades; and
7. Readopt existing bylaws and policies for the Board's operation and the operation of the school system.

Adopted: 16 September 2008

0155 BOARD COMMITTEES

The Monmouth County Vocational School District shall operate as a Committee of the Whole.

Adopted: 16 September 2008

0157 BOARD OF EDUCATION WEBSITE

For the purposes of keeping the community informed, the Board authorizes the Director of Educational Technology to coordinate and oversee a school district website to be maintained on the Internet. All items to be posted on the website shall be approved by the Director of Educational Technology, or designee, prior to posting. In the event the Director of Educational Technology finds certain material that is submitted to be posted, should not be posted, the Director of Educational Technology shall seek approval of the Superintendent prior to posting such material. In the event the Superintendent, upon review of the material from the Director of Educational Technology, believes the material should not be posted on the website, the material shall not be posted.

The types of information that may be posted on the website include, but are not limited to:

School District Calendar

School District Newsletter Information

Information regarding school times, closings, procedures, schedules

School Administration Information

Job Descriptions

Curriculum updates

Job postings

Test score information from the School Report Card

School E-Mail information

and any other information the Superintendent determines appropriate for posting on the website.

Materials containing political or editorial points of view shall be prohibited from the website.

The Board and Superintendent shall periodically evaluate the effectiveness of the school district website and this Policy.

N.J.S.A. 18A:11-1

Adopted: 16 September 2008

0161 CALL, ADJOURNMENT AND CANCELLATION

The Board of Education shall meet in public session at least once every two months during the period in which the schools are in session.

All meetings shall be called to commence not later than 8:00 p.m. of the day designated.

A meeting not regularly scheduled may be called by the Board Secretary at the request of the President or upon the presentation to the Board Secretary of a petition requesting a meeting and signed by a majority of the full Board.

The Board may at any time recess or adjourn to an adjourned meeting at a time, date, and place announced before the adjournment takes place. The adjourned meeting shall take up its business at the point in the agenda where the motion to adjourn was passed.

When circumstances are such as to prevent the attendance of a majority or all of Board members or to frustrate the purpose of the meeting, a meeting may be canceled by the Board Secretary at the request of the President. Notice of the cancellation shall be given, by expedient means, to all Board members, to the Superintendent, and, whenever possible, to the newspapers in which notice of Board meetings is regularly given. If possible, written notice of the cancellation shall also be posted at the place where the canceled meeting was scheduled to occur. Notice of the cancellation shall include the date, time, and place of the next scheduled meeting. Notice of the cancellation shall be read at the next following Board meeting and shall be duly recorded in the official minute book.

N.J.S.A. 18A:10-6  
N.J.A.C. 6A:32-3.1

Adopted: 16 September 2008

0162 NOTICE OF BOARD MEETINGS

The Board of Education will give notice of all meetings in accordance with law.

Public Notice

The Board Secretary shall notify, in writing and no later than forty-eight hours in advance of the meeting, each Board member and each person who has duly requested such notification of the time, date, location, and, to the extent it is known, the agenda of any regular, special, or rescheduled meeting. Forty-eight hour notice shall also be posted in the Business office and delivered to two newspapers designated by the Board, except that forty-eight hour notice is not required where the time, date, and location of the meeting has been published in the annual list of meetings approved by the Board in accordance with law.

Upon the affirmative vote of three-quarters of the members present, the Board may meet in the absence of adequate notice, provided that discussion and action is limited to specific and unforeseen or unforeseeable matters of such urgency and importance that delay for the provision of notice would be likely to result in substantial harm to the public interest and that notice is given as soon as possible after the call of the meeting in accordance with the provisions of law and this bylaw.

Personal Notice of Meeting

The Board shall provide personal notice in writing to an adult pupil, the parent(s) or legal guardian(s) of a minor pupil, an employee or officer of this district, or a prospective employee whose privacy may be invaded or whose employment may be affected by the Board's deliberations in private session. Such personal notice will include the date and time of the private meeting, the subject or subjects scheduled for discussion at the private meeting, and the right of the individual given notice to request that the discussions be conducted at a public meeting. Personal notice will be given no less than seventy-two hours in advance of the private meeting.

A written request for public discussion must be signed by the person making the request and must be submitted to the Board Secretary prior to the commencement of the meeting. Any such properly submitted request will be granted. In the event that one or more, but fewer than all, of a group of persons whose employment will be discussed request a public meeting, the discussion regarding the person or persons who have submitted the request will be severed from the rest and will be conducted publicly.

A discussion held in public by reason of the written request of an individual will be conducted at a regularly scheduled meeting for which annual notice has been given or at a meeting for which adequate public notice has been given in accordance with law.

Nothing in this bylaw will permit an employee to request or the Board to grant the public discussion of tenure charges or permit the public disclosure of information regarding a disabled pupil.

N.J.S.A. 10:4-6 et seq.; 10:4-8d; 10:4-9b  
N.J.S.A. 18A:6-11; 18A:10-6  
N.J.A.C. 6A:32-3.1

Adopted: 16 September 2008



### 0163 QUORUM

A quorum shall consist of three Board members, and no business shall be conducted in the absence of a quorum, except when the Doctrine of Necessity is invoked.

In the event a quorum is not present at the hour of convening, the meeting may be recessed to a time not later than 9:00 p.m. of the same day. If a quorum is not then present, the members present may adjourn the meeting to a later date within seven days.

The Board of Education recognizes that there may be matters that come before the Board or acts required of Board members in their official capacity where the Board member may have a conflict of interest or the act would be in violation of N.J.S.A. 18A:12-24. In these matters, the Board member(s) will remove himself/herself from any discussions, meetings (informal or formal), committee meetings, and/or a vote regarding the matter. The Board will consider this matter without the Board member(s) who has the conflict.

In the event a matter comes before the Board or an act is required of a Board member in his/her official capacity that is a conflict or would be in violation of N.J.S.A. 18A:12-24, the Board would still be required to have a quorum to consider the matter. However, the New Jersey Department of Education and the School Ethics Commission has envisioned this prohibition could create a situation in which so many Board members have a conflict, that the Board would be unable to take action on a matter. Therefore, when more than a quorum of the Board members must abstain from voting on a matter, the Board will invoke the Doctrine of Necessity consistent with the New Jersey Department of Education and School Ethics Commission guidelines as follows:

A. Board Member(s) in Conflict - Less Than a Majority of The Board

1. In the event a Board member(s) has a conflict of interest where the Board member will act in his/her official capacity, the Board member must remove himself/herself from any discussions, meetings (informal or formal), committee meetings, and/or a vote regarding the matter.
2. In the event a Board member is unsure whether he/she or any other Board member has a conflict of interest or whether the matter, if acted upon by a Board member(s) is in violation of N.J.S.A. 18A:12-24 - Prohibited Acts, the School Board Attorney will make a determination.
3. The School Board Attorney will provide the Board of Education an opinion on whether the matter is a conflict of interest or act prohibited by N.J.S.A. 18A:12-24 - Prohibited Acts.

4. If the Board member(s) believes he/she has a conflict of interest where he/she will act in his/her official capacity or if the School Board Attorney renders an opinion that the Board member has a conflict of interest where the Board member will act in his/her official capacity, the Board member will remove himself/herself from any discussions, meetings (informal or formal), committee meetings, and/or a vote regarding the matter.
- B. A Majority of Board Members in Conflict
1. In the event:
    - a. A Board member(s) believes he/she has a conflict of interest where he/she will act in his/her official capacity; or
    - b. If the School Board Attorney renders an opinion that the a Board member(s) has a conflict of interest where the Board member will act in his/her official capacity; and
    - c. The number of Board members that have a conflict would make it so the Board would be unable to take action on the matter, then the Board may invoke the “Rule [or Doctrine] of Necessity.” (Citing *U.S. v. Will*, 449 U.S. 200 (1980)).
- C. Rule [Or Doctrine] Of Necessity
1. The Doctrine of Necessity may be invoked when more than a quorum of the Board must abstain from voting on a matter.
  2. There are three prerequisites necessary for a Board to invoke the Doctrine of Necessity:
    - a. The Board must be unable to act without the members in conflict taking part;
    - b. There must be a pressing need for action, i.e. the matter cannot be laid aside until another date; and
    - c. There can be no alternative forum that can grant the same relief. (*Allen v. Toms River Regional Board of Education*, 233 N.J. Super 651 (Law Division 1989)).

3. When the School Board Attorney advises the Board the Doctrine of Necessity must be invoked in order to obtain a quorum on a vote, the Board must announce that it is invoking the Doctrine.
  - a. The announcement must include the reason the Board must invoke the Doctrine of Necessity including stating the nature of each Board members conflict.
  - b. The announcement will be in writing and should be recorded in the minutes of the meeting by the Board Secretary at the point when the vote takes place.
  - c. It is enough for the Board to announce it is invoking the Doctrine and a Board Resolution is not required.
4. When the Board announces the Doctrine of Necessity is being invoked, the details, parameters and/or other pertinent facts of the matter to be voted should be revealed on an agenda for the public meeting in which the matter is to be voted upon.
5. The Board members who have a conflict in the matter are prohibited from:
  - a. Participating in any discussions on the matter prior to the announcement and public meeting; and
  - b. From entering an executive session in order to discuss the merits of the matter or contract; and
  - c. From offering their opinions on the matter at any time prior to the announcement and public meeting.
6. The Board members who have a conflict in the matter may only participate to the extent they may vote after the motion to approve and/or ratify the matter has been made and seconded and the Doctrine of Necessity has been thoroughly explained to the public.
7. Board members in conflict may only ask questions regarding the matter to be voted on in public and after the Board has invoked the Doctrine of Necessity.

8. Board members in conflict may explain their reasons for not voting just before the vote.

N.J.S.A. 18A:12-24  
New Jersey School Ethics Commission Advisory Opinion  
A10-93(b) and A07-94

Adopted: 16 September 2008

0164 CONDUCT OF BOARD MEETINGS

Parliamentary Authority

Roberts' Rules of Order, Newly Revised, shall govern the Board of Education in its deliberations and acts in all cases in which it is not inconsistent with statutes of the State of New Jersey, rules of the State Board of Education, or these bylaws.

Presiding Officer

The President shall preside at all meetings of the Board. In the absence, disability, or disqualification of the President, the Vice President shall act in his/her place; if neither person is present, any member shall be designated by a plurality of those present to preside. The act of any person so designated shall be legal and binding.

Announcement of Adequate Notice

The person presiding shall commence each meeting with an announcement of the notice given for the meeting or a statement regarding the lack of adequate notice, in accordance with law.

Agenda

The Superintendent and School Business Administrator/Board Secretary shall prepare an agenda of items of business to come before the Board at each meeting. The agenda shall be delivered to each Board member typically two days before the meeting and shall include such reports and supplementary materials as are appropriate and available.

The order of business shall be as follows:

1. Call to order
2. Open Public Meetings Act Statement
3. Roll Call
4. Approval of Minutes
5. Correspondence
6. Superintendent's Report
7. Public Discussion of Agenda Items
8. Old Business
9. New Business

10. Superintendent's Recommendations
11. Approval of Resolutions
12. Payment of Bills
13. Public Comment
14. Executive Session (if required)
15. Adjournment

N.J.S.A. 10:4-10

N.J.S.A. 18A:16-1.1

Adopted: 16 September 2008

0165 VOTING

All Board of Education actions requiring a vote may be conducted by voice, show of hands, or roll call provided that the vote of each member is recorded in the minutes of the meeting. Proxy voting shall not be permitted.

Abstentions shall not be counted as votes but shall be recorded; a member who abstains from voting is deemed to acquiesce in the outcome of the vote.

All motions shall require for adoption the majority vote of Board members present and voting, except as provided by statutes of the State of New Jersey, this bylaw, or parliamentary authority and provided that the number of affirmative votes is at least a majority of the Board's quorum.

1. The affirmative votes of three-quarters of the members present are required for the conduct of a Board meeting when adequate notice has not been provided in accordance with law, N.J.S.A. 10:4-9;
2. A two-thirds vote of the full membership of the Board is required for:
  - a. Bids that have been advertised pursuant to N.J.S.A. 18A:18A-4 on two occasions and;
    - (1) No bids have been received on both occasions in response to the advertisement; or
    - (2) The Board of Education has rejected such bids on two occasions because it has determined that they are not reasonable as to price, on the basis of cost estimates prepared for or by the Board of Education prior to the advertising therefore, or have not been independently arrived at in open competition; or
    - (3) On one occasion no bids were received pursuant to #(1) and on one occasion all bids were rejected pursuant to #(2), in whatever sequence; any such contract may then be negotiated.
  - b. Purchase of goods also available under state contract when the Board has received at least three quotations and the lowest responsible quotation is at least ten percent less than the price under the state contract for the identical goods and quantities, N.J.S.A. 18A:18A-5.e;

- c. Determine that it is necessary, in a Type II school district having a Board of School Estimate, to sell bonds to raise money for any capital project, N.J.S.A. 18A:22-27; and
  - d. Sell bonds of a Type II district without further advertisement at private sale if no legally acceptable bid is received for the bonds pursuant to N.J.S.A. 18A:24-45.
3. A majority vote of the full membership of the Board is required for:
- a. Admission after October 1 of a pupil who has never attended school, N.J.S.A. 18A:38-6;
  - b. Adoption or alteration of a course of study, N.J.S.A. 18A:33-1;
  - c. Application for membership in an established county audiovisual aid center, N.J.S.A. 18A:51-11;
  - d. Appointment of a Superintendent, N.J.S.A. 18A:17-15; School Business Administrator, N.J.S.A. 18A:17-14.1; Board Secretary, N.J.S.A. 18A:17-5; Assistant Board Secretary, N.J.S.A. 18A:17-13; Administrative Principals, N.J.S.A. 18A:17-20.5; and Shared Superintendent or School Business Administrator, N.J.S.A. 18A:17-24.3. Appointment and removal of Assistant Superintendent(s), N.J.S.A. 18A:17-16 and appointment, salary, and removal of Business Manager in Type I school district, N.J.S.A. 18A:17-25.
  - e. Appointment, transfer, removal and/or renewal of teaching/certificated and/or non-certificated staff members, N.J.S.A. 18A:25-1, 27-1;
  - f. Fix and determine, in a Type II district having no Board of School Estimate, the amount of money to be raised for budgets and capital construction, N.J.S.A. 18A:22-32, 22-39;
  - g. Approval of employee salary deductions for hospital and insurance plans and government bonds, N.J.S.A. 18A:16-8;
  - h. Authorization, in Type II school districts, of school bonds, N.J.S.A. 18A:24-10;



- i. Decision to establish with other school districts a county audiovisual educational aid center, N.J.S.A. 18A:51-1;
  - j. Determination of sufficiency of charges warranting dismissal or reduction in salary of a tenured employee, N.J.S.A. 18A:6-11;
  - k. Disposition or exchange of lands owned by the Board, N.J.S.A. 18A:20-5, 20-8;
  - l. Purchase of bonds or other obligations as investments, N.J.S.A. 18A:20-37;
  - m. Removal of the President or Vice President of the Board, N.J.S.A. 18A:15-2;
  - n. Restoration or removal following suspension of an Assistant Superintendent, Principal, or teacher, N.J.S.A. 18A:25-6;
  - o. Selection of textbooks, N.J.S.A. 18A:34-1;
  - p. Withholding a salary increment, N.J.S.A. 18A:29-14;
  - q. Direct the Secretary of the Board to deduct salaries of employees to participate in any plan for the purchase of bonds of the United States government, N.J.S.A. 18A:16-8;
  - r. Appointment and salary of Executive Superintendent in district in city of the first class with a population over 325,000 have a unit control organizational structure.
4. A roll call vote of the Board is required for the following actions with the necessary vote as indicated:

| Issue   | Required Vote          |
|---|------------------------|
| a. Salary deductions for government bonds N.J.S.A. 18A:16-8 | Majority of full Board |

|    | Issue  | Required Vote                            |
|----|--|--|
| b. | Appointment of a secretary of Board of Education; terms; compensation; vacancy N.J.S.A. 18A-17-5 | Majority of full Board                   |
| c. | Assistant and acting secretaries; appointment, powers and duties N.J.S.A. 18A:17-13              | Majority of full Board                   |
| d. | Appointment of Superintendents; terms; apportionment of expense N.J.S.A. 18A:17-15               | Majority of full Board                   |
| e. | Appointment and removal of Assistant Superintendents N.J.S.A. 18A:17-16                          | Majority of full Board                   |
| f. | Appointment of Administrative Principals N.J.S.A. 18A:17-20.5                                    | Majority of full Board                   |
| g. | Appointment of shared Superintendent, School Business Administrator; terms N.J.S.A. 18A:17-24.3  | Majority of the membership of each Board |
| h. | Appointment; salary; removal of Business Managers N.J.S.A. 18A:17-25                             | Majority of full Board                   |
| i. | Unit control organizational structure; Executive Superintendent N.J.S.A. 18A:17A-1               | Majority of full Board                   |
| j. | Disposition of property N.J.S.A. 18A:20-5  | Majority of full Board                   |
| k. | Exchange of lands N.J.S.A. 18A:20-8  | Majority of full Board                   |

| Issue   | Required Vote                                   |
|---|---|
| l. Type II districts with Board of School Estimate; determination; certification and raising of appropriations; notice of appeal N.J.S.A. 18A:22-26 | Majority of full Board                          |
| m. Type II districts with Boards of School Estimate; estimate by Board of Education; certification of estimate N.J.S.A. 18A:22-27                   | Two thirds of full membership of Board          |
| n. Determination of amounts by Board of School Estimate N.J.S.A. 18A:22-31  | Board of School Estimate majority of full Board |
| o. Type II districts without Board of School Estimate; determination and certification of appropriation N.J.S.A. 18A:22-32                          | Majority of full Board                          |
| p. Type II districts without Board of School Estimate; submission of capital projects N.J.S.A. 18A:22-39  | Majority of full Board                          |
| q. School bonds, when deemed to be authorized Type II. N.J.S.A 18A:24-10  | Majority of full Board                          |
| r. Private sale if no bids at public sale N.J.S.A. 18A:24-45  | Two thirds of full membership of Board          |
| s. Transfer of teaching staff member N.J.S.A. 18A:25-1  | Majority of full Board                          |
| t. Suspension of Assistant Superintendents, Principals and teaching staff members N.J.S.A. 18A:25-6   | Majority of membership                          |

|     | Issue   | Required Vote               |
|-----|---|-----------------------------|
| u.  | Appointment of teaching staff members; vote required<br>N.J.S.A. 18A:27-1   | Majority of full Board      |
| v.  | Board of Education, procedure for certain personnel actions; recommendation of Chief School Administrator N.J.S.A. 18A:27-4.1 | Majority of full Board      |
| w.  | Renewal of personnel N.J.S.A. 18A:27-   | Majority of full Board      |
| x.  | Withholding increments; causes notice appeals N.J.S.A. 18A:29-14  | Majority of full Board      |
| y.  | District to furnish suitable facilities; adoption of courses of study<br>N.J.S.A. 18A:33-1                                    | Majority of full Board      |
| z.  | Textbooks; selection; furnished free with supplies; appropriations<br>N.J.S.A. 18A:34-1                                       | Majority of full Board      |
| aa. | Single county educational audiovisual aids center in county<br>N.J.S.A. 18A:51-11   | Majority of full membership |

N.J.S.A. 10:4-14

Adopted: 16 September 2008

0166 EXECUTIVE SESSIONS

The Board of Education may meet in a private session only to discuss and act on issues exempted by law from the requirement that all Board meetings be public and only after the adoption at a public meeting of a resolution stating the general nature of the subject or subjects to be discussed and, as precisely as possible, the time when and circumstances under which the discussion conducted in private session can be disclosed to the public.

The Board may exclude the public only from that portion of a meeting at which the Board discusses:

1. Any matter that has been rendered confidential by express provision of federal or state law or rule of court;
2. Any matter in which the release of information would impair a right to receive funds from the Government of the United States;
3. Any material the disclosure of which constitutes an unwarranted invasion of a pupil's privacy, including but not limited to records, data, reports, or recommendations relative to the pupil's personal and family circumstances, treatment, progress or condition, unless the adult pupil or the pupil's parent(s) or legal guardian(s) requests in writing that the same be disclosed publicly;
4. Any Collective Bargaining Agreement, or the terms and conditions that are proposed for inclusion in any Collective Bargaining Agreement, including the negotiation of the agreement with school district employees or representatives of employees;
5. Any matter involving the purchase, lease, or acquisition of real property with public funds or the investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed;
6. Any tactics and techniques utilized in protecting the safety and property of the public when their disclosure could impair such protection and any investigations of violations or possible violations of the law;
7. Any pending or anticipated litigation or contract negotiation other than as stated in #4 in which the Board is or may become a party and any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his/her ethical duties as a lawyer;

8. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the Board, unless the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting, except that, regardless of the employee's request, the consideration and actions of the Board as to any tenure charge shall be conducted in private session;
9. Any deliberations occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of the responding party's certification as a result of an act or omission for which the responding party bears responsibility.

N.J.S.A. 10:4-12; 10:4-13  
N.J.S.A. 18A:6-11

Adopted: 16 September 2008

0167 PUBLIC PARTICIPATION IN BOARD MEETINGS

The Board of Education recognizes the value of public comment on educational issues and the importance of allowing members of the public to express themselves on school matters of community interest.

In order to permit the fair and orderly expression of such comment, the Board shall provide a period for public comment at every regularly scheduled meeting of the Board.

Public participation shall be permitted only as indicated on the order of business in Board Bylaw No. 0164.

Public participation shall be extended to residents of this district, persons having a legitimate interest in the actions of this Board, persons representing groups in the community or school district, representatives of firms eligible to bid on materials or services solicited by the Board, and employees and pupils of this district, except when the issue addressed by the participant is subject to remediation by an alternate method provided for in policies or contracts of the Board.

Public participation shall be governed by the following rules:

1. All persons wishing to participate in a public Board meeting shall register their intent with the Board Secretary in advance of the meeting;
2. A participant must be recognized by the presiding officer and must preface comments by an announcement of his/her name, place of residence, and group affiliation, if appropriate;
3. No participant may speak more than once on the same topic until all others who wish to speak on that topic have been heard;
4. All statements shall be directed to the presiding officer; no participant may address or question Board members individually;
5. The presiding officer may:
  - a. Interrupt, warn, or terminate a participant's statement when the statement is too lengthy, personally directed, abusive, obscene, or irrelevant;
  - b. Request any individual to leave the meeting when that person does not observe reasonable decorum;

- c. Request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting;
- d. Call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action; and
- e. Waive these rules when necessary for the protection of privacy or the efficient administration of the Board's business.

N.J.S.A. 2C:33-8  
N.J.S.A. 10:4-12

Adopted: 16 September 2008



0168 RECORDING BOARD MEETINGS

The Board of Education directs the creation and maintenance of an official record of the formal proceedings of the Board and will permit the unofficial recording of Board meetings in accordance with this bylaw.

Minutes

The Board shall keep reasonably comprehensible minutes of all its meetings showing the time and place, the members present, the subject considered, the actions taken, the vote of each member, information sufficient to explain the actions taken, and any other information required to be shown in the minutes by law.

Minutes of public meetings shall be public records signed by the Board Secretary and filed in the Secretary's office in a minute book as the permanent record of the acts of this Board.

Minutes of executive meetings shall be filed in the Secretary's office in a place separate from the minute book until the time, if any, when the proceedings may be made public. At that time, the minutes shall be public records and shall be filed in the regular minute book.

The Secretary shall provide each Board member with a copy of the minutes no later than two days before the next regular Board meeting.

Recording by the Public

Any member of the public may record the proceedings of a public meeting of the Board in a manner that does not interrupt the proceedings, inhibit the conduct of the meeting, or distract Board members or other observers present at the meeting.

The Board will permit the use of audio tape recorder(s), still or movie camera(s), or videotape camera(s) only when notice of such intended use has been given to the Board Secretary five days in advance of the meeting. No more than three cameras may be in use at any time, and any camera must be operated in an inconspicuous location in the meeting room.

The presiding officer shall determine when any recording device interferes with the conduct of a Board meeting and may order that an interfering device be removed.

Any recording of a Board meeting that is made available to persons other than the maker of the recording and is set forth as a true and accurate record of that meeting must be open to inspection by the Board and may be copied by this Board at the Board's expense.

N.J.S.A. 10:4-14

Adopted: 16 September 2008

0169 BOARD MEMBER USE OF ELECTRONIC MAIL/INTERNET

The Board of Education is a public body as defined in the New Jersey Open Public Meetings Act, N.J.A.C. 10:4-6 et seq., and the Board and its members are required to comply with the provisions of this Act. It is the right of the public to be present at meetings of public bodies and to witness in full all phases of the deliberations, policy formulation, and decision-making. Board members acknowledge certain discussions between Board members, other than during a Board meeting, may be subject to the provisions of the Open Public Meetings Act.

The Board of Education is also subject to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq. The Open Public Records Act requires public agencies/School Boards to make certain governmental records subject to public access. Board members may, by written and/or electronic mail (e-mail), communicate with each other and with certain school staff regarding the school district's public business. "Public business" means and includes all matters that relate in any way, directly or indirectly, to the performance of the public body's functions or the conduct of its business. Board members acknowledge these written communications may be classified as a governmental record and may be subject to public access pursuant to the Open Public Records Act.

In order to ensure the Board and/or individual Board members comply with the requirements of the Open Public Meetings Act and the Open Public Records Act, the following guidance is provided regarding certain discussions and written communications regarding the public business:

1. Written letters, e-mails, and supporting documents regarding school district matters written by Board members to other Board members or written by Board members to school staff, unless the subject matter is specifically exempt under the Open Public Records Law, are governmental records and are subject to public access. Based on the potential for improper/inappropriate disclosure and/or breach of confidentiality that may compromise the Board or Board member, these communications should not involve confidential matters, especially any matter the Board may discuss in executive/private session outside the presence of the public pursuant to the Open Public Meetings Act.
2. Written letters, internet (chat) discussions, e-mails, and supporting documents regarding the school district's public business written by Board members to other Board members shall not replace deliberations that would prevent the public from witnessing in full detail all phases of the Board's deliberations, policy formulation, and decision-making process in accordance with the intent of the Open Public Meetings Act.

3. Internet (chat) discussions between Board members regarding the school district's public business shall not include multiple Board members with the potential that a quorum of the Board may be involved, or become involved, in such discussion.

In the event a Board member(s) fails to comply with the guidance of this Policy, the matter shall be referred to the Board President, who will meet and/or discuss the matter and this Policy with the Board member(s). The Board President may request the Board Attorney participate in this meeting and/or discussion.

N.J.S.A. 10:6-4 et seq.  
N.J.S.A. 47:1A-1 et seq.

Adopted: 16 September 2008

0171 DUTIES OF PRESIDENT AND VICE PRESIDENT

The President of the Board of Education shall:

1. Preside at all meetings of the Board;
2. Require the Board Secretary to call special meetings of the Board, N.J.A.C. 6:3-1.2;
3. Sign all school district warrants, N.J.S.A. 18A:19-1;
4. Certify to all payrolls, N.J.S.A. 18A:19-9;
5. Subscribe bonds, notes, contracts, and other legal instruments for which the signature of the President is called, N.J.S.A. 18A:24-32;
6. Issue subpoenas to compel attendance of witnesses and production of documents, N.J.S.A. 18A:6-20; and
7. Appoint all committees of the Board and serve as committee member ex officio in accordance with Board Bylaw No. 0155.

The Vice President shall assume and discharge the duties of the President in the President's absence, disability, or disqualification. N.J.S.A. 18A:16-1.1

Adopted: 16 September 2008

0172 DUTIES OF TREASURER OF SCHOOL MONIES

The Treasurer of School Monies shall:

1. Receive and hold in trust all school monies, except monies from athletic events and pupil organization activities, and deposit them in the bank or banks designated by the Board, N.J.S.A. 18A:17-34;
2. Pay out school monies only on warrants made payable to the person entitled to receive payment and specifying the object for which it is issued and signed by the President, Secretary and Treasurer, N.J.S.A. 18A:19-1;
3. Receive school employee payrolls and a warrant for the full amount of each payroll certified by the President and Secretary, deposit the warrants in a separate payroll account, and issue individual checks drawn on such account to each employee, N.J.S.A. 18A:19-9, 19-10;
4. Give public notice when funds are on hand for payment of interest bearing warrants issued for which no funds were available, N.J.S.A. 18A:19-12;
5. Keep a record of monies received and paid out in books provided for that purpose and in accordance with a bookkeeping system prescribed by the State Board, N.J.S.A. 18A:17-35;
6. Pay over the balance of school funds on hand to his/her successor, N.J.S.A. 18A:17-35;
7. Render a monthly report to the Board giving a detailed account of all receipts, the amounts of all warrants issued, the accounts from which they were drawn and the balance in each account, N.J.S.A. 18A:17-36;
8. Render an annual report showing the amounts received and disbursed by him/her during the school year and file a copy with the County Superintendent, N.J.S.A. 18A:17-36; and
9. Receive the proceeds of any bond sale and disburse them only to pay the expenses of issuing and selling the bonds, the purpose for which the bonds were issued, and the temporary investment of the funds, N.J.S.A. 18A:24-47.

Adopted: 16 September 2008

0173 DUTIES OF PUBLIC SCHOOL ACCOUNTANT

The Board will engage only a licensed public school accountant to conduct the annual audit in accordance with N.J.S.A. 18A:23-1 et seq. The accountant must have an external peer/quality report performed in accordance with N.J.A.C. 6A:23-2.2(i)1., unless the accountant or firm can show good cause as to why there was a delay completing such report within the required timelines established by Government Auditing Standards. The Board will require the submission of the most recent external peer/quality report for review and evaluation prior to the appointment of the licensed public school accountant. The Board will acknowledge the receipt, review, and evaluation of the external peer/quality report in the public session and Board minutes in which the accountant or firm to perform the audit is engaged.

The Board will require the submission of an updated external peer/quality report of the accountant within thirty days after the issuance date of the external peer/quality report if the report is issued prior to the date of the audit opinion for the most recent fiscal year.

In accordance with NJOMB Circular Letter 98-07, the public school accountant will provide a copy of the most recent external peer/quality report to the Department of Education, within thirty days after the initial engagement by the Board and within thirty days after the issuance of a subsequent peer/quality report.

The Board may be prohibited for good cause by the Commissioner of Education from engaging a particular licensed public school accountant, or may be directed by the Commissioner on a process to be used in the appointment of a licensed public school accountant pursuant to N.J.A.C. 6A:23-2.2(i)6.

The public school accountant will complete the annual audit as required by the Department of Education and N.J.S.A. 18A:23-2. Each annual audit shall include an audit of the books, accounts and moneys, and verification of all cash and bank balances of the Board and of any officer or employee and of moneys derived from athletic events or other activities of any organization of pupils conducted under the auspices of the Board, from the date of the last annual audit to the date of the current audit. The audit will also include a determination of the extent to which the district used contracts entered into by the State Division of Purchase and Property pursuant to P.L. 1969 c. 104 (C. 52:25-16.1 et seq.) in the purchase of materials, supplies or equipment for the district. The report of each audit will be completed not later than four months after the end of the school fiscal year as required in N.J.S.A. 18A: 23-1 and will be filed by the public school accountant in accordance with N.J.S.A. 18A:23-2.3.

Within thirty days following receipt of the report the Board, at a regularly scheduled public meeting, will cause the recommendations of the accountant to be read and discussed and the discussion will be duly noted in the Board meeting minutes in accordance with N.J.S.A. 18A:23-5. The Board Secretary will prepare or have prepared a summary of the annual audit for this board meeting in accordance with N.J.S.A. 18A:23-4.

N.J.S.A. 18A:23-1 et seq.  
N.J.A.C. 6A:23-2.2 et seq.

Adopted: 16 September 2008

0174 LEGAL SERVICES

In accordance with N.J.A.C. 6A:23A-5.2, the Board of Education adopts this Policy and its strategies to ensure the use of legal services by employees and the Board of Education members and the tracking of the use of legal services.

The Board of Education authorizes the Superintendent of Schools, Superintendent of Schools' designee, School Business Administrator/Board Secretary, and Board President as designated contact persons to request services or advice from contracted legal counsel.

The School Business Administrator shall be responsible to review all legal bills and confer with designated contact persons in reviewing such legal bills.

In accordance with the provisions of N.J.A.C. 6A:23A-5.2(a)2, the Board designates the administrative staff member to review all legal bills and designates contact persons to ensure the prudent use of legal services.

School districts with legal costs that exceed one hundred thirty percent of the Statewide average per pupil amount should establish the procedures outlined in 1., 2., 3., and 4. below and, if not established, provide evidence such procedures would not result in a reduction of costs.

1. The designated contact person(s) shall ensure that contracted legal counsel is not contacted unnecessarily for management decisions or readily available information contained in district materials such as Board policies, administrative regulations, or guidance available through professional source materials.
2. All requests for legal advice shall be made to the designated contact person(s) in writing and shall be maintained on file in the district offices. The designated contact person shall determine whether the request warrants legal advice or if legal advice is necessary.
3. The designated contact person(s) shall maintain a log of all legal counsel contact including the name of the legal counsel contacted, date of the contact, issue discussed, and length of contact.
4. All written requests for legal advice and logs of legal counsel contacts shall be forwarded to the School Business Administrator, who shall be responsible to review all legal bills and compare all legal bills to the contact logs and to investigate and resolve any variances.



Any professional services contract(s) for legal services shall prohibit advance payments. Services to be provided shall be described in detail in the contract and invoices for payment shall itemize the services provided for the billing period. Payments to legal counsel(s) shall only be for services actually provided.

School districts and vocational school districts are prohibited from contracting with legal counsel or using in-house legal counsel to pursue any affirmative claim or cause of action on behalf of district administrators and/or any individual Board members or pursuing any claim or cause of action for which the damages to be awarded would benefit an individual rather than the school district as a whole.

The Board of Education will annually establish prior to budget preparation, a maximum dollar limit for each type of professional service, including legal services. In the event it becomes necessary to exceed the established maximum dollar limit for the professional service, the Superintendent of Schools shall recommend to the Board of Education an increase in the maximum dollar amount. Any increase in the maximum dollar amount shall require formal Board action.

Contracts for legal services will be issued by the Board in a deliberative and efficient manner that ensures the district receives the highest quality services at a fair and competitive price or through a shared service arrangement. This may include, but is not limited to, issuance of such contracts through a Request for Proposals (RFP) based on cost and other specified factors or other comparable processes. Contracts for legal services shall be limited to non-recurring or specialized work for which the district does not possess adequate in-house resources or in-house expertise to conduct.

N.J.A.C. 6A:23A-5.2

Revised March 22, 2010

0175 CONTRACTS WITH INDEPENDENT CONSULTANTS

The Board of Education may from time to time engage the services of one or more independent contractors to advise and assist the Board in analyzing school district operations and preparing Board reports when those tasks cannot be performed as economically by district staff members.

Wherever possible, the Board will seek proposals from multiple sources before a contract with an independent consultant is entered. The Board will not contract with a Board member or the spouse, child, parent(s) or legal guardian(s), or sibling, in fact or in law, of a Board member as an independent consultant.

The Board will engage the services of an independent consultant only by written contract, which must specify the work to be accomplished by the consultant, the time within which the work is to be completed, and the fee that will be paid the consultant. An independent consultant engaged by the Board is neither agent nor employee of the Board and may represent the Board only as expressly authorized to do so in writing.

An independent consultant may have access to such school facilities and school district employees as may be reasonably required in the performance of the consultant's contract with the Board. Except as expressly permitted by the contract, any communication between the consultant and a district employee or community member regarding the work of the contract must be conducted through the Board or a designated school official.

Materials and reports generated and created by the independent consultant in the performance of his/her contract with the Board are and will remain the property of the Board and are subject to Board Policy No. 8310 on public records.

0176 COLLECTIVE BARGAINING AND CONTRACT  
APPROVAL/RATIFICATION

The Board recognizes a Board member and/or a member of his/her immediate family may be a member of, or salary is determined by, a labor bargaining unit, professional association and/or union that has an affiliation with a bargaining unit, professional organization and/or union within the school district. The Board member does not automatically violate N.J.S.A. 18A:24 by voting to approve and/or ratify this contract solely on the basis of his/her status or that of an immediate family member with respect to membership or representation by a different local affiliate of the same statewide association with whom the agreement is made provided the Board member's involvement with such local affiliate has not or appears to have not compromised the member's objectivity or independence of judgment.

In accordance with N.J.S.A. 18A:12-24, the Board member shall not participate in the collective bargaining process and/or serve on the negotiations committee representing the Board with this unit, association, and/or union. The Board member may be apprised of the terms of a tentative memorandum of agreement with this unit, association, and/or union in closed and/or open session only after a tentative memorandum of agreement has been reached. The Board member may vote during the public meeting to approve and/or ratify a contract with this bargaining unit, professional association and/or union.

The Board member shall not participate in any aspect of negotiations and/or vote to approve/ratify a tentative memorandum of agreement/contract ratification if the Board member has an immediate family who is a member of the bargaining unit, professional association and/or union within the school district. Under this circumstance, the Board member may only vote in the event the school board attorney advises the Board the Doctrine of Necessity must be invoked in accordance with Policy No. 0163.

In addition, the School Ethics Commission Decision A16-00 states a Board member may not participate in any aspect of negotiations and/or vote to approve/ratify a tentative memorandum of agreement/contract ratification if the Board member has a "relative" who is a member of the bargaining unit, professional association and/or union within the school district. Under this circumstance, the Board member may only vote in the event the school board attorney advises the Board the Doctrine of Necessity must be invoked in accordance with Policy No. 0163.

N.J.S.A. 18A:12-21 et. seq.

New Jersey School Ethics Commission Advisory Opinion A02-00 and A16-00

Commissioner of Education Decision - In the Matter of Bruce White, Ewing Township Board of Education, Mercer County - June 1, 2000

New Jersey State Board of Education Decision - In the Matter of Frank Pannucci, Board of Education of Brick Township, Ocean County - March 3, 2000

Adopted: 16 September 2008

0177 PROFESSIONAL SERVICES

In accordance with N.J.A.C. 6A:23A-5.2, the Board of Education adopts this Policy and its strategies to minimize the cost of professional services.

The Board of Education will establish annually prior to budget preparation a maximum dollar limit for each type of professional service. In the event it becomes necessary to exceed the established maximum dollar limit for the professional services, the Superintendent of Schools shall recommend to the Board of Education an increase in the maximum dollar amount. Any increase in the maximum dollar amount shall require formal Board action.

Contracts for professional services will be issued by the Board in a deliberative and efficient manner that ensures the district receives the highest quality services at a fair and competitive price or through a shared service arrangement. This may include, but is not limited to, issuance of such contracts through a Request for Proposals (RFP) based on cost and other specified factors or other comparable processes. Contracts for professional services shall be limited to non-recurring or specialized work for which the district does not possess adequate in-house resources or in-house expertise to conduct.

Nothing in this Policy or N.J.A.C. 6A:23A-5.2 shall preclude the Board from complying with the requirements of any statute, administrative code, or regulation for the award of professional services contracts.

N.J.A.C. 6A:23A-5.2

Revised March 22, 2010

1000 ADMINISTRATION

| <u>Number</u> | <u>Title</u>  |
|---------------|---|
| 1100          | District Organization   |
| 1110          | Organizational Chart  |
| 1120          | Management Team   |
| 1130          | Staff Liaison Committees  |
| 1210          | Board-Superintendent Relations  |
| 1220          | Employment of Chief School Administrator  |
| 1230          | Superintendent's Duties   |
| 1240          | Evaluation of Superintendent  |
| 1260          | Incapacity of Superintendent  |
| 1310          | Employment of School Business Administrator/Board Secretary                                   |
| 1320          | Duties of the School Business Administrator/Board Secretary                                   |
| 1330          | Evaluation of the School Business Administrator   |
| 1331          | Evaluation of the Board Secretary   |
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1100 DISTRICT ORGANIZATION

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

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

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

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

Adopted: 16 September 2008

1110 ORGANIZATIONAL CHART

Adopted: 16 September 2008

1120 MANAGEMENT TEAM

The Board of Education recognizes the value of a system of management organization that enhances communication among administrators and between the administration and the Board, encourages a shared responsibility for educational policy decisions, and provides for the equitable resolution of conflicts.

The Board directs the Superintendent to establish a management team that includes the Superintendent and those administrative, supervisory, and support staff members who are responsible for employee evaluation, the adjudication of grievances, supervision of employees, or recommendations regarding the employment of employees.

The Superintendent shall institute a management team system that will provide a means for:

1. Submitting recommendations to the Board on issues of educational policy;
2. Addressing the economic concerns and working conditions of management team members, including their job descriptions, evaluation, salaries, fringe benefits, promotions, assignments, and transfers;
3. The development of administrative procedures; and
4. The consideration of such additional and appropriate issues as may be identified by the Superintendent or the management team.

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

Adopted: 16 September 2008



1130 STAFF LIAISON COMMITTEES

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

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

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

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.

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.

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
6. Strict compliance with law and Policy No. 1530 on equal employment opportunity.

Qualifications

The candidate must possess or be eligible for a valid New Jersey administrative certificate endorsed for school administrator or a provisional school administrator's endorsement in accordance with N.J.A.C. 6A:9-12.4 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. The contract will automatically renew for the same term and with the same conditions unless the parties have entered a new contract, which may provide a different term of not less than three nor more than five years, or the Board has notified the Superintendent at least one year or more (if more than a one-year notice is provided in the contract) in advance of the expiration of the contract, that the contract will not be renewed.

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.S.A. 18A:16-1; 18A:17-15; 18A:17-20; 18A:17-20.1;  
18A:17-20.2; 18A:17-20.2a; 18A:17-20.3

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

Cross reference: Policy Guide No. 1230

Revised June 23, 2009

1230 SUPERINTENDENT'S DUTIES

Qualifications:

1. New Jersey School Administrator Certificate;
2. Appropriate Master's Degree;
3. Appropriate administrative/supervisory experiences; and
4. Other criteria as established by New Jersey State Board of Education and the local Board of Education

Reports to: Board of Education

Performance Responsibilities:

The Superintendent shall be the chief executive and administrative officer of the Board of Education and shall carry out the policies, rules and regulations of that body.

1. Research and Planning

The Superintendent shall be responsible for researching and planning for the future well being of education in the Vocational Schools of Monmouth County.

2. Policy

Within the limits prescribed by the Board of Education, state statute, the rules and regulations of the State Board of Education and the pronouncements of the State Commissioner of Education, it is the duty of the Superintendent to set the administrative policy of the school.

3. Recommendations

It is the responsibility of the Superintendent to make recommendations to the Board of Education. The Superintendent shall be required to make recommendations concerning curriculum, personnel, maintenance, operation, organization, building, remodeling, or major repair of buildings, and on any other matter whatsoever that concerns the welfare of the Vocational Schools, and on which the Board of Education should take action.

4. Reports

The Superintendent shall keep the Board of Education informed concerning the state of the vocational school system.

5. Supervision

The Superintendent shall directly supervise all members of the staff of the vocational school or so delegate such supervisory duties to other members of the administrative staff.

6. Public Relations

The Superintendent shall be responsible for and shall direct the program of public information and public relations.

7. Fiscal Operations

The Superintendent, acting with the Secretary of the Board of Education, shall prepare the tentative annual budget for submission to the Board of Education. The Superintendent shall be responsible for all fiscal matters concerning the Board of Education's budget and shall follow the statutes of the law.

8. Staff Selection

The Superintendent is responsible for reviewing the qualifications of all candidates for employment and to make appropriate recommendations to the Board.

9. Representing the Board of Education

As the executive officer of the Board of Education, the Superintendent will represent the Board and its philosophy on all matters.

10. Records

The Superintendent shall keep such records as are required of his office by statute or by regulation of the Board of Education.

11. Property

The Superintendent is responsible for all property under the control of the Board of Education.

12. Educational Program

The Superintendent is responsible for leading the staff in developing and implementing the educational program and necessary support services in providing a quality education for all the district's pupils.

13. Performs Other Duties

The Superintendent is responsible for performing other duties as assigned by the Board of Education or deemed necessary to perform in the best interest of the Board of Education.

Terms of Employment:

Twelve months. Contract terms and salary to be determined by the Board.

Evaluation:

Performance of this job will be evaluated annually in accordance with the Board's policy on evaluation of Superintendent.

N.J.S.A. 18A:17-17; 18A:17-18; 18A:17-20; 18A:22-8.1; 18A:27-4.1

Adopted: 16 September 2008



## 1240 EVALUATION OF SUPERINTENDENT

The Board of Education will annually evaluate the performance of the Superintendent in order to assist both the Board and the Superintendent in the proper discharge of their responsibilities and to enable the Board to provide the district with the best possible leadership.

The objective of the Board's evaluation will be to promote professional excellence and improve the skills of the Superintendent, to improve the quality of education received by the pupils of this district, and to provide a basis for the review of the Superintendent's performance.

The Superintendent shall be evaluated annually by the Board. The Board may choose to be assisted or advised by a consultant. The evaluation will be based on the job description for the position of Superintendent and this policy. The evaluation procedures in this policy and the job description and any revisions thereto will be adopted by the Board after consultation with the Superintendent.

This policy will be delivered to the Superintendent upon its adoption, and any amendment to this policy will be developed and adopted by the Board after consultation with the Superintendent. This policy and/or any amendments to this policy will be delivered to the Superintendent within ten working days after its adoption.

### Evaluation Criteria

Criteria for the evaluation of the Superintendent will be based upon the Superintendent's job description and will relate directly to each of the tasks described. Each criteria will be brief and will focus on a major function of the position, be based on observable information rather than on factors requiring subjective judgment, and be written in a consistent format.

The Board shall develop and approve criteria for the evaluation of the Superintendent. Evaluation criteria will be reviewed as necessary and as requested by the Superintendent, but not less than annually and upon any revision of the Superintendent's job description. Evaluation criteria will be adopted before July 1 of each year. Any proposed revision of the evaluation criteria will be provided to the Superintendent for his/her comments before its adoption, and a copy of the adopted revision shall be provided the Superintendent within ten working days of its adoption.

### Collection and Reporting of Evaluation Data

Data for the evaluation of the Superintendent will be gathered by any one or more of the following methods: direct observation, review of a document produced in the performance of the Superintendent's assigned duties; interviews with the Superintendent regarding his/her knowledge of assigned duties; paper and pencil instruments (such as competency tests, staff surveys, and the like); audio-visual monitoring of the Superintendent in the performance of his/her assigned duties; and reference to previous performance reports.

The Superintendent shall be observed in the performance of his/her assigned duties at least once annually.

### Preparation Plan for Professional Growth and Development

An individual plan for professional growth and development shall be prepared annually, and before July 1 of each year in cooperation with the Superintendent and will include areas of required growth, methods of achieving that growth, a schedule for implementation, and the responsibility of the Superintendent and Board for implementing the plan. The plan will derive from applicable evaluation criteria and focus on critical areas of professional growth.

A copy of the plan for professional growth and development will be placed in the annual performance report. The degree to which the Superintendent achieved the requirements of the previous plan will be a measure of his/her annual performance evaluation.

It will be the duty of the Superintendent to implement the plan as prepared; his/her failure to do so may result in disciplinary action up to and including certification of tenure charges.

### Conduct of Annual Performance Conference

An annual summary conference shall be conducted between the Board, with a majority of the total membership of the Board and the Superintendent before the annual performance report is filed. The conference will be held in private, unless the Superintendent requests that it be held in public.

The conference shall include but need not be limited to a review of the performance of the Superintendent based upon the job description; a review of the Superintendent's progress in achieving and implementing the district's goals, program objectives, policies, instructional priorities, and statutory requirements; and a review of available indicators of pupil progress and growth toward the program objectives.

The purpose of the annual performance conference will be to provide for a total review of the year's work, to identify strategies for improvement where necessary, and to recognize achievement and good practice. Adequate time will be allotted for the conference in order to cover the required topics of discussion and to permit a full exploration of the possible solutions to any problems identified.

#### Preparation of Annual Performance Report

An annual written performance report shall be prepared, no later than April 30, by a majority of the full membership of the Board. The report will include, but need not be limited to, performance areas of strength; performance areas needing improvement based on the job description and evaluation criteria; the plan for professional growth and development prepared by the Superintendent and the Board; a summary of available indicators of pupil progress and growth and a statement of how these indicators relate to the effectiveness of the overall program and the performance of the Superintendent; and provision for performance data that have not been included in the report prepared by the Board to be entered into the record by the Superintendent within ten working days after the completion of the report.

The annual performance report will be signed by the Board President at the time of the conference and by the Superintendent within five working days of the conference. It will be filed in the Superintendent's personnel file, and a copy will be provided to the Superintendent.

N.J.A.C. 6A:32-4.3

Adopted: 16 September 2008

1260 INCAPACITY OF SUPERINTENDENT

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

The Superintendent will be deemed to be incapacitated when:

1. The Superintendent is absent on disability leave of a projected duration of one hundred eighty days or more; or
2. The Superintendent is certified incapacitated by a physician in accordance with Board Policy No. 3161; or
3. The Superintendent has been suspended with pay; or
4. The Superintendent has been suspended without pay pending the resolution of tenure charges.

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

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

Adopted: 16 September 2008

1310 EMPLOYMENT OF SCHOOL BUSINESS ADMINISTRATOR/  
BOARD SECRETARY

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

All candidates for the position of School Business Administrator/Board Secretary must produce evidence of their training and/or experience in the fields of 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.

Every serious candidate 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.S.A. 18A:16-1; 18A:17-5; 18A:17-14.1 et seq.  
N.J.A.C. 6A:9-12.3; 6A:9-12.7

Adopted: 16 September 2008

1320 DUTIES OF SCHOOL BUSINESS ADMINISTRATOR/  
BOARD SECRETARY

Qualifications:

1. School Business Administrator Certificate or eligibility;
2. Master's Degree in Educational Administration or related field;
3. Experience in budget preparation and administration, and understanding of statutory and code requirements related to school budgeting;
4. Understanding of the principles and practices of financial accounting and reporting procedures consistent with statute, code and GAAP requirements;
5. Knowledge of statutory requirements and accepted practices in school districts related to insurance, purchasing, transportation, food services, school plant operations and facility planning;
6. Demonstrated organizational, communication and interpersonal skills;
7. Successful experience in human resource management and understanding of statutory requirements related to public employment and collective bargaining;
8. Must be bonded in accordance with law;
9. Knowledge of school law as it relates to job requirements; and
10. Other criteria as established by the Board of Education.

School Business Administrator Reports to: Superintendent

Board Secretary Reports to: Superintendent/Board of Education

Supervises: All custodial, maintenance and business operations support staff

Job Goal for School Business Administrator:

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

Performance Responsibilities for School Business Administrator:

1. Budget

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

2. Purchasing

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

3. Maintenance/Facilities

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

4. Food Services

Is responsible for the efficient operation of the district's food services program and ensures that procedures are in accordance with law and regulations.

5. Insurance

Administers the district's insurance/risk management program.

6. Transportation

Is responsible for the safe, efficient operation of the pupil transportation program; ensures proper maintenance of district-owned vehicles; reviews routes; and handles the business aspects of contracted transportation services.

7. Capital Improvements

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

8. Properties

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

9. Payroll/Benefits

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

10. Investments

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

11. Business Operations

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

12. Fiscal Grant Management

Coordinates and oversees fiscal aspects of grant management.

13. Performs Other Duties

Performs such other duties as are prescribed by law and as may be directed by the Superintendent or the Board.



14. Evaluation of Non-Certificated Personnel

Oversees evaluation and supervision of non-certificated personnel in accordance with Board of Education policy.

Job Goal for Board Secretary:

To ensure efficient operation of the Board of Education in compliance with duties specified by laws, statutes and directives.

Performance Responsibilities for Board Secretary:

1. Records

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

2. Meetings

Gives notice of all regular and special meetings and posts such notices in accordance with prescribed legislation, except such as shall be kept by the Treasurer of School Moneys pursuant to law. Attends all Board meetings.

3. Board Minutes

Records all proceedings of Board meetings and handles all correspondence of the Board.

4. Reorganization

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

5. Oath

Administers the Oath of Office to newly elected Board members.

6. Accountant

Serves as general accountant of the Board, and keeps correct and detailed accounts of all financial transactions as prescribed by statute and approved Board policy. Provides the Board with written reports on the same.

7. Audit

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

8. Reports

Reports to the Board at each regular meeting the amounts appropriated, expended and transferred into or out of an item of appropriation, for each item of appropriation shown on the prescribed budget form.

9. Cash Balances

Reports to the Board once each month the amount of appropriations and the cash receipts for each account, and the amounts for which warrants have been drawn against each account and the amounts of orders or contractual obligations incurred and chargeable against each account since the previous report.

10. Certify Budget

Certifies to the Board each month that no budget line item has been overexpended.

11. Annual Audit

Prepares a synopsis or summary of the annual audit and recommendations, prior to the holding of the Board meeting to take action thereon. A copy of the synopsis or summary shall be made available for distribution to interested parties at the meeting.

12. Tuition Collection

Collects tuition fees and other moneys due to the Board not payable directly to the Treasurer of School Moneys and transmits such funds to the treasurer.

13. School Debts

Reports to the commissioner, the amount of interest-bearing school debts of the county and the district with rates of interest, dates when bonds and other evidences of indebtedness were issued, and the due date.

14. End-of-Year Fiscal Report

Provides the Board with detailed end-of-year fiscal report in the manner and form prescribed by the commissioner, and files a copy with the County Superintendent by August 1.

15. Disclosure

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

16. Appointment Notification

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

Terms of Employment:

Twelve months. Contract terms and salary to be determined by the Board.

Evaluation:

Performance of this job will be evaluated in accordance with provisions of the Board's policy on evaluation of the Business Administrator/Board Secretary.

Adopted: 16 September 2008

1330 EVALUATION OF THE SCHOOL BUSINESS ADMINISTRATOR

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

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

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

1331 EVALUATION OF THE BOARD SECRETARY

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

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

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

1350 INCAPACITY OF SCHOOL BUSINESS ADMINISTRATOR/  
BOARD SECRETARY

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

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

1. The School Business Administrator/Board Secretary is absent on disability leave of a projected duration of one hundred eighty days or more; or
2. The School Business Administrator/Board Secretary is certified incapacitated by a physician in accordance with Board Policy No. 3161; or
3. The School Business Administrator/Board Secretary has been suspended with pay; or
4. The School Business Administrator/Board Secretary has been suspended without pay pending the resolution of tenure charges.

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

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

Adopted: 16 September 2008

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: 16 September 2008

1510 RIGHTS OF PERSONS WITH HANDICAPS OR DISABILITIES/  
POLICY ON NON-DISCRIMINATION

It is the policy of the Board of Education that no qualified handicapped or disabled person shall, on the basis of handicap or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in employment or under any program, activity or vocational opportunities sponsored by this Board. The Board shall comply with §504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. It shall also comply with the Individuals with Disabilities Education Act through the implementation of Policy No. 2460 and Regulations Nos. 2460 through 2460.14.

Notice of the Board's policy on nondiscrimination in employment (Policy and Regulation No. 1530) and education (Policy and Regulation No. 5750) 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 shall be discriminated against in recruitment, hiring, advancement, discharge, compensation, training, transfer, or any other term, condition, or privilege of employment solely because of his/her handicap/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 shall be required to answer a question or submit to an examination regarding a handicap/disability except as such handicap/disability relates directly to the performance of the job sought. No candidate will be discriminated against on the basis of a handicap/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, shall be made to accommodate employment conditions to the needs of qualified persons with handicaps/disabilities. Such accommodations may include, but are not limited to rescheduling; restructuring jobs; making facilities accessible; acquiring or modifying equipment; modifying examinations, training materials, policies and procedures; and providing readers or interpreters.

The Board employment policies and procedures shall comply with the Americans with Disabilities Act.



### Facilities Accessibility

No qualified handicapped/disabled person shall, because of the school district's facilities being inaccessible or unusable by handicapped/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 shall be constructed that do not fully comply with §504 of the Rehabilitation Act of 1973 and the American with Disabilities Act. Alterations to existing facilities or part thereof, shall be altered in such a manner to the maximum extent feasible, that the facilities are readily accessible and usable by individuals with handicaps/ disabilities who have a need to access Board facilities.

### Educational Program Accessibility

No qualified handicapped/disabled person shall be denied the benefit of, be excluded from participation in, or otherwise be subjected to discrimination in any activity offered by this district.

The Board has an affirmative obligation to evaluate a pupil who is suspected of having a handicap/disability to determine the pupil's need for special education and related services. The Board directs that all reasonable efforts be made to identify unserved children with handicaps/ disabilities in this district who are eligible for special education and/or related services in accordance with Policy No. 2460 and Regulations Nos. 2460 through 2460.14, the Individuals with Disabilities Education Act, §504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990.

Section 504 of the Rehabilitation Act requires the Board to address the needs of children who are considered handicapped/disabled under §504 and do not qualify for services under the Individuals with Disabilities Education Act. A pupil may be handicapped/disabled within the meaning of §504, and therefore entitled to regular or special education and related aids and services under the §504 regulation, even though the pupil may not be eligible for special education and related services under Part B of the Individuals with Disabilities Education Act.

No pupil will be denied, because of his/her educational handicap/disability, participation in co-curricular, intramural, or interscholastic activities or any of the services offered or recognitions rendered regularly to the pupils of this district.

There will be grievance procedures for persons alleging discriminatory acts by the Board and/or staff. The due process rights of pupils with handicaps/disabilities and their parents will be rigorously enforced.

## Enforcement

The Assistant Superintendent: Professional Development and Curriculum is designated as district coordinator for matters dealing with §504 and Title IX. The district coordinator shall act as a compliance officer and can be contacted at the following address or telephone number:

Address:                   4000 Kozloski Road  
                                  PO Box 5033  
                                  Freehold, New Jersey 07728-5033

Telephone Number: 732-431-7942

A complaint regarding a violation of law and this policy will be subject to a complaint procedure that provides for the prompt and equitable resolution of disputes.

The complainant shall be notified of his/her rights of appeal at each step of the process, and accommodations to the needs of handicapped/disabled complainants shall be made. A complainant shall be informed of his/her right to file a formal action for redress with or without recourse to the complaint procedure established by this policy and its accompanying regulation.

A complaint regarding the identification, evaluation, classification, or educational program of a pupil with a handicap/disability shall be governed by the due process rules of the State Board of Education, N.J.A.C. 6A:14-2.7 and the Office of Administrative Law, N.J.A.C. 1:6A-1 et seq., and by the procedural safeguard processes established by Board Policy No. 2460 and Regulation No. 2460.6 or the grievance procedures established in Regulation No. 1510.

## Guarantee of Rights

The Board shall not interfere, directly or indirectly, with any person's exercise or enjoyment of the rights protected by the §504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Individuals with Disabilities Education Act or Title IX.

The Board shall 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 §504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Individuals with Disabilities Education Act or Title IX.

### Evaluation and Compliance

The Board directs the Superintendent to evaluate district programs and practices on nondiscrimination, in accordance with law, and to report evaluations to the Board. The Board will submit such assurances of compliance as are required by law.

### Annual Publication

This Policy will be published yearly prior to the beginning of the school year in a regional newspaper, magazine and/or other written communication that is available to the public.

29 U.S.C. 794 (Sec. 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)  
N.J.S.A. 10:5-1 et seq.  
N.J.S.A. 18A:18A-17  
N.J.A.C. 6A:14-1 et seq.  
34 CFR Part 104

Adopted: 16 September 2008

## 1522 SCHOOL-LEVEL PLANNING

The Board of Education recognizes the T&E mandate for a school level planning process that involves parent(s) or legal guardian(s) and staff members in identifying school needs, establishing performance objectives, and monitoring progress toward those objectives.

### School Report Card

The Board directs the compilation, no later than September 30 each year, of a profile of each school that includes as a minimum the statistical information specified by the State Department of Education.

The School Report Card of a school shall be distributed to the staff members assigned to that school and the parent(s) or legal guardian(s) of pupils enrolled in that school. The profiles of all district schools shall be made available to the media and to members of the public at a public meeting of the Board.

### School Based Planning Team

A planning team shall be established in each district school and shall be responsible for the development and implementation of the school-level plan.

The planning team shall be comprised of the Principal, teaching staff members, and parent(s) or legal guardian(s) of pupils enrolled in the school. Team members other than the Principal shall each serve for a term of one year.

Teaching staff members shall be appointed by the Principal.

Parent team members shall be appointed by the Principal.

The school planning team shall review the school report card and other relevant school planning materials supplied by the Superintendent. The team shall be supplied on request with such additional materials and information it deems appropriate and necessary to its work, subject to limitations on access to pupil records established by law and Policy No. 8330.

### School-level Plan

The school-level plan shall be developed annually. The plan shall include two or more pupil performance objectives and a review of progress by teaching and administrative staff toward the achievement of objectives established in the previous school-level plan. The school planning team shall submit the plan to the Superintendent no later than July 1.

The annual school-level plan shall be reviewed at least once each semester in meetings arranged and conducted by the school planning team. Review meetings shall be conducted by grade level, department, team, or in similarly appropriate groupings. The results of each such meeting shall be considered by the school planning team in the development of the succeeding school-level plan.

### Pupil Performance Objectives

The school planning team shall develop two or more objectives based on pupil performance or behavior standards. The objectives shall cover a period of not more than two years.

If pupil performance is below minimum State standards, the planning team shall establish objectives to meet those standards. Benchmarks, or interim performance levels, shall be set to measure the school's progress toward the achievement of State minimum standards.

If pupil performance meets or exceeds minimum State standards, the planning team shall establish challenge objectives.

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

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

Adopted: 16 September 2008

1523 COMPREHENSIVE EQUITY PLAN

The Board of Education will identify and correct discriminatory and inequitable policies, patterns, programs, and practices affecting its facilities, programs, pupils and staff. The school district will develop a Comprehensive Equity Plan once every three years to comply with equity requirements for which they are responsible, which are mandated by the Fourteenth Amendment of the U.S. Constitution; Article I, Paragraph 5 of the New Jersey State Constitution; N.J.S.A. 18A:36-20 and N.J.A.C. 6A: 7-1.1 et seq.; Titles VI and VII of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; the Rehabilitation Act of 1973, and other related legislation.

The district will assess its needs for achieving equity and equality in educational programs based on an analysis of pupil performance data in accordance with N.J.A.C. 6A:7-1.4(c)1. The purpose of the needs assessment is to identify and eliminate discriminatory practices and other barriers to achieving equity in educational programs.

The Comprehensive Equity Plan shall address:

1. Professional development pursuant to N.J.A.C. 6A:7-1.6;
2. Equality in school and classroom practices pursuant to N.J.A.C. 6A:7-1.7; and
3. Equality in employment and contract practices pursuant to N.J.A.C. 6A:7-1.8.

The Comprehensive Equity Plan shall include goals, objectives, timelines, and benchmarks for measuring progress.

The Board shall submit the Comprehensive Equity Plan to the County Superintendent of Schools for approval and a copy shall be submitted to the Department of Education. If the plan is not approved by the County Superintendent, the plan shall be revised and re-submitted to the County Superintendent of Schools within thirty days of the notification of non-approval.

The district shall, at the end of the school year, report their annual progress in the Quality Annual Assurance Report on achieving the objectives of the Comprehensive Equity Plan. The Superintendent shall also provide to the Department of Education:

1. A Statement of Assurances and certification that;

- a. The district will continue to maintain compliance with N.J.A.C. 6A:7; Titles VI and VII of the Civil Rights Act of 1964; the Guidelines for the Desegregation of Public Schools in New Jersey and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. section 794);
- b. The district will perform all required activities as provided for in this Policy and report such assurances to the Board annually;
- c. The district will continue the implementation of its approved Comprehensive Equity Plan; and
- d. The Board will provide a resolution approving the Affirmative Action Officer for each school year of the three-year comprehensive plan.

Specific statements of Board policy and procedure regarding matters of equity are contained in the following policies and/or regulations:

- 1510 Rights of Persons With Handicaps or Disabilities/Policy on Non-Discrimination
- 1530 Equal Employment Opportunities
- 1550 Affirmative Action Program for Employment and Contract Practices/Employment Practices Plan
- 2260 Affirmative Action Program for School and Classroom Practices
- 3362 Sexual Harassment - Teaching Staff Member
- 4352 Sexual Harassment - Support Staff Member
- 5700 Pupil Rights
- 5750 Equal Educational Opportunity
- 5751 Sexual Harassment of Pupils
- 5752 Marital Status and Pregnancy
- 5755 Equity in Educational Programs and Services
- 5770 Pupil Right to Privacy
- 5810 Pupil Participation in School Government
- 5841 Secret Societies
- 5842 Equal Access to Pupil Organizations

The Comprehensive Equity Plan will be adopted by a Board of Education resolution and signed by the Superintendent. The Plan will be publicized throughout the community and will inform the pupils, staff and community of the Affirmative Action Officer, the location and availability of the school district's Plan and related policies.

Title VI of the Civil Rights Act of 1964  
The Rehabilitation Act of 1973  
N.J.S.A. 18A:36-20; 18A:38-1  
N.J.A.C. 6A:7-1.1 et seq.  
Title IX of the Education Amendments of 1972  
Title VII, Civil Rights Act of 1964  
Equal Pay Act of 1973  
The Fourteenth Amendment of the U.S. Constitution  
Article I, Paragraph 5 of the New Jersey State Constitution  
N.J.S.A. 18A:38-1  
State Board of Education Policy and Guidelines on Racial Balance of 1969 and 1972 Guidelines  
for the Desegregation of Public Schools in New Jersey (1989)  
Guidelines for Eliminating Discrimination and Denial of Services in Vocational Education  
(1979)  
Guidelines for the Desegregation of Public Schools in New Jersey (1989)  
Multi-Year Equity Plan - Forms and Directions to Assist School Districts In Developing a Multi-  
Year Plan To Provide Equality In Educational Programs (October 1995)



1530 EQUAL EMPLOYMENT OPPORTUNITIES

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

Each otherwise qualified person shall be offered equal 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, affectational or sexual orientation or sex, social or economic status, or disability. 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, affectational or sexual orientation or sex, social or economic 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 will target-underutilized groups, so that the district's employment of females and minorities in every category of employment equals or exceeds their representation within the county workforce. The Board will provide among the faculty of each school role models of diverse racial and cultural backgrounds.

For the purpose of this policy, "disability" means suffering from physical disability; from any mental, psychological, or developmental disability; or from AIDS or HIV infection.

The Board shall not enter into, or maintain, any contracts with a person, agency, or organization if it has knowledge that such person, agency, or organization discriminates 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, either in employment practices or in the provision of benefits or services to pupils or employees.

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

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

42 U.S.C.A. 12101 et seq.

N.J.S.A. 10:5-1 et seq.; 18A:6-5; 6-6; 18A:28-10; 18A:29-2

N.J.A.C. 6A:7-1.1 et seq.

Adopted: 16 September 2008

1540 ADMINISTRATOR'S CODE OF ETHICS

Definitions

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

1. Requires certification with the endorsement of school administrator, Principal, or School Business Administrator;
2. Does not require certification but is responsible for making recommendations regarding hiring or the purchase or acquisition of any property or services by the local school district; or
3. Requires certification with the endorsement of supervisor and is responsible for making recommendations regarding hiring or the purchase or acquisition of any property or services by the local school district.

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

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

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

Code of Ethics

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

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

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

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

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

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

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

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

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

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

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

1550 AFFIRMATIVE ACTION PROGRAM FOR EMPLOYMENT AND CONTRACT  
PRACTICES/EMPLOYMENT PRACTICES PLAN

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

No qualified handicapped person, shall, on the basis of handicap, be subjected to discrimination in employment and the Board will take positive steps to employ and advance in employment qualified handicapped persons in programs and activities.

The Assistant Superintendent: Professional Development and Curriculum shall serve as Affirmative Action Officer and shall coordinate all activities designed to implement this policy. It will be the responsibility of the Affirmative Action Officer to:

1. Study job descriptions, job qualifications, and salary guides for discriminatory practices;
2. Compare the characteristics of persons in the district's hiring region who possess skills required by the district to the characteristics of district employees;
3. Develop methods to search out sources of candidates for employment;
4. Recommend methods of recruitment that will encourage minority and female applicants;
5. Review recruiting advertisements and application forms;
6. Compare data on the promotion and discharge of women and minorities to district-wide data on promotion and discharge of employees; and
7. Recommend programs that will encourage greater job opportunities for women and members of minority groups.

ADMINISTRATION  
1550/page 2 of 2  
Affirmative Action Program for Employment and Contract  
Practices/Employment Practices Plan

The Affirmative Action Officer shall report as required to the Board on progress made in the affirmative action program for employment and contract practices. The Board will annually review district progress toward objectives of any state-approved affirmative action plan.

20 U.S.C.A. 1681; 20 U.S.C.A. 1703(d)  
N.J.S.A. 10:5-1 et seq.  
N.J.S.A. 18A:6-5 et seq.  
N.J.A.C. 6A:7-1.8

Adopted: 16 September 2008

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

Revised March 22, 2010



1620 ADMINISTRATIVE EMPLOYMENT CONTRACTS

The Executive County Superintendent shall review and approve for all Superintendents, Deputy Superintendents, Assistant Superintendents, and School Business Administrators 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 or Acting Executive County Superintendent, the Assistant Commissioner for Field Services shall review and approve all above contracts.

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 approval and execution of those 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.

The public notice and public hearing required pursuant to N.J.S.A. 18A:11-11 is applicable to a Board that renegotiates, extends, amends, or otherwise alters the terms of an existing contract with the Superintendent of Schools, Deputy Superintendent, Assistant Superintendents, or School Business Administrator.

The public notice and public hearing requirements of N.J.S.A. 18A:11-11 do not apply to new contracts that replace expired contracts for existing employees in one of these positions, whether tenured or not tenured.

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 shall be consistent with the following additional standards:

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 district with other teaching staff members, such as payment of the employee's State or federal taxes, or of the employee's contributions to FICA, Medicare, State pensions and annuities (TPAF), life insurance, disability insurance (if offered), and health benefit costs.
4. No contract shall contain a payment as a condition of separation from service that is deemed by the Executive County Superintendent to be prohibited or excessive in nature. The payment cannot exceed the lesser of the calculation of three months pay for every year remaining on the contract with pro-ration for partial years, not to exceed twelve months, or the remaining salary amount due under the contract.
5. No contract shall include benefits that supplement or duplicate benefits that are otherwise available to the employee by operation of law, an existing group plan, or other means; 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 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.
10. No provision for payment at the time of separation or retirement shall be made for work not performed except as otherwise authorized above.
11. No contract shall include a provision for a monthly allowance except for a reasonable car allowance. A reasonable car allowance cannot 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 NJOMB circulars. If such allowance is included, the employee cannot be reimbursed for business travel mileage nor assigned permanently a car for official district business. Any provision of a car for official district business must conform with N.J.A.C. 6A:23A-6.12 and be supported by detailed justification. No contract can include a provision of a dedicated driver or chauffer.
12. 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.
13. No contract shall include a provision for additional compensation upon the acquisition of a graduate degree unless the graduate degree is conferred by a duly accredited institution of higher education as defined in N.J.A.C. 6A:9-2.1. No contract shall include a provision for assistance or tuition reimbursement, or for additional compensation for graduate school coursework, unless such coursework culminates in the acquisition of a graduate degree conferred by a duly accredited institution of higher education as defined in N.J.A.C. 6A:9-2.1.

Any actions by the Executive County Superintendent undertaken pursuant to N.J.A.C. 6A:23-3.1 and this Policy may be appealed to the Commissioner of Education pursuant to the procedures set forth at N.J.A.C. 6A:3.

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

Revised March 22, 2010

2000 PROGRAM

| <u>Number</u> | <u>Title</u>  |
|---------------|---|
| 2110          | Mission Statement and Philosophy of Education                 |
| 2132          | School District Goals and Objectives                          |
| 2200          | Curriculum Content  |
| 2210          | Curriculum Development  |
| 2220          | Adoption of Courses   |
| 2230          | Curriculum Guides   |
| 2260          | Affirmative Action Program for School and Classroom Practices |
| 2320          | Independent Study Programs                                    |
| 2340          | Field Trips   |
| 2361          | Acceptable Use of Computer Networks/Computers and Resources   |
| 2362          | Use of Home/Personal Computing Devices on Campus              |
| 2411          | Guidance Counseling   |
| 2412          | Home Instruction Due to Health Condition                      |
| 2414          | Programs for Pupils At Risk                                   |
| 2415          | No Child Left Behind Programs                                 |
| 2415.01       | Academic Standards, Academic Assessments and Accountability   |
| 2415.02       | Title I – Fiscal Responsibilities                             |
| 2415.03       | Highly Qualified Teachers                                     |
| 2415.04       | Title I – Parental Involvement                                |
| 2415.05       | Pupil Surveys, Analysis and/or Evaluations                    |
| 2415.06       | Unsafe School Choice Option                                   |
| 2415.20       | No Child Left Behind Complaints                               |
| 2416          | Programs for Pregnant Pupils                                  |
| 2417          | Pupil Intervention and Referral Services                      |
| 2421          | Career-Technical Education                                    |
| 2422          | Health Education  |
| 2423          | Bilingual and ESL Education                                   |
| 2430          | Co-Curricular Activities                                      |
| 2440          | Summer School   |
| 2453          | Post-Secondary Education                                      |
| 2460          | Special Education   |
| 2461          | Special Education/Receiving Schools                           |

| <u>Number</u> | <u>Title</u>   |
|---------------|--|
| 2464          | Gifted and Talented Pupils                                     |
| 2466          | Needless Public Labeling of Pupils with Disabilities           |
| 2467          | Surrogate Parents and Foster Parents                           |
| 2480          | Alternative Education Programs                                 |
| 2481          | Home or Out-of-School Instruction for General Education Pupils |
| 2510          | Adoption of Textbooks  |
| 2520          | Instructional Supplies   |
| 2531          | Use of Copyrighted Materials                                   |
| 2560          | Live Animals in School   |
| 2610          | Educational Program Evaluation                                 |
| 2622          | Pupil Assessment   |
| 2624          | Grading System   |
| 2631          | New Jersey Quality Single Accountability Continuum (QSAC)      |

2110 MISSION STATEMENT AND PHILOSOPHY OF EDUCATION

Mission Statement

The Monmouth County Vocational School District prepares pupils for an evolving workplace and further education through achievement of the New Jersey Core Curriculum Content Standards at all grade levels in specialized academic, career, and technical programs and lifelong learning opportunities.

Philosophy

The Board of Education of the Vocational Schools in the County of Monmouth believes that a wide spectrum of career-technical education programs and services is needed to meet the individual and community needs of Monmouth County. The populations the district is committed to serve are well diversified: secondary public and non-pupils; adult pupils, full and part-time; business and industry, profit and non-profit. In meeting the needs of these populations, the district is sensitive to and cognizant of its responsibilities to assure positive actions be taken in serving the physically and mentally handicapped; minority groups; non-traditional interests and abilities, female and male; the disadvantaged; and the training and employee needs of business and industry.

The district is committed to establishing and maintaining a working relationship with the following institutions, agencies, and branches of government: public and non-public schools, colleges and institutions of higher learning, proprietary schools, State Department of Education, Board of Chosen Freeholders and applicable departments, public and private service agencies, J.T.P.A., business and industrial councils, as well as other groups that have common goals and interests of the district.

Career-technical education programs and services are presently provided in four major categories: secondary, handicapped, post-secondary, and adult. The district is committed to provide the secondary school population of Monmouth County, both public and non-profit private high schools, with appropriate shared-time vocational/technical programs and services designed to meet the interests, abilities, and needs of the pupils that will eventually lead to full time employment, economic independence, and/or preparation for further education and the encouragement of life long learning. The district is also committed to offering full-time educational programs that are on the highest technological level. The district will continually review and update curricula as necessary to provide a thorough and efficient education.

Handicapped pupils will be provided pre-vocational and vocational/technical programs necessary to assist them in entering the world of work. It is the intent of the district to provide vocational education services in the least restricted environment and mainstream those pupils capable of performing in the regular program.

All post-secondary programs are designed to enable individuals to adapt to new experiences, develop a sense of values, and to acquire knowledge, skills, attitudes, and the self-discipline necessary to function effectively in society. Programs are structured to meet the immediate needs of pupils and potential employers.

The Adult Evening School Program serves the immediate and long-term needs of the county's adult population and business, industry, and labor. Programs are designed primarily for entry level training, upgrading of skills and vocational/technical interests. Programs are continuously reviewed, revisions implemented and new programs designed as necessary. Apprenticeship training programs are an important aspect of the Adult Evening Program.

The district is committed to the annual review of educational programs offered by soliciting information and data through various studies, surveys, follow-up studies, self-evaluations, and recommendations of advisory committees in order to serve the vocational/technical needs of Monmouth County.

The Monmouth County Vocational School District does not discriminate on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status.



2132 SCHOOL DISTRICT GOALS AND OBJECTIVES

During the 2006-2011 school years, the Monmouth County Vocational School District will:

1. Explore, develop, and implement programs/schools for emerging career pathways;
2. Review and approve curricula on an annual basis; maintain five year plans;
3. Foster the continued development of community, business, and educational partnerships to provide enhanced opportunities for pupils.
4. Ensure the continued development of the district's technological infrastructure to enhance communications, access information, and support educational integration;
5. Support staff development opportunities for all district personnel; and
6. Promote data driven decision making as a vehicle for district planning and growth.

Goals for the Four Monmouth County Vocational School District Divisions

1. Career Academies
  - a. Strengthen the learning community through expanded diversity and enhanced support services; and
  - b. Improve curriculum and school planning through a district-wide Data Driven Decision Making model.
2. Adult Post-Secondary
  - a. Enhance partnerships with agencies, community, and professional organizations;
  - b. Establish an efficient technological delivery system; and
  - c. Strengthen curriculum and instructional techniques to meet pupil, community, and industry needs.

3. Shared Time
  - a. Promote community awareness;
  - b. Ensure the appropriateness of the curriculum; and
  - c. Enhance pupil involvement and self-motivation.
  
4. Alternative Secondary
  - a. Enhance and strengthen school climate in the alternative secondary schools;
  - b. Enhance and strengthen career and job skills in the alternative secondary schools; and
  - c. Enhance and strengthen curriculum and instruction in the alternative secondary schools.

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

Adopted: 16 September 2008

## 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 pupils 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 No. 2220.

For purposes of this policy "curriculum" means planned learning opportunities designed to assist pupils 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 and the courses required by Policy No. 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 pupil needs. The Superintendent shall, in consultation with teaching staff members, assure the effective articulation of curriculum across all grade levels and among the school districts sending to the Monmouth County Vocational School 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 pupils 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 pupils in accordance with Policy No. 2530;
4. Guidance and counseling to assist in career and academic planning for all pupils, in accordance with Policy No. 2411;
5. A continuum of educational programs and services for all children with disabilities, in accordance with Policy No. 2460 and Regulation Nos. 2460.1 through 2460.14;
6. Bilingual education, English as a Second Language, and English language services for pupils of limited English language proficiency, when the number of such pupils so necessitates, in accordance with Policy No. 2423;
7. Programs and services for pupils at risk who require remedial assistance in accordance with Policy Nos. 2414, 2415, and 5460;
8. Equal educational opportunity for all pupils in accordance with Policy Nos. 2260, 5750 and 5755;
9. Career awareness and exploration as required, and vocational education as appropriate;
10. Educational opportunities for pupils with exceptional abilities, in accordance with Policy No. 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.S.A. 18A:6-2; 18A:6-3; 18A:35-1 et seq.  
N.J.A.C. 6A:8-1.1 et seq.; 6A:14 et seq.  
New Jersey Core Curriculum Content Standards

Adopted: 16 September 2008

2210 CURRICULUM DEVELOPMENT

The Board of Education is committed to the continuing improvement of the educational program of the district. To this end, the curriculum shall be evaluated and modified in accordance with a plan for curriculum development.

As educational leader of the district, the Superintendent shall be responsible to the Board for the development of curriculum and shall establish procedures for curriculum development that ensure the effective participation of teaching staff members, pupils, the community, and members of the Board.

The Superintendent may conduct experimental programs that are not part of the duly adopted curriculum and are deemed to be necessary to the continuing growth of the instructional program; he/she shall report to the Board any such pilot program conducted, along with its objectives, evaluative criteria, and costs, before each such program is initiated.

The Superintendent shall report to the Board periodically on all progress in curriculum development.

## 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.S.A. 18A:4-25; 18A:4-28; 18A:33-1; 18A:35-1 et seq.

N.J.S.A. 18A:54-6; 18A:54-24

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

N.J.A.C. 6A:19-3.5; 6A:8-2.2

## 2230 CURRICULUM GUIDES

The Board of Education directs the preparation of a guide for each approved course of study in order to direct and assist teaching staff members toward the attainment of goals addressed by that course.

Each curriculum guide will contain, as appropriate to the course of study, content standards; objectives, concepts, and skills to be taught; attitudes and appreciations to be developed; suggested activities designed to achieve the objectives; suggested methods of instruction; performance indicators; evaluation criteria intended to test the extent to which learning objectives have been achieved; and a reading list of supplemental titles for the guidance of teachers.

The curriculum guides will be the basic instructional tool for each course of study.

Each teacher shall conduct the course of study as required by the curriculum guide. Any deviation from the content of the guide must be approved by the Assistant Superintendent: Professional Development and Curriculum in advance of its implementation.

The Superintendent shall be responsible for the preparation of curriculum guides, and shall develop a plan for such preparation that includes the participation of appropriate staff members and resource personnel; the participation of members of the community; the participation of pupils at appropriate grade levels; continuing research in instructional methods, materials, and activities; systematic review of all curriculum guides to ensure their continuing usefulness in achieving goals set by the Board; and a system of administrative review to ensure that curriculum guides are being followed by teaching staff members to the degree of conformity desired by the Board.

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

Copies of all current curriculum guides shall be kept on file in the office of the Assistant Superintendent: Professional Development and Curriculum.

N.J.S.A. 18A:33-1

Adopted: 16 September 2008



2260 AFFIRMATIVE ACTION PROGRAM FOR SCHOOL AND  
CLASSROOM PRACTICES

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

The Assistant Superintendent: Professional Development and Curriculum shall serve as Affirmative Action Officer and shall coordinate all activities designed to implement this policy. The Affirmative Action Officer shall identify and recommend the correction or removal of impermissible 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. He/She shall:

1. Review current and proposed curriculum guides, textbooks, and supplemental materials for bias and determine whether such materials fairly depict the contribution of both men and women and various racial and ethnic groups in the development of human society;
2. Develop an ongoing program of in-service training for school personnel designed to identify and solve problems of bias in all aspects of the school program;
3. Review current and proposed programs, activities, and practices to ensure that all pupils have equal access to them and are not impermissibly segregated in any duty, work, play, classroom, or school practice except as may be permitted under rules of the State Board of Education;
4. Ensure that similar aspects of the school program receive commensurate support as to staff size and compensation, purchase and maintenance of facilities and equipment, and access to such facilities and equipment;
5. Ensure that tests, procedures, and guidance and counseling materials that are designed to evaluate pupil progress or rate aptitudes, or analyze personality or in any manner establish or tend to establish a category by which a pupil may be judged are not impermissibly differentiated or stereotyped.

PROGRAM  
2260/page 2 of 2  
Affirmative Action Program for School and  
Classroom Practices

Parent(s) or legal guardian(s), pupils, staff members, and members of the public shall be informed annually about the district's affirmative action plan for school and classroom practices, the designation of the Affirmative Action Officer, and the procedure by which an affirmative action complaint may be filed and processed.

The Affirmative Action Officer shall report as required to the Board on progress made in the affirmative action program for school and classroom practices. The Board will annually review district progress toward the objectives of any state-approved affirmative action plan.

20 U.S.C.A. 1701  
N.J.S.A. 18A:36-20  
N.J.A.C. 6:4-1.3(b)

Adopted: 16 September 2008

2320 INDEPENDENT STUDY PROGRAMS

The Board of Education authorizes an independent study program aimed at achieving the Core Curriculum Content Standards for promotion and graduation purposes in accordance with the requirements of N.J.A.C. 6A:8-5.1(a)ii.

An independent study program and appropriate assessments shall be planned for individuals and/or a group based on specific instructional objectives aimed at meeting or exceeding the Core Curriculum Content Standards. The Principal shall certify completion of the independent study program based on specific instructional objectives.

The Principal may utilize a performance or competency assessment to approve pupil completion of an independent study program, including those occurring all or in part prior to the pupil's high school enrollment.

A group independent study program shall be approved in the same manner as other approved courses. Independent study programs shall be on file in the school district and subject to review by the Commissioner of Education or designee.

N.J.A.C. 6A:8-5.1 et seq.

2340 FIELD TRIPS

The Board of Education recognizes that field trips are a most effective and worthwhile means of learning. Trips of an educational nature are encouraged and approved by the Board, provided they supplement the teaching program, are well planned, and are carried out in a constructive manner.

All field trips must have the approval of the Superintendent. Sufficient supervision must be provided and each trip must be evaluated by the teacher and the administration.

In accordance with P.L. 1980, Chapter 49, the Board may authorize field trips for which all or part of the costs are borne by the pupils' parent(s) or legal guardian(s) with the exception of pupils in special education classes and pupils with financial hardship.

The Superintendent is directed to develop procedures for conducting field trips.

N.J.S.A. 18A:36-21 et seq.; 18A:53-2

Adopted: 16 September 2008

2361 ACCEPTABLE USE OF COMPUTER NETWORK/COMPUTERS  
AND RESOURCES

The Board of Education 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 pupils to explore databases, libraries, Internet sites, bulletin boards and the like while exchanging information with individuals throughout the world. The Board supports access by pupils to information sources but reserves the right to limit in school use to materials appropriate to educational purposes. The Board directs the Superintendent to effect training of teaching staff members in skills appropriate to analyzing and evaluating such resources as to appropriateness for educational purposes.

The Board also recognizes that telecommunications will allow 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 network/computers for educational purposes only. The Board retains the right to restrict or terminate pupil access to the computer network/computers at any time, for any reason. The Board retains the right to have district personnel monitor network activity, in any form necessary, to maintain the integrity of the network and ensure its proper use.

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 network(s)/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 network. 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 networks/computers are provided.

#### Internet Safety/Protection

The school district is in compliance with the Children's Internet Protection Act and has installed technology protection measures for all computers in the school district, including computers in media centers/libraries, that block and/or filter 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 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.

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 school district enforces the requirements of this policy.

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 visual depictions prohibited in the Children's Internet Protection Act, the Board shall determine other Internet material that is inappropriate for minors. 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.

#### Consent Requirement

No pupil shall be allowed to use the computer network and the Internet unless they shall have filed with the Director of Educational Technology a consent form signed by the pupil and his/her parent(s) or legal guardian(s).

#### Violations

Individuals violating this policy shall be subject to the consequences as indicated in Regulation No. 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.

Adopted: 16 September 2008



2362 USE OF HOME/PERSONAL COMPUTING DEVICES ON CAMPUS

Effective immediately, home or personal computing devices are not permitted to be used on Monmouth County Vocational School District property for any reason. Computing devices include devices such as laptops, desktops, handhelds, and other technologies that could potentially access/connect to the Monmouth County Vocational School District network.

The Monmouth County Vocational School District makes every effort to provide appropriate tools for staff and pupils to help meet the thematic needs of each of our district programs. For reasons such as security, liability from theft/damage/abuse, and to prevent disruption of the educational process, we do not permit users to bring in, connect, or use their own personal computing devices on our campuses.

If staff or pupils require the use of a computer while on school property, they may make use of open computer labs, and Monmouth County Vocational School District-owned portable computing tools. In addition, if special needs exist, Monmouth County Vocational School District-owned "loaners" may be made available for use while on campus, or other arrangements will be made with the Monmouth County Vocational School District Technology Group.

## 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 pupils 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 pupils in this school district and shall be conducted entirely by teaching staff members certified as guidance personnel.

The guidance program shall provide, as fully as possible, the information needed to make the best decisions concerning the pupil's educational program. Such information shall include facts such as test scores, grades, and educational history. Pupil records may also include anecdotes, but shall not carry judgments, opinions, and other advice.

Pupils shall be encouraged to avail themselves of the help of the guidance department's personnel. The guidance department in the high school shall encourage the visits of educational and occupational representatives, including military recruiters. The administration shall have a positive attitude toward granting permission to seniors to visit schools, colleges, and places of employment during school time. Pupils must have prior approval of the guidance department for the scheduled visit.

Pupils shall be aided in finding part-time jobs when in school, and permanent employment upon graduation.

Guidance services shall include establishment of a referral system which guards the privacy of the pupil and monitors the efficacy of such referrals, when district resources are not sufficient, as in drug or alcohol counseling.

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 pupil;
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(s) or legal guardian(s) and shares parents' or legal guardians' concern for the development of their children;
6. Provides for the means of sharing information among appropriate staff members in the pupil's interest;
7. Is available equitably to all pupils and prohibits biased counseling and the use of materials that discriminate among pupils on the basis of their race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability; and
8. Establishes a referral system that utilizes all the aid the schools and community offer, guards the privacy of the pupil, 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

2412 HOME INSTRUCTION DUE TO HEALTH CONDITION

To provide uninterrupted education for pupils unable to attend their regular classes because of illness, disability or administrative action, the Board of Education shall provide away-from-school instruction when proper application has been made and subject to the following restrictions:

1. The period of absence must be expected to be longer than two weeks except in special circumstances.
2. A parent(s) or legal guardian(s) must be present during the period of instruction.
3. In cases of illness or disability, medical certification is required both of the necessity for the pupil's absence and his/her fitness to benefit from the instruction.

Each case must be approved by Board action; all requirements for receipt of State aid must be fulfilled.

The Board of Education shall provide home or out-of-school instructional services no later than five days after the pupil has left the general education program.

The Superintendent or designee shall select the instructors and oversee coordination between the home instructor and the regular classroom teacher in determining the pupil's instructional program.

The home or out-of-school instructional services shall meet the minimum standards that are specified in N.J.A.C. 6A:16-10.2(d) including, but not limited to:

1. The school district shall develop an Individualized Program Plan (IPP) for delivery of instruction and maintain a record of delivery of instructional services and pupil progress.
2. The teacher(s) providing instruction shall be appropriately certified.
3. The teacher(s) shall provide one-on-one instruction with no fewer than ten hours each week on three separate days and no fewer than ten additional hours per week of guided learning experience.
4. The instruction shall meet the Core Curriculum Content Standards.

A pupil receiving home instruction is not considered absent.

A pupil receiving home instruction does not necessarily meet promotion/graduation requirements.

The Superintendent will develop implementation procedures.

N.J.S.A. 18A:46-10

N.J.A.C. 6A:14-4.8; 6A:14-4.9; 6A:16-10.1

2414 PROGRAMS FOR PUPILS AT RISK

The Board of Education recognizes that certain conditions place children at risk of not acquiring the knowledge, skills, behaviors, and attitudes necessary for school success, school completion, and successful functioning as an adult in society.

A “pupil at risk” means a pupil who is in danger of failure to achieve the New Jersey Core Curriculum Content Standards and the high school graduation requirements or dropping out of school because of specific cognitive, affective, economic, social, and/or health needs. The conditions that may place a pupil at risk include the pupil's failure to acquire the essential skills needed to stay on grade level or the pupil's performance below minimum levels of proficiency; history of adjustment or behavioral problems; placement on long-term suspension for violation of school rules; history of poor school attendance; being limited in English language proficiency; being disruptive or disaffected; pregnancy or parenthood; failure to qualify for promotion or graduation; condition of poverty as defined by his/her eligibility for free meals or free milk and/or exhibiting other characteristics identified by the Board.

Programs and services for pupils at risk shall meet the goals of:

1. Enhancing the health, self-esteem, and acquisition of the life skills necessary for age-appropriate development and productive functioning in the school setting and society;
2. Identifying and assisting pupils who are not meeting standards for behavior and achievement in areas such as attendance, conduct, and mastery of the curriculum, as well as performing below state minimum levels of proficiency; and
3. Improving the school climate so that pupils experience school as a safe, supportive, and disciplined place where academic and interpersonal growth and learning can take place.

Programs and services for pupils at risk may be offered during the regular school day, beyond the regular school day, or during the summer. Any such programs and services that do not require the services of a teaching staff member or cannot be reasonably accommodated in the school setting may be delivered by qualified persons who are not necessarily certified but are supervised by appropriately certified teaching staff members.

The Board shall provide staff training necessary to implement the programs and services for pupils at risk.

N.J.A.C. 6:8-1.1 et seq.

Adopted: 16 September 2008

## 2415 NO CHILD LEFT BEHIND PROGRAMS

The No Child Left Behind Act (NCLB) of 2001 is a reauthorization of the Elementary and Secondary Education Act (ESEA)/Improving America's Schools Act (IASA) 1994, providing funds to help all New Jersey's school children achieve, at a minimum, proficiency in the State standards. NCLB embodies four key principles or pillars of education reform: accountability, flexibility, choice, and methodology. The Board of Education elects to augment the instructional program of pupils by projects supported by federal funds allocated under NCLB and the district will comply with the requirements of all the programs authorized by NCLB.

The district may be eligible for several grant programs funded through NCLB, including, but not limited to, Title I through Title VI. Many of the Titles of NCLB have several parts and subparts that provide a funding source for specific purposes.

### Application Procedure

The district will submit an annual No Child Left Behind 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 NCLB for the district to be considered for funding under NCLB.

### Covered Programs

The intent of NCLB is that all children will meet State academic achievement standards to reach their potential through improved programs. The NCLB Consolidated Formula Subgrant includes the following programs:

1. Title I, Part A provides the programs and resources for disadvantaged pupils to meet this intent. It requires the State and the district to close the achievement gap by placing a highly qualified teacher in every classroom, improving the qualifications of paraprofessionals who work with disadvantaged pupils, and using instructional practices that have proven to be effective.
2. Title I, Part D serves neglected and delinquent youth in institutions, community day programs, and correctional facilities to assure they also attain high academic levels of performance.

3. Title II, Part A provides the resources for improving teacher and Principal quality and increasing the number of highly qualified teachers and Principals in classrooms and schools, thereby raising pupil achievement in the academic subjects. It focuses on preparing, training, and recruiting high-quality teachers and Principals and requires the State to develop plans with annual measurable objectives that will ensure all teachers teaching in core academic subjects are highly qualified by the end of the 2005-2006 school year.
4. Title II, Part D facilitates comprehensive and integrated educational technology strategies that target the specific needs of individual schools. It improves pupil academic achievement through the use of technology in elementary and secondary schools, while addressing the digital divide such that every pupil is technologically literate by the end of eighth grade. Effective integration of technology resources and systems with teacher training and curriculum development are encouraged in order to identify and showcase best practices in educational technology.
5. Title III, Part A focuses on the teaching of English to limited English proficient (LEP) children, including immigrant children and youth.
6. Title IV, Part A provides resources for fostering a safe and drug-free learning environment that supports academic achievement.
7. Title V, Part A provides a flexible source of funding to help districts in the development and implementation of various innovative reform initiatives.
8. Title VI, Part B addresses the unique needs of rural school districts.
9. Title IX covers the general provisions applicable to some/all of the programs.

Throughout NCLB, the use of solid research to improve teaching and learning as well as pupil behavior is required and promoted, and parent(s)/legal guardian(s) are provided with information and options to improve the educational opportunities provided for their children. The emphasis on scientifically based methodology encourages the use of teaching techniques and practices that are founded on research and proven to produce positive results.



## Title I

The largest federal program supporting elementary and secondary education is Title I. NCLB strengthens Title I requirements for the State's assessments, accountability system, and support for school improvement. The law also establishes 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 to 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 proficient (LEP) 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 Target Assistance Title I program.

### Target Assistance Program

Schools that are not eligible for (or do not choose to operate) school-wide Title I programs must use Title I funds to provide targeted services to low-achieving pupils. A Target Assistance program must be established in accordance with the Title I guidelines and regulations and the New Jersey Department of Education.

### Academic Standards, Academic Assessments and Accountability

The district will comply with the requirements as outlined in Policy 2415.01 - Academic Standards, Academic Assessments and Accountability in accordance with the NJDOE and NCLB.

#### 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 NCLB.

#### Staff

The district will comply with the requirements as outlined in Policy 2415.03 – Highly Qualified Teachers in accordance with the NJDOE and NCLB. In addition, the district will ensure all paraprofessionals meet the requirements as required by NCLB 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 NCLB.

#### Pupil 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 - Pupil Surveys, Analysis and/or Evaluations in accordance PPRA.

#### Unsafe School Choice Option

In the event there is a school in the district designated as Persistently Dangerous or in accordance with the Victims of Violent Criminal Offenses as outlined in NCLB, the district will comply with the requirements of Policy 2415.06 – Unsafe School Choice Option in accordance with the NJDOE and NCLB.

#### Property

Property acquired through Title I funds for use in public or private schools will be acquired in accordance with the Public School Contracts Law, will be held in title by the Board of Education, and will not be used for other purposes so long as it is required in the Title I program. Property no longer required for Title I purposes will be used for other, similarly funded projects or disposed of in accordance with State and federal guidelines.

#### Capital Expenses

The Superintendent will assure the district abides by New Jersey's Public Contracts Law; consults appropriate private school officials prior to making any decisions regarding capital expenses; ensure funds that are received to cover capital expenses provide equitable Title I services to private school pupils; ensure accounts for any capital funding is separately maintained; 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 provide under federal programs, including No Child Left Behind funding, shall supplement, not supplant other non-federal funds that are available to provide programs and services to eligible pupils, unless otherwise provided in the grant program.

#### Evaluation

The Superintendent will evaluate the NCLB programs as required by the United States and the New Jersey Departments of Education.

#### No Child Left Behind Act of 2001

2415.01 ACADEMIC STANDARDS, ACADEMIC ASSESSMENTS  
AND ACCOUNTABILITY

The No Child Left Behind Act of 2001 (NCLB), §1111, requires New Jersey to have an accountability system to include challenging academic content and academic achievement standards. New Jersey's Core Curriculum Content Standards define those skills needed for children to be successful in the twenty-first century economy. These skills are measured by State assessments and New Jersey's accountability design determines a school's progress toward meeting established standards. This progress measure is referred to as Adequate Yearly Progress (AYP).

#### Testing Requirements

In accordance with NCLB, beginning in the 2002-2003 school year, schools must administer language arts/literacy and mathematics tests in three grade spans: grades 3 through 5, grades 6 through 8, and grades 10 through 12 in all schools. By the 2005-2006 tests must be administered every year in grades three through eight and one year in grades ten through twelve. Beginning in the 2007-2008 school year, science achievement must also be tested. At least 95% of each pupil group must participate in the assessment process. Pupils who have been enrolled in the school for less than one academic year are not included in the accountability process. Pupils with disabilities who are moved from their neighborhood school to receive services at another school will be included in their home school's accountability process. Pupils with limited English proficiency must also be assessed, with accommodations. Pupil progress must also be assessed by pupil group (pupils from major racial and ethnic groups, economically disadvantaged pupils, pupils with disabilities, and pupils with limited English proficiency) in accordance with the requirements of NCLB.

#### Adequate Yearly Progress (AYP)

The New Jersey Department of Education (NJDOE) will establish starting points for AYP and incremental increases in expectations for all schools with the goal of all schools and pupil groups reaching 100 percent proficiency in language arts/literacy, math, and science by the 2013-2014 school year.

#### School Level Accountability

Each school's proficiency statistics in each area and pupil subgroup will be compared to the State-wide benchmarks. Results for subgroups with fewer than the number of pupils designated by the NJDOE will be suppressed or excluded from the analysis. Intervals of confidence of 90% will be applied to school results. If a subgroup is identified as not having met AYP, "safe harbor" may be reached if the percentage of pupils not meeting AYP has decreased by 10% from the previous school year.

## NJDOE School Classification System

The NJDOE will classify schools into six categories of progress based on a school's progress toward meeting the established standards. These categories are:

1. Category I – Schools in Need of Improvement

These schools did not achieve AYP and have an achievement gap of more than 25% in attaining the State standards. The progress achieved by these schools demonstrates that significantly greater assistance is needed to reach full State standards.

This includes those schools that met the above criteria for one or more grade levels, even though they also achieved Category II, Schools in Performance Monitoring, in another grade level.

2. Category II – Schools in Performance Monitoring

These schools did not achieve AYP; however the schools have demonstrated the ability to make progress toward incrementally eliminating the achievement gap; 25% or less of pupils failed to achieve the State standards in one content area. If AYP is not made in the next academic year the school will enter Category I.

Category II includes those schools that met the above criteria even though they also achieved Category III, Schools Approaching the Standards, in another grade level.

3. Category III – Schools Approaching the Standards

These schools have nearly achieved AYP; less than 5% of pupils have not achieved State standards in only one content area. These schools are likely to meet the State standards within one academic year. However, if AYP is not made in the next academic year the school will enter Category II.

Category III includes those schools that met the above criteria even though they also achieved Category IV, Schools Receiving Conditional Approval, in another grade level.

4. Category IV – Schools Receiving Conditional Approval

These schools have achieved their designated AYP and are progressing toward meeting the State standards. These schools must be monitored for maintenance of achievement.

Category IV includes those schools that met the above criteria even though they also achieved Category V, Schools Receiving Full Approval, in another grade level.

5. Category V – Schools Receiving Full Approval

Category V schools have met State standards in at least one of the prior two years in each subject area.

6. Category VI – Schools Demonstrating Excellence

Category VI schools have always met or exceeded State standards and may be considered exemplary models of success.

### The School Improvement Process

Schools that have not made adequate yearly progress for two consecutive school years in the same content area will be identified as needing school improvement before the beginning of the next school year. If any school in the district is identified as a Title I school in need of improvement, the following steps need to be taken in the Title I portion of the Consolidated Application/Plan for funding of programs governed under the No Child Left Behind Act. The plan must be developed in accordance with NCLB §11116 and NJDOE guidelines and shall include:

1. Improvement Plan – The school must develop a two-year improvement plan showing programs and strategies that will be adopted to improve teaching and learning.
2. Professional Development – The school must provide professional development for the school's staff to improve their skills. At least ten percent of the school's Title I allocation for two years must be spent to support these professional development activities.

3. Intra-district Choice – The district must develop and offer an intra-district school choice program that includes the process to be used to notify parent(s)/legal guardian(s) of pupils enrolled in the school of the school’s designation as a school in need of improvement. An intra-district school choice program must offer parent(s)/legal guardian(s) the opportunity to transfer their child to another school within the district that is not identified for improvement.
4. Supplemental Services – The school must offer and provide supplemental educational services to disadvantaged children in accordance with NCLB and NJDOE guidelines.

Districts with schools that fail to make AYP, after being identified as needing school improvement, by the end of the first full year after identification must continue to

1. Offer the intra-district school choice option to parent(s)/legal guardian(s);
2. Make available supplemental educational services in accordance with NCLB §1116; and
3. Provide technical assistance in accordance with NCLB §1116.

Districts that have schools that fail to make AYP by the end of the second full year after being identified as needing school improvement must continue 1, 2 and 3 above and take at least one of the following corrective actions as identified in NCLB:

1. Replace the school staff who are relevant to the failure to make adequate yearly progress;
2. Institute and fully implement a new curriculum that includes appropriate professional development for all relevant staff that is based on scientifically based research and offers substantial promise of improving educational achievement for low-achieving pupils and enabling the school to make adequate yearly progress;
3. Significantly decrease management authority at the school level;
4. Appoint an outside expert to advise the school on its progress toward making adequate yearly progress based on its school plan;
5. Extend the school year or school day for the school; and/or

6. Restructure the internal organizational structure of the school.

If, after one full year of corrective action, a school subject to corrective action continues to fail to make AYP, the district shall continue to offer the intra-district school choice option, make available supplemental educational services and prepare a plan and make necessary arrangements for alternative governance in accordance with NCLB §1116.

The district may delay, for a period not to exceed one year, implementation of certain corrective action and/or restructuring in accordance with NCLB §1116.

Funds for transportation and supplemental educational services shall be provided in accordance with NCLB, §1116.

No Child Left Behind §1116



2415.02 TITLE I – FISCAL RESPONSIBILITIES

The Monmouth County Vocation 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 Monmouth County Vocational 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 Monmouth County Vocational 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 Monmouth County Vocational 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: 16 September 2008

2415.03 HIGHLY QUALIFIED TEACHERS

The No Child Left Behind Act (NCLB) requires all teachers be or become highly qualified in the core academic content area(s) they teach in accordance with the United States Department of Education and the New Jersey Department of Education highly qualified teacher requirements.

Teachers who have achieved highly qualified status retain highly qualified status permanently for the teaching assignment designated on the approved highly qualified teacher forms. No teacher providing direct instruction in core content areas is grandfathered or exempt from this process.

The district shall maintain the appropriate highly qualified documentation for all teachers who provide direct instruction in core content areas. When a teacher changes teaching assignments, which requires different content expertise, additional highly qualified teacher forms must be completed and kept on file within the district. Highly qualified teacher documentation should be completed for all new teachers and for those with new teaching assignments at the beginning of each school year.

When a teacher obtains employment in a new school district, the new district must contact the previous place of employment to have the teacher's official highly qualified teacher forms sent to the new district. A teacher hired from another State must hold New Jersey certification and must meet New Jersey's highly qualified teacher requirements. Out-of-State teachers may provide documentation to support their highly qualified teacher status from the previous State in which they taught.

All Title I schools must send out a Right-to-Know letter in the beginning of every school year informing parent(s) or legal guardian(s) that they have the right to know the qualifications of their child's teacher. The letter should be sent by all Title I and non-Title I districts. In addition, in all Title I schools, the parent(s) or legal guardian(s) of pupils whose teacher is not yet highly qualified must be notified. Copies of these letters must be kept on file in the school.

No Child Left Behind Act of 2001, §1119

Adopted March 22, 2010

## 2415.04 PARENTAL INVOLVEMENT

A school district that receives Title I funds must implement programs, activities and procedures for the involvement of parents in programs assisted by Title I funding. The district will reserve not less than one percent of its allocation under Subpart 2 to carry out these requirements, which shall include promoting family literacy and parenting skills. Parents of pupils receiving Title I services shall be involved in the decisions regarding how funds will be allotted for parental involvement activities. The district is not required to reserve at least one percent of its allocation under Subpart 2 if the one percent of the district's allocation is \$5,000.00 or less.

Each school served with Title I funds shall jointly develop with, and distribute to, parents of participating pupils, this parental involvement policy, agreed on by such parents, that shall describe the means for carrying out the requirements of No Child Left Behind Act (NCLB) of 2001, §1119(a) through (f). Parents will be notified of this policy in an understandable and uniform format and, to the extent practicable, provided in a language the parents can understand. This policy shall be made available to the local community and updated periodically to meet the changing needs of parents and schools within the district.

“Parent”, for the purposes of this policy, means a parent and/or legal guardian. “School”, for the purposes of this policy, is a specific school in a Target Assistance Title I program or schools within the district in a school-wide Title I program.

### Policy Involvement

Each school served with Title I funds will:

1. 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;
2. 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;
3. Involve parents, in an organized, ongoing, and timely way, in the planning, review, and improvement of programs, including the planning, review, and improvement of the school parental involvement policy and the joint development of the school-wide program plan under NCLB, §1114(b)(2);

4. Provide parents of participating pupils:
  - a. timely information about programs required by NCLB, §1118;
  - b. 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; and
  - c. 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; and
5. Submit any parent comments on the plan when the school makes the plan available to the Board of Education, if the school-wide program plan under §1114(b)(2) of NCLB is not satisfactory to the parents of participating pupils.

#### Shared Responsibilities For High Pupil Academic Achievement

Each school served by Title I funds shall jointly develop with parents of all pupils served with Title I funds, a school-parent compact that outlines how parents, the entire school staff, and pupils will share the responsibility for improved pupil academic achievement and the means by which the school and parents will build and develop a partnership to help children achieve the State's high standards. The compact will:

1. Describe the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables the pupils served by Title I funds to meet the State's pupil academic achievement standards, and the ways in which each parent will be responsible for supporting their children's learning, such as monitoring attendance, homework completion, and television watching; volunteering in their child's classroom; and participating, as appropriate, in decisions relating to the education of their children and positive use of extracurricular time; and
2. Address the importance of communication between teachers and parents on an ongoing basis through, at a minimum:
  - 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.

### Building Capacity For Involvement

To ensure effective involvement of parents and to support a partnership among the school involved, parents, and the community to improve pupil academic achievement, each school and school district assisted with Title I funds:

1. Shall provide assistance to parents of pupils served by the school in understanding such topics as the State's academic content standards and State pupil academic achievement standards, State and local academic assessments, the requirements of this Policy, and how to monitor a child's progress and work with educators to improve the achievement of their children;
2. Shall provide materials and training to help parents to work with their children to improve their children's achievement, such as literacy training and using technology, as appropriate, to foster parental involvement;
3. Shall educate teachers, pupil services personnel, Building Principals, and other staff, with the assistance of parents, in the value and utility of contributions of parents, and in how to reach out to, communicate with, and work with parents as equal partners, implement and coordinate parent programs, and build ties between parents and the school;
4. Shall, to the extent feasible and appropriate, coordinate and integrate parent involvement programs and activities with Head Start, Reading First, Early Reading First, Even Start, the 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 to more fully participate in the education of their children;
5. Shall ensure that information related to school and parent programs, meetings, and other activities is sent to the parents of participating children in a format and, to the extent practicable, in a language the parents can understand;
6. May involve parents in the development of training for teachers, Principals, and other educators to improve the effectiveness of such training;

7. May provide necessary literacy training from Title I funds if the school district has exhausted all other reasonably available sources of funding for such training;
8. May pay reasonable and necessary expenses associated with local parental involvement activities, including transportation and child care costs, to enable parents to participate in school-related meetings and training sessions;
9. May train parents to enhance the involvement of other parents;
10. May arrange school meetings at a variety of times, or conduct in-home conferences between teachers or other educators, who work directly with participating children, with parents who are unable to attend such conferences at school, in order to maximize parental involvement and participation;
11. May adopt and implement model approaches to improving parental involvement;
12. May establish a district-wide parent advisory council to provide advice on all matters related to parental involvement in Title I programs;
13. May develop appropriate roles for community-based organizations and businesses in parent involvement activities; and
14. Shall provide such other reasonable support for parental involvement activities under this Policy as parents may request.

#### Accessibility

In carrying out the parental involvement requirements of NCLB, §1118 and this Policy, the school and school district, to the extent practicable, shall provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children, to include providing information and school reports required under NCLB, §1111 in a format and, to the extent practicable, in a language such parents understand.

The district will inform parents of any parental information and resource centers that provide training, information, and support to parents and individuals who work with local parents, school districts, and schools receiving Title I funds.

The Superintendent of Schools will submit this Policy to the New Jersey Department of Education for review to be sure the Policy meets the requirements of NCLB, §1118.

No Child Left Behind Act of 2001, §1118

Adopted: 16 September 2008

2415.05 PUPIL SURVEYS, ANALYSIS AND/OR EVALUATIONS

The Protection of Pupil Rights Amendment (PPRA) (20 U.S.C. §1232h; 34 CFR Part 98) applies to school districts that receive funding from the United States Department of Education.

Consent

PPRA requires written consent from parents/legal guardians and pupils who are eighteen years old or emancipated minor pupils before minor pupils are required to participate in a survey, analysis, or evaluation funded in whole or in part by a program of the United States Department of Education that concerns one or more of the following nine areas referred to as “protected information surveys”:

1. Political affiliations or beliefs of the pupil or pupil’s parent;
2. Mental or psychological problems of the pupil or pupil’s family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged or analogous relationships, such as with lawyers, physicians, and ministers;
7. Religious practices, affiliations, or beliefs of the pupil or parents;
8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program); or
9. Social security numbers.

This consent requirement also applies to the collection, disclosure or use of pupil information for marketing purposes, referred to as “marketing surveys”, and for certain physical examinations and screenings.

### “Opt a Pupil Out” Notice

The parents and eligible pupils will be provided an opportunity to opt a pupil out of participating in:

1. The collection, disclosure, or use of personal information obtained from pupils for marketing, to sell, or otherwise distribute information to others;
2. The administration of any other “protected information survey” not funded in whole or in part by the United States Department of Education; and
3. Any non-emergency, invasive physical examination required as a condition of attendance, administered by the school district or its agents, and not necessary to protect the immediate health and safety of a pupil, except for hearing, vision, scoliosis screenings, or any physical examination or screening permitted or required under State law.

### Inspection

The parents and eligible pupils, upon request and before administration or use, have the right to inspect:

1. Protected information surveys of pupils;
2. Instruments used to collect personal information from pupils for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

The Building Principal shall be responsible for obtaining the consent, annual direct notification to parents and eligible pupils at the start of each school year and after any substantive changes of the “opt a pupil out” rights and the inspection rights provisions of PPRA and this Policy. The “opt a pupil out” notice shall include any specific or approximate dates of the activities eligible for a pupil to “opt out.”



PPRA Consent/Opt Out Violations

Parents or pupils who believe their rights under PPRA may have been violated may file a complaint with United States Department of Education.

The Protection of Pupil Rights Amendment (PPRA)  
(20 U.S.C. §1232h; 34 CFR Part 98)  
No Child Left Behind Act of 2001, Title X, Part F, §1061

Adopted: 16 September 2008

## 2415.06 UNSAFE SCHOOL CHOICE OPTION

The Unsafe School Choice Option (USCO) provision of The No Child Left Behind Act of 2001 (NCLB) §9532 contains two provisions that apply to school districts that receive funds under NCLB: Provision I - Persistently Dangerous Schools and Provision II - Victims of Violent Criminal Offenses.

Effective the beginning of each school year, school districts receiving NCLB funds must be prepared to complete the transfer of pupils who choose to exercise Provision I and Provision II of NCLB and this Unsafe School Choice Option Policy. Compliance with the Policy is a condition of receiving funds under any and all titles under NCLB. The Superintendent is required to certify compliance with this USCO Policy to the New Jersey Department of Education (NJDOE) in the application for NCLB funds.

### USCO Policy Provision I - Persistently Dangerous Schools (PDS)

#### 1. Criteria for Determining Persistently Dangerous Schools.

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 New Jersey Department of Education (NJDOE) for three consecutive years and is part of a school district that receives funds under NCLB. The NJDOE will use the most current available data from the Electronic Violence and Vandalism Reporting System (EVVRS) to identify persistently dangerous schools on or before July 31 of each year, in compliance with federal regulations (68 FR 16789).

#### 2. Procedures and Guidelines for Schools Determined to be Persistently Dangerous.

Once the district receives notification a school is identified as persistently dangerous, the district must inform all parents of enrolled pupils in the school of the designation within fifteen calendar days 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.

Pupils 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 pupils should be made simultaneously. Parents of enrolled pupils must be notified of the persistently dangerous designation whether or not there is another school within the district for the transferring pupils.

To the extent possible, the district will allow transferring pupils to transfer to schools that are making adequate yearly progress in accordance with NCLB and have not been identified as being in need of school improvement, corrective action or restructuring. The district will take into account the needs and preferences of the affected pupils and parents.

3. Corrective Action Plan for a School Identified as Persistently Dangerous.

If a school in the district is identified as persistently dangerous, the district will submit to the NJDOE, on or before August 25, documentation of compliance with the parent notification requirement and actions taken to complete the transfer arrangements for all pupils exercising the option by the first day of the school year. The district will also 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. The NJDOE will provide schools with guidance for their corrective action plans, as well as monitor the school district's timely completion of the approved plans.

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 their corrective action plan and compare the current year's incidents of violence, as reported on the EVVRS, to the criteria for determining persistently dangerous schools (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 August 25 of that year, which will apply to the respective school year. The school district must inform all parents of enrolled pupils in the school of the designation within fifteen calendar days of the notice and offer them the option for their children to transfer to a safe public school by the beginning of the respective school year.

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 and in accordance with guidance provided by the NJDOE.

4. Procedures and Guidelines for Early Warning of Schools.

Effective in 2004, if a school meets the criteria set forth in this Policy for two consecutive years, the district will be notified of their pattern of offenses on or before August 15 of each year. If notified, the district will develop and submit to the NJDOE for approval a corrective action plan 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. The NJDOE will provide the school with guidance for their corrective action plan, as well as monitor the school's timely completion of the approved plan. This school shall become a top priority for intensified district support for research-based programs and technical assistance. A school receiving an "early warning" notice is not required to provide the transfer option to pupils.

In the spring of each following year, the NJDOE will reevaluate the school's progress towards completing their corrective action plan and compare the current year's incidents of violence, as reported on the EVVRS, to the criteria for determining persistently dangerous schools. Schools will be notified of their status on or before July 31 of the respective year.

A school that has successfully completed their corrective action plan and reported violent incidents that no longer meet the Criteria for Determining Persistently Dangerous Schools for one school year (the year in which the corrective action plan was in effect) will no longer be required to submit a Corrective Action Plan.

A school that does not successfully complete their Corrective Action Plan and that meets the criteria set forth in this Policy for a third consecutive year will be designated as persistently dangerous and will be required to submit for approval a revised corrective action plan on or before September 30 of that year, which will apply to the respective school year. The district will also provide the transfer option to pupils in the school designated as persistently dangerous.

5. Schools Not Receiving NCLB Funds, but Meeting the Criteria for PDS.

School buildings and districts that do not receive federal funds under NCLB, but meet any one of the criteria for persistently dangerous schools, will be contacted by the NJDOE and be required to develop and submit for approval a Corrective Action Plan on or before September 30 of the respective year. The Corrective Action 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. The NJDOE will provide the school guidance for their corrective action plan, as well as monitor the school's timely completion of the approved plan.

USCO Policy Provision II - Victims of Violent Criminal Offenses

The Victim of Violent Criminal Offenses provision of NCLB requires a pupil 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 pupil attends, be allowed to attend a safe public elementary or secondary school within the district, including a public charter school.

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)12, 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 pupil has become a victim of a violent criminal offense while in or on the grounds of a public elementary or secondary school that the pupil attends. These criteria only apply to a pupil who has become a victim of one or more of the violent criminal offenses enumerated below:

A pupil 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 perpetrator(s) for commission of the violent crime; or
- (2) The perpetrator(s) of the violent crime has been disciplined in accordance with school policy; or
- (3) The perpetrator(s) of the violent crime either has not been identified or is not an enrolled pupil(s), but it is clear that the pupil (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 perpetrator(s) of the violent crime.

## 2. Procedures and Guidelines

Effective the first day of each school year beginning in 2003, the district must be prepared to begin the transfer of any pupil who chooses to exercise the unsafe school choice option provision. The district must offer, within ten calendar days, an opportunity to transfer to a safe public school within the district to any pupil who has become a victim of a violent criminal offense while in or on the grounds of a public school that the pupil attends. While the pupil must be offered the opportunity to transfer, the pupil may elect to remain at the school.

To the extent possible, the district will allow any transferring pupil to transfer to a school that is making adequate yearly progress in accordance with NCLB and has not been identified as being in need of school improvement, corrective action or restructuring. The district will take into account the needs and preferences of the affected pupil and his or her parent(s). Transfers must occur within thirty days of the determination that the pupil 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 are identified and explained below. The offenses apply to completed offenses, as well as threats and attempts to commit the offenses. The offenses and attempts to commit the offenses apply only when they occur in or on the grounds of a school that the pupil attends. The offenses apply whether they occur wholly or in part in or on the grounds of a school that the pupil attends.

The offenses apply only to acts or attempts that are directed at a person (victim) or a group of specified individuals (victims), rather than acts that indiscriminately affect the entire school population or non-specified individuals or groups. For the purposes of this Unsafe School Choice Option Policy, the term “victim” shall not include a pupil who purposely, knowingly or recklessly provokes the conduct constituting the criminal incident against him or her.

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 Unsafe School Choice Option Policy.

- a. Homicide [N.J.S.A. 2C:11-2] - A person 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 pupil’s parent, sibling or relative in or on school grounds.
- b. Assault [N.J.S.A. 2C:12-1(a)(1) and 2C:12-1(b)(1)] - A person is a victim of an assault when the actor purposely, knowingly or recklessly causes bodily injury to the victim [N.J.S.A. 2C:12-1(a)(1)]; negligently, recklessly, knowingly or purposely causes bodily injury to the victim with a deadly weapon [N.J.S.A. 2C:12-1(a)(2), N.J.S.A. 2C:12-1(b)(2) and N.J.S.A. 2C:12-1(b)(3)]; attempts by physical menace to put the victim in fear of imminent serious bodily injury [N.J.S.A. 2C:12-1(a)(3)]; or knowingly points a firearm at or in the direction of the victim, whether or not the actor believes it to be loaded. [N.J.S.A. 2C:12-1(d)(4)].
- c. Aggravated Sexual Assault [N.J.S.A. 2C:14-2] - A person is a victim of an aggravated sexual assault when the actor commits an act of sexual penetration with the victim under any of the following circumstances:
  - (1) The victim is less than thirteen years old.
  - (2) The victim is:

- (a) At least thirteen, but less than sixteen years old; and
    - (i) The actor is related to the victim by blood or affinity to the third degree; or
    - (ii) The actor has supervisory or disciplinary power over the victim by virtue of the actor's legal, professional or occupational status; or
    - (iii) The actor is a foster parent, a legal guardian or stands in loco parentis within the household.
  - (3) The act is committed on the victim during the commission, or attempted commission, whether alone or with one or more persons, of robbery, kidnapping, homicide, aggravated assault on another, burglary, arson or criminal escape.
  - (4) The actor is armed with a weapon or any object fashioned in such a manner as to lead the victim to reasonably believe it to be a weapon and threatens by word or gesture to use the weapon or object on the victim.
  - (5) The actor is aided or abetted by one or more other persons and the actor uses physical force or coercion on the victim.
  - (6) The actor uses physical force or coercion and severe personal injury is sustained by the victim.
  - (7) The victim is one whom the actor knew or should have known was physically helpless, mentally defective or mentally incapacitated.
5. Sexual Assault - A person is a victim of a sexual assault when:
- a. The actor commits an act of sexual contact with a victim who is less than thirteen years old and the actor is at least four years older than the victim; or
  - b. The actor commits an act of sexual penetration with a victim under any of the following circumstances:



- (1) The actor uses physical force or coercion, but the victim does not sustain severe personal injury.
  - (2) The victim is at least sixteen but less than eighteen years old.
  - (3) The actor has supervisory or disciplinary power of any nature or in any capacity over the victim.
  - (4) The victim is at least thirteen but less than sixteen years old and the actor is at least four years older than the victim.
6. 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:
- a. 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
  - b. 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
  - c. 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:
    - (1) 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
    - (2) 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.

7. 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 the USCO Policy Provision II against the victim with the purpose to put the pupil in imminent fear of one of the violent crimes enumerated in the USCO Policy Provision II 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).
8. 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; or threatens the victim with or purposely puts the victim in fear of immediate bodily injury.
9. 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 pupil for a substantial period of time to facilitate commission of a crime or flight thereafter, or to inflict bodily injury on or terrorize the victim.
10. Arson [N.J.S.A. 2C:17-1] - A person is a victim of arson when the actor starts a fire or causes an explosion in or on the grounds of a school whereby purposely or knowingly 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 – Persistently Dangerous Schools

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

2. Charter School Transfer Option

While NCLB permits affected pupils 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 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, pupils 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 pupils on a space available basis and may not discriminate in its admission policies or practices (although it may establish reasonable criteria to evaluate prospective pupils), 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 pupils to attend using a random selection process for enrollment.

3. Funding Sources for USCO

The Unsafe School Choice Option law does not authorize resources specifically to help cover USCO costs. However, under certain circumstances Federal funds may be used. For example, funds under SDFSCA (Title IV, Part A of the NCLB) may be used to establish safe zones of passage to and from school to ensure that pupils travel safely on their way to school and on their way home [Section 4115(b)(2)(E)(v)]. In addition, SDFSCA funds may be used to help cover costs such as tuition or transportation related to the Unsafe School Choice Option or expansion of public school choice [Section 5121(8) and 5131(12 and (25)).

4. Special Education Pupils

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

5. Transfer Schools

In the event there is not another school within the school district for a transferring pupil, the district is not required to transfer the pupil to a school outside the school district.

Under the federal regulations (68 FR 16789), this Policy only applies to offenses that occur in the 2003–2004 school year and thereafter. Beginning with the 2004–2005 school year, the district must provide the transfer option to victims of violent criminal offenses that occurred in the previous school year, if the determination that the pupil was a victim was made thirty days or fewer before the end of the school year.

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 pupils. The district will promote the importance of school safety and respond to the needs of pupils and staff. Pursuant to the law, the district will provide an opportunity for pupils, 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 pupils in need of help. The district will organize activities to prevent school violence, including, but not limited to, age-appropriate opportunities for pupil discussion on conflict resolution, issues of pupil 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.

N.J.S.A. 18A:17-46 requires a public hearing in the third week in October of each year for the Superintendent to report to the Board all acts of violence and vandalism that occurred in the district during the previous school year. The public hearing shall be transcribed and kept on file in the Board of Education Office. The transcript shall be made available to the public upon request. The Board must also file the transcript with the NJDOE for review.

No Child Left Behind Act of 2001 §9532

Adopted: 16 September 2008

2415.20 NO CHILD LEFT BEHIND COMPLAINTS

Pursuant to 20 USC 7844, Sec 9304 (a)(3)(C), of the No Child Left Behind Act of 2001 (NCLB), a Board of Education shall adopt a policy and written procedures that offer parent(s) or legal guardian(s), public agencies, other individuals, or organizations a method for receipt and resolution of complaints alleging violations in the administration of the NCLB 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 required by the Elementary and Secondary Education Act as amended by NCLB; and/or
2. The NJDOE violated the administration of education programs required by the Elementary and Secondary Education Act as amended by NCLB.

A Complaint shall be a written allegation that shall identify the alleged NCLB violation, the facts supporting the alleged violation, 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 Assistant Superintendent: Professional Development and Curriculum. The Assistant Superintendent: Professional Development and Curriculum shall be responsible to coordinate the investigation of the Complaint. The Assistant Superintendent: Professional Development and Curriculum 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, the complainant may initiate a Complaint by submitting a written Complaint to the NJDOE to the attention of the County Superintendent. The County Superintendent will coordinate the investigation of a Complaint. When the investigation is complete, the County Superintendent will notify the complainant in writing regarding the outcome of the investigation. If it is determined a violation has occurred, the Assistant Commissioner assigned to oversee the matter shall identify and impose appropriate consequences or corrective actions as required by regulation to resolve the Complaint. If the complainant does not agree with the NJDOE's decision, the complainant may appeal to the United States Department of Education Secretary.

PROGRAM  
2415.20/page 2 of 2  
No Child Left Behind Complaints

A Complaint alleging the NJDOE violated the administration of a program must be submitted to the New Jersey Department of Education Chief of Staff or the United States Department of Education Secretary. The NJDOE requests the complainant first contact the New Jersey Department of Education Chief of Staff to resolve the issue. The NJDOE Office of Strategic Initiatives and Accountability will coordinate the investigation of a Complaint. When the investigation is complete, the Chief of Staff will notify the complainant in writing regarding the outcome of the investigation. If it is determined a violation has occurred, the Chief of Staff shall identify and impose appropriate consequences or corrective actions as required by regulation to resolve the Complaint. If a complainant does not agree with the NJDOE's decision, the complainant may appeal to the United States Department of Education Secretary.

New Jersey Department of Education 1/26/07 Memorandum – No Child Left Behind Complaint  
Policy and Procedure

Adopted: 16 September 2008

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: 16 September 2008

2417 PUPIL INTERVENTION AND REFERRAL SERVICES

The Board of Education directs the establishment and implementation of a coordinated system in each school building in which general education pupils are served, for the planning and delivery of intervention and referral services that are designed to assist pupils who are experiencing learning, behavior, or health difficulties and to assist staff who have difficulties in addressing pupils' learning, behavior, or health needs in accordance with the requirements of N.J.A.C. 6A:16-8.1.

The intervention and referral services shall be provided to aid pupils in the general education program and, pursuant to N.J.S.A. 18A:46-18.1 et seq. and N.J.A.C. 6A:16-8.1 et seq., may be provided for pupils who have been determined to be in need of special education programs and services. The intervention and referral services provided for pupils who have been determined to be in need of special education programs and services shall be coordinated with the pupil's Individualized Education Program team, as appropriate.

The functions of the system of intervention and referral services in each school building shall be to:

1. Identify learning, behavior, and health difficulties of pupils;
2. Collect thorough information on the identified learning, behavior, and health difficulties;
3. Develop and implement action plans which provide for appropriate school or community interventions or referrals to school and community resources, based on the collected data and desired outcomes for the identified learning, behavior, and health difficulties;
4. Provide support, guidance, and professional development to school staff who identify learning, behavior, and health difficulties;
5. Provide support, guidance, and professional development to school staff who participate in each building's system for planning and providing intervention and referral services;
6. Actively involve parent(s) or legal guardian(s) in the development and implementation of intervention and referral services action plans;



7. Coordinate the access to and delivery of school resources and services for achieving the outcomes identified in the intervention and referral services action plans;
8. Coordinate the services of community-based social and health provider agencies and other community resources for achieving the outcomes identified in the intervention and referral services action plans;
9. Maintain records of all requests for assistance, intervention and referral services action plans, and related pupil information pursuant to N.J.A.C. 6A:16-8.2(a)9;
10. 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; and
11. At a minimum, 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 Building Principal for improving school programs and services, as appropriate.

The Board of Education establishes the following guidelines for the involvement of school staff and community members in each building's system of intervention and referral services pursuant to N.J.A.C. 6A:16-8.3.

Each I&RS Team will be composed of the Principal or a regular teaching staff member appointed by the Principal to act in his/her place; a regular teaching staff member; an educational services staff member; the staff member who referred a pupil in need of assistance or identified an issue requiring remediation; and such other staff members as may be required to assist the pupil or study the issue.

The I&RS Team will identify pupils in need and plan for appropriate intervention or referral services and/or referral to community resources, based on desired outcomes.

When a pupil is referred to the I&RS Team, the team may provide support and guidance to the pupil's classroom teachers, plan and provide for appropriate interventions, coordinate access to and delivery of school services to the pupil, and coordinate the services of community members and/or community-based social and health provider agencies that may aid in the development and implementation of intervention and referral services action plans.

Parent(s) or legal guardian(s) shall be notified whenever a pupil is referred to the I&RS Team, except as such notice may be waived by laws protecting abused children and the confidentiality of persons seeking drug or alcohol rehabilitation. Parent(s) or legal guardian(s) shall be offered an opportunity to participate in the development and implementation of intervention and referral services action plans.

The Principal shall, in consultation with the I&RS Team, report to the Board at the end of the school year on the concerns and issues identified by the team and the effectiveness of the services provided in achieving the outcomes identified in the intervention and referral services action plans.

N.J.S.A. 18A:46-18.1 et seq.

N.J.A.C. 6A:14; 6A:16-8.1; 6A:16-8.2; 6A:16-8.3

2421 CAREER-TECHNICAL EDUCATION

The Board of Education provides a program(s) of career-technical education. The purpose of the career-technical education program is to develop the academic, vocational, and technical skills of pupils who elect to enroll in career-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 career-technical education operating as a county vocational school district in accordance with N.J.S.A. 18A:54-1.1 et seq. and N.J.A.C. 6A:19-1.1 et seq.

All pupils participating in career-technical education programs within this district or in shared-time career-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 career-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 career-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 career-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 career-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 career-technical education programs in the district.

N.J.S.A. 18A:35-4.2; 18A:38-15; 18A:54-1.1 et seq.

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

Adopted: 16 September 2008

## 2422 HEALTH EDUCATION

The Board of Education will provide a comprehensive health education program aligned with the New Jersey Department of Education Core Curriculum Content Standards. This program will be a coordinated sequential curriculum at all grade levels, with instructional units appropriate to the age, growth and development, and maturity of pupils.

The Superintendent will develop and recommend to the Board a program of health education designed for pupils to master the Cumulative Progress Indicators of the Department of Education's Comprehensive Health Education and Physical Education Core Curriculum Content Standards.

### Staffing

Except as provided below for human sexuality and family life education, courses in health education will be taught by teachers whose certification qualifies them to teach health education. Teachers of the human sexuality and family life, substance use and abuse, and HIV prevention programs will be offered specific in-service training.

### Excusal

Any pupil whose parent(s) or legal guardian(s) presents to the School Principal a signed statement that any part of the instruction in health, human sexuality and family life education or sex education program is in conflict with his/her conscience or sincerely held moral or religious beliefs shall be excused from the portion of the course in which such instruction is being given, and no penalties as to credit or graduation shall result.

### Community Involvement

The Superintendent will ensure the program is aligned with the New Jersey Department of Education's Core Curriculum Content Standards. The programs of instruction for human sexuality and family life education will be developed through appropriate consultation and in participation with teachers, school administrators, parent(s) or legal guardian(s), appropriate age school pupils, physicians, members of the clergy, and representative members of the community. Such consultation shall continue, as appropriate, as the program is continually evaluated and revised.

## Human Sexuality and Family Life Education

All pupils will learn the biological, cultural, and psychological aspects of human sexuality and family life. The Board will adopt a coordinated, sequential human sexuality and family life education program aligned with the New Jersey Department of Education's Core Curriculum Content Standards. Any education that is given as part of any planned course, curriculum or other instructional program and that is intended to impart information or promote discussion or understanding in regard to human sexual behavior, sexual feelings and values, human sexuality and reproduction, pregnancy avoidance or termination, HIV infection or sexually transmitted diseases, and any materials including, but not limited, to handouts, speakers, notes or audiovisuals presented on school property concerning methods for the prevention of acquired immune deficiency syndrome (HIV/AIDS), other sexually transmitted diseases and of avoiding pregnancy, will stress that abstinence from sexual activity is the only completely reliable means of eliminating the sexual transmission of HIV/AIDS and other sexually transmitted diseases and of avoiding pregnancy.

The Board will include in its human sexuality and family life curriculum instruction on reasons, skills and strategies for remaining or becoming abstinent from sexual activity. Any instruction concerning the use of contraceptives or prophylactics, such as condoms, will also include information on their failure rates for preventing pregnancy, HIV and other sexually transmitted diseases in actual use among adolescent populations and shall clearly explain the difference between risk reduction through the use of such devices and risk elimination through abstinence. In addition, the human sexuality and family life curriculum will stress the importance of avoiding intravenous drug use.

A copy of the complete district human sexuality and family life education curriculum and all instructional materials shall be available for public inspection in each school in the district prior to its use in any classroom. The parent(s) or legal guardian(s) of each pupil enrolled in the program shall receive annually an outline of the curriculum and a list of instructional materials for that pupil's grade along with notice of the availability for review of the complete curriculum and all materials.

The human sexuality and family life program may be taught by district personnel certified to teach biology, comprehensive science, elementary grades, health, health and physical education, home economics, nursery school, psychology, or special education classes, and the school nurse. The program may utilize the contributions of such community resource persons as parent(s) or legal guardian(s), physicians, the clergy, attorneys, school social workers, school psychologists, and law enforcement personnel. The Board encourages the utilization of teachers in other disciplines through an interdisciplinary approach.

### Use and Abuse of Alcohol, Tobacco, and Other Drugs

All pupils will learn the physical, mental, emotional, and social effects of the use and abuse of alcohol, tobacco, and other drugs. The Board will adopt a coordinated, sequential human sexuality and family life education program aligned with the New Jersey Department of Education's Core Curriculum Content Standards.

N.J.S.A. 18A:35-1 et seq.; 18A:35-4 et seq.; 18A:40A-1 et seq.  
N.J.A.C. 6A:7-1.7

Adopted: 16 September 2008

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 pupils of Limited English Proficiency (LEP) as required by law and rules of the State Board of Education. Pupils of LEP are those pupils whose native language is other than English and who have sufficient difficulty speaking, reading, writing, or understanding the English language as measured by an English language proficiency test, so as to be denied the opportunity to learn successfully in the classrooms where the language of instruction is English.

Identification of LEP Pupils

The Board will conduct a screening process to determine the native language of each pupil at the time of enrollment in the school district. A census shall be maintained of all pupils whose native language is other than English. The English language proficiency of each pupil 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 pupil's level of reading in English, a review of the pupil's previous academic performance, results of standardized tests in English, and a review of the input of teaching staff members responsible for the educational program of the limited English proficient pupils.

Program Implementation

The district shall provide the following programs:

1. An English language services program whenever there are one or more, but fewer than ten LEP pupils enrolled within the schools of the district. English language services shall be in addition to the regular school program;
2. An ESL program whenever there are ten or more LEP pupils enrolled within the schools of the district; and
3. A bilingual program whenever there are twenty or more LEP pupils in any one language classification. Where the age range, grade span, and/or geographical location of eligible pupils makes a full-time bilingual program impractical, the Board may offer an instructional program alternative, provided that program has been approved or 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 pupils.

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 pupil participating in a bilingual, ESL, or English language services program shall be entitled to continue such participation for a period of three years.

#### Bilingual, ESL, and English Language Services Program Enrollment, Assessment, Exit, and Re-entry

Pupils enrolled in a bilingual, ESL, or English language services program shall be assessed annually with 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. LEP pupils enrolled in a bilingual, ESL, or English language services program shall be placed in a monolingual English Program when they have demonstrated readiness to function successfully in the English-only program. This process shall be initiated by the pupil's level of English proficiency as measured by a New Jersey Department of Education established standard on an English language proficiency test, and the readiness of the pupil shall be further assessed on the basis of multiple indicators which shall, at a minimum, include classroom performance, the pupil's reading level in English, the judgment of the teaching staff member or members responsible for the education program of the pupil, and performance on achievement tests in English.

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

Newly exited pupils who are not progressing in the mainstream English program may be considered for re-entry to bilingual and ESL programs in accordance with the provisions of N.J.A.C. 6A:15-1.10(e)1 through (e)5.

When the exit review process is completed, the pupil's parent(s) or legal guardian(s) shall be informed by mail of the placement determination. A parent(s) or legal guardian(s), or teaching staff member who disagrees with the proposed placement may appeal the decision in writing to the Superintendent, who will provide a written explanation for the decision within twenty working days. The complainant may appeal this decision in writing to the Board. The Board will review the appeal and respond in writing within forty-five calendar days. A complainant not satisfied with the Board's explanation may appeal to the Commissioner of Education.



## Parental Involvement

The parent(s) or legal guardian(s) of a pupil of limited English proficiency 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, in the language of which the child of the parents so notified possesses a primary speaking ability, and in English. The notice must also include the information that the parents have the option of declining enrollment if they so chose.

Parent(s) or legal guardian(s) shall receive progress reports in the same manner and frequency as those sent to parents or legal guardians of other pupils.

Parent(s) or legal guardian(s) of pupils of limited English proficiency will be offered opportunities for involvement in the development and review of program objectives. An advisory committee on bilingual education shall be formed with the majority being parent(s) or legal guardian(s) of pupils of limited English proficiency.

## Graduation

Pupils of limited English proficiency will qualify for graduation from high school in accordance with N.J.A.C. 6A:8-5.1(a) and Policy No. 5460.

## Program Plan

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

N.J.S.A. 18A:35-15 through 18A:35-25

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

Revised March 22, 2010

## 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 nine 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 Board on recommendation of 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

### Full Time Secondary Programs Pupil Eligibility

Marine Academy of Science and Technology  
High Technology High School  
Monmouth County Academy of Allied Health and Science  
Communications High School of Monmouth County  
Monmouth County Biotechnology High School

1. Eligibility for Interscholastic Athletics: Any pupil wishing to participate in the interscholastic athletics at their home high school must meet all academic requirements that have been set forth for eligibility by that school. A letter of eligibility must be provided to the local school district Principal.
2. Eligibility for Extra-Curricular Activities/Field Trips: Any pupil wishing to participate in any extra-curricular activities and/or extended out-of-school field trips must meet eligibility criteria established by a faculty council and the school administration. Criteria will include attendance, academic standing and discipline as follows:
  - a. The pupil must not be in jeopardy of violating the attendance policy.
  - b. The pupil must not have failed more than one course during the previous marking period. A pupil who demonstrates less than proficient performance during the marking period of the activity may be eligible to participate providing that the pupil meets proficiency by satisfying a PIP and is verified by the teacher.
  - c. The pupil must not have a record of recurring disciplinary infractions.
3. The Monmouth County Vocational School District does not discriminate on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status.

The Superintendent shall prepare procedures to implement a co-curricular program and shall assess the needs and interests of the pupils of this district and provide for the continuing evaluation of the co-curricular program.

39 U.S.C.A. 1701 et seq.  
N.J.S.A. 18A:11-3; 18A:42-2; 18A:42-5  
N.J.A.C. 6A:19-6.10

Adopted: 16 September 2008

2440 SUMMER SCHOOL

The Board of Education may conduct a summer program of enrichment courses and a program for pupils to complete necessary hours of instruction for eligibility for their State licensure. The summer session must be approved by the County Superintendent.

The Board directs the Superintendent to implement a suitable educational program to carry out this policy and to submit to the Board for its approval each proposed course of study.

A reasonable tuition fee may be charged to nonresident pupils enrolled in a summer school course and to resident pupils enrolled in enrichment courses determined by the County Superintendent to be unrelated to the regular school curriculum. No tuition shall be charged to pupils domiciled within the district for enrollment in remedial or advanced courses.

The resident Board of Education will provide transportation to and from summer school classes for no pupils, except special education pupils.

The Superintendent shall develop regulations for the summer school 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 school shall be consistent with rules of the State Board of Education and Board policies, and the operation of summer school shall not conflict in any way with the administration of the regular school sessions of this district.

N.J.S.A. 18A:54B-1 et seq.  
N.J.A.C. 6:3-1.8 et seq.

Adopted: 16 September 2008

2453 POST-SECONDARY EDUCATION

Post Secondary Programs Acceptance of Pupils

The Monmouth County Vocational School District will provide post-secondary programs for adult pupils. Pupils will be admitted into these programs after submitting applications. Placement into these programs will be made without regard to race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status.

A. Adult Evening School

Admission will be open on a first come basis to all qualified applicants. Qualified applicants will be those who are at least sixteen years old and are no longer enrolled in an elementary or secondary school.

Additional prerequisite coursework may be required as outlined in the curriculum of specific courses.

B. Admission to the Adult High School will be open on a rolling basis for all adult pupils who have left high school prior to earning a diploma. Candidates under the age of sixteen must have officially withdrawn from their high school and will be considered for admission on a case-by-case basis.

C. Adult Cosmetology

Admission will be open to all applicants who have taken a qualifying test to determine minimum achievement.

Post Graduate/Adult Tuition Policy

The Monmouth County Vocational School District Board of Education will establish tuition and related fees for all adult programs. These programs are identified by course codes on the attached fee schedule.

A. Tuition and Fees

Tuition/fees for post graduates/adult programs will be established by the Board of Education.

A tuition payment structure has been established. Payment must be made prior to the start of the session. Sessions are listed as: semester (five months), trimester (four months, or class (hours are listed).

Pupils will not be enrolled for the semester/trimester/class until tuition is paid in full for the session.

An application/registration fee for post graduates/adult programs has been established.

Application/registration fees are non-refundable and cover such items as:

- Application Processing
- Application Evaluation
- Entrance Test Fees
- Interviews

Application/registration fees will be applied toward the tuition where applicable.

Materials/supplies, textbooks, medical exams, health insurance, transportation and other related costs will be the responsibility of the post-graduate/adult.

Tuition, fees, and estimated related cost schedules will be maintained in the central office.

B. Tuition Exemptions

Post-graduates who are enrolled in the second year of a two-year secondary program and were enrolled in a home school while attending the first year will be exempt from tuition for that year.

Post-graduates who are enrolled in the Monmouth County Vocational School District High School will be exempt from Shared Time Day Program tuition.

Related fees are the responsibility of the post-graduate/adult and will not be picked up by the Monmouth County Vocational School District. This applies to any adult who may be exempt from paying tuition.

C. Tuition Refunds

Tuition refunds will be granted under the conditions described on the fee schedule.

2460 SPECIAL EDUCATION

The 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 pupils with disabilities, who are in need of special education and related services, including pupils 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 pupils 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. Pupils 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, pupils with disabilities are educated in the least restrictive environment according to N.J.A.C. 6A:14-4.2;
6. Pupils 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 pupils with disabilities will participate in State-wide assessments or the applicable Alternative Proficiency Assessment in grades three, four, five, six, seven, eight, and eleven in accordance with their assigned grade level.
7. Pupils with disabilities are afforded procedural safeguards required by N.J.A.C. 6A:14-2.1 et seq., including appointment of a surrogate parent, when appropriate, by the resident child study team.
8. 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 pupil begins no later than the pupil's third birthday and that an individualized education program (IEP) is in effect for the pupil by that date;
  - b. If a child's third birthday occurs during the summer, the child's IEP Team shall determine the date when services under the IEP will begin;
  - c. A free appropriate public education is available to any pupil with a disability who is eligible for special education and related services, even though the pupil is advancing from grade to grade;
  - d. The services and placement needed by each pupil with a disability to receive a free, appropriate public education are based on the pupil's unique needs and not on the pupil's disability; and
  - e. The services and placement needed by each pupil with a disability to receive a free, appropriate public education are provided in appropriate educational settings as close to the pupil's home as possible and, when the IEP does not describe specific restrictions, the pupil is educated in the school he or she would attend if not a pupil with a disability.
9. Full educational opportunity to all pupils with disabilities is provided; pupil must meet admissions criteria;
  10. The compilation, maintenance, access to, and confidentiality of pupil records are in accordance with N.J.A.C. 6A:32-7;
  11. All personnel serving pupils with disabilities are highly qualified and appropriately certified and licensed, where a license is required, in accordance with State and Federal law;
  12. The in-service training needs for professional and paraprofessional staff who provide special education, general education or related services are identified, and that appropriate in-service training is provided. The district Board shall maintain information to demonstrate its efforts to:
    - a. Prepare general and special education personnel with content knowledge and collaborative skills needed to meet the needs of children with disabilities;
    - b. Enhance the ability of teachers and others to use strategies, such as behavioral interventions, to address the conduct of pupils with disabilities that impedes the learning of pupils with disabilities and others;



- c. Acquire and disseminate to teachers, administrators, school Board members, and related services personnel, significant knowledge derived from educational research and other sources and how the district will, if appropriate, adopt promising practices, materials and technology;
  - d. Ensure that the in-service training is integrated to the maximum extent possible with other professional development activities; and
  - e. Provide for joint training activities of parent(s) and special education, related services and general education personnel.
13. Instructional material will be provided to blind or print-disabled pupils in a timely manner.
14. For pupils 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 Uniform Application Act, N.J.S.A. 30:4-25.10 et seq., the necessary materials to the parent(s) to apply for such services.
15. 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.
16. 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.

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 June 23, 2009

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Special Education/Receiving Schools  
**M**

To demonstrate compliance with N.J.A.C. 6A:14 and the Individuals with Disabilities Education Act, the Board adopts policies and regulations/procedures that are required. These policies and regulations/procedures will be submitted with a Special Education Assurance Statement for Receiving Schools for Policies and Procedures to the County Office of Education no later than February 28 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.
  - a. Procedures regarding the pupil's IEP shall be developed and implemented to ensure that the receiving school determines whether the pupil's IEP can be implemented in that setting prior to accepting the pupil [N.J.A.C. 6A:14-7.5(b)1]; and
  - b. The pupil's teacher and, if appropriate, the pupil and other representatives of the receiving school will participate in meetings according to N.J.A.C. 6A:14-2.3(i)2.
2. The receiving school will collaborate with the sending district Board of Education in the provision of a free, appropriate public education for the population served including pupils with disabilities who are suspended.
  - a. Procedures regarding the provision of a free, appropriate public education to pupils with disabilities who are suspended will be developed and implemented to ensure that school officials responsible for implementing suspensions/expulsions in the receiving school are identified.
  - b. Each time a pupil with a disability is removed from his/her current placement for disciplinary reasons, notification of the removal is provided to the case manager of the sending district.
  - c. A system will be in place to track the number of days a pupil with disabilities has been removed for disciplinary reasons.
  - d. Suspension from transportation is counted as a day of removal if the pupil does not attend school.
  - e. Removal for a portion of the school day is counted proportionately.

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- f. If the receiving school has an in-school suspension program, participation in the program is not counted as a day of removal if the program provides the following:
- (1) Opportunity for the pupil to progress in the general curriculum;
  - (2) Services and modifications specified in the pupil's IEP;
  - (3) Interaction with peers who are not disabled to the extent they would have interaction with in the current placement; and
  - (4) The pupil is counted as present for the time spent in the in-school suspension program.
- g. When a series of short-term removals will accumulate to more than ten school days in the year:
- (1) School officials of the receiving school and the sending district case manager will consult to determine whether the removals create a change of placement according to N.J.A.C. 6A:14-2.8(b)2;
  - (2) Written documentation of the consultation between school officials and the case manager of the sending district will be maintained;
  - (3) If it is determined there is no change in placement, school officials and, the case manager of the sending district and special education teacher will consult to determine the extent to which services are necessary to:
    - (a) Enable the pupil to progress appropriately in the general education curriculum; and
    - (b) Advance appropriately toward achieving the goals set out in the pupil's IEP.
  - (4) Written documentation of the consultation and services provided will be maintained.

- h. Steps will be in place to review the behavioral intervention plan and if necessary convene the IEP team as required according to N.J.A.C. 6A:14 Appendix D, 34 C.F.R. §300-520(c)(1) and (2).
- 3. The compilation, maintenance, access to and confidentiality of pupil records will be in accordance with N.J.A.C. 6:3-6.
  - a. The IEP will be accessible to each teacher or service provider in accordance with N.J.A.C. 6A:14-3.7(a)2.
  - b. All pupil records will be returned to the sending district within fifteen calendar days of a pupil's last day of enrollment.
- 4. Pupils 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).
- 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.
  - a. If a change in the delivery of special education or related services is necessary due to a change in personnel or pupil need, the receiving school will contact the sending district to convene an IEP team meeting to review and, if appropriate, revise the IEP.
- 6. All personnel serving pupils with disabilities will be appropriately certified and licensed where a license is required as stated in N.J.A.C. 6:11.
- 7. The receiving school will terminate the placement of a pupil with disabilities according to N.J.A.C. 6A:14-7.7(a) and (a)1.
- 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 pupils with disabilities that impedes the learning of pupils 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. Insure that the in-service training is integrated to the maximum extent possible with other professional development activities;
- e. Provide for joint training activities of parents and special education, related services and general education personnel; and
- f. Procedures shall be developed and implemented to ensure that the training needs of paraprofessionals, professionals and parents of pupils with disabilities in the five specified areas are identified and met.

Adopted: 16 September 2008

## 2464 GIFTED AND TALENTED PUPILS

The Monmouth County Vocational School District is a district of choice. All pupils attending the programs within the district have met certain entrance criteria and/or skill level for anticipated program success.

### Shared Time Programs

The district operates thirty shared time programs of study. After completion of the first level of the program the pupils are evaluated on both an academic and technical level to determine their potential ability to succeed in a structured work environment. The pupils that show the most potential (Gifted and Talented) are offered a School-to-Careers opportunity. The program offers the pupil the opportunity to begin work at a job site four days a week where they have an educational plan of study and real work experience and one day in the classroom with their instructor.

The pupils involved in the program are able to experience the world of work first hand while still in school. This better prepares them to enter and remain in the workforce upon graduation.

### Career Academies

The district operates five career academies, Biotechnology High School, Marine Academy of Science and Technology, Academy of Allied Health and Sciences, High Technology High School, and Communications High School. The schools represent a group of specialized high schools that appeal to specific career interests. The admission criteria and entrance exams assist in the determination of the pupils enrolled in each of the schools. The pupils are able to achieve on a high level based on the nature of the schools program of study. The pupils desiring a more rigorous course of study (Gifted and Talented) have the ability to take advanced placement courses and college course through Brookdale Community College, Georgian Court College, and the University of Medicine and Dentistry.

Additionally pupils are able to participate in externship programs crafted around their individual career interest. Through the externship pupils are able to apply advanced academic concepts in a real world setting.

N.J.S.A. 18A:61A-2; 18A:35-4.16  
N.J.A.C. 6:37-1.1; 6A:8-1.3; 6A:8-3.1(a)5.  
P.L. 108-382, Sec. 10201 et seq.

Adopted: 16 September 2008

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.

2467 SURROGATE PARENTS AND FOSTER PARENTS

Federal and State laws require the Board ensure the rights of a pupil are protected through the provision of an individual to act as surrogate for the parent(s) 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 or located after reasonable efforts;
2. An agency of the State of New Jersey has guardianship of the pupil and that agency has not taken steps to appoint a surrogate parent for the pupil;
3. The pupil is a ward of the State and no State agency has taken steps to appoint a surrogate parent for the pupil;
4. No parent can be identified for the pupil 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 pupil's parent, and no State agency has taken steps to appoint a surrogate parent for the pupil; and
5. The pupil is an unaccompanied homeless youth and no State agency has taken steps to appoint a surrogate parent for the pupil.

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 pupil. 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 pupil.

The person serving as a surrogate parent:

1. Shall have no interest that conflicts with those of the pupil he/she represents;
2. Shall possess the knowledge and skills that ensure adequate representation of the pupil;
3. Shall not be replaced without cause;



4. Shall be at least eighteen years of age;
5. Shall 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. Shall not be an employee of the New Jersey Department of Education, this district, or a public or nonpublic agency that is involved in the education or care of the child.

The Superintendent or his/her will determine whether there is a need for a surrogate parent for a pupil, contact any State agency that is involved with the pupil to determine whether the State has a surrogate parent appointed for the pupil, and will make reasonable efforts to appoint a surrogate parent for the pupil within thirty days of determining that there is a need for a surrogate parent for the pupil.

When a pupil (who is or may be a pupil with a disability) is in the care of a foster parent residing in this district, and the foster parent is not the parent of the pupil as defined in N.J.A.C. 6A:14-1.3, the Director of Pupil Personnel shall contact the pupil's case manager at the Division of Youth and Family Services (DYFS) in the Department of Human Services to determine whether the parent(s). If the parent(s) retains the right to make educational decisions and the parent(s) whereabouts are known to the school district, the Director of Pupil Personnel shall consult with the pupil's case manager at DYFS to assist in identifying an individual, including the foster parent, who may serve as a surrogate. If there is no foster parent, or if the foster parent is unwilling to serve as the pupil's parent pursuant to N.J.A.C. 6A:14-1.3, the Director of Pupil Personnel shall consult with the pupil's case manager at DYFS to assist in identifying an individual to serve as 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 pupil. The Director of Pupil Personnel 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 Board of Education Attorney to discuss the rights of the surrogate parent and the applicable statutes, administrative codes, and Federal laws. The Board of Education 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 pupil and the nature of the pupil's disability through a review of the pupil's record;
4. Providing the surrogate parent an opportunity to confer with the pupil's case manager to discuss the pupil; and
5. Other information and resources to provide the surrogate parent the knowledge and skills to ensure adequate representation of the pupil.

#### 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

Revised June 23, 2009

2480 ALTERNATIVE EDUCATION PROGRAMS

The Board of Education operates 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.

The Monmouth County Vocational School District operates the Class Academy, which is a specialized program for at-risk pupils. The pupils are in the regular education programs from grades nine through twelve. All pupils are received on a tuition basis from resident districts.

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). 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.

N.J.A.C. 6A:16-9.1; 6A:16-9.2; 6A:16-9.3

Adopted: 16 September 2008

2481 HOME OR OUT-OF-SCHOOL INSTRUCTION FOR GENERAL  
EDUCATION PUPILS

The district will provide instructional services to enrolled general education pupils at the pupil's home or other suitable out-of-school setting under the following conditions:

- A. The pupil is mandated by State law and rule for placement in an alternative education program for violations of N.J.A.C. 6A:16-5.5 (firearm offenses) and 6A:16-5.6 (assault with weapons offenses), but placement is not immediately available;
- B. The pupil is placed on short-term or long-term suspension from participation in the general education program pursuant to N.J.A.C. 6A:16-7.2 and 7.3; or
- C. A court order requires the pupil receive instructional services in the home or other out-of-school setting.

The district in which the pupil resides is responsible for the costs of providing instruction in the home or out-of-school setting either directly 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 pupil 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 district will develop an Individualized Program Plan (IPP) for the delivery of instructional services and pupil progress in accordance with requirements of N.J.A.C. 6A:16-10.2(d)1. The IPP shall be based upon consultation with the pupil's parent(s) or legal guardian(s) and a multi-disciplinary team of professionals with appropriate instructional and educational services credentials to assess the educational, behavioral, emotional, social, and health needs of the pupil and recommend a program to address both educational and behavioral goals. The IPP shall incorporate any prior findings and actions recommended through the school building's system of Intervention and Referral Services pursuant to N.J.A.C. 6A:16-8 and recommend placement in an appropriate educational program. The school district shall review the pupil's progress, consult with the pupil's parent(s) or legal guardian(s), and revise the IPP no less than every sixty calendar days.

PROGRAM  
2481/page 2 of 2  
Home or Out-of-School Instruction for General  
Education Pupils

The teacher(s) providing the instruction will be appropriately certified for the subject and grade level of the pupil. One-on-one instruction will be provided 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 pupil's classroom. If home instruction is provided to pupils in a small group rather than through one-on-one instruction, direct instruction, that may include guided learning experiences, shall be provided for no fewer than twenty hours per week provided on no fewer than three separate days during the week and the pupil to teacher ratio shall not exceed 10:1.

Pupils will receive instruction that meets the Core Curriculum Content Standards in accordance with N.J.A.C. 6A:8 and that meets the school district's requirements for promotion and graduation.

If instruction is delivered in the pupil's home, a parent or other adult 21 years of age or older who has been designated by the parent shall be present during all periods of home instruction. Refusal or failure by a parent(s) or legal guardian(s) to participate in the development and revision of the pupil's IPP or to be present in the home as required may be deemed a violation of compulsory education laws, pursuant to N.J.S.A. 18A:38-25 through 31, and child neglect laws, pursuant to N.J.S.A. 9:6-1 et seq.

The Building Principal shall maintain a summary record, pursuant to N.J.A.C. 6A:16-10.2(g)1, concerning pupils receiving home or out-of-school instruction because they could not be placed in the setting recommended as most appropriate in the pupils' IPPs. The Superintendent shall provide the summary report annually to the County Superintendent pursuant to N.J.A.C. 6A:10.2(g).

N.J.S.A. 18A:38-1 through 18A:38-25  
N.J.A.C. 6A:16-10.2

Adopted: 16 September 2008

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 Board shall consider for approval only those textbooks that have been selected and recommended by the Superintendent.

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.

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.

N.J.S.A. 18A:34-1; 18A:34-2  
N.J.S.A. 18A:54-20

Adopted: 16 September 2008

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

N.J.S.A. 18A:54-20

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: 16 September 2008



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, vivisection, 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 that involves or necessitates any harmful use of an animal or animal part(s). A pupil shall not be discriminated against, in grading or in any other manner, based upon a decision to exercise the rights afforded pursuant to this act.

N.J.S.A. 18A:35-4.25

Revised March 22, 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. To this end, the Superintendent shall employ such tests and methods as may be indicated by sound professional judgment. 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 during the school year. Findings of the assessment program may be used to evaluate the progress of pupils and the effectiveness of staff members. The Board will annually make available to the public the collective progress of pupils toward the goals of the district.

The Board will annually, prior to the end of the school year and in conjunction with appropriate members of the administrative staff, conduct a review of the educational progress of the district, assess district and pupil needs, and establish long range and short range objectives for the educational program. The Board's annual report will be submitted to the Commissioner of Education as required.

The Superintendent shall annually recommend improvements in the educational program based on the Board's evaluation of the district's program. The Board reserves the right to employ experts from outside the school district to serve in the evaluation process.

N.J.S.A. 18A:7A-11  
N.J.A.C. 6:8-3.2; 6A:8-4.1 et seq.  
N.J.A.C. 6A:19-2.6

Adopted: 16 September 2008

## 2622 PUPIL ASSESSMENT

The New Jersey statewide assessment program has been designed to measure the extent to which all pupils at the elementary, middle, and secondary levels have attained New Jersey's Core Curriculum Content Standards. The Board of Education will comply with implementing the schedule of the New Jersey State Board of Education statewide assessment program.

### Assessments

The Superintendent shall develop and present to the Board annually for its approval an assessment program that complies with rules of the State Board of Education.

### Records

Notwithstanding Policy No. 8330, information regarding individual pupil test scores shall be released only to the pupil, his/her parent(s) or legal guardian(s), or individuals eligible by court order and school personnel and school officials deemed appropriate by the Commissioner.

### Dissemination of Information

The school district must release to the public the results of statewide assessments in accordance with the New Jersey Department of Education guidelines. Additionally, the results of the performance of school district pupils on statewide assessments shall be released annually through the dissemination of the school district's New Jersey School Report Card and other such means as determined by the Superintendent.

### Parental Notification

Parent(s) or legal guardian(s) shall be informed of the district assessment program and of any special tests that are to be administered to their children.

## PROGRAM EXCEPTIONS

### Pupils With Disabilities

Pupils with disabilities shall participate in all state assessments unless the pupil's disability is so severe that the pupil is not receiving instruction in any of the knowledge and skills measured by the statewide assessment in a subject area with or without accommodations. The Board shall provide appropriate accommodations or modifications to the statewide assessment system as specified by the New Jersey Department of Education as defined in N.J.A.C. 6A:14-1.3 or

Section 504 of the Rehabilitation Act as determined by the Individual Education Plan (IEP) Team or the 504 Team in compliance with the New Jersey Department of Education guidelines. Special Review Assessment (SRA) may be used for pupils who have not demonstrated proficiency in one or more content areas of the High School Proficiency Assessment. Alternate Proficiency Assessment (APA) may be used for pupils with severe disabilities.

#### Pupils With Limited English Proficiency (LEP)

Pupils with limited English proficiency (LEP) shall participate in all statewide assessments and may be provided appropriate accommodations or modifications as specified by the New Jersey Department of Education.

All pupils of limited English proficiency shall satisfy the requirements for high school graduation according to N.J.A.C. 6A:8-5.1, except any pupil of limited English proficiency may demonstrate they have attained State minimum levels of proficiency through:

1. Passage of the SRA process in their native language and passage of an English fluency assessment approved by the New Jersey Department of Education; or
2. Passage of the SRA process in English with appropriate accommodations.

N.J.S.A. 18A:7C-6.2

N.J.A.C. 6:8-2.2 ; 6A:7-1.7; 6A:8-4.1 ; 6A:8-5.1 et seq.;

6A:14-1.1 et seq.; 6A:14-3.7; 6A:14-4.12; 6A:15-1.11

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.

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 District Performance Review and the Statement of Assurance will be reviewed and evaluated in accordance with the requirements of N.J.A.C. 6A:30-3.3. The Commissioner shall issue a final determination of the school district's performance and initial placement on the performance continuum in accordance with N.J.A.C. 6A:30-4.1.

The district will be required to commence improvement activities as set forth in N.J.A.C. 6A:30-5.3 through 5.7 in the event it satisfies less than eighty percent of the weighted quality performance indicators in one or more key components of school district effectiveness. Where appropriate, pursuant to the factors as outlined in N.J.A.C. 6A:30-6.2, the Commissioner may seek forms of partial or full intervention in a school district as outlined in N.J.A.C. 6A:30-6.1 et seq. Withdrawal from partial or full State intervention shall be in accordance with the provisions of N.J.A.C. 6A:30-7 et seq.

No provision of N.J.A.C. 6A:30 – Evaluation of the Performance of School Districts, shall limit the ability of the Department to monitor public school districts' practices by, among other things, conducting on-site visits to observe instructional practices and school facilities or take other such action as in the judgment of the Commissioner or his/her designee that may be warranted to ensure the satisfaction of any statutory or constitutional obligation.

N.J.S.A. 18A:7A-3 et seq.  
N.J.A.C. 6A:30-1.1 et seq.

3000 TEACHING STAFF MEMBERS

| <u>Number</u> | <u>Title</u>  |
|---------------|---|
| 3112          | Abolishing Positions  |
| 3124          | Employment Contract   |
| 3125          | Employment of Teaching Staff Members  |
| 3141          | Resignation   |
| 3142          | Nonrenewal of Nontenured Staff Member   |
| 3159          | Teaching Staff Member/School District Reporting Responsibilities                        |
| 3160          | Physical Examination  |
| 3212          | Attendance  |
| 3214          | Conflict of Interest  |
| 3218          | Substance Abuse   |
| 3221          | Evaluation of Nontenured Teaching Staff Members   |
| 3223          | Evaluation of Administrators  |
| 3240          | Professional Development  |
| 3244          | In-Service Training   |
| 3280          | Liability for Pupil Welfare   |
| 3321          | Acceptable Use of Computer Network(s)/Computers and Resources by Teaching Staff Members |
| 3362          | Sexual Harassment   |
| 3431.1        | Family Leave  |
| 3437          | Military Leave  |
| 3440          | Travel Expenses   |
| 3610          | Personnel Terms and Conditions  |



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 abolishment of positions and the reallocation of duties and positions.

N.J.S.A. 18A:28-1; 18A:28-9 et seq.

Adopted: 16 September 2008

3124 EMPLOYMENT CONTRACT

The Board of Education requires that every nontenured teaching staff member employed by this district annually sign an employment contract for a term of not more than one year.

The employment contract shall include the specific title of the position to which the teaching staff member is appointed; the term for which employment is contracted, including beginning and ending dates; a full description of the certification held by the teaching staff member and the date, if any, on which certification will expire; the salary at which the teaching staff member will be employed; the intervals at which the salary will be paid; 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.S.A. 18A:27-2 et seq.; 18A:28-8  
N.J.A.C. 6A:9-5.1; 6A:9-5.2

Adopted: 16 September 2008

3125 EMPLOYMENT OF TEACHING STAFF MEMBERS

The Board of Education believes it is vital to the successful operation of the district that teaching staff member positions be filled with highly qualified and competent teaching staff members.

The Superintendent shall recruit, screen, and recommend to the Board suitable candidates for district employment. The Board shall approve the employment, fix the compensation, and establish the term of employment for every teaching staff member employed by this district. Approval shall be given only to those candidates for employment recommended by the Superintendent.

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.

No person shall be employed in a position involving regular contact with pupils unless the Board has notice 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.

Criminal history record checks will be required pursuant to New Jersey Department of Education regulations and procedures. Any person to be employed by the district, other than a school bus driver, must undergo a criminal history background check. School bus drivers are subject to criminal history record checks in accordance with New Jersey and Federal licensing requirements. All contracted employees having regular pupil contact must undergo a criminal record history check. Approval letters will be valid only for the district or contract service provider through which the person to be employed made application for employment.

A permanent employee hired prior to October 8, 1986, who applies for and is selected for a different position in the district is "grandfathered" and not required to undergo a criminal history background check. An employee hired after October 8, 1986 for a position without regular pupil contact and later receives a position with pupil contact, must undergo a criminal history background check at the time of transfer to the new position.

Individuals who provide volunteer services are not subject to this criminal history record information requirement. Student teachers are not subject to this criminal history record information requirement. An individual shall be permanently disqualified from employment or service in the school district if the criminal history record check reveals a record of conviction for crimes as defined in N.J.S.A. 18A:6-7.1 et seq.

Substitute employees, who are rehired annually by the Board, are required to undergo a criminal history record check upon initial employment, provided the substitute continues in the employ of at least one of the districts at which the substitute was employed within one year of the approval of the criminal history record check. A substitute employee later selected for a permanent position within the district does not need to undergo a new criminal history background check provided there is no break in service in the substitute employment. A break in service is when the employee is no longer approved by the employing Board of Education. An employee who has been laid off (dismissed because of employee reduction) and is asked to be re-employed by the district and/or contractor must submit to a new criminal history background check.

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 records check if the Board or contractor demonstrates to the Commissioner of Education that special circumstances exist which justify the emergent employment as prescribed in N.J.S.A. 18A:6-7.lc. In the event the criminal background check is not completed for an emergent hired employee within three months, the Board or contractor 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 furnished unless the applicant provided written consent to the check. The applicant shall bear the cost for the 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 background check.

#### Nepotism

The Board may employ relatives of Board members provided the member of the Board involved does not participate in any way in the discussion or vote.

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.

All new employees will be required, within three days of the first day of hire, to complete the federal Form I-9 and supply the documentation necessary to demonstrate the employee's identity and employment eligibility under the Immigration Reform and Control Act of 1986. Completed Forms I-9 will be retained for three years or until one year after the end of the employee's separation, whichever is longer.

#### Part-time Teaching Staff Members

The terms and conditions of employment for all part-time school district staff shall be approved by the Board, as recommended by the Superintendent, on an annual basis.

#### Substitute Teachers

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 the rate of pay.

The Superintendent may select substitutes from the list approved by the Board to serve in the place of an absent teacher who retains an entitlement to a regular position. The Superintendent may employ, subject to ratification by the Board at the next meeting of the Board, substitutes who have not received the prior approval of the Board when no approved substitute is available.

Preference will be given to substitutes who are fully certified in the area for which they are engaged. A substitute who holds a county substitute certificate or a regular certificate without appropriate endorsements shall serve no more than twenty consecutive days in the same position.

A substitute teacher shall follow the daily lesson plan provided by the regular teacher and, when that plan is exhausted or unavailable, the instructions of the Principal. A substitute may not plan or direct an instructional program except as expressly permitted by the Superintendent.

#### Summer School Teachers

The Board shall approve the employment, fix the compensation, and set the term of employment for each person employed in the summer school program established for this district. The Board will employ only those candidates recommended by the Superintendent.

Primary consideration will be given to candidates for summer school employment who are employed in this district.

Service as a summer school teacher will not count toward the accrual of tenure or seniority.

N.J.S.A. 18A:6-5 et seq.; 18A:6-7.1 et seq.; 18A:16-1;  
18A:26-1 et seq.; 18A:27-1; 18A:27-4 et seq.

N.J.S.A. 18A:54-20

N.J.A.C. 6:11-3.1; 6:11-4.2 et seq.; 6:11-5.1 et seq.;  
6:11-3.24; 6:11-11.21

Adopted: 16 September 2008

3141 RESIGNATION

Shall be covered in a collective bargaining unit and/or in Board Policy 3610.

N.J.S.A. 18A:26-10; 18A:28-8  
N.J.A.C. 6A:9-17.9

Adopted: 16 September 2008

3142 NONRENEWAL OF NONTENURED 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 staff members who meet those standards. The Board shall renew the employment contract of a 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 staff member's performance does not meet the standards of the district, the Superintendent shall recommend not to renew the staff member's contract. A nontenured 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 staff member to whom reemployment will not be offered of such nonrenewal in writing on or before May 15. Any 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 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 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 staff member reemployment after an informal hearing.

N.J.S.A. 18A:27-3.1 et seq., 18A:27-4.1; 18A:27-10 et seq.  
N.J.A.C. 6A:32-4.5; 6A:32-4.6

Adopted: 16 September 2008

3159 TEACHING STAFF MEMBER/SCHOOL DISTRICT  
REPORTING RESPONSIBILITIES

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 CEAs 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.S.A. 18A:16-1.3

N.J.A.C. 6A:9-17.1; 6A:9-17.4

Adopted October 20, 2009

### 3160 PHYSICAL EXAMINATION

The Board of Education requires each newly employed teaching staff member undergo a physical examination. 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 height and weight; blood pressure; pulse and respiratory rate; vision screening; hearing screening; and Mantoux test for tuberculosis.

A teaching staff member may provide health status information, including medications, which may be of value to medical personnel in the event of an emergency requiring treatment. The staff member may also choose to share with the Principal and, if desired, with the certified school nurse, information regarding current health status to assure ready access in a medical emergency. School employee physicals, examinations and/or annual medical updates do not require screening or disclosure of HIV status.

Candidates for employment will be required to undergo a physical examination to include a health history, health screening and medical evaluation. This pre-employment physical examination shall not be used to determine a candidate's disabilities. This examination shall be used only to determine whether the applicant is able to perform with reasonable accommodation job-related functions pursuant to P.L. 101-336, American with Disabilities Act of 1990. The school district will pay for the costs of the examination, if conducted by the school physician.

The physical examinations required by this policy shall be limited to those assessments or information necessary to determine the individual's physical and mental fitness to perform with reasonable accommodation in the position he/she seeks or currently holds and to detect any health risks to pupils or other employees.

Physical examinations required by this policy may be conducted by a physician or institution designated by the Board or, at the employee's election, by a physician or institution designated by the employee and approved by the Board. The cost of any such examination conducted by the physician or institution designated by the Board shall be borne by the Board. The cost of any such examination conducted by the physician or institution chosen by the employee and approved by the Board shall be borne by the employee.

All staff members' medical and health records, including computerized records, will be secured and will be 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. The section of the medical record that contains the health history may be shared with the staff member's Building Principal and the school nurse with the consent of the staff member.

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 No. 3161 or disability in accordance with Policy Nos. 3425 and 3435.

42 U.S.C.A. 12101  
N.J.S.A. 18A:16-2 et seq.  
N.J.A.C. 6A:32-6.1; 6A:32-6.2; 6A:32-6.3

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.

The Superintendent is directed to ascertain the rate of absence among the professional staff, in accordance with rules of the State Board of Education. Whenever the rate of absence in any school year is higher than three and one-half percent, the Superintendent shall develop and present to the Board a plan for the review and improvement of staff attendance. The review and improvement plan shall require the collection and analysis of attendance data, the training of teaching staff members in their attendance responsibilities, and the counseling of teaching staff members for whom regular and prompt attendance is a problem.

N.J.S.A. 18A:27-4; 18A:28-5; 18A:30-1 et.seq.

Adopted: 16 September 2008

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.

N.J.S.A. 18A:6-8; 18A:11-1

Adopted: 16 September 2008

3218 SUBSTANCE ABUSE

The Board of Education recognizes that chemical dependency is an illness which is preceded by the misuse and/or abuse of alcohol, anabolic steroids, and other drugs. The Board recognizes that the use/misuse of alcohol, anabolic steroids, and other drugs, and the problems associated with it, are becoming increasingly commonplace in today's society. It is generally accepted that alcoholism and other chemical dependencies are illnesses that can be treated successfully if they are identified as early as possible, and if appropriate treatment is promptly instituted. The Board believes that the therapeutic approach to the problem is more effective than one which is solely punitive in nature.

For purposes of this policy, "substance" shall mean:

1. All controlled dangerous substances as defined and prohibited in New Jersey Statutes and Codes;
2. All chemicals which release toxic vapors as defined and prohibited in New Jersey Statutes and Codes;
3. All alcoholic beverages; and
4. Anabolic steroids.

Standard of Conduct

The Board clearly prohibits the unlawful possession, use, or distribution of illicit substances, drugs, alcohol, and/or anabolic steroids on school premises or as part of any of its activities by any employee of the district as well as reporting to the workplace under the influence of any illicit substances, drugs, alcohol, and/or anabolic steroids. Compliance with this standard of behavior is mandatory.

The Board will make every effort to educate its employees regarding the misuse of illegal substances, alcohol, drugs, and anabolic steroids. Further, the Board will assist and provide guidance to an employee who is having a problem concerning the abuse of these substances on how to receive additional help and counseling.

### Program Review

The Board shall review its substance abuse program on a biennial basis to determine its effectiveness and implement changes as required and to ensure that disciplinary sanctions are consistently enforced.

Any information gathered through a school investigation, counseling session, request by an employee for help, etc., shall comply with the confidentiality requirements established in Federal regulations found in 42 CFR Part II. Employees shall be subject to procedures and sanctions defined in Regulation No. 3218. All employees shall be provided with a copy of this policy and the accompanying regulations.

N.J.S.A. 2C:33-15 et seq.

N.J.S.A. 24:21-2 et seq.

42 C.F.R. II

34 CFR 85.600 et seq.

20 U.S.C. 1145g, 3224a

41 U.S.C.A. 701 et seq.

3221 EVALUATION OF NONTENURED TEACHING STAFF MEMBERS

The Board of Education recognizes the importance of implementing a program for the evaluation of nontenured teaching staff members in accordance with law for the purposes of identifying and correcting deficiencies, improving professional competence, improving the quality of instruction received by pupils of this district, and assisting the Board in determining the member's reemployment.

The program of evaluation of nontenured teaching staff members shall include the observation and evaluation of each such employee in the performance of his or her duties by an appropriate supervisor no fewer than three times during each school year, but not less than once during each semester. Evaluations are to take place before April 30 of each year. The evaluations may cover that period between April 30 of one year and April 30 of the succeeding year except in the case of the first year of employment where the three evaluations must be completed prior to April 30. The number of required observations and evaluations may be reduced proportionately when an individual teaching staff member's term of service is less than one academic year. Each evaluation shall be followed by a conference between the teaching staff member and his or her superior or supervisor(s). The purpose of the observation and evaluation of nontenured teaching staff members shall be to improve professional competence, identify deficiencies, extend assistance for the correction of such deficiencies, provide a basis for recommendations regarding reemployment, and improve the quality of instruction received by the pupils served by the school(s) in the district.

Supervisors shall make every effort to assist nontenured teaching staff members in the remediation of deficiencies disclosed by observation and evaluation and may conduct additional observations and evaluations. Supervisors should recognize the purposes of this policy cannot be realized by evaluations that do not record the weaknesses as well as the strengths of teaching staff members. Assessments that are less than honest and candid serve neither the professional growth of the employee nor the interest of the district in building a staff of highly competent, well-trained personnel.

This Policy shall be distributed to each teaching staff member at the beginning of his or her employment.

N.J.S.A. 18A:27-3.1 et seq.  
N.J.A.C. 6A:9-8.6; 6A:32-4.5

Adopted: 16 September 2008



3223 EVALUATION OF ADMINISTRATORS

The Board of Education recognizes that the continuing evaluation of administrators is essential to the achievement of the educational goals of this district. In order to ensure the greatest benefit to the district of a program of administrator evaluation, the Board shall provide adequate resources for supervision and professional development, time for the proper conduct of evaluations, and time for in-service training to encourage improvement in job performance.

The Superintendent will develop, in consultation with administrators, job descriptions for each administrative position. Such job descriptions will state in concise form the program objectives and major responsibilities of the position and will include evaluation criteria that evolve logically from those objectives and responsibilities. The Superintendent shall provide each administrator, no later than October 1 a copy of this policy and the job description and evaluation criteria of his/her position; any amendments made subsequently will be distributed no later than ten days after their adoption.

The Superintendent shall report to the Board on the effectiveness of the evaluation system and shall recommend such changes in the system as may be required to increase its effectiveness.

Tenured Administrators

Tenured administrators shall be evaluated in order to promote their professional excellence and improve their skills, to enhance pupil learning and growth, and to provide a basis for the review of administrative performance.

Each tenured administrator, except the Superintendent, shall be evaluated annually by appropriately certified and trained administrators or supervisors. The Superintendent shall, in consultation with administrators, develop procedures for the evaluation of tenured administrators that include, as a minimum:

1. The collection and reporting of evaluation data appropriate to the job description and evaluation criteria, including observations of the administrator's performance;
2. Observation conferences between the administrator and the evaluating supervisor;
3. The preparation of individual professional development plans;

4. The preparation by the supervisor of an annual written performance report that includes the administrator's performance areas of strength and weakness, an individual professional development plan developed by the supervisor and the administrator, a summary of available indicators of pupil progress and growth and a statement of how these indicators relate to the effectiveness of the overall program and the performance of the individual administrator, and provision for entry into the record by the administrator, within ten working days after the signing of the report, of performance data not included by the supervisor; and
5. The annual summary conference between the administrator and the evaluating supervisor shall be held before the written performance report is filed. The conference shall include, but not be limited to, a review of the administrator's performance based upon the job description and a review of the progress toward the objectives of the individual professional development plan developed at the previous annual conference and a review of available indicators of pupil progress and growth toward the program objectives. A review of the written performance report and the signing of the report shall be within five working days of the review.

#### Nontenured Administrators

Nontenured administrators shall be evaluated for the purpose of identifying and correcting deficiencies, improving professional competence, establishing a means for determining reemployment, and improving the quality of the educational program of this district.

The evaluation of nontenured administrators shall be conducted by appropriately certified supervisors and shall include, as a minimum:

1. The observation of the administrator in the performance of duties not less than three times in each school year and not less than once in each semester;
2. The conduct of a conference between the nontenured administrator and the evaluating supervisor no later than ten working days after each such observation; and
3. The preparation of a written evaluation report of the nontenured administrator's total performance, which shall be signed and retained by both parties to the conference and may be augmented by the written disclaimer of the nontenured administrator, provided that such disclaimer is submitted no later than ten working days after the conference.

The Superintendent shall provide each nontenured administrator with a copy of this policy on his/her appointment.

N.J.S.A. 18A:27-3.1 et seq.  
N.J.A.C. 6A:32-4.4; 6A:32-4.5

Adopted: 16 September 2008

3240 PROFESSIONAL DEVELOPMENT

The Board of Education encourages all teaching staff members to pursue a program of continuing professional development by course work or matriculation in institutions of higher learning, participation in workshops and conferences, membership in professional organizations, and independent scholarship.

Teaching staff members may be permitted to: visit other schools and classrooms; attend local, regional, or national conferences; participate in committees, workshops, and panels, both within and outside the district. Requests for participation in such professional development activities must be submitted in writing to the Superintendent or designee for approval. In addition, the Board of Education must approve all travel expenditures in accordance with N.J.S.A. 18A:11-12 and the State of New Jersey Department of the Treasury, Office of Management and Budget Circulars 08-19-OMB and 06-14-OMB (OMB Circulars) and any superseding circulars and any additional requirements set forth in N.J.A.C. 6A:23A-7 et seq.

A teaching staff member who has been granted time off and/or approved to be reimbursed for a professional development activity shall submit to the Superintendent or designee, with a copy to the School Business Administrator/Board Secretary, within ten working days, a brief written report that includes the primary purpose of the travel, the key issues addressed at the event, and their relevance to improving instruction or the operations of the school district.

Each active teacher shall be required to complete 100 clock hours of State-approved continuing professional development and/or in-service every five years pursuant with N.J.A.C. 6A:9-15.2 et seq. Professional activities/meetings referenced in this Policy shall align with the Professional Standards for Teachers as set forth in N.J.A.C. 6A:9-3.3.

The Superintendent shall prepare and distribute to all teaching staff members regulations governing professional development activities. The Superintendent shall report regularly to the Board on the professional development activities of teaching staff members.

N.J.S.A. 18A:31-2; 18A:6-111  
N.J.A.C. 6A:9-3.3; 6A:9-15.2; 6A:9-15.3; 6A:13-2.1

Revised March 22, 2010

3244 IN-SERVICE TRAINING

The Board of Education believes that the continuing improvement of the professional skills of teaching staff members is essential to the provision of a thorough and efficient system of education. The Board accepts the responsibility for providing training for staff members in order to encourage and foster their professional growth and improve the instructional and support services of this district. Staff training shall include district-wide and school-wide programs as well as individual personal improvement programs.

The Superintendent shall plan and present to the Board a program of in-service training that is consistent with the assessed needs and goals of the district. The in-service training program will be developed in consultation with appropriate teaching staff members and shall include the demonstrable results by which the effectiveness of the program will be evaluated.

The Superintendent shall report periodically to the Board on the conduct of the in-service training program and the results of its evaluation.

N.J.A.C. 6A:9-15.1 et seq.

Adopted: 16 September 2008

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. 18A:25-2

N.J.S.A. 59:1-1 et seq.

Adopted: 16 September 2008

3321 ACCEPTABLE USE OF COMPUTER NETWORK(S)/COMPUTERS AND  
RESOURCES BY TEACHING STAFF MEMBERS

The Board recognizes that as telecommunications and other new technologies shift the manner in which information is accessed, communicated and transferred that those changes will alter the nature of teaching and learning. Access to telecommunications will allow teaching staff members to explore databases, libraries, Internet sites, bulletin boards and the like while exchanging information with individuals throughout the world. The Board supports access by teaching staff members to information sources but reserves the right to limit in-school use to materials appropriate to educational purposes. The Board directs the Superintendent to effect training of teaching staff members in skills appropriate to analyzing and evaluating such resources as to appropriateness for educational purposes.

The Board also recognizes that telecommunications will allow teaching staff members access to information sources that have not been pre-screened using Board approved standards. The Board therefore adopts the following standards of conduct for the use of computer network(s) and declares unethical, unacceptable, inappropriate or illegal behavior as just cause for taking disciplinary action, limiting or revoking network access privileges, instituting legal action or taking any other appropriate action as deemed necessary.

The Board provides access to computer network(s)/computers for administrative and educational purposes only. The Board retains the right to restrict or terminate teaching staff member's access to the computer network(s)/computers at any time, for any reason. The Board retains the right to have the Superintendent or designee monitor network activity, in any form necessary, to maintain the integrity of the network(s) and ensure its proper use.

Standards for Use of Computer Network(s)

Any individual engaging in the following actions declared unethical, unacceptable or illegal when using computer network(s)/computers shall be subject to discipline or legal action:

1. Using the computer network(s)/computers for illegal, inappropriate or obscene purposes, or in support of such activities. Illegal activities are defined as activities which violate federal, state, local laws and regulations. Inappropriate activities are defined as those that violate the intended use of the network(s). Obscene activities shall be defined as a violation of generally accepted social standards for use of publicly owned and operated communication vehicles.
2. Using the computer network(s)/computers to violate copyrights, institutional or third party copyrights, license agreements or other contracts.

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3. Using the computer network(s) in a manner that:
  - a. Intentionally disrupts network traffic or crashes the network;
  - b. Degrades or disrupts equipment or system performance;
  - c. Uses the computing resources of the school district for commercial purposes, financial gain or fraud;
  - d. Steals data or other intellectual property;
  - e. Gains or seeks unauthorized access to the files of others or vandalizes the data of another user;
  - f. Gains or seeks unauthorized access to resources or entities;
  - g. Forges electronic mail messages or uses an account owned by others;
  - h. Invades privacy of others;
  - i. Posts anonymous messages;
  - j. Possesses any data which is a violation of this policy; and/or
  - k. Engages in other activities that do not advance the educational purposes for which computer network(s)/computers are provided.

#### Violations

Individuals violating this policy shall be subject to appropriate disciplinary actions as defined by Policy No. 3150, Discipline which includes but are not limited to:

1. Use of the network(s)/computers only under direct supervision;
2. Suspension of network privileges;
3. Revocation of network privileges;
4. Suspension of computer privileges;



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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: 16 September 2008

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: 16 September 2008

3431.1 FAMILY LEAVE

The Board of Education supports all aspects of both the New Jersey Family Leave Act (NJFLA) and the Federal Family and Medical Leave Act (FMLA) and will comply with all of their requirements. The Superintendent shall prepare regulations for Board adoption establishing the rights and procedures granted by these Acts.

Employees qualifying for FMLA are entitled up to twelve weeks of leave in a twelve-month period and/or under the NJFLA for up to twelve weeks of leave in a twenty-four month period. The twelve-month or twenty-four-month period is measured backward from the date an employee's first FMLA and/or NJFLA leave begins.

All employees are required to use accrued paid leave for their own personal illness or personal disability simultaneously with any leave guaranteed under the FMLA. Any employee absent in excess of ten consecutive days for his/her own personal illness or disability will be considered to have activated leave under the terms of the FMLA retroactive to the fourth day of absence from work.

The necessity to use paid accrued leave in any permitted situation under either the NJFLA or the FMLA other than for an employee's own personal illness or personal disability will be determined by the Superintendent on a case-by-case basis.

29 U.S.C. 2601 et seq.  
29 C.F.R. 825.200 et seq.  
N.J.S.A. 34:11B-1 et seq.  
N.J.A.C. 13:14-1 et seq.

Adopted: 16 September 2008

3437 MILITARY LEAVE

The Board of Education recognizes that military service rendered by any district employee in the defense of the country or in maintaining preparedness for conflict, foreign or domestic, is a service benefiting all citizens. Any permanent or full-time officer and/or employee of the district will be provided military leave and related benefits pursuant to the Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. Section 4301 et seq., P.L. 2001 Chapter 351 amending N.J.S.A. 38:23-1, N.J.S.A. 38A:1-1 and N.J.S.A. 38A:4-4., and any other applicable Federal and State laws.

A permanent or full-time temporary officer or employee of the school district who is a member of the organized militia of New Jersey (New Jersey National Guard, New Jersey Naval Militia Joint Command) shall be entitled, in addition to pay received, if any, to a leave of absence without loss of pay or time on all days in which he/she is engaged in any period of State or Federal active duty. The leave of absence for Federal active duty or active duty for training shall not exceed ninety work days in the aggregate in any calendar year. A permanent or full-time temporary officer or employee who has served less than one year in the district shall receive this leave without pay, but without loss of time. This paid leave shall be in addition to the regular vacation or other accrued leave provided to the officer or employee. Any leave of absence for such duty in excess of ninety workdays shall be without pay, but without loss of time.

A permanent or full-time temporary officer or employee of the school district who is a member of the organized reserve of the Army of the United States, United States Naval Reserve, United States Air Force Reserve or United States Marine Corps Reserve, or other organization affiliated therewith, including the National Guard of other states, shall be entitled, in addition to pay received, if any, to a leave of absence without loss of pay or time on all work days he/she shall be engaged in any period of active duty, provided such leave of absence shall not exceed thirty work days in any calendar year. A permanent or full-time temporary officer or employee who has served less than one year in the district shall receive this leave without pay, but without loss of time. This paid leave shall be in addition to the regular vacation or other accrued leave provided to the officer or employee. Any leave of absence for such duty in excess of thirty workdays shall be without pay, but without loss of time.

Military leave with pay is not authorized for Inactive Duty Training (IDT) as defined in N.J.A.C. 5A:2-2.1.

The district will provide benefits and rights for staff on military leave as required by Federal and State laws.

Pursuant to N.J.S.A. 52:13H-2.1, in accordance with the provisions of Article VIII, Section II, paragraph 5 of the New Jersey Constitution, upon application by the district to the State Treasury and approval of the application by the Director of the Division of Budget and Accounting, reimbursement shall be made by the State of New Jersey for any costs incurred as a result of the provisions of P.L. 2001, Chapter 351.

N.J.S.A. 18A:6-33; 18A:28-11.1; 18A:29-11; 18A:66-8.1  
N.J.S.A. 38:23-1 et seq.; 38A:1-1; 38A:4-4; 52:13H-2.1;  
N.J.A.C. 5A:2-2.1  
Uniformed Services Employment and reemployment Rights Act  
(USERRA), 38 U.S.C. Section 4301 et seq.

3440 TRAVEL EXPENSES

The Board of Education will reimburse teaching staff members for travel expenses in accordance with applicable New Jersey Statutes.

For the purpose of this Policy:

1. Travel Expenditures - means those costs paid by the school district using local, State, or Federal funds, whether paid directly by the school district or by employee reimbursement, for travel by school district employees and/or Board of Education members to training and seminars, conventions and conferences, regular school district business, and retreats.
2. Training and Seminars - means all regularly scheduled, formal residential or non-residential training functions conducted at a hotel, motel, convention center, residential facility, or any educational institution or facility.
3. 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.
4. 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 for training and seminars and convention and conferences above.
5. Retreats - means meetings with school district employees and Board members held away from the normal work environment at which organizational goals and objectives are discussed. If available, school district facilities shall be utilized for this type of event.

School district travel expenditures include, but are not limited to, all costs for transportation, meals, lodging, and registration or conference fees to and from the travel event. School district travel expenditures include costs for all required training and all travel authorized in existing

school district employee contracts and school Board policies. This includes, but is not limited to, required professional development and other staff training, required training for new school Board members, and attendance at specific conferences authorized in existing employee contracts.

The school district shall not bear costs for car rentals, limousine services, and/or chauffeuring costs to or during the event, as well as costs for employee attendance for coordinating other attendees' accommodations at the travel event.

All travel by district teaching staff members shall be educationally necessary and fiscally prudent and all travel expenditures shall be directly related to and within the scope of the teaching staff member's current responsibilities and the school district's professional development plan. All travel expenditures must be for travel that is critical to the instructional needs of the school district or furthers the efficient operation of the school district and is 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 that 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.

A teaching staff member shall submit to the Assistant Superintendent: Professional Development and Curriculum within fourteen calendar days of incurring the travel expense(s) a brief report that includes the primary purpose for the travel and the key issues that were addressed at the event and their relevance to improving instruction or the operation of the school district.

The detailed documentation that demonstrates compliance with the school Board's travel policy including travel approvals, reports, and receipts for all school district funded expenditures, as appropriate, shall be maintained in the Business office.

Travel for teaching staff members may occur only upon prior written approval of the Superintendent of Schools and prior approval by a majority of the full voting membership of the Board.

For regular school district business travel only, the Board authorizes an annual maximum amount per employee for regular business travel in the amount of \$1,500.00 for which Board approval is not required.

The Board may approve, at any time prior to the event, travel for multiple months as long as the Board approval, detailed in Board Meeting minutes, itemizes the approval by event, total cost, and number of employees and/or school Board members attending the event. General or blanket pre-approval for travel is not authorized. Approval shall be itemized by event, event total cost, and number of employees and school Board members attending the event.

Travel payments will be paid only upon compliance with P.L. 2007, c. 53 and this Policy's provisions and approval requirements.

The Board will not ratify or approve payments or reimbursements for travel after completion of the travel event. An employee or organization shall not receive an amount for travel and/or travel-related expenses in advance of the travel pursuant to N.J.S.A. 18A:19-1 et seq.

A Board member shall recuse himself/herself from voting on travel if the Board member, a member of his 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. 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.

The Board shall exclude from the requirements of prior Board approval any travel caused by or subject to contractual provisions, other statutory requirements, or Federal regulatory requirements. The Board may not exclude such travel from the subsistence requirements and annual maximum travel expenditure pursuant to P.L. 2007 c. 53.

One-day trips that do not involve overnight lodging are not eligible for a subsistence payment or reimbursement except in limited circumstances authorized in the Department of the Treasury guidelines. Overnight travel is eligible for a subsistence payment or reimbursement as authorized in Department of the Treasury guidelines, except as otherwise superseded by the following provisions:

1. Per diem payment or reimbursement for lodging and meals will be actual reasonable costs, not to exceed the Federal per diem rates as established in the Federal register for the current year;
2. Lodging expenses 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 the Federal per diem rate. If the hotel at the site of the convention, conference, seminar, or meeting is no longer available, lodging may be paid for similar accommodations at a rate not to exceed the hotel rate for the event;
3. Receipts are required for hotel expenses;



4. Meal expenses under the Federal per diem allowance limits do not require receipts;
5. In any case in which the total per diem reimbursement is greater than the Federal per diem rate, except as stated in 2. above, the costs will be considered to be excessive and shall not be paid by school district funds;
6. The school district shall patronize hotels and motels that offer special rates to government employees unless alternative lodging offers greater cost benefits; and
7. Payment or reimbursement is approved for the full cost of an official convention meal that the employee or school Board member attends, when the meal is scheduled as an integral part of the convention or conference proceedings. If a meal is included in the registration fee, the allowance for the meal is not eligible for reimbursement.

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 in that budget year. The Board resolution shall also include the maximum amount established for the prebudget year and the amount spent to date. The maximum school district travel expenditure amount shall include all travel in accordance with P.L. 2007 c. 53 supported by local and State funds.

The Board may elect by Board resolution to exclude travel expenditures to be supported by Federal funds in the maximum travel expenditure amount. The Board resolution shall include the total amount of travel supported by Federal funds from the prior year, prebudget year, and projected for the budget year.

The school district 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 P.L. 2007 c. 53, and shall provide auditable information.

Any Board of Education that violates its established maximum travel expenditure as set forth in P.L. 2007 c. 53, or that otherwise is not in compliance with the travel limitations set forth in P.L. 2007 c. 53 may be subject to sanctions by the Commissioner as authorized pursuant to N.J.S.A. 18A:4-23 and N.J.S.A. 18A:4-24, including reduction of State aid in an amount equal to any excess expenditure.

A person who approves any travel in violation of the P.L. 2007 c. 53 or this Policy shall be required to reimburse the school district in an amount equal to three times the cost associated with attending the event. An employee or Board member who travels in violation of the Board's policy or P.L. 2007 c. 53 shall be required to reimburse the school district in an amount equal to three times the cost associated with attending the event.

P.L. 2007 c. 53

Adopted: 16 September 2008

3610 PERSONNEL TERMS AND CONDITIONS

All personnel policies described in Policy #3610 shall be applicable to all employees of the Monmouth County Vocational School District not affiliated with a bargaining unit recognized by the Board of Education or those positions as designated by the Board by separate action.

All employees of the Monmouth County Vocational School District who are members of a bargaining unit recognized by the Board of Education should refer to their approved Contractual Agreement concerning personnel items.

Leave of Absence

All employees must report their expected absence prior to the start of their regular work day and indicate the reason for the expected absence. Reporting procedures are to be as designated by the Superintendent of Schools.

A certificate of absence is to be filed for all absences by all employees.

1. Leave due to personal illness:
  - a. Annual absence allowance for personal illness - sick leave:
    - (1) Definition: Sick leave is defined by law "to mean the absence from his or her post of duty, of any such person because of personal disability due to illness or injury, or because he or she has been excluded from school by the school district's medical authorities on account of contagious disease or of being quarantined for such a disease in his or her immediate household."
    - (2) Any employee holding any office, position or employment in the school district who is steadily employed by the Board of Education or who is protected in his or her office by tenure (Section 18: 13-16 through 19 of the Revised Statutes) shall be allowed sick leave with full pay for a minimum of ten school days in any school year. The provision for ten school days sick leave is applicable to ten month employees. Employees under twelve month contracts shall be allowed sick leave with full pay for a minimum of twelve working days each calendar year. A certificate of absence shall be filed by every employee for any absence.

- b. Cumulative sick leave for personal illness: If any such person requires in any school year less than the then specified number of days sick leave with pay allowed, all days of such minimum sick leave not utilized that year shall be accumulative to be used to additional sick leave as needed in subsequent years, except that no person shall be allowed to increase his or her total accumulation by more than fifteen total days in any one year (Title 18A:30-7).
  - c. Extended leave for personal illness: Absence beyond the accrued leave credit shall receive separate consideration by the Board of Education, based upon the merits of the individual case. Any decision made is not to be considered setting a pattern of precedence.
2. Leave due to death in immediate family:
- a. An employee may be absent from school duties without loss of pay for a period not to exceed more than five days for each death in the immediate family.
  - b. Definition of immediate family shall be construed to mean: father, mother, husband, wife, child, sister, brother, grandparent, father-in-law, mother-in-law, son-in-law, daughter-in-law, grandchild.
  - c. Leave due to death in the immediate family must be taken within seven days of the death unless permission has been granted by the Superintendent.
3. Death of relative:
- a. An employee may be absent from school duties without loss of pay for a period of one day for the death of a relative.
  - b. Definition of relative shall be construed to mean: uncle, aunt, niece, nephew, brother-in-law, sister-in-law, and includes housekeeper for immediate family if not a relative or anyone living with immediate family.
  - c. Leave due to death of a relative must be taken within seven days of the death unless permission has been granted by the Superintendent.

4. Personal leave:
  - a. Definition: Personal leave is defined as absence from employment, excluding vacation, for personal business other than defined within this policy and cannot be accomplished after scheduled working hours. An employee shall be permitted four personal days per year for twelve month positions and three personal days per year for ten month positions. Personal days not used during the given year shall be credited to cumulative sick leave for personal illness on July 1 of the following year, except that no person shall be allowed to increase his or her total accumulation by more than fifteen total days in any one year (Title 18A:30-7).
  - b. Procedure:
    - (1) The district's "Request for Personal Leave" form shall be completed and submitted to the Superintendent's office for approval prior to the day such absence is to occur.
    - (2) The term "personal business" is all that is required when submitting a "personal leave" request for one personal day. This form must be submitted at least one day prior to the requested personal day.
    - (3) Personal day may be requested as "emergency personal business" the night before or the morning of, if requested directly to the employee's immediate supervisor with reason. The immediate supervisor's decision is final.
    - (4) Personal days requested on work days preceding or following holidays or on in-service days may be granted with specific reasons that are directly communicated to the Superintendent in writing or verbally.
    - (5) Consecutive personal days may be granted with documented information that is presented in writing to the Superintendent.
    - (6) The Superintendent reserves the right to deny personal days for a given date(s). Should an employee be denied a personal day, the Superintendent will provide the reason for such a denial in writing.

5. Observation and convention absence: All non-curricular/cocurricular travel must conform to provisions of Policy #3440 (administrators, teachers and non-certificated professionals) or Policy #4440 (non-certificated support services and maintenance personnel).
6. Emergency absence: Emergency absence due to illness in family shall be at the discretion of the Superintendent who may allow up to two days' absence pay for twelve month employees and one day's absence pay for ten month employees without salary deduction. Leave (one or two days per year) that is not used during the period of July 1 to June 30 during a given year shall be credited to cumulative sick leave for personal illness on July 1 of the following year, except that no person shall be allowed to increase his or her total accumulation by more than fifteen total days in any one year (Title 18A:30-7).
7. Absence for other reasons: Loss of full pay for each day of absence.
8. Payment of unused sick leave at retirement:

- a. The following employees who retire from the Monmouth County Vocational School District in accordance with the Rules and Regulations of the District and the New Jersey Teachers' Pension and Annuity Fund shall be eligible to receive monetary credit for unused sick leave as follows:

| 12-Month Employees | 10-Month Employees |   |
|--------------------|--------------------|---|
| Up to \$15,000.00  | \$11,000.00        | Administrators                          |
| Up to \$12,000.00  | \$10,000.00        | Teachers/Non-Certificated Professionals |
| Up to \$9,600.00   | \$8,000.00         | Non-Certificated Support Services       |
| Up to \$9,600.00   | \$8,000.00         | Maintenance Personnel                   |

For every accumulated sick day left after the designated credit limit listed above has been computed, the Board will pay 25% face value of every remaining sick day.

- b. For employees beginning work with the district after July 1, 1996, monetary credit for unused sick leave upon retirement as described above will be capped as follows:

| 12-Month Employees | 10-Month Employees |   |
|--------------------|--------------------|---|
| Up to \$20,400.00  | \$17,000.00        | Administrators                          |
| Up to \$18,000.00  | \$15,000.00        | Teachers/Non-Certificated Professionals |
| Up to \$16,800.00  | \$14,000.00        | Non-Certificated Support Services       |
| Up to \$16,800.00  | \$14,000.00        | Maintenance Personnel                   |

- c. Retirement, as defined in Article IX, I.1, does not include "deferred retirement."
  - d. Monetary credit for unused sick leave shall be based on 1/200th per day of their current contract for ten month employees and 1/240th per day of their current contract for twelve month employees.
  - e. This benefit, excluding transferred in sick leave, will be paid to the estate in the event of the employee's death if an employee has ten years in the district.
9. Child care leave of absence: Child care leave will be available to any employee for up to one year without loss of seniority or tenure (if applicable) under the following guidelines:
- a. Time on leave does not count towards tenure, additional seniority and increment.
  - b. Child to be cared for must be pre-school age or must require special attention as verified by appropriate medical documentation.
  - c. Application for child care leave must be submitted to the Superintendent's office at least three months prior to starting date.
  - d. Applications that request a start and/or finish during the school year may have to be lengthened or shortened depending upon availability of a suitable substitute. This will be determined by the Superintendent.

Health Benefits

- 1. The Board shall provide employee and dependent coverage under the New Jersey Public Employee Benefits Plan.

2. Prescription plan: The Board of Education shall pay 100% of the premium for each employee who subscribes to the group prescription plan. Applications for new enrollees will be processed in accordance with rules and regulations of the insurance carrier. Employee co-payments shall be as follows:

\$25.00 non-generic at retail pharmacy  
\$10.00 generic at retail pharmacy  
\$10.00 mail order

3. Dental plan: The Board of Education shall provide the following premiums for the purpose of providing a dental insurance program for family coverage. Coverage will include a basic dental plan plus \$1,000.00 orthodontic rider. Coverage will be as follows:

\$50 per person/\$150 per family deductible on treatment

#### Tuition Refund (Certificated Employees/Non-Certificated Professionals Only)

The Board shall reimburse employees for full cost of tuition under the following conditions:

1. An employee must first complete the requirements for certification in position (if applicable) now held before being eligible for the tuition reimbursement plan.
2. Credits earned to qualify for additional certification, a degree higher than the one now held (if any), or professional improvement in education or curriculum area will be honored.
3. To insure reimbursement, the employee must obtain approval within three weeks of the start of the course from the Superintendent for courses for which reimbursement will be requested.
4. Reimbursement will be made in compliance with Internal Revenue Service regulations at the close of the school year after tuition receipts and college transcripts are submitted to the Superintendent showing credits and grades earned. Credits with grades below the "C" level will not be honored for reimbursement.
5. Reimbursement cost per one credit, both graduate and undergraduate, will be based on Rutgers University's current cost. Reimbursement will not exceed actual tuition charges.



6. Actual dollars for reimbursement for teachers will be based on proration formula of the Monmouth County Vocational Education Agreement.
7. Actual dollars for reimbursement for administrators will be based on proration formula of the Monmouth County Principals & Supervisors Association Agreement.

Professional Improvement (Certificated Employees/Non-Certificated Professionals Only)

1. Professional improvement costs will be defined to be registration and/or tuition fees other than college credit courses. Travel, membership fees, separate meal costs, hotel costs and any association activities are not eligible for reimbursement.
2. All professional improvement requests must be approved at least ten working days in advance.
3. Actual dollars for reimbursement will be based on proration formula of the Monmouth County Vocational Education Agreement.
4. The Superintendent reserves the right to approve or disapprove the professional improvement activities.
5. Reimbursement is to be made at the end of the school year when proof of attendance and cost receipts are submitted to the Superintendent's office.

Vacation

All vacation schedules must be approved by the Superintendent of Schools. As a rule, vacation days may not be accumulated from one year to another. The Superintendent may, however, allow unused vacation days to be used during the first month of the new vacation period.

1. Non-certificated employees (Support Services and Technology):
  - a. Employees entitled to three weeks of annual paid vacation leave:

These regulations shall apply to annual paid leave for vacation purposes for all full time, twelve month support services and technology employees. One full year credit shall be given to an employee who was hired after July 1 but before January 1 in determining ten years of service.

- (1) Length of employment for annual vacation purposes shall be computed to July 1 succeeding the date of initial employment.
- (2) Amount of paid annual vacation leave for any person in this category shall be three weeks after completion of a full year's service.
- (3) Amount of paid annual vacation leave for those employees in this category who have not been continuously employed by the Board for a period of one full year shall be computed according to the following table:

| Length of Employment | Vacation Period                                  |
|----------------------|--|
| 1-3 months           | 1 day per full month                             |
| 4 months             | 1 week (5 working days)                          |
| 5-7 months           | 1 week + 1 day per full month<br>beyond 4 months |
| 8 months             | 2 weeks +1 day per full month<br>beyond 8 months |
| 12 months            | 3 weeks (15 working days)                        |

Employees entitled to four weeks of annual paid vacation leave:

These regulations shall apply to annual paid leave for vacation purposes for all full time, twelve month support services and technology employees with ten years of service. One full year credit shall be given to an employee who was hired after July 1 but before January 1 in determining ten years of service.

Eligibility for vacation shall begin on July 1, following initial continuous employment for at least six months and shall be prorated according to the number of months employed up to July 1.

2. Non-certificated employees (maintenance):
  - a. Maintenance personnel entitled to two weeks of annual paid vacation leave:

These regulations shall apply to all full time, twelve month maintenance personnel with less than eight years of service.

- (1) Length of employment for annual vacation purposes shall be computed to July 1 succeeding the date of initial employment.
- (2) Amount of paid annual vacation leave for those persons employed less than a year shall be computed in accordance with the following table:

| Length of Employment | Vacation Period                                      |
|----------------------|--|
| 0-3 months           | 0 days   |
| 4-11 months          | 1 day per full month<br>after 3 months of employment |
| 12 months            | 2 weeks  |

- b. Maintenance personnel entitled to three weeks of annual paid vacation leave:

All full-time employees who have been continuously employed by the Monmouth County Vocational School Board of Education for a period of eight years or more will be given fifteen days of vacation per year.

- c. Maintenance personnel entitled to four weeks of annual paid vacation leave:

All full-time employees who have been continuously employed by the Monmouth County Vocational School Board of Education for a period of ten years or more will be given twenty days of vacation per year.

Eligibility for vacation shall begin on July 1, following initial continuous employment for at least six months and shall be prorated according to the number of months employed up to July 1.

These regulations shall apply to annual paid leave for vacation purposes for all full time, twelve month maintenance staff with ten years of service. One full year credit shall be given to an employee who was hired after July 1 but before January 1 in determining ten years of service.

- 3. Certificated employees (teachers) and non-certificated Administration/Technology Support Services employees:

Twelve month employees shall receive twenty days vacation and holidays for which the administrative offices are closed in accordance with their twelve month calendar.

Eligibility for vacation shall begin on July 1, following initial continuous employment for at least six months and shall be prorated according to the number of months employed up to July 1.

4. Administrators (certificated and non-certificated):

These employees shall be granted twenty vacation days annually.

In addition to the aforesaid twenty days, each employee shall be entitled to the following additional vacation days:

|   |       |
|---|-------|
| After five years in the district        | 1 day |
| After ten years in the district         | 1 day |
| After fifteen years in the district     | 1 day |
| After twenty years in the district      | 1 day |
| After twenty-five years in the district | 1 day |

so that after twenty-five years in the district, the total vacation days will be twenty-five.

All vacation days shall be approved by the Superintendent of Schools.

#### Separation from Service

All certificated, non-certificated professionals and tenurable employees must provide sixty day minimum notice of intent of leaving the District. All custodial and maintenance personnel must provide thirty day minimum notice of intent of leaving the District. A member who resigns or retires during the contract year shall receive earned vacation days providing proper termination procedures have been followed (12 month employees only).

#### Terms of Employment

Terms of initial employment shall be as recommended by the Superintendent of Schools and approved by the Board of Education and specified in initial employment contract.

#### Salaries

1. Teachers and non-certificated professionals shall receive a salary in accordance with the salary guide as adopted by the Vocational Board of Education.
2. Secretaries, clerks and bookkeepers' salaries shall be determined in accordance with the salary guide as adopted by the Vocational Board of Education.
3. Supervisor of Building and Grounds and Maintenance Mechanics' salaries shall be determined in accordance with the salary guide as adopted by the Vocational Board of Education.
4. Administrative salaries shall be determined in accordance with the salary guide as adopted by the Vocational Board of Education.
5. Salary increments may be withheld by the Board of Education on recommendation from the Superintendent of Schools when an employee's work fails to show evidence of satisfactory growth and development or for other reason or reasons judged sufficient by the Superintendent of Schools.

#### Travel Expense

Reimbursement for travel by staff members using personal automobiles shall be at the state rate. Persons authorized for reimbursement shall be so designated by the Superintendent and approved by the Board of Education. All non-curricular/cocurricular travel must conform to provisions of Policy #3440 (administrators, teachers and non-certificated professionals) or Policy #4440 (non-certificated support services and maintenance personnel).

#### Grievance Procedure

1. Definition: A grievance shall be defined as a complaint by an employee that there has been as to that employee (1) a violation of a specific section of this agreement, (2) that he or she has been treated unfairly by reason of an act or condition which is contrary to established Board policy or practice governing or affecting employees, or (3) by an administrative decision affecting the employee which is inconsistent with established Board policy or provisions of this agreement. An "aggrieved person" shall mean a person or persons having the same grievance.

2. Procedure: In order for a grievance to be considered under this procedure, initial processing must be initiated within thirty calendar days of the occurrence within the knowledge of the aggrieved of the matter to be grieved.

a. An employee with a grievance shall first discuss it with his or her immediate superior in an attempt to resolve the matter informally at that level. If the informal discussion does not resolve the matter, the employee shall present his or her complaint, in writing within thirty calendar days, to his or her immediate superior, and this complaint shall make known the full details of his or her grievance. The complaint shall specify:

- (1) The nature of the grievance.
- (2) The nature and extent of any injury, loss or inconvenience.
- (3) The results of previous, informal discussions.
- (4) His or her dissatisfaction with decisions previously rendered.

His or her immediate superior shall inform the employee of his or her decision within thirty calendar days of receipt of the written grievance.

b. If the complaint has not been settled satisfactorily by the employee's immediate superior, the employee may request that the complaint be referred to the Superintendent of Schools. This request shall be made in writing not later than thirty calendar days following the decision in Step a. The Superintendent shall communicate a decision in writing within thirty calendar days after receipt of the grievance.

c. If the complaint is not settled at the Superintendent level, the aggrieved employee may within thirty calendar days file a request in writing for a review by the Board of Education, and said request for review shall be submitted in writing through the Superintendent, who shall attach all related papers, decisions and summaries to said request and forward all documents to the Board within thirty calendar days from the receipt thereof. The Board shall review the grievance and may, at its option, conduct a hearing in connection with said grievance. Within thirty calendar days from the date of said hearing, or within forty-five calendar days from the receipt by the Board of the request for review of said grievance, the Board shall prepare and render to the aggrieved employee its decision, in writing, with respect to said grievance.

Employee Assignment, Transfer and Promotion

1. Insofar as possible, all employees shall be informed of their employment assignment for the forthcoming year no later than the end of the school year.
2. Transfers between schools and/or offices may be necessary after the close of the school year. While the right of determination to assign or transfer an employee is vested in the Board, the Board will not assign or transfer an employee without prior discussion between the Superintendent and the employee.
3. As any vacancy is officially made known to him, the Superintendent shall, within five weekdays after the Board meeting at which it took action upon that vacancy, make a listing of known vacancies that shall occur during the following year.
4. An employee may apply for any position at any time. Such application shall be in writing, addressed to the Superintendent of Schools. Applications will be considered should such vacancy occur either during the school year or during the summer. This application should be renewed annually. When openings occur, employees with applications on file shall be notified of their consideration for the position.

4000 SUPPORT STAFF MEMBERS

| <u>Number</u> | <u>Title</u>   |
|---------------|--|
| 4125          | Employment of Support Staff Members  |
| 4160          | Physical Examination   |
| 4211          | Attendance   |
| 4214          | Conflict of Interest   |
| 4218          | Substance Abuse  |
| 4219          | Commercial Driver Controlled Substance and Alcohol Use Testing                         |
| 4220          | Employee Evaluation  |
| 4321          | Acceptable Use of Computer Network(s)/Computers and Resources by Support Staff Members |
| 4352          | Sexual Harassment  |
| 4431.1        | Family Leave   |
| 4440          | Travel Expenses  |
| 4610          | Personnel Terms and Conditions   |



4125 EMPLOYMENT OF SUPPORT STAFF MEMBERS

The Board of Education believes it is vital to the successful operation of the district that support staff positions be filled with highly qualified and competent employees.

The Superintendent shall recruit, screen, and recommend to the Board suitable candidates for district employment. The Board shall approve the employment, fix the compensation, and establish the term of employment for every support staff member employed by this district. Approval shall be given only to those candidates for employment recommended by the Superintendent.

No person shall be employed in a position involving regular contact with pupils unless the Board has notice 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.

Criminal history record checks will be required pursuant to New Jersey Department of Education regulations and procedures. Any person to be employed by the district must undergo a criminal history background check. All contracted employees having regular pupil contact must undergo a criminal record history check. Approval letters will be valid only for the district or contract service provider through which the person to be employed made application for employment.

A permanent employee hired prior to October 8, 1986, who applies for and is selected for a different position in the district is "grandfathered" and not required to undergo a criminal history background check. An employee hired after October 8, 1986 for a position without regular pupil contact and later receives a position with pupil contact, must undergo a criminal history background check at the time of transfer to the new position.

Individuals who provide volunteer services and crossing guards, not employed or contracted by the district, are not subject to this criminal history record information requirement. An individual shall be permanently disqualified from employment or service in the school district if the criminal history record check reveals a record of conviction for crimes as defined in N.J.S.A. 18A:6-7.1.

Substitute employees, who are rehired annually by the Board, are required to undergo a criminal history record check upon initial employment, provided the substitute continues in the employ of at least one of the districts at which the substitute was employed within one year of the approval of the criminal history record check. A substitute employee later selected for a permanent position within the district does not need to undergo a new criminal history background check provided there is no break in service in the substitute employment. A break in service is when the

employee is no longer approved by the employing Board of Education. An employee who has been laid off (dismissed because of employee reduction) and is asked to be re-employed by the district and/or contractor must submit to a new criminal history background check.

School bus drivers to be employed by the district must submit to a criminal history background check upon initial employment within the district and upon renewal of their school bus driver endorsement.

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 records check if the Board or contractor 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 background check is not completed for an emergent hired employee within three months, the Board or contractor 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 furnished unless the applicant provided written consent to the check. The applicant shall bear the cost for the 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 background check.

The responsible administrator(s) shall seek candidates for employment who possess the attributes of good character, appreciation of children, good health, and emotional maturity. They may administer such screening tests as may bear upon a candidate's ability to perform the tasks for which he/she is being considered and review such recommendations from former employers and others as may be of assistance in assessing the candidate's qualifications. Application records will be retained in confidence and for official use only.

#### Nepotism

The Board may employ relatives of Board members provided the member of the Board involved does not participate in any way in the discussion or vote.

All new employees will be required, within three days of the first day of hire, to complete the federal Form I-9 and supply the documentation necessary to demonstrate the employee's identity and employment eligibility under the Immigration Reform and Control Act of 1986. Completed Forms I-9 will be retained for three years or until one year after the end of the employee's separation, whichever is longer.

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Employment of Support Staff Members

An employee'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.

#### Part-Time Employees

The terms and conditions of employment for all part-time school district staff shall be approved by the Board, as recommended by the Superintendent, on an annual basis.

#### Substitutes

The Board will employ substitutes for absent support staff members as necessary to ensure continuity in the operation of the school district. The Board shall annually approve a list of support staff substitutes and the positions in which each is permitted to serve and may approve additional substitutes during the school year.

N.J.S.A. 18A:6-5 et seq.; 18A:6-7.1 et seq.; 18A:16-1 et seq.;  
18A:17-41; 18A:27-4.1; 18A:39-17 et seq.

N.J.S.A. 18A:54-20

N.J.A.C. 6A:9-7.1; 6A:27-12.1

No Child Left Behind Act of 2001 – Section 1119(c)

Adopted: 16 September 2008

#### 4160 PHYSICAL EXAMINATION

The Board of Education requires each newly employed support staff member undergo a physical examination. 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 height and weight; blood pressure; pulse and respiratory rate; vision screening; hearing screening; and Mantoux test for tuberculosis.

A support staff member may provide health status information, including medications, which may be of value to medical personnel in the event of an emergency requiring treatment. The staff member may also choose to share with the Principal and, if desired, with the certified school nurse, information regarding current health status to assure ready access in a medical emergency. School employee physicals, examinations and/or annual medical updates do not require screening or disclosure of HIV status.

Candidates for employment will be required to undergo a physical examination to include a health history, health screening and medical evaluation. This pre-employment physical examination shall not be used to determine a candidate's disabilities. This examination shall be used only to determine whether the applicant is able to perform with reasonable accommodation job-related functions pursuant to P.L. 101-336, American with Disabilities Act of 1990. The school district will pay the costs of the examination if conducted by the school physician.

The physical examinations required by this policy shall be limited to those assessments or information necessary to determine the individual's physical and mental fitness to perform with reasonable accommodation in the position he/she seeks or currently holds and to detect any health risks to pupils or other employees.

Physical examinations required by this policy may be conducted by a physician or institution designated by the Board or, at the employee's election, by a physician or institution designated by the employee and approved by the Board. The cost of any such examination conducted by the physician or institution designated by the Board shall be borne by the Board. The cost of any such examination conducted by the physician or institution chosen by the employee and approved by the Board shall be borne by the employee.

All staff members' medical and health records, including computerized records, will be secured and will be 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. The section of the medical record that contains the health history may be shared with the staff member's Building Principal and the school nurse with the consent of the staff member.

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 No. 3161 or disability in accordance with Policy Nos. 3425 and 3435.

42 U.S.C.A. 12101  
N.J.S.A. 18A:16-2 et seq.  
N.J.A.C. 6A:32-6.1; 6A:32-6.2; 6A:32-6.3

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.

N.J.S.A. 18A:30-1 et seq.

Adopted: 16 September 2008

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.

N.J.S.A. 18A:6-8; 18A:11-1

Adopted: 16 September 2008

4218 SUBSTANCE ABUSE

The Board of Education recognizes that chemical dependency is an illness which is preceded by the misuse and/or abuse of alcohol, anabolic steroids, and other drugs. The Board recognizes that the use/misuse of alcohol, anabolic steroids, and other drugs, and the problems associated with it, are becoming increasingly commonplace in today's society. It is generally accepted that alcoholism and other chemical dependencies are illnesses that can be treated successfully if they are identified as early as possible, and if appropriate treatment is promptly instituted. The Board believes that the therapeutic approach to the problem is more effective than one which is solely punitive in nature.

For purposes of this policy, "substance" shall mean:

1. All controlled dangerous substances as defined and prohibited in New Jersey Statutes and Codes;
2. All chemicals which release toxic vapors as defined and prohibited in New Jersey Statutes and Codes;
3. All alcoholic beverages; and
4. Anabolic steroids.

Standard of Conduct

The Board clearly prohibits the unlawful possession, use, or distribution of illicit substances, drugs, alcohol, and/or anabolic steroids on school premises or as part of any of its activities by any employee of the district as well as reporting to the workplace under the influence of any illicit substances, drugs, alcohol, and/or anabolic steroids. Compliance with this standard of behavior is mandatory.

The Board will make every effort to educate its employees regarding the misuse of illegal substances, alcohol, drugs, and anabolic steroids. Further, the Board will assist and provide guidance to an employee who is having a problem concerning the abuse of these substances on how to receive additional help and counseling.



### Program Review

The Board shall review its substance abuse program on a biennial basis to determine its effectiveness and implement changes as required and to ensure that disciplinary sanctions are consistently enforced.

Any information gathered through a school investigation, counseling session, request by an employee for help, etc., shall comply with the confidentiality requirements established in Federal regulations found in 42 CFR Part II. Employees shall be subject to procedures and sanctions defined in Regulation No. 3218. All employees shall be provided with a copy of this policy and the accompanying regulations.

N.J.S.A. 2C:33-15 et seq.; 24:21-2 et seq.  
42 C.F.R. II  
34 CFR 85.600 et seq.  
20 U.S.C. 1145g, 3224a  
41 U.S.C.A. 701 et seq.

4219 COMMERCIAL DRIVER CONTROLLED SUBSTANCE AND  
ALCOHOL USE TESTING

The Board of Education is committed to a safe, efficient and 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 drivers performing any safety-sensitive function are free of drugs and alcohol and will test those employees who operate a commercial motor vehicle in accordance with 49 C.F.R. 382 et seq. and 49 C.F.R. 40 et seq. Safety-sensitive function means any on duty function as defined by 49 C.F.R. 382.107 means all time from the time a driver begins work or is required to be in readiness to work until the time the driver is relieved from work and all responsibility for performing work. Safety-sensitive function shall include:

1. All time at the terminal facility or any public property waiting to be dispatched unless relieved from duty;
2. All time inspecting equipment;
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 vehicle except in an area defined as a sleeping berth;
5. All time loading and 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;
6. All time spent performing driver requirements related to accidents; and
7. All time repairing, obtaining assistance or remaining in attendance with the vehicle.

The Omnibus Transportation Employee Testing Act requires all operators of commercial motor vehicles subject to the Commercial Drivers License requirements to be tested for controlled substances and alcohol. Federal regulations of the U. S. Department of Transportation require that school bus drivers as well as drivers of private carriers of passengers contracted by the Board be required to submit to alcohol and controlled substance testing in accordance with 49 C.F.R. Part 40. The Board designates the School Business Administrator/Board Secretary 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 Regulations.

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No driver 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 driver shall perform safety-sensitive functions within four hours after using alcohol and the district will not permit a driver that used alcohol within four hours of performing safety-sensitive functions to perform such functions if the district has actual knowledge of the use.

Violations

Any violation of this policy may result in discipline, up to and including termination.

Prohibited Substances

The presence of any of the following controlled substances in the body, as evidenced by the results of the initial screening and subsequent confirmatory analysis provided in the policy, is prohibited for any employee assigned to a classification covered by this policy. All cutoff concentrations are as per 49 C.F.R. 40.87 and are expressed in nanograms per milliliter (ng/mL).

| Type of Drug or Metabolite   | Initial Test | Confirmation Test |
|--|--------------|-------------------|
| Marijuana metabolites  | 50           |                   |
| Delta-9-tetrahydrocanna-<br>Binol-9-carboxylic acid (THC)  |              | 15                |
| Cocaine metabolites<br>(Benzoylcegonine)   | 300          | 150               |
| Phencyclidine (PCP)  | 25           | 25                |
| Amphetamines   | 1000         |                   |
| Amphetamine  |              | 500               |
| Methamphetamine  |              | 500*              |
| (*Specimen must also contain amphetamine at a concentration greater than or equal to 200 ng/mL.) |              |                   |

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| Type of Drug or Metabolite  | Initial Test  | Confirmation Test |
|---|---------------|-------------------|
| Opiate metabolites  | 2000          |                   |
| Codeine   |               | 2000              |
| Morphine  |               | 2000              |
| 6-Acetylmorphine<br>(6-AM)  |               | 10**              |
| (**Test for 6-AM in the specimen. Conduct this test only when specimen contains morphine at a concentration greater than or equal to 2000 ng/mL.) |               |                   |
| Alcohol   | .02 or higher | .02 or higher     |

### Testing Procedures

All testing for controlled dangerous substances will be conducted in accordance with 49 C.F.R. Part 40, Subparts A, B, C, D, E, F, G, H and I. The district will only test for the above stated five drugs or classes of drugs in accordance with 49 C.F.R. 40.85. Testing for alcohol will be conducted in accordance with as 49 C. F. R. Part 40, Subparts J, K, L, M and N.

### Definitions

"Alcohol" means the drinking or swallowing of any beverage, liquid mixture or preparation (including medication) containing alcohol.

"Confirmatory Drug Test" means a second analytical procedure performed on a urine specimen to identify and quantify the presence of a specific drug or drug metabolite.

"Confirmed Drug Test" means a confirmation drug test received by a Medical Review Officer (MRO) from a certified laboratory.

"Controlled substances" means those substances identified in 49 C.F.R. 40.85.

"CCF" means the Federal Drug Testing Custody and Control Form.

"Designated Employer Representative" 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 Designated Employer Representative (DER) shall receive test results and other communications for the employer, consistent with the requirements of this policy and 49 C.F.R.40. Service agents cannot act as a DER.

"FMCSA" means Federal Motor Carrier Safety Administration.

"Initial Drug Test" means the test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.

"Initial Validity Screening" means the first test used to determine if a specimen is adulterated, diluted or substituted.

"Medical Review Officer" 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" means 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 C.F.R. 40 to the Board.

"Substance Abuse Professional" is a person who evaluates employees who have violated a drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing and aftercare. Individuals permitted to act as Substance Abuse Professionals must possess the credentials as outlined in 49 C.F.R. 40 281.

"Work Site" means any motor vehicle, office, building, yard or other location at which the driver is to perform work.

#### 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 No. 4160. Such screening shall be conducted in accordance with the procedures set forth in this policy and 49 C.F.R. 40. No individual receiving a positive confirmed test result will be employed by the Board.

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An exception to the pre-employment screening may be made if the prospective employee:

- a. Has participated in a controlled substance testing program that met the requirements of 49 C.F.R. 382 et seq. within the previous thirty days and while participating in that program either:
  - (1) Was tested for controlled substances within the past six months (from the date of application to the district), or
  - (2) Participated in the random controlled substances testing program for the previous twelve months (from the date of application to the district); and
  - (3) The DER must ensure that no prior employer, to the DER's knowledge, has records of a violation of a controlled substance testing program within the previous six months.

If an individual is so exempted, the Designated Employer Representative (DER) shall contact the alcohol and/or controlled substances testing program in which the driver participated and obtain the following information in accordance with 49 C.F.R. 382.301(c):

- a. Name and address of the program;
- b. Verification of the driver's participation;
- c. Verification that the program conforms to federal guidelines;
- d. Verification the driver qualified and did not refuse to be tested for controlled substances;
- e. The date the driver was last tested for controlled substances; and
- f. The results of any tests taken within the last six months and any other violations.

An individual who has applied for and has been selected to operate a Board vehicle or any existing employee transferring into a new position now required to operate a Board vehicle, shall submit a written consent authorizing the district 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 individual's application date or transfer into the new position. The written consent from the individual will permit the Designated Employer Representative (DER) to obtain the following information from previous 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 DOTO 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 individual.

The DER will obtain and review this information before the employee first performs and driving and/or safety-sensitive functions. If this is not feasible, the DER will not permit the individual to work after thirty days from the individual's first date of employment in the position unless the DER has obtained or made and documented a good faith effort to obtain this information.

## 2. Random Testing

A covered employee shall be subject to submit to a alcohol and controlled substance testing on an unannounced and random basis resulting from the selection by a random generation methodology in accordance with 49 C.F.R. 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 drivers. The minimum rate of random controlled substances testing shall be 50% of the average number of drivers. These rates may be adjusted as determined by the FHWA (Federal Highway Administration) Administrator in accordance with 49 C.F.R. 382.305.

Drivers 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 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 accident, the DER shall cease attempts to administer the alcohol test and shall prepare and maintain the same record. 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:



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- 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 the same record. Records shall be submitted to the FMCSA upon request.

A driver who is subject to post-accident testing shall remain readily available for such testing or be deemed to have refused to submit for testing. A driver 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 driver 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 may require a driver to submit to an alcohol and/or controlled substance test when the driver is observed by a supervisor or school official who is trained in accordance with 49 C.F.R. 382.603 and causes the observer to have reasonable suspicion to believe the driver has violated 49 C.F.R. 382 et seq. Reasonable suspicion must exist to require the driver to undergo a test and must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver. 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 driver is required to be in compliance with the testing requirements of 49 C.F.R. 382 et seq.

Reasonable suspicion testing may be required of a driver while the driver is performing, just before the driver will perform or just after the driver 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 driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while the driver is under the influence of or impaired by alcohol, as shown by the behavioral, speech and performance indicators of alcohol misuse. The driver will also not be able to perform or continue to perform safety-sensitive functions until an alcohol test is administered and the driver'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 Designated Employer Representative (DER) may recommend to the Superintendent of Schools the individual's employment be terminated depending on the circumstances.

In the event the DER does not recommend termination, the DER shall ensure that before a driver returns to duty requiring the performance of a safety-sensitive function, the driver 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 C.F.R. 40.305.

Drivers permitted to return to duty are required to take return-to-duty tests and shall be evaluated by a Substance Abuse Professional (SAP). These individuals must participate in an assistance program prescribed by the SAP and as required in 49 C.F.R. 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 screening and alcohol tests over the following twelve (12) months. The testing shall not exceed sixty (60) months. Alcohol follow-up testing shall be performed only when the driver 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 C.F.R. 40.311.

#### Medical Review Officer (MRO) Notifications

The Board shall employ or contract with a medical review officer who is a licensed physician (M.D. or D.O.) and shall designate the Medical Review Officer as the individual responsible for receiving laboratory results generated by the testing program. The medical review official shall have knowledge of substance abuse disorders and have appropriate medical training to interpret and evaluate the individuals confirmed positive test together with his/her medical history and other biomedical data. The Medical Review Officer will perform all functions and responsibilities as required in 49 C.F.R. 49 Subpart G.

#### Employer Notification

The Medical Review Officer 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 Medical Review Officer 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 t report test results or a written report that must include, at a minimum, the information required in 49 C.F.R. 40.163.

#### Split Specimen Tests

Split specimen testing will be conducted in accordance with 49 C.F.R. 40 Subpart H. Under split-sample collection procedures, the driver has seventy-two hours from the time of notification of a positive result to request the MRO to order a test of the split specimen. If the driver does not request a split specimen test within seventy-two hours, the driver may present to the MRO information documenting that serious injury, illness, lack of actual notice of the verified test result, inability to contact the MRO, or other circumstances unavoidably prevented the individual from making a timely request.

If the split specimen is unavailable or appears insufficient, the laboratory will continue the testing process of the primary specimen as the laboratory would normally. The laboratory will report the results for the primary specimen without providing the MRO information regarding the unavailable split specimen. In the event the MRO requests the split specimen be forwarded to another laboratory, the laboratory will report to the MRO the split specimen is unavailable for testing and the laboratory will provide the MRO with as much information as possible about the cause of the unavailability.

#### 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 C.F.R. 40 Subpart D. The DER will ensure the collection site meets the security requirements of 49 C.F.R. 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 C.F.R. 40. The laboratory will perform all responsibilities as required in accordance with 49 C.F.R. 40 Subpart F.

#### Specimens

The normal screening methodology for controlled substances shall be urinalysis, collected by a representative of the Board at a designated site. 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 C.F.R. 40.211 and 49 C.F.R. 40.213.

#### Refusal to Submit

A driver will be deemed as refusing to take a drug test as described in with 49 C.F.R. 40.191. As per 49 C.F.R. 40.191, and individual 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;

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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 a second test the DER of collector has directed the individual 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 Sec. 40.193(d). In the case of a pre-employment drug test, the individual 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); or
9. If the MRO reports the driver had a verified adulterated or substituted test result.

If an individual 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 "refusal 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 driver 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 Drivers Engaging in Prohibited Conduct

An employee whose screening produces a positive result for a prohibited substance:

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 substance abuse professional 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 substance abuse professional to determine that the driver 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 returned to work and who fails to comply with any of the terms of the Return to Work Agreement shall be subject to 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 related 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 driver's test results:
  - a. Employer's copy of the alcohol test form, including results;
  - b. Employer's copy of the drug test chain of custody and control form;
  - c. Documents sent to the employer by the Medical Review Officer;
  - d. Documentation of any driver's refusal to submit to a required alcohol or controlled substance test; and
  - e. Documents provided by a driver to dispute results of test.

3. Documentation of any other Violations of Controlled Substance Use or Alcohol Misuse Rules
4. Records Related to Evaluations and Training:
  - a. Records pertaining to Substance Abuse Professional's (SAP's) determination of driver'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 requirement to provide drivers with educational material, including driver's signed receipt of materials;
  - e. Documentation of supervisor training; and
  - f. Certification that training conducted under this rule complies with all requirements of the rule.
5. Records Related to Drug Testing
  - a. Agreements with collection site facilities, laboratories, Medical Review Officers (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.



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Commercial Driver Controlled Substance and  
Alcohol Use Testing

6. Required Period of Retention:

| Document to be maintained  | Period required to be maintained |
|--|----------------------------------|
| Alcohol test results indicating a breath alcohol concentration of 0.02 or greater  | 5 Years                          |
| Verified positive controlled substance test results  | 5 Years                          |
| Refusals to submit to required alcohol or controlled substance tests (including substituted or adulterated test results) | 5 Years                          |
| Required calibration of Evidential Breath Testing Devices (EBT's)  | 2 Years                          |
| All follow-up tests and schedules for follow-up tests  | 5 Years                          |
| Substance Abuse Professional's (SAP's) evaluations and referrals   | 5 Years                          |
| Annual calendar year summary   | 5 Years                          |
| Records related to the collection process (except calibration) and required training                                     | 2 Years                          |
| Negative and canceled controlled substance results   | 1 Year                           |
| Alcohol test results indicating a breath alcohol concentration less than 0.02  | 1 Year                           |
| Records obtained from previous employers concerning alcohol and drug testing   | 3 Years                          |

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 Federal Highway Administration.

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 Federal Highway Administration (FHWA) 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 insure that each driver receives information in the manner specified below:

- a. By receiving a copy of this policy and any subsequent revisions.
- b. Through attendance at a meeting at which a detailed discussion of the following is conducted:
  - (1) The identity of the person designated by the employer to answer driver questions about the materials;
  - (2) Which drivers 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 work day the driver is required to be in compliance;
  - (4) Specific information concerning driver conduct that is prohibited;
  - (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.

#### Vessel/Boat/Other Equipment Operators

The School Business Administrator/Board Secretary shall be responsible to insure all operators of district owned and/or leased boats, vessels, and other equipment are properly tested for drugs and alcohol in accordance with all State and Federal requirements.

Omnibus Transportation Act of 1991  
49 C.F.R. 40 et seq.  
49 C.F.R. 382 et seq.  
49 C.F.R. 395.2

Adopted: 16 September 2008

4220 EMPLOYEE EVALUATION

The Board of Education recognizes the importance of employee evaluations in the reinforcement of performance strengths and the remediation of weaknesses.

The Superintendent shall develop a plan for the evaluation of support staff members. He/She shall invite the participation of employees in the development of the plan and shall assess and modify the plan as necessary.

Employees shall be grouped into position classifications based upon similarities of duties, responsibilities, and qualifications. The evaluation process shall be similar for all employees in a single classification.

The evaluation process shall provide for the recognition and commendation of effective performance, the identification and remediation of performance deficiencies, and the recommendation of discipline or dismissal when an employee fails to improve his/her performance. Evaluation procedures shall provide that each employee is informed of the specific objectives of his/her position and the standards that will be used to assess the employee's performance against those objectives. Employees will be evaluated annually by qualified supervisors. Any records created in the evaluation process will become part of the employee's file and subject to Board policy on personnel records.

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.

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Acceptable Use of Computer Network(s)/Computers and  
Resources by Support Staff Members

- 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;

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Acceptable Use of Computer Network(s)/Computers and  
Resources by Support Staff Members

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: 16 September 2008

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: 16 September 2008



4431.1 FAMILY LEAVE

The Board of Education supports all aspects of both the New Jersey Family Leave Act (NJFLA) and the Federal Family and Medical Leave Act (FMLA) and will comply with all of their requirements. The Superintendent shall prepare regulations for Board adoption establishing the rights and procedures granted by these Acts.

Employees qualifying for FMLA are entitled up to twelve weeks of leave in a twelve-month period and/or under the NJFLA for up to twelve weeks of leave in a twenty-four month period. The twelve-month or twenty-four-month period is measured backward from the date an employee's first FMLA and/or NJFLA leave begins.

All employees are required to use accrued paid leave for their own personal illness or personal disability simultaneously with any leave guaranteed under the FMLA. Any employee absent in excess of ten consecutive days for his/her own personal illness or disability will be considered to have activated leave under the terms of the FMLA retroactive to the fourth day of absence from work.

The necessity to use paid accrued leave in any permitted situation under either the NJFLA or the FMLA other than for an employee's own personal illness or personal disability will be determined by the Superintendent on a case-by-case basis.

29 U.S.C. 2601 et seq.  
29 C.F.R. 825.200 et seq.  
N.J.S.A. 34:11B-1 et seq.  
N.J.A.C. 13:14-1 et seq.

Adopted: 16 September 2008

4440 TRAVEL EXPENSES

The Board of Education will reimburse support staff members for travel expenses in accordance with applicable New Jersey Statutes.

For the purpose of this Policy:

1. Travel Expenditures - means those costs paid by the school district using local, State, or Federal funds, whether paid directly by the school district or by employee reimbursement, for travel by school district employees and/or Board of Education members to training and seminars, conventions and conferences, regular school district business, and retreats.
2. Training and Seminars - means all regularly scheduled, formal residential or non-residential training functions conducted at a hotel, motel, convention center, residential facility, or any educational institution or facility.
3. 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.
4. 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 for training and seminars and convention and conferences above.
5. Retreats - means meetings with school district employees and Board members held away from the normal work environment at which organizational goals and objectives are discussed. If available, school district facilities shall be utilized for this type of event.

## SUPPORT STAFF MEMBERS

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Travel Expenses

School district travel expenditures include, but are not limited to, all costs for transportation, meals, lodging, and registration or conference fees to and from the travel event. School district travel expenditures include costs for all required training and travel authorized in existing school district employee contracts and school Board policies. This includes, but is not limited to, required professional development and other staff training, required training for new school Board members, and attendance at specific conferences authorized in existing employee contracts.

The school district shall not bear costs for car rentals, limousine services, and/or chauffeuring costs to or during the event, as well as costs for employee attendance for coordinating other attendees' accommodations at the travel event.

All travel by district support staff members shall be educationally necessary and fiscally prudent and all travel expenditures shall be directly related to and within the scope of the support staff member's current responsibilities and the school district's professional development plan. All travel expenditures must be for travel that is critical to the instructional needs of the school district or furthers the efficient operation of the school district and is 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 that 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.

A support staff member shall submit to the School Business Administrator/Board Secretary within fourteen calendar days of incurring the travel expense(s) a brief report that includes the primary purpose for the travel and the key issues that were addressed at the event and their relevance to improving instruction or the operation of the school district.

The detailed documentation that demonstrates compliance with the school Board's travel policy including travel approvals, reports, and receipts for all school district funded expenditures, as appropriate, shall be maintained in the Business office.

Travel for support staff members may occur only upon prior written approval of the Superintendent of Schools and prior approval by a majority of the full voting membership of the Board.

For regular school district business travel only, the Board authorizes an annual maximum amount per employee for regular business travel in the amount of \$1,500.00 for which Board approval is not required.

The Board may approve, at any time prior to the event, travel for multiple months as long as the Board approval, detailed in Board Meeting minutes, itemizes the approval by event, total cost, and number of employees and/or school Board members attending the event. General or blanket pre-approval for travel is not authorized. Approval shall be itemized by event, event total cost, and number of employees and school Board members attending the event.

Travel payments will be paid only upon compliance with P.L. 2007, c. 53 and this Policy's provisions and approval requirements.

The Board will not ratify or approve payments or reimbursements for travel after completion of the travel event. An employee or organization shall not receive an amount for travel and/or travel-related expenses in advance of the travel pursuant to N.J.S.A. 18A:19-1 et seq.

A Board member shall recuse himself/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. 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.

The Board shall exclude from the requirements of prior Board approval any travel caused by or subject to contractual provisions, other statutory requirements, or Federal regulatory requirements. The Board may not exclude such travel from the subsistence requirements and annual maximum travel expenditure pursuant to P.L. 2007 c. 53.

One-day trips that do not involve overnight lodging are not eligible for a subsistence payment or reimbursement except in limited circumstances authorized in the Department of the Treasury guidelines. Overnight travel is eligible for a subsistence payment or reimbursement as authorized in Department of the Treasury guidelines, except as otherwise superseded by the following provisions:

1. Per diem payment or reimbursement for lodging and meals will be actual reasonable costs, not to exceed the Federal per diem rates as established in the Federal register for the current year;

2. Lodging expenses 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 the Federal per diem rate. If the hotel at the site of the convention, conference, seminar, or meeting is no longer available, lodging may be paid for similar accommodations at a rate not to exceed the hotel rate for the event;
3. Receipts are required for hotel expenses;
4. Meal expenses under the Federal per diem allowance limits do not require receipts;
5. In any case in which the total per diem reimbursement is greater than the Federal per diem rate, except as stated in 2. above, the costs will be considered to be excessive and shall not be paid by school district funds;
6. The school district shall patronize hotels and motels that offer special rates to government employees unless alternative lodging offers greater cost benefits; and
7. Payment or reimbursement is approved for the full cost of an official convention meal that the employee or school Board member attends, when the meal is scheduled as an integral part of the convention or conference proceedings. If a meal is included in the registration fee, the allowance for the meal is not eligible for reimbursement.

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 in that budget year. The Board resolution shall also include the maximum amount established for the prebudget year and the amount spent to date. The maximum school district travel expenditure amount shall include all travel in accordance with P.L. 2007 c. 53 supported by local and State funds.

The Board may elect by Board resolution to exclude travel expenditures to be supported by Federal funds in the maximum travel expenditure amount. The Board resolution shall include the total amount of travel supported by Federal funds from the prior year, prebudget year, and projected for the budget year.

The school district 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 P.L. 2007 c. 53, and shall provide auditable information.

Any Board of Education that violates its established maximum travel expenditure as set forth in P.L. 2007 c. 53, or that otherwise is not in compliance with the travel limitations set forth in P.L. 2007 c. 53 may be subject to sanctions by the Commissioner as authorized pursuant to N.J.S.A. 18A:4-23 and N.J.S.A. 18A:4-24, including reduction of State aid in an amount equal to any excess expenditure.

A person who approves any travel in violation of the P.L. 2007 c. 53 or this Policy shall be required to reimburse the school district in an amount equal to three times the cost associated with attending the event. An employee or Board member who travels in violation of the Board's policy or P.L. 2007 c. 53 shall be required to reimburse the school district in an amount equal to three times the cost associated with attending the event.

P.L. 2007 c. 53

Adopted: 16 September 2008

4610 PERSONNEL TERMS AND CONDITIONS

All personnel policies described in Policy #4610 shall be applicable to all employees of the Monmouth County Vocational School District not affiliated with a bargaining unit recognized by the Board of Education or those positions as designated by the Board by separate action.

All employees of the Monmouth County Vocational School District who are members of a bargaining unit recognized by the Board of Education should refer to their approved Contractual Agreement concerning personnel items.

Leave of Absence

All employees must report their expected absence prior to the start of their regular work day and indicate the reason for the expected absence. Reporting procedures are to be as designated by the Superintendent of Schools.

A certificate of absence is to be filed for all absences by all employees.

1. Leave due to personal illness:
  - a. Annual absence allowance for personal illness - sick leave:
    - (1) Definition: Sick leave is defined by law "to mean the absence from his or her post of duty, of any such person because of personal disability due to illness or injury, or because he or she has been excluded from school by the school district's medical authorities on account of contagious disease or of being quarantined for such a disease in his or her immediate household."
    - (2) Any employee holding any office, position or employment in the school district who is steadily employed by the Board of Education or who is protected in his or her office by tenure (Section 18: 13-16 through 19 of the Revised Statutes) shall be allowed sick leave with full pay for a minimum of ten school days in any school year. The provision for ten school days sick leave is applicable to ten month employees. Employees under twelve month contracts shall be allowed sick leave with full pay for a minimum of twelve working days each calendar year. A certificate of absence shall be filed by every employee for any absence.

- b. Cumulative sick leave for personal illness: If any such person requires in any school year less than the then specified number of days sick leave with pay allowed, all days of such minimum sick leave not utilized that year shall be accumulative to be used to additional sick leave as needed in subsequent years, except that no person shall be allowed to increase his or her total accumulation by more than fifteen total days in any one year (Title 18A:30-7).
  - c. Extended leave for personal illness: Absence beyond the accrued leave credit shall receive separate consideration by the Board of Education, based upon the merits of the individual case. Any decision made is not to be considered setting a pattern of precedence.
2. Leave due to death in immediate family:
- a. An employee may be absent from school duties without loss of pay for a period not to exceed more than five days for each death in the immediate family.
  - b. Definition of immediate family shall be construed to mean: father, mother, husband, wife, child, sister, brother, grandparent, father-in-law, mother-in-law, son-in-law, daughter-in-law, grandchild.
  - c. Leave due to death in the immediate family must be taken within seven days of the death unless permission has been granted by the Superintendent.
3. Death of relative:
- a. An employee may be absent from school duties without loss of pay for a period of one day for the death of a relative.
  - b. Definition of relative shall be construed to mean: uncle, aunt, niece, nephew, brother-in-law, sister-in-law, and includes housekeeper for immediate family if not a relative or anyone living with immediate family.
  - c. Leave due to death of a relative must be taken within seven days of the death unless permission has been granted by the Superintendent.



4. Personal leave:
  - a. Definition: Personal leave is defined as absence from employment, excluding vacation, for personal business other than defined within this policy and cannot be accomplished after scheduled working hours. An employee shall be permitted four personal days per year for twelve month positions and three personal days per year for ten month positions. Personal days not used during the given year shall be credited to cumulative sick leave for personal illness on July 1 of the following year, except that no person shall be allowed to increase his or her total accumulation by more than fifteen total days in any one year (Title 18A:30-7).
  - b. Procedure:
    - (1) The district's "Request for Personal Leave" form shall be completed and submitted to the Superintendent's office for approval prior to the day such absence is to occur.
    - (2) The term "personal business" is all that is required when submitting a "personal leave" request for one personal day. This form must be submitted at least one day prior to the requested personal day.
    - (3) Personal day may be requested as "emergency personal business" the night before or the morning of, if requested directly to the employee's immediate supervisor with reason. The immediate supervisor's decision is final.
    - (4) Personal days requested on work days preceding or following holidays or on in-service days may be granted with specific reasons that are directly communicated to the Superintendent in writing or verbally.
    - (5) Consecutive personal days may be granted with documented information that is presented in writing to the Superintendent.
    - (6) The Superintendent reserves the right to deny personal days for a given date(s). Should an employee be denied a personal day, the Superintendent will provide the reason for such a denial in writing.

5. Observation and convention absence: All non-curricular/cocurricular travel must conform to provisions of Policy #3440 (administrators, teachers and non-certificated professionals) or Policy #4440 (non-certificated support services and maintenance personnel).
6. Emergency absence: Emergency absence due to illness in family shall be at the discretion of the Superintendent who may allow up to two days' absence pay for twelve month employees and one day's absence pay for ten month employees without salary deduction. Leave (one or two days per year) that is not used during the period of July 1 to June 30 during a given year shall be credited to cumulative sick leave for personal illness on July 1 of the following year, except that no person shall be allowed to increase his or her total accumulation by more than fifteen total days in any one year (Title 18A:30-7).
7. Absence for other reasons: Loss of full pay for each day of absence.
8. Payment of unused sick leave at retirement:

- a. The following employees who retire from the Monmouth County Vocational School District in accordance with the Rules and Regulations of the District and the New Jersey Teachers' Pension and Annuity Fund shall be eligible to receive monetary credit for unused sick leave as follows:

| 12-Month Employees | 10-Month Employees |   |
|--------------------|--------------------|---|
| Up to \$15,000.00  | \$11,000.00        | Administrators                          |
| Up to \$12,000.00  | \$10,000.00        | Teachers/Non-Certificated Professionals |
| Up to \$9,600.00   | \$8,000.00         | Non-Certificated Support Services       |
| Up to \$9,600.00   | \$8,000.00         | Maintenance Personnel                   |

For every accumulated sick day left after the designated credit limit listed above has been computed, the Board will pay 25% face value of every remaining sick day.

- b. For employees beginning work with the district after July 1, 1996, monetary credit for unused sick leave upon retirement as described above will be capped as follows:

| 12-Month Employees | 10-Month Employees |  |
|--------------------|--------------------|--|
| Up to \$20,400.00  | \$17,000.00        | Administrators                             |
| Up to \$18,000.00  | \$15,000.00        | Teachers/Non-Certificated<br>Professionals |
| Up to \$16,800.00  | \$14,000.00        | Non-Certificated Support<br>Services       |
| Up to \$16,800.00  | \$14,000.00        | Maintenance Personnel                      |

- c. Retirement, as defined in Article IX, I.1, does not include "deferred retirement."
  - d. Monetary credit for unused sick leave shall be based on 1/200th per day of their current contract for ten month employees and 1/240th per day of their current contract for twelve month employees.
  - e. This benefit, excluding transferred in sick leave, will be paid to the estate in the event of the employee's death if an employee has ten years in the district.
9. Child care leave of absence: Child care leave will be available to any employee for up to one year without loss of seniority or tenure (if applicable) under the following guidelines:
- a. Time on leave does not count towards tenure, additional seniority and increment.
  - b. Child to be cared for must be pre-school age or must require special attention as verified by appropriate medical documentation.
  - c. Application for child care leave must be submitted to the Superintendent's office at least three months prior to starting date.
  - d. Applications that request a start and/or finish during the school year may have to be lengthened or shortened depending upon availability of a suitable substitute. This will be determined by the Superintendent.

#### Health Benefits

- 1. The Board shall provide employee and dependent coverage under the New Jersey Public Employee Benefits Plan.

2. Prescription plan: The Board of Education shall pay 100% of the premium for each employee who subscribes to the group prescription plan. Applications for new enrollees will be processed in accordance with rules and regulations of the insurance carrier. Employee co-payments shall be as follows:

\$25.00 non-generic at retail pharmacy  
\$10.00 generic at retail pharmacy  
\$10.00 mail order

3. Dental plan: The Board of Education shall provide the following premiums for the purpose of providing a dental insurance program for family coverage. Coverage will include a basic dental plan plus \$1,000.00 orthodontic rider. Coverage will be as follows:

\$50 per person/\$150 per family deductible on treatment

#### Tuition Refund (Certificated Employees/Non-Certificated Professionals Only)

The Board shall reimburse employees for full cost of tuition under the following conditions:

1. An employee must first complete the requirements for certification in position (if applicable) now held before being eligible for the tuition reimbursement plan.
2. Credits earned to qualify for additional certification, a degree higher than the one now held (if any), or professional improvement in education or curriculum area will be honored.
3. To insure reimbursement, the employee must obtain approval within three weeks of the start of the course from the Superintendent for courses for which reimbursement will be requested.
4. Reimbursement will be made in compliance with Internal Revenue Service regulations at the close of the school year after tuition receipts and college transcripts are submitted to the Superintendent showing credits and grades earned. Credits with grades below the "C" level will not be honored for reimbursement.
5. Reimbursement cost per one credit, both graduate and undergraduate, will be based on Rutgers University's current cost. Reimbursement will not exceed actual tuition charges.

6. Actual dollars for reimbursement for teachers will be based on proration formula of the Monmouth County Vocational Education Agreement.
7. Actual dollars for reimbursement for administrators will be based on proration formula of the Monmouth County Principals & Supervisors Association Agreement.

Professional Improvement (Certificated Employees/Non-Certificated Professionals Only)

1. Professional improvement costs will be defined to be registration and/or tuition fees other than college credit courses. Travel, membership fees, separate meal costs, hotel costs and any association activities are not eligible for reimbursement.
2. All professional improvement requests must be approved at least ten working days in advance.
3. Actual dollars for reimbursement will be based on proration formula of the Monmouth County Vocational Education Agreement.
4. The Superintendent reserves the right to approve or disapprove the professional improvement activities.
5. Reimbursement is to be made at the end of the school year when proof of attendance and cost receipts are submitted to the Superintendent's office.

Vacation

All vacation schedules must be approved by the Superintendent of Schools. As a rule, vacation days may not be accumulated from one year to another. The Superintendent may, however, allow unused vacation days to be used during the first month of the new vacation period.

1. Non-certificated employees (Support Services and Technology):
  - a. Employees entitled to three weeks of annual paid vacation leave:

These regulations shall apply to annual paid leave for vacation purposes for all full time, twelve month support services and technology employees. One full year credit shall be given to an employee who was hired after July 1 but before January 1 in determining ten years of service.

- (1) Length of employment for annual vacation purposes shall be computed to July 1 succeeding the date of initial employment.
- (2) Amount of paid annual vacation leave for any person in this category shall be three weeks after completion of a full year's service.
- (3) Amount of paid annual vacation leave for those employees in this category who have not been continuously employed by the Board for a period of one full year shall be computed according to the following table:

| Length of Employment | Vacation Period                                   |
|----------------------|---|
| 1-3 months           | 1 day per full month                              |
| 4 months             | 1 week (5 working days)                           |
| 5-7 months           | 1 week + 1 day per full month<br>beyond 4 months  |
| 8 months             | 2 weeks + 1 day per full month<br>beyond 8 months |
| 12 months            | 3 weeks (15 working days)                         |

Employees entitled to four weeks of annual paid vacation leave:

These regulations shall apply to annual paid leave for vacation purposes for all full time, twelve month support services and technology employees with ten years of service. One full year credit shall be given to an employee who was hired after July 1 but before January 1 in determining ten years of service.

Eligibility for vacation shall begin on July 1, following initial continuous employment for at least six months and shall be prorated according to the number of months employed up to July 1.

2. Non-certificated employees (maintenance):
  - a. Maintenance personnel entitled to two weeks of annual paid vacation leave:

These regulations shall apply to all full time, twelve month maintenance personnel with less than eight years of service.

- (1) Length of employment for annual vacation purposes shall be computed to July 1 succeeding the date of initial employment.
- (2) Amount of paid annual vacation leave for those persons employed less than a year shall be computed in accordance with the following table:

| Length of Employment | Vacation Period                                      |
|----------------------|--|
| 0-3 months           | 0 days   |
| 4-11 months          | 1 day per full month<br>after 3 months of employment |
| 12 months            | 2 weeks  |

- b. Maintenance personnel entitled to three weeks of annual paid vacation leave:

All full-time employees who have been continuously employed by the Monmouth County Vocational School Board of Education for a period of eight years or more will be given fifteen days of vacation per year.

- c. Maintenance personnel entitled to four weeks of annual paid vacation leave:

All full-time employees who have been continuously employed by the Monmouth County Vocational School Board of Education for a period of ten years or more will be given twenty days of vacation per year.

Eligibility for vacation shall begin on July 1, following initial continuous employment for at least six months and shall be prorated according to the number of months employed up to July 1.

These regulations shall apply to annual paid leave for vacation purposes for all full time, twelve month maintenance staff with ten years of service. One full year credit shall be given to an employee who was hired after July 1 but before January 1 in determining ten years of service.

3. Certificated employees (teachers) and non-certificated Administration/Technology Support Services employees:

Twelve month employees shall receive twenty days vacation and holidays for which the administrative offices are closed in accordance with their twelve month calendar.

Eligibility for vacation shall begin on July 1, following initial continuous employment for at least six months and shall be prorated according to the number of months employed up to July 1.

4. Administrators (certificated and non-certificated):

These employees shall be granted twenty vacation days annually.

In addition to the aforesaid twenty days, each employee shall be entitled to the following additional vacation days:

|   |       |
|---|-------|
| After five years in the district        | 1 day |
| After ten years in the district         | 1 day |
| After fifteen years in the district     | 1 day |
| After twenty years in the district      | 1 day |
| After twenty-five years in the district | 1 day |

so that after twenty-five years in the district, the total vacation days will be twenty-five.

All vacation days shall be approved by the Superintendent of Schools.

#### Separation from Service

All certificated, non-certificated professionals and tenurable employees must provide sixty day minimum notice of intent of leaving the District. All custodial and maintenance personnel must provide thirty day minimum notice of intent of leaving the District. A member who resigns or retires during the contract year shall receive earned vacation days providing proper termination procedures have been followed (12 month employees only).

#### Terms of Employment

Terms of initial employment shall be as recommended by the Superintendent of Schools and approved by the Board of Education and specified in initial employment contract.



### Salaries

1. Teachers and non-certificated professionals shall receive a salary in accordance with the salary guide as adopted by the Vocational Board of Education.
2. Secretaries, clerks and bookkeepers' salaries shall be determined in accordance with the salary guide as adopted by the Vocational Board of Education.
3. Supervisor of Building and Grounds and Maintenance Mechanics' salaries shall be determined in accordance with the salary guide as adopted by the Vocational Board of Education.
4. Administrative salaries shall be determined in accordance with the salary guide as adopted by the Vocational Board of Education.
5. Salary increments may be withheld by the Board of Education on recommendation from the Superintendent of Schools when an employee's work fails to show evidence of satisfactory growth and development or for other reason or reasons judged sufficient by the Superintendent of Schools.

### Travel Expense

Reimbursement for travel by staff members using personal automobiles shall be at the state rate. Persons authorized for reimbursement shall be so designated by the Superintendent and approved by the Board of Education. All non-curricular/cocurricular travel must conform to provisions of Policy #3440 (administrators, teachers and non-certificated professionals) or Policy #4440 (non-certificated support services and maintenance personnel).

### Grievance Procedure

1. Definition: A grievance shall be defined as a complaint by an employee that there has been as to that employee a violation of a specific section of this agreement, (2) that he or she has been treated unfairly by reason of an act or condition which is contrary to established Board policy or practice governing or affecting employees, or (3) by an administrative decision affecting the employee which is inconsistent with established Board policy or provisions of this agreement. An "aggrieved person" shall mean a person or persons having the same grievance.

2. Procedure: In order for a grievance to be considered under this procedure, initial processing must be initiated within thirty calendar days of the occurrence within the knowledge of the aggrieved of the matter to be grieved.
  - a. An employee with a grievance shall first discuss it with his immediate superior in an attempt to resolve the matter informally at that level. If the informal discussion does not resolve the matter, the employee shall present his complaint, in writing within thirty calendar days, to his immediate superior, and this complaint shall make known the full details of his grievance. The complaint shall specify:
    - (1) The nature of the grievance.
    - (2) The nature and extent of any injury, loss or inconvenience.
    - (3) The results of previous, informal discussions.
    - (4) His dissatisfaction with decisions previously rendered.

His immediate superior shall inform the employee of his decision within thirty calendar days of receipt of the written grievance.

- b. If the complaint has not been settled satisfactorily by the employee's immediate superior, the employee may request that the complaint be referred to the Superintendent of Schools. This request shall be made in writing not later than thirty calendar days following the decision in Step a. The Superintendent shall communicate a decision in writing within thirty calendar days after receipt of the grievance.
    - c. If the complaint is not settled at the Superintendent level, the aggrieved employee may within thirty calendar days file a request in writing for a review by the Board of Education, and said request for review shall be submitted in writing through the Superintendent, who shall attach all related papers, decisions and summaries to said request and forward all documents to the Board within thirty calendar days from the receipt thereof. The Board shall review the grievance and may, at its option, conduct a hearing in connection with said grievance. Within thirty calendar days from the date of said hearing, or within forty-five calendar days from the receipt by the Board of the request for review of said grievance, the Board shall prepare and render to the aggrieved employee its decision, in writing, with respect to said grievance.

#### Employee Assignment, Transfer and Promotion

1. Insofar as possible, all employees shall be informed of their employment assignment for the forthcoming year no later than the end of the school year.
2. Transfers between schools and/or offices may be necessary after the close of the school year. While the right of determination to assign or transfer an employee is vested in the Board, the Board will not assign or transfer an employee without prior discussion between the Superintendent and the employee.
3. As any vacancy is officially made known to him, the Superintendent shall, within five weekdays after the Board meeting at which it took action upon that vacancy, make a listing of known vacancies that shall occur during the following year.
4. An employee may apply for any position at any time. Such application shall be in writing, addressed to the Superintendent of Schools. Applications will be considered should such vacancy occur either during the school year or during the summer. This application should be renewed annually. When openings occur, employees with applications on file shall be notified of their consideration for the position.

5000 PUPILS

| Number  | <u>Title</u>   |
|---------|--|
| 5111    | Eligibility of Resident/Nonresident Pupils   |
| 5114    | Children Displaced by Domestic Violence  |
| 5130    | Withdrawal From School   |
| 5200    | Attendance   |
| 5300    | Use of Defibrillator(s)  |
| 5305    | Health Services Personnel  |
| 5307    | Nursing Services Plan  |
| 5308    | Pupil Health Records   |
| 5310    | Health Services  |
| 5320    | Immunization   |
| 5330    | Administration of Medication   |
| 5331    | Management of Life-Threatening Allergies in Schools                                |
| 5335    | Treatment of Asthma  |
| 5338    | Diabetes Management  |
| 5420    | Reporting Pupil Progress   |
| 5460    | High School Graduation   |
| 5465    | Early Graduation   |
| 5466    | Graduation and Year Book Fees  |
| 5500    | Expectations for Pupil Conduct   |
| 5511    | Dress and Grooming   |
| 5512    | Hazing   |
| 5512.01 | Harassment, Intimidation, and Bullying   |
| 5512.02 | Cyber-Bullying   |
| 5513    | Care of School Property  |
| 5514    | Pupil Use of Vehicles  |
| 5516    | Remotely Activating Communication Devices – Pagers & Cellular Telephones           |
| 5520    | Disorder and Demonstration   |
| 5530    | Substance Abuse  |
| 5533    | Smoking  |
| 5535    | Passive Breath Alcohol Sensor Device   |
| 5550    | Disaffected Pupils   |
| 5560    | Disruptive Pupils  |
| 5600    | Pupil Discipline/Code of Conduct   |
| 5610    | Suspension   |
| 5611    | Removal of Pupils From The General Education Program for Weapons/Firearms Offenses |

| <u>Number</u> | <u>Title</u>                                    |
|---------------|---|
| 5612          | Assault by Pupils on Board Members or Employees |
| 5620          | Expulsion                                       |
| 5710          | Pupil Grievance                                 |
| 5721          | Independent Publications                        |
| 5750          | Equal Educational Opportunity                   |
| 5751          | Sexual Harassment                               |
| 5752          | Marital Status and Pregnancy                    |
| 5755          | Equity in Educational Programs and Services     |
| 5770          | Pupil Right of Privacy                          |
| 5830          | Pupil Fund Raising                              |
| 5842          | Equal Access of Pupil Organizations             |

5111 ELIGIBILITY OF RESIDENT/NONRESIDENT PUPILS

A. Shared Time Acceptance of Pupils

All pupils will be given equal opportunity for enrollment in programs operated by the Monmouth County Vocational School District regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status.

Regular High School Students: Shared Time

Qualified pupils will be accepted into regular vocational programs operated by the Monmouth County Vocational School District on a geographic basis based upon the number of applications submitted by the home high schools. Pupils in the eleventh and twelfth grades will be given priority acceptance. Other pupils would be accepted based upon program vacancies and the individual merits and needs of the applicant.

Qualified pupils will be those meeting the following criteria:

1. Regular Shared Time Programs
  - a. Pupils must have an expressed interest in the Occupational Area.
  - b. Pupils must have an excellent attendance record (less than fifteen days absent per year).
  - c. Pupils must have a "C" grade point average.
  - d. Pupils and parent(s) or legal guardian(s) must tour the program prior to submitting an application. This may be accomplished through attendance at an open house, orientation, teacher interview, tour with counselor, or other means arranged with the Principal.
2. Tech Prep Programs
  - a. Applicants for Tech Prep Programs must meet all of the above criteria.
  - b. Pupils must have successfully completed (grade "C" or better) Algebra.

- c. Pupils must have successfully completed (grade "C" or better) one year of science (for Allied Health, the science must be a laboratory biology).

Initially, enrollment will be established within each geographic area based upon number of applications submitted prior to the deadline date which will be determined annually by the Superintendent.

1. If less applications than spaces available are received, all qualified pupils will be accepted.
2. If more applications than spaces are received, pupil selection will be based upon need as established by the number of qualified applications from each school district with all schools being given equal access to all programs.
  - a. Each school would be given a quota of openings based upon the number of applications submitted by the school for that program.
  - b. Factors of consideration will be: complete application, counselor recommendations, attendance, grades, personal interview with vocational counselor.

Applications for regular high school programs will be processed through the high school guidance department in the school that the applicant attends whether it be a public or non-profit private high school.

**B. Full Time Secondary Programs Acceptance of Pupils**

Marine Academy of Science & Technology  
High Technology High School  
Monmouth County Academy of Allied Health & Science  
Communications High School of Monmouth County  
Monmouth County Biotechnology High School

1. Ninth Grade Class
  - a. Application process:
    - (1) Applications will be considered for only one school.
    - (2) Applications will be received after September 1 of the applicants' eighth grade year.

- (3) Applications must be complete and supporting materials must be included.

Supporting materials:

- (a) Grade transcript;
  - (b) Signed application by eighth grade school official; and
  - (c) Documentation of interest in program provided in the Specialized School (handwritten by applicant on application).
- (4) Applicant and parent(s) or legal guardian(s) must have attended an Information Session for school of application.
- (5) Applications must be received in the district central office prior to the application deadline as established annually by the office of the Superintendent.

b. Acceptance Criteria

- (1) Applicants will be ranked according to the following scoring:

| <u>Criteria</u>             | <u>Maximum Rating</u> |
|-----------------------------|-----------------------|
| GPA 7th Grade (Final)       | 15                    |
| 8th Grade (1st Quarter)     | 15                    |
| District Admission Exam     |                       |
| Math                        | 35                    |
| Writing/Language Arts       | 35                    |
| Total Possible              | 100                   |
| Minimum Score for Admission | 75                    |



- (2) The ratings will be determined as follows:

GPA Ratings

| Number Grade | Letter Grade | Rating |
|--------------|--------------|--------|
| 99-98        | A+           | 15     |
| 97-94        | A            | 14     |
| 93-92        | A-           | 13     |
| 91-90        | B+           | 12     |
| 89-86        | B            | 11     |
| 85-84        | B-           | 10     |
| 83-82        | C+           | 9      |
| 81-78        | C            | 8      |
| 77-76        | C-           | 7      |
| 75-74        | D+           | 6      |
| 73-72        | D            | 5      |
| 71-70        | D-           | 4      |

District Admission Exam: A District Admission Exam will be administered each year. The exam will consist of mathematics concepts and writing/language arts skills. Each part will be scored on a scale of 1-35.

c. Pupil Acceptance

- (1) If space does not permit acceptance of all qualified applicants, selection will be made with the following considerations:

- (a) The highest scoring qualified applicant from each district pool will be offered admission. Qualified applicants are those who meet the minimum standards as outlined in 1b(1) of this policy. District pool is the resident public school (excluding regional high school districts) that an applicant resides in at the time of application.
  - (b) In an effort to achieve gender and ethnic balance, additional admission offers may be made to qualified applicants.
- (2) Applications from outside of Monmouth County will only be considered for The Marine Academy of Science and Technology as follows:
- (a) Applicants from Ocean County are ineligible.
  - (b) Five spaces may be awarded to out-of-county residents.
  - (c) Acceptance will be based on established acceptance criteria (1 b).
  - (d) All applicants will be reviewed in a single pool of "out-of-county" applicants.

The Monmouth County Vocational School District does not discriminate on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status.

2. Tenth, Eleventh, and Twelfth Grade Classes

a. Application process:

- (1) Applications will be received after September 1 for the following school year.
- (2) Applications must be complete and supporting materials must be included.

Supporting materials:

- (a) Grade transcript;
- (b) Standardized test score transcript;

- (c) Recommendation by school Principal/counselor; and/or
- (d) Documentation of interest in program provided in the Specialized School.

b. Student Acceptance

- (1) A limited number of pupils will be considered for acceptance into the upper grade levels based upon individual applications and availability of space.
- (2) Each applicant's supporting data will be reviewed on an individual basis to determine the appropriateness of placement as a transfer pupil into the tenth, eleventh, or twelfth grade.
- (3) All appropriate applicants will be considered regardless of resident district.

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- 3. Non-Accepted Applicants: All applications of pupils not accepted will be kept on file through September of the school year for which they apply. If openings occur, they will be reviewed for possible acceptance.

C. Acceptance of Pupils - Practical Nursing

1. Application Process:

- a. Application forms are circulated in Monmouth County and are available at the Practical Nursing Office. Upon request, a Practical Nursing Brochure and entrance testing application will be mailed.
- b. The applicant will be placed on the "waiting list" as of the date the application was received.
- c. Qualifying entrance tests are scheduled throughout the year. Applicants are notified by letter of the testing date, time and location.

- (1) A Basic Skills qualifying test is issued to determine minimum achievement.
  - (2) Results of the qualifying test will be mailed to the applicant.
  - (3) Acceptance letter with registration form for the Practical Nursing Program will be sent to the applicants that passed the entrance test along with tuition and fee schedule. The prospective pupil then has the opportunity to register for the program. Pupil file is prepared for only the pupils passing the entrance test.
  - (4) If an applicant has not met the requirement standards of the qualifying test, a letter will be sent to the applicant with his/her results and further instructions:
    - (a) If any segment of the Basic Skills Test were unsatisfactory, it is recommended that the applicant enroll in a Basic Skills educational program and reapply for testing.
    - (b) All subsequent tests will be charged a fee.
    - (c) Results of the Basic Skills Test are good for one year.
    - (d) Placement will be processed in the next available class after completion of entrance requirements. If applicant cancels placement, the applicant will be placed at the end of the "waiting list."
- d. Upon completion of the application file, the applicant will be sent a letter scheduling an interview.

A completed file must contain:

- (1) Completed registration form and fee.
- (2) High school diploma and official high school transcript or GED or the equivalency. (Foreign educational documents must have USA translation showing minimum equivalency of a high school diploma.)
- (3) Basic Skills test - passing score.

- e. At the time of the group interview/orientation, the applicant will be given a physical examination form to be completed no earlier than ten weeks prior to program entry. The completed physical form should be received in the Practical Nursing office six weeks prior to orientation. Criminal background check, insurance information, etc. will be distributed.
- f. Enrollment will be pending medical clearance.
- g. A letter of acceptance will be issued following successful interview.
- h. Adult residents of Monmouth County have priority placement in the post-secondary Practical Nursing program.
- i. Transfer pupil or pupils with partial previous nursing education and credit are required to schedule a personal interview with the Director of Practical Nursing.

Credit for previous education shall be determined by the Director of Practical Nursing and/or the New Jersey State Board of Nursing and/or State Department of Education if indicated.

- j. Re-admission to the program must be requested in writing. A personal interview with the program director will be necessary to discuss fulfillment of curriculum requirements. Credit for previously passed phases will be honored if re-admission occurs within eight months. If a file is inactive for two years, the prospective pupil should reapply to the program.
- k. An applicant who has an incomplete file for twelve months will be removed from the active file.
- l. Any applicant who refuses their assigned entrance date but wishes to continue as an active applicant will be placed at the end of the "waiting list."
- m. All applicants are required to attend a program orientation prior to program entry.
- n. Waiting list:

- (1) Registrations are held in order of date of registration form receipt by the district and file completion.
  - (2) Waiting applicants are notified of class placement in the order of registration receipt and file completion.
2. All adults are eligible to apply for admission regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status.
- D. Alternative Secondary Programs Acceptance of Pupils

The Monmouth County Vocational School District will provide alternative programs for pupils in need of special services or individualized programming. Pupils will be placed into these programs through their resident district high schools. Placement into these programs will be made without regard to race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status.

#### KIVA High School

Pupils will be referred from the resident district Child Study Team. KIVA Staff will meet with the resident district Child Study Team to determine if admission is appropriate for the pupil.

Pupil applicants and their parent(s) or legal guardian(s) will meet with appropriate staff for an interview to determine pupil acceptance. All appropriate pupil personnel files shall be submitted to administration prior to admittance (e.g, report cards, testing data, health records, discipline records, and other appropriate documents).

#### Monmouth County Career Center

Pupils will be referred from the resident district Child Study Team. Pupils will attend a two-week pre-vocational assessment. Career Center Staff will meet with the resident district Child Study Team to determine if admission is appropriate for the pupil.

#### CLASS Academy

Pupils will be referred from the resident district Guidance Department. CLASS Staff will meet with the resident district High School Guidance Staff to determine if admission is appropriate for the pupil.

Pupil applicants and their parent(s) or legal guardian(s) will meet with appropriate staff for an interview to determine pupil acceptance. All appropriate pupil personnel files shall be submitted to administration prior to admittance (e.g, report cards, testing data, health records, discipline records, and other appropriate documents).

E. Post-Secondary Programs Acceptance of Pupils

The Monmouth County Vocational School District will provide post-secondary programs for adult pupils. Pupils will be admitted into these programs after submitting applications. Placement into these programs will be made without regard to race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status.

Adult Evening School

Admission will be open on a first come basis to all qualified applicants. Qualified applicants will be those who are at least sixteen years old and are no longer enrolled in an elementary or secondary school.

Additional prerequisite coursework may be required as outlined in the curriculum of specific courses.

Adult High School

Admission to the Adult High School will be open on a rolling basis for all adult pupils who have left high school prior to earning a diploma. Candidates under the age of sixteen must have officially withdrawn from their high school and will be considered for admission on a case-by-case basis.

Adult Cosmetology

Admission will be open to all applicants who have taken a qualifying test to determine minimum achievement.

N.J.S.A. 18A:38-1 et seq.  
N.J.A.C. 6A:14-3.3; 6A:17-2.1 et seq.; 6A:22-2.1 et seq.

Adopted: 16 September 2008

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.

N.J.S.A. 18A:38-1 et seq.

Adopted: 16 September 2008



5130 WITHDRAWAL FROM SCHOOL

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.

## 5200 ATTENDANCE

The Board of Education has an obligation to require that the pupils of this district be present in school in order that they may be taught. This policy is for the benefit of the pupils, their parent(s) or legal guardian(s), and the community at large.

Pupil participation in all regularly-scheduled classroom learning activities in each area of study is essential in order for each pupil to receive the maximum benefits of a thorough educational program. The entire process of education requires a regular continuity of instruction, classroom participation, learning experiences and study. The regular contact of pupils with one another in the classroom and their participation in a well-planned instructional activity under the tutelage of a competent teacher are vital to this purpose.

### Definitions:

1. Regular attendance is defined as being present for all classes and activities in the pupil's individually approved instruction program.
2. Absence from school is defined as non-attendance in regular classes and assigned locations for the entire school day. Absence from school is either excused or unexcused.
3. Excused absence - Pupil's absence will be excused only with a properly signed note from a parent(s) or legal guardian(s) stating the reason for the absence and such absence is in accord with school policy.

Excused absences will be for the following reasons:

- a. Personal illness;
- b. Death in the family;
- c. Observance of pupil's religion on a day approved for that purpose by the State Board of Education;
- d. The pupil's suspension from school;
- e. Examination for a driver's license;

- f. Additional reasons approved by the Principal such as medical appointments, family emergencies, court appearances, etc. It is expected that the pupil will return to classes after the appointment;
  - g. School sponsored educational activities or external educational activities sanctioned or approved by the Principal; or
  - h. Where appropriate, conditions as set forth in the pupil's Individualized Education Program, accommodation plan, and/or individualized health care plan pursuant to N.J.A.C. 6A:16-2.3(b)2ix.
4. Unexcused absence is generally defined as any reason not listed above. These examples are intended to be illustrative and are not inclusive: babysitting for younger children, shopping, hunting, vacations, working, oversleeping, faulty private transportation, hairdresser appointments, personal prom preparation, etc.
5. Truancy is defined as any unexcused absence from school or classes/assigned location(s) for the whole school day without parent(s) or legal guardian(s), or
- a. Leaves school without permission when school is still in session; or
  - b. Leaves class due to illness and does not report to the school nurse/Main office.

#### Notice to School of a Pupil's Absence

- 1. A parent(s) or legal guardian(s) or adult pupil is requested to call the school office before 8:00 a.m. of the morning of the pupil's absence.
- 2. A parent(s) or legal guardian(s) or adult pupil who anticipates a future absence or anticipates that an absence will be prolonged should notify the Guidance office, who will assist in the arrangement of make-up work. If the absence is to be short term (less than two weeks), the pupil's teacher will provide home assignments. If the absence is to be long term (two weeks or more), home instruction will be arranged.

#### Rules and Regulations

- 1. Admission to Level II programs or the issuance of a program certificate will be withheld if a pupil's total number of absences (excused and unexcused) is excessive. Excessive is defined as twenty days for the year.

2. Disciplinary action may be taken for any unexcused absences.
3. Pupils absent from school for any reason are responsible within a reasonable period of time for the completion of the work missed.
4. Pupils who are tardy to school must report to the office to sign in and obtain a pass to class. Pupils who are excessively tardy will be subject to disciplinary action by the school administration.
5. Pupils who are absent from school for the day are not eligible to participate in CIE scheduled for the day without the approval of the school administration.
6. An early release of a pupil must be requested by the parent(s) or legal guardian(s) (note or phone) and must be cleared beforehand with the building administrator.

The district recognizes the following situations that may occur:

- a. An illness which manifested itself after the pupil reported to school and verified by the nurse.
  - b. A verified appointment with a physician/dentist.
  - c. A verified driver's test or court appearance.
7. Pupils with the HIV/AIDS infection may not be excluded from attendance in any program.
  8. The total number of pupil absences (excused and unexcused) will be scrutinized regularly and notification of pupils and parent(s) or legal guardian(s) will be made on the following basis:
    - a. On the fifth, tenth, and fifteenth absence from class the pupil, parent(s) or legal guardian(s), and sending district will be given formal written notification of the problem and the eventual consequence of excessive absences.
    - b. On the twentieth absence from class the pupil, parent(s) or legal guardian(s), and sending district will receive written notification that the pupil will not be able to take the Level II program or receive a program certificate. The administration will not issue grades to pupils who violate the attendance policy. The parent(s) or legal guardian(s) and pupils will also be informed of the appeal procedure.

9. In addition to notification of parent(s) or legal guardian(s) by an administrative official, teachers will make every effort to inform parent(s) or legal guardian(s) via progress reports and/or phone calls when absences for their particular classes indicate impediment to the pupil's instructional program.
10. All staff members shall maintain accurate attendance records for each pupil assigned to their particular classes. Pupils not in class for any reason are to be marked absent.
11. Upon return, notes from parent(s) or legal guardian(s) are acceptable to explain pupil's absences and tardiness. However, this does not exclude the fact that a physician's note or other types of verification may be required at the request of the school administration. Undocumented absences will be marked unexcused, and the appropriate teachers will be notified.

#### Denial of Course Credit

1. The teacher will determine the credit to be awarded a pupil for make-up work subject to the rules set forth in this section. Where class participation is a factor in the learning process, the teacher may consider a pupil's absences in determining a final grade, except that absences for the observance of a pupil's religious holiday or for a suspension from school cannot adversely affect the pupil's grade. The teacher may record an incomplete grade for the pupil who has not had full opportunity to make up missed work.
2. A pupil may be dropped from the course with penalty and denied course credit when he/she has been absent twenty days in a year-long course and ten days in a semester course whatever the reason for the absence, except that absences for the observance of religious holidays and absences caused by a pupil's suspension will not count toward the total.

#### Staff Procedures

1. First instance: The teacher will confer with the pupil about the illegal absence and will notify the pupil and the parent(s) or legal guardian(s) that continued trancies may result in serious discipline.
2. Second instance: The teacher will request the parent(s) or legal guardian(s) to attend a conference with the teacher and the pupil to discuss the cause of the trancies.

3. Third instance: The teacher will confer with the guidance counselor. The counselor may confer with the pupil and/or parent(s) or legal guardian(s).
4. Additional instances: A pupil sixteen years of age or older and truant ten consecutive times may be dropped from the rolls, provided reasonable efforts have been made to conduct a withdrawal conference with the pupil.
5. For cumulative unexcused absences of ten or more, the pupil under the age of sixteen is truant and the Principal or designee shall inform the Superintendent for possible prosecution in municipal court pursuant to N.J.S.A.18A:38-27 et seq. Reasonable attempts will be made to notify parent(s) or legal guardian(s) of the mandatory court referral and work with the parent(s) or legal guardian(s) to support the pupil's return to school. Proceed in accordance with N.J.S.A. 6A:16-11 if a potential missing, abused or neglected child situation is detected.
6. For pupils with disabilities, the attendance plan and punitive and remedial procedures shall be applied in accordance with the pupils' Individualized Education Program, accommodation plan, and/or individualized health care plan, pursuant to N.J.A.C.16-2.3(b)2ix.

#### Recording Attendance

1. Teachers must accurately record the pupils present, tardy, and absent each day in each session or each class. Attendance records must also record pupils' attendance at out-of-school curricular events such as an educational excursion.
2. Teachers must classify and record each absence as excused, unexcused, or truancy.
3. The attendance form will be delivered after homeroom to the attendance office, which will verify pupil absences.
4. A report card will record the number of times the pupil was absent and tardy in each marking period.
5. A pupil's absence for observance of a religious holiday will not be recorded as such on any transcript or application or employment form.

### Avenues of Appeal

1. An Absence Review Committee will be established; the committee should be composed of three professional staff, although the actual composition is the prerogative of the Principal.
2. If a pupil's appeal is denied by the committee, the pupil may appeal the committee's decision to the Principal of the school.
3. The pupil may successively appeal a negative decision in the following order:
  - a. Committee of Review;
  - b. Principal;
  - c. Superintendent;
  - d. Board of Education.
4. If a pupil's or parent's appeal is approved, the teacher may assign an alternate work project. If all work is satisfactorily made up, assignment will be made to Level II or the proper certificate awarded.

### Full Time Secondary Programs

KIVA High School  
CLASS Academy

The Board of Education has an obligation to require that the pupils of this district be present in school in order that they may receive a thorough and efficient education. This policy is for the benefit of the pupils, their parent(s) or legal guardian(s), and the community at large.

Pupil participation in all regularly scheduled classroom learning activities in each area of study is essential in order for each pupil to receive the maximum benefits of a thorough educational program. The entire process of education requires a regular continuity of instruction, classroom participation, learning experiences and study. The regular contact of pupils with one another in the classroom and their participation in a well-planned instructional activity under the tutelage of a competent teacher are vital to this purpose.

## Definitions

1. Regular attendance is defined as being present for all classes and activities the pupil's individually approved instructional program.
2. Absence from school is defined as non-attendance in regular classes and/or assigned locations for the entire school day. Absence from school is either excused or unexcused. Absence from class is defined as missing a specific scheduled class period (does not include other assigned curricular activities, school sponsored educational activities or external educational activities sanctioned or approved by the building administrator). Pupils with academic problems will be reviewed with building administration.
3. Excused absence - Pupil's absence will be excused only if a properly signed note from the parent(s) or legal guardian(s) stating the reason for the absence and such absence is in accord with school policy.

Excused absences will be for the following reasons:

- a. Personal illness;
- b. Death in the family;
- c. Observance of the pupil's religion on a day approved for that purpose by the State Board of Education;
- d. The pupil's suspension from school;
- e. Examination for a driver's license.
- f. Additional reasons approved by the Principal such as medical appointments, family emergencies, court appearances, etc. It is expected that the pupil will return to classes after the appointment.
- g. School-sponsored educational activities or external educational activities sanctioned by the Principal.
- h. Where appropriate, conditions as set forth in the pupil's Individualized Educational Program, accommodation plan, and/or individualized health care plan, pursuant to N.J.A.C. 6A:16-2.3(b)2ix.



4. Unexcused absence - Is generally defined as any reason not listed above. The following examples are intended to be illustrative and are not inclusive: babysitting for younger children, shopping, hunting, vacations, working, oversleeping, faulty private transportation, hair dresser appointments, personal prom preparation, etc.
5. Truancy is defined as any unexcused absence from school or classes/assigned location(s) for the whole school day without parent(s) or legal guardian(s) permission, or
  - a. Leaves school without permission when school is in session, or
  - b. Leaves class due to illness and fails to report to the school nurse/Main office.
6. Cutting is defined as unexcused absence from school or classes/assigned location(s) for a portion of the school day selectively.
7. Tardiness to class or school is defined as not being in an assigned location by the time the class is scheduled to start that is deemed to be the pupil's fault.

#### Rules and Regulations

1. Reporting of pupil's absence to school:
  - a. A parent(s) or legal guardian(s) or an adult pupil is requested to call the school's office before 8:00 a.m. of the day the pupil is absent.
  - b. A parent(s) or legal guardian(s) or adult pupil who anticipates a future absence or anticipates that an absence will be prolonged should notify the guidance office, which will assist in the arrangement of make-up work. If the absence is short term, home assignments will be provided. If the absence is long term, home instruction will be provided.
2. Disciplinary action may be taken for any unexcused absences.
3. Pupils absent from school for any reason are responsible within a reasonable period of time for the completion of the work missed.

4. Pupils who are tardy to school must report to the office to sign in and obtain a pass to class. Pupils who are excessively tardy will be subject to disciplinary action by the school administration.
5. Pupils who are absent from school for the day are not eligible to participate in any after school or evening school-sponsored activity (i.e., dance). Any exceptions must be submitted in writing and cleared through the administration.
6. An early release of a pupil must be requested, by the parent or legal guardian (note or phone) and must be cleared beforehand with the building administrator. The district recognizes the following situations that may occur:
  - a. An illness which manifested itself after the pupil reported to school and verified by the nurse;
  - b. A verified appointment with a physician/dentist; or
  - c. A verified driver's test or court appearance.
7. Pupils with the HIV/AIDS infection may not be excluded from attendance in any program.
8. The total number of pupil absences (excused and unexcused) will be scrutinized regularly and notification of pupils and parent(s) or legal guardian(s) will be made on the following basis:
  - a. On the fifth, tenth and fifteenth absence from school and/or class the pupil and parent(s) or legal guardian(s) will be given formal written notification of problem and the eventual consequence of excessive absences.
  - b. On the twentieth absence from school and/or class the pupil and parent(s) or legal guardian(s) will receive written notification that the pupil will lose credit for all courses that the pupil has been absent twenty days unless the pupil fulfills conditions established by the teacher(s) and approved by the administration. The administration will not issue grades to pupils who violate the attendance policy. The parent(s) or legal guardian(s) and pupils will also be informed of the appeal procedure.
9. In addition to notification of parent(s) or legal guardian(s) by an administrative official, teachers will make every effort to inform parent(s) or legal guardian(s) via progress reports and/or phone calls when absences for their particular classes indicate impediment to the pupil's instructional program.

10. All staff members shall maintain accurate attendance records for each pupil assigned to their particular classes. Pupils not in class for any reason are to be marked absent.
11. Upon return, notes from parents or guardians are acceptable to explain pupil's absences and tardiness. However, this does not exclude the fact that a physician's note or other types of verification may be required at the request of the school administration. Undocumented absences will be marked unexcused, and the appropriate teachers will be notified.

#### Denial of Course Credit

1. The teacher will determine the credit to be awarded a pupil for make-up work subject to the rules set forth in this section. Where class participation is a factor in the learning process, the teacher may consider a pupil's absences in determining a final grade, except that absences for the observance of a pupil's religious holiday or for a suspension from school cannot adversely affect the pupil's grade. The teacher may record an incomplete grade for the pupil who has not had full opportunity to make up missed work.
2. A pupil may be denied course credit when he/she has been absent twenty days in a year-long course and ten days in a semester course whatever the reason for the absence, except that absences for the observance of religious holidays and absences caused by a pupil's suspension will not count toward the total.

#### Avenues of Appeal

1. An Absence Review Committee will be established: the committee should be composed of three professional staff, although the actual composition is the prerogative of the Principal.
2. If a pupil's appeal is denied by the committee, the pupil may appeal the committee's decision to the Principal of the school.
3. The pupil may successfully appeal a negative decision in the following order:
  - a. Committee of Review;
  - b. Building Administrator;
  - c. Superintendent;

d. Board of Education.

Excused absences for religious observance are not to be included in determining excessive absence counts.

Staff Procedures

1. First instance: The teacher will confer with the pupil about the illegal absence and will notify the pupil and the parent(s) or legal guardian(s) that continued truanancies may result in serious discipline.
2. Second instance: The teacher will request the parent or legal guardian to attend a conference with the teacher and the pupil to discuss the cause of the truanancies.
3. Third instance: The teacher will confer with the guidance counselor. The counselor may confer with the pupil and/or parent(s) or legal guardian(s).
4. Additional instances: A pupil sixteen years of age or older and truant ten consecutive times may be dropped from the rolls, provided reasonable efforts have been made to conduct a withdrawal conference with the pupil.
5. For cumulative unexcused absences of ten or more, the pupil under the age of sixteen is truant and the Principal or designee shall inform the Superintendent for possible prosecution in municipal court pursuant to N.J.S.A. 18A:38-27 et seq. Reasonable attempts will be made to notify the parent(s) or legal guardian(s) of the mandatory court referral and work with the parent(s) or legal guardian(s) to support the pupil's return to school. Proceed in accordance with N.J.S.A. 6A:16-11 if a potentially missing, abused or neglected child situation is detected.
6. For pupils with disabilities, the attendance plan and punitive and remedial procedures shall be applied in accordance with the pupils Individual Education Program, accommodation plan, and/or individualized health care plan, pursuant to N.J.A.C. 16-2.3(b)2ix.

Recording Attendance

1. Teachers must accurately record the pupils present, tardy, and absent each day in each session of each class. Attendance records must also include pupils' attendance at out-of-school curricular events such as an educational excursion.

2. Teachers must classify and record each absence as excused, unexcused, or truancy.
3. The attendance form will be delivered after homeroom to the attendance office which will verify pupil absences.
4. A report card will record the number of times the pupil was absent and tardy in each marking period.
5. A pupil's absence for observance of a religious holiday will not be recorded as such on any transcript or application or employment form.

#### Full Time Secondary Programs

Marine Academy of Science and Technology  
High Technology High School  
Monmouth County Academy of Allied Health and Science  
Communications High School of Monmouth County  
Monmouth County Biotechnology High School

The Board of Education has an obligation to require that the pupils of this district be present in school in order that they may receive a thorough and efficient education. This policy is for the benefit of the pupils, their parent(s) or legal guardian(s), and the community at large.

Pupil participation in all regularly scheduled classroom learning activities in each area of study is essential in order for each pupil to receive the maximum benefits of a thorough educational program. The entire process of education requires a regular continuity of instruction, classroom participation, learning experiences and study. The regular contact of pupils with one another in the classroom and their participation in a well-planned instructional activity under the tutelage of a competent teacher are vital to this purpose.

#### Definitions

1. Regular attendance is defined as being present for all classes and activities in the pupil's individually approved instructional program.
2. Absence from school is defined as attendance in regular classes and/or assigned locations for less than four hours of instructional time. Absence from school is either excused or unexcused. Absence from class is defined as missing a specific scheduled class period (does not include other assigned curricular activities, school sponsored educational activities or external educational activities sanctioned or approved by the building administrator). Pupils with academic problems will be reviewed with building administration.

3. Excused absence - Pupil's absence will be excused only with a properly signed note from the parent(s) or legal guardian(s) stating the reason for the absence and such absence is in accord with school policy.

Excused absences will be for the following reasons:

- a. Personal illness;
  - b. Death in the family;
  - c. Observance of the pupil's religion on a day approved for that purpose by the State Board of Education;
  - d. The pupil's suspension from school;
  - e. Examination for a driver's license;
  - f. Additional reasons approved by the Principal such as medical appointments, family emergencies, court appearances, etc. It is expected that the pupil will return to classes after the appointment;
  - g. School-sponsored educational activities or external educational activities sanctioned by the Principal.
4. Unexcused absence is generally defined as any reason not listed above. The following examples are intended to be illustrative and are not inclusive: babysitting for younger children, shopping, hunting, vacations, working, oversleeping, faulty private transportation, hair dresser appointments, personal prom preparation, etc.
  5. Truancy is defined as any unexcused absence from school or classes/assigned location(s) for the whole school day without parent/legal guardian permission, or
    - a. Leaves school without permission when school is in session, or
    - b. Leaves class due to illness and fails to report to the school nurse/main office.

## Rules and Regulations

1. Reporting of pupil's absence to school:
  - a. A parent(s) or legal guardian(s) or an adult pupil is requested to call the school's office before 8:00 a.m. of the day the pupil is absent.
  - b. A parent(s) or legal guardian(s) or adult pupil who anticipates a future absence or anticipates that an absence will be prolonged should notify the guidance office, which will assist in the arrangement of make-up work. If the absence is short term, home assignments will be provided. If the absence is long term, home instruction will be provided.
2. Disciplinary action may be taken for any unexcused absences.
3. Pupils absent from school for any reason are responsible within a reasonable period of time for the completion of the work missed.
4. Pupils who are tardy to school must report to the office to sign in and obtain a pass to class. Pupils who are excessively tardy will be subject to disciplinary action by the school administration.
5. Pupils who are absent from school for the day are not eligible to participate in any after school or evening school-sponsored activity (i.e., dance). Any exceptions must be submitted in writing and cleared through the administration.
6. An early release of a pupil must be requested by the parent(s) or legal guardian(s) (by note or phone) and must be cleared beforehand with the building administrator. The district recognizes the following situations that may occur:
  - a. An illness which manifested itself after the pupil reported to school and verified by the nurse;
  - b. A verified appointment with a physician/dentist;
  - c. A verified driver's test or court appearance.
7. Pupils with the HIV/AIDS infection may not be excluded from attendance in any program.

8. The total number of pupil absences (excused and unexcused) will be scrutinized regularly and notification of pupils and parents will be made on the following basis:
  - a. Full Year Block
    - (1) On the fifth and tenth absence from school and/or class the pupil and parent(s) or legal guardian(s) will be given formal written notification of problem and the consequence of excessive absences.
    - (2) On the fifteenth absence from school and/or class the pupil and parent(s) or legal guardian(s) will receive written notification that the pupil will lose credit for all courses that pupil has been absent fifteen days unless pupil fulfills conditions established by the teacher(s) and approved by the administration. The administration will not issue grades to pupils who violate the attendance policy. The parent(s) or legal guardian(s) and pupils will also be informed of the appeal procedure.
  - b. Semester Block
    - (1) On the fifth and eighth absence from school and/or class the pupil and parent(s) or legal guardian(s) will be given formal written notification of problem and the consequence of excessive absences.
    - (2) On the tenth absence from school and/or class the pupil and parent(s) or legal guardian(s) will receive written notification that the pupil will lose credit for all courses that pupil has been absent ten days unless pupil fulfills conditions established by the teacher(s) and approved by the administration. The administration will not issue grades to pupils who violate the attendance policy. The parent(s) or legal guardian(s) and pupils will also be informed of the appeal procedure.
9. In addition to notification of parent(s) or legal guardian(s) by an administrative official, teachers will make every effort to inform parents via progress reports and/or phone calls when absences for their particular classes indicate impediment to the pupil's instructional program.



10. All staff members shall maintain accurate attendance records for each pupil assigned to their particular classes. Pupils not in class for any reason are to be marked absent. Teachers must inform building administration of five, ten and fifteen absences from class (not including approved class activities) (five, eight and ten for semester block).
11. Upon return, notes from parents or guardians are acceptable to explain pupil's absences and tardiness. However, this does not exclude the fact that a physician's note or other types of verification may be required at the request of the school administration. Undocumented absences will be marked unexcused, and the appropriate teachers will be notified:

#### Denial of Course Credit

1. The teacher will determine the credit to be awarded a pupil for make-up work subject to the rules set forth in this section. Where class participation is a factor in the learning process, the teacher may consider a pupil's absences in determining a final grade, except that absences for the observance of a pupil's religious holiday or for a suspension from school cannot adversely affect the pupil's grade. The teacher may record an incomplete grade for the pupil who has not had full opportunity to make up missed work.
2. A pupil will be denied course credit when he/she has been absent fifteen days in a year-long course and ten days in a semester course whatever the reason for the absence, except that absences for the observance of religious holidays and absences caused by a pupil's suspension will not count toward the total. Pupils and parent(s) or legal guardian(s) will be apprised of their appeal rights to seek reinstatement of academic credit.

#### Avenues of Appeal for Loss of Academic Credit

1. An Absence Review Committee will be established. The committee should be composed of three professional staff, although the actual composition is the prerogative of the Principal.
2. If a pupil's appeal is denied by the committee, the pupil may appeal the committee's decision to the Principal of the school.
3. The pupil may successfully appeal a negative decision in the following order:

- a. Committee of Review;
- b. Principal;
- c. Superintendent;
- d. Board of Education.

Excused absences for religious observance are not to be included in determining excessive absence counts.

#### Staff Procedures

1. First instance (up to four cumulative unexcused (truant) absences): The teacher will confer with the pupil about the illegal absence and will notify the pupil and the parent(s) or legal guardian(s) that continued trancies may result in serious discipline. An action plan will be developed in consultation with the parent(s) or legal guardian(s) designed to address patterns of unexcused absences. Proceed in accordance with N.J.S.A. 6A:16-11 if a potentially missing, abused or neglected child situation is detected.
2. Second instance (between five and nine cumulative unexcused (truant) absences): Conduct a follow-up investigation, including contact with the pupil's parent(s) or legal guardian(s), to determine the cause of each unexcused (truant) absence. The action plan will be reviewed and revised as needed. Proceed in accordance with N.J.S.A. 6A:16-11 if a potentially missing, abused or neglected child situation is detected.
3. A pupil sixteen years of age or older and truant ten consecutive times may be dropped from the rolls, provided reasonable efforts have been made to conduct a withdrawal conference with the pupil.
4. When a pupil under the age of sixteen is absent without excuse (truant) more than ten school days in any one school year, the Principal or designee shall inform the Superintendent for possible prosecution in municipal court pursuant to N.J.S.A. 18A:38-27 et seq. The Principal will make a reasonable attempt to notify the parent(s) or legal guardian(s) of the mandatory court referral and work with the parent(s) or legal guardian(s) to support the pupil's return to school. Proceed in accordance with N.J.S.A. 6A:16-11 if a potentially missing, abused or neglected child situation is detected.

### Recording Attendance

1. Teachers must accurately record the pupils present, tardy and absent each day in each session of each class. Attendance records must also include pupils' attendance at out-of-school curricular events such as an educational excursion.
2. Teachers must classify and record each absence as excused, unexcused, or truancy.
3. The attendance form will be delivered after homeroom to the attendance office which will verify pupil absences.
4. A report card will record the number of times the pupil was absent and tardy in each marking period.
5. A pupil's absence for observance of a religious holiday will not be recorded as such on any transcript or application or employment form.

N.J.S.A. 18A:36-14 et seq.; 18A:38-25 et seq.

N.J.S.A. 34:2-21.1 et seq.

N.J.A.C. 6A:16-7.8

5300 USE OF DEFIBRILLATOR(S)

Sudden cardiac arrest is a condition that occurs when the electrical impulses of the human heart malfunction causing a disturbance in the heart's electrical rhythm called Ventricular Fibrillation (VF) that can result in sudden death. The most effective treatment for this condition is the administration of an electrical current to the heart by an Automated External Defibrillator (AED), delivered within a short time of the onset of VF. Research has proven that immediate intervention increases a victim's chance for survival. Access to an AED can save lives.

The Board of Education is committed to providing the highest quality of care to its pupils, staff, and visitors. Consistent with this commitment, the Board will have available a defibrillator in a central location (to be identified by the school) in all school buildings, for use during the school day and for all after school educational programs, activities, and events.

The school nurse or his/her designee will ensure the defibrillator is tested and maintained according to the manufacturer's operational guidelines and that the battery is charged during the school year. The local first aid, ambulance, and rescue squad and/or other appropriate emergency medical providers will be informed that a defibrillator is available in the school buildings and its exact location in the buildings.

The staff development leader and head school nurse are responsible to arrange for training in cardio-pulmonary resuscitation and the use of a defibrillator for designated staff members. Successful completion and current certification from the American Heart Association, American Red Cross, or other training program recognized by the New Jersey Health and Senior Services in cardiopulmonary resuscitation and the use of a defibrillator is required for designated staff members.

The Adult Defibrillator Electrodes shall only be used to treat victims who are eight years of age or older and who display symptoms of cardiac arrest. If the victim is less than eight years of age or fifty-five pounds, the Infant/Child Reduced Energy Defibrillation Electrodes should be used. Following use, all equipment shall be cleaned and/or decontaminated as necessary. Following use of the emergency response equipment, a school incident/accident report must be completed. The original is forwarded to the Superintendent's office, copies are sent to the school nurse's office, the building administrator, and the head school nurse.

Disciplinary action will be taken against anyone tampering with the defibrillator (AED) apparatus. That person will be responsible for the cost of repair or replacement of the AED.

Adopted: 16 September 2008

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;
3. Maintaining pupil health records, pursuant to N.J.S.A. 18A:40-4 and N.J.A.C. 6A:16-2.4;
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;
3. Maintaining pupil health records pursuant to N.J.S.A. 18A:40-4 and N.J.A.C. 6A:16-2.4;



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 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: 16 September 2008

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: 16 September 2008

5308 PUPIL HEALTH RECORDS

The school district shall maintain mandated pupil health records for each pupil pursuant to N.J.A.C. 6A:16-2.4 and as defined in N.J.A.C. 6A:16-2.4(a)1 and 2. The district will document pupil health records using a form approved by the Commissioner of Education.

The maintenance and security of pupil health records shall be in accordance with N.J.A.C. 6A:32-7.4 and 6A:16-2.4(c). Pupil health records shall be maintained separately from other pupil records in a secure location, located in the school building or complex to which the pupil is assigned, and accessible to authorized personnel while school is in session. The health and immunization record shall be removed from the pupil's health record and placed in the pupil's mandated record until such time as graduation or termination and kept according to the schedule set forth in N.J.A.C. 6A:32-7.8.

The transfer of pupil health records when a pupil transfers to or from a school district shall be in accordance with N.J.A.C. 6A:16-2.4(d).

Any Board of Education employee with knowledge of, or access to, information that identifies a pupil as having HIV infection or AIDS; information obtained by the school's alcohol or drug program which would identify the pupil as an alcohol or drug user; or information provided by a secondary school pupil while participating in a school-based alcohol or drug counseling program that indicates a parent, guardian, or other person residing in the pupil's household is dependent or illegally using a substance shall comply with restrictions for sharing such information in accordance with N.J.A.C. 6A:16-2.4(e) and as required by Federal and State statutes and regulations.

Access to and disclosure of information in a pupil's health record shall meet the requirements of the Family Education Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, incorporated herein by reference, as amended and supplemented, 34 CFR Part 99, incorporated herein by reference, as amended and supplemented, and N.J.A.C. 6A:32-7, Student Records.

The school district shall provide access to the pupil'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 pupil 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:16-2.5 or in Policy and Regulation 5308 shall be construed to prohibit school personnel from disclosing information contained in the pupil's health record to pupils or adults in connection with an emergency, if such knowledge is necessary to protect the immediate health or safety of a pupil or other persons pursuant to N.J.A.C. 6A:32-7.4.

N.J.A.C. 6A:16-2.4 et seq.; 6A:32-7.5 et seq.; 6A:32-7.4 et seq.

5310 HEALTH SERVICES

The Board of Education shall develop and adopt written policies, procedures, mechanisms, or programs governing the following school functions in accordance with N.J.A.C. 6A:16-1.4(a) for all full time secondary students and will coordinate with sending districts for all shared-time students:

1. Care of any pupil who becomes injured or ill while at school or during participation in school sponsored activities (Policy and Regulation 8441);
2. Transportation and supervision of any pupil determined to be in need of immediate medical care (Policy and Regulation 8441);
3. Isolation, exclusion, and readmission of any pupil or employee suspected of having a communicable disease as required by N.J.S.A. 18A:40-7 to 12 and 18A:40-16 to 18 (Policy and Regulation 8451);
4. Provision of health services including immunization, administration of medication, treatment of asthma, medical examinations, nursing services, and emergency medical situations as required in N.J.A.C. 6A:16-2 (Policy 5307 and Policies and Regulations 5320, 5330, and 8441);
5. An annual Nursing Services Plan that details the provision of nursing services based upon pupil need in the school district pursuant to N.J.A.C. 6A:16-2.1(b)(Policy 5307);
6. Administration of medication to pupils under the written order of a school physician or medical home pursuant to N.J.A.C. 6A:16-2.3(a)3vii (Policy and Regulation 5330);
7. Emergency administration of epinephrine via epipen to a pupil for anaphylaxis pursuant to N.J.S.A. 18A:40-12.5 (Policy and Regulation 5330);
8. Provision of medical and nursing services to meet requirements for health history, medical examination, and health screening as an alternative for pupils who do not have a medical home or have a religious objection to the required examinations pursuant to N.J.S.A. 18A:35-4.8;

9. Provision of nursing services to non-public schools located in the school district as required by N.J.S.A. 18A:40-23 through 31 and N.J.A.C. 6A:16-2.5;
10. Comprehensive substance abuse prevention, intervention, and treatment referral programs pursuant to N.J.S.A. 18A:40A-8 through 18 and N.J.A.C. 6A:16-3 and 4 (Policy & Regulation 5530);
11. Confidentiality related to juvenile justice proceedings pursuant to N.J.S.A. 2A:4A-60 and N.J.A.C. 6A:16-5.4, HIV identifying information pursuant to N.J.S.A. 26:5C-5 et seq., and drug and alcohol use information pursuant to 42 CFR Part 2, N.J.S.A. 18A:40A-7.1 through 7.2, and N.J.A.C. 6A:16-3.2 (Policy and Regulation 5530); and
12. School safety plans as required by N.J.A.C. 6A:16-5.1 (Policies and Regulations 7430 and 8420, and Regulations 8420.1 through 8420.6)

The Board of Education shall develop and adopt policies and procedures that fulfill the rules and regulations of the New Jersey Department of Health and Senior Services, New Jersey Department of Human Services, New Jersey Department of Agriculture, and local boards of health which include the following requirements in accordance with N.J.A.C. 6A:16-1.4(b) for all full time secondary students and will coordinate with sending districts for all shared-time students:

1. Exclusion of any pupil from the school setting for failure to meet requirements for immunization against communicable disease as required in N.J.A.C. 8:57-4, Immunization of Pupils in School (Policy and Regulation 5320);
2. Exclusion of any person from the school setting if the person has uncovered weeping skin lesions as required in N.J.A.C. 8:61-2.1, Attendance at School by Pupils or Adults with HIV Infection (Policy and Regulation 8451);
3. Procedures for sanitation and hygiene when handling blood and bodily fluids pursuant to N.J.A.C. 8:61-2, Participation and Attendance at School by Individuals with HIV Infection, and conforming to Centers for Disease Control and Prevention guidelines that schools implement universal precautions (Policy and Regulation 8451);
4. Assurance that any pupil with HIV infection or AIDS or who lives with or is related to someone with HIV or AIDS is not excluded from general education, transportation services, extra-curricular activities, athletic activities, assigned to home instruction, or classified as eligible for special education for reason of HIV infection pursuant to N.J.A.C. 8:61-2.1 (Policy and Regulation 8451);

5. Creation of wellness policies pursuant to 7 CFR Parts 210, 215, 220 and 245 and N.J.A.C. 2:36-1.7, Local School Nutrition Policy (Policy 8505); and
6. Ensuring accessibility of the NJ FamilyCare Program for pupils who are knowingly without medical coverage pursuant to N.J.S.A. 18A:40-34.

When the school district engages in pupil testing, studies, or surveys the Board procedures and materials shall meet the Federal requirements of 20 U.S.C. § 1232h, and N.J.S.A. 18A:36-34, School Surveys, parent(s) or legal guardian(s) consent required before administration in accordance with N.J.A.C. 6A:16-1.4(c)(Policies 2415.05 and 9560).

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 ensure staff members 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 pupils 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 pupil's parent(s) or legal guardian(s) or medical home;
4. The provision of health services in emergency situations including:
  - a. The emergency administration of epinephrine via epipen pursuant to N.J.S.A. 18A:40-12.5 (Policy and Regulation 5330);
  - b. The care of any pupil who becomes injured or ill while at school or during participation in school-sponsored functions (Policy and Regulation 8441);
  - c. The transportation and supervision of any pupil determined to be in need of immediate care (Policy and Regulation 8441);
  - d. The notification to parent(s) or legal guardian(s) of any pupil determined to be in need of immediate medical care (Policy and Regulation 8441); and
  - e. The administration of medication for pupils requiring epinephrine (Policy and Regulation 5330).

5. The treatment of asthma in the school setting in accordance with N.J.A.C. 6A:16-2.1(a)5 (Policy 5335).
6. The administration of pupil medical examinations, pursuant to N.J.S.A. 18A:40-4, N.J.S.A. 18A:35-4.8, and N.J.A.C. 6A:16-2.2 ;
7. Procedures for sanitation and hygiene when handling blood and bodily fluids pursuant to N.J.A.C. 8:61-1.1(f) and in compliance with the Centers for Disease Control and Prevention's guidelines which advise that schools implement universal precautions titled Universal Precaution for Prevention of Transmission of HIV and Other Bloodborne Infections (1987, updated 1996), incorporated herein by reference, as amended and supplemented, which is available from the Centers for Disease Control and Prevention, Division of Healthcare Quality Promotion, 1600 Clifton Road, Atlanta, GA 30333 (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.

The Board of Education shall provide the health services as required in N.J.A.C. 6A:16-2.2 as indicated below for all full time secondary students and will coordinate with sending districts for all shared-time students:

1. Immunization records shall be reviewed and updated annually pursuant to N.J.A.C. 8:57-4.1 through 4.16.
2. A Building Principal or designee shall not knowingly admit or retain in the school building any pupil whose parent(s) or legal guardian(s) 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 pupils using methods required by and when specifically directed to do so by the New Jersey Department of Health and Senior Services, 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 any communicable diseases that are identified as reportable pursuant to N.J.A.C. 8:57-1, whether confirmed or presumed, by telephone to the health officer of the jurisdiction in which the school is located.



5. Each school in the district shall have and maintain for the care of pupils 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 pupil medical examination shall be conducted at the medical home of the pupil. If a pupil does not have a medical home, the school district shall provide this examination at the school physician's office or other comparably equipped facility.
  - a. For the purpose of the physical examination required prior to participation on a school-sponsored interscholastic athletic team or squad for pupils enrolled in any of the grades six to twelve in accordance with N.J.A.C. 6A:16-2.2(h)1, the pupil's parent(s) or legal guardian(s) may choose either the school physician or their own private physician.
  - b. A full report of the examination shall be maintained as part of the pupil's health record.
7. The findings of medical examinations as required under 8. below shall be documented on a form that is approved by the Commissioner of Education and shall include the following components:
  - a. Immunizations pursuant to N.J.A.C. 8:57-4.1 through 4.16;
  - b. Medical history including allergies, past serious illnesses, injuries and 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 pupils receive medical examinations for all full time secondary students and will coordinate with sending districts for all shared-time students:
  - a. Prior to participation on a school-sponsored interscholastic athletic team or squad for pupils enrolled in any of the grades six to twelve in accordance with N.J.A.C. 6A:16-2.2(h)1;
  - b. Upon enrollment into 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 the pupil 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. The Board of Education shall make accessible information regarding the NJ FamilyCare Program for pupils who are knowingly without medical coverage pursuant to N.J.S.A. 18A:40-34 for all full time secondary students and will coordinate with sending districts for all shared-time students
10. Information concerning a pupil'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.
11. The school nurse shall ensure that pupils receive health screenings as outlined below in accordance with New Jersey Department of Education Health Service Guidelines for all full time secondary students and will coordinate with sending districts for all shared-time students:
  - a. Screening for height, weight, and blood pressure shall be conducted annually for each pupil in Kindergarten through grade twelve.
  - b. Screening for visual acuity shall be conducted biennially for pupils in Kindergarten through grade ten.
  - c. Screening for auditory acuity shall be conducted annually for pupils in Kindergarten through grade three and in grade seven and eleven pursuant to N.J.S.A. 18A:40-4.
  - d. Screening for scoliosis shall be conducted biennially for pupils between the ages of ten and eighteen pursuant to N.J.S.A. 18A:40-4.3.
  - e. Screenings shall be conducted by a school physician, school nurse, physical education instructor, or other school personnel properly trained.

- f. The school district shall provide for the notification of the parent(s) or legal guardian(s) of any pupil suspected of deviation from the recommended standard.
12. The school nurse shall screen to ensure hearing aids worn by pupils who are deaf and/or hard of hearing are functioning properly. The school nurse will ensure any FM hearing aid systems in classrooms or any school equipment in the school building used to assist pupils hear are functioning properly.

N.J.S.A. 18A:40-4 et seq.

N.J.A.C. 6A:16-1.4 et seq.; 6A:16-2.2 et seq.

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. 18A:40-20  
N.J.S.A. 26:4-6  
N.J.A.C. 8:57-4.1 et seq.

Revised September 15, 2009

5330 ADMINISTRATION OF MEDICATION

The administration of a physician-approved prescription is discouraged by the Board of Education as a normal function of education. However, some children with chronic illnesses and specific disabilities often require medication during the school day.

Authorized to administer medication to pupils in schools:

1. School physician;
2. Certified or noncertified school nurse;
3. Substitute school nurse employed by the district;
4. Pupil's parent(s) or legal guardian(s); or
5. Pupil approved to self-administer for a life threatening illness pursuant to N.J.S.A. 18A:40-12.3 and 12.4.
6. The school nurse shall have the primary responsibility for the administration of epinephrine. The school nurse shall designate, in consultation with the Board of Education, additional employees of the school district who volunteer to administer epinephrine via a pre-filled auto-injector mechanism to a pupil for anaphylaxis when the nurse is not physically present at the scene.
  - a. The designees have been properly trained in the administration of the 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.
  - b. The parent(s) or legal guardian(s) of the pupil consent in writing to the administration of the epinephrine via a pre-filled auto-injector mechanism by the designees.

To administer medication in schools, the following conditions must be met:

1. The parent(s) or legal guardian(s) shall provide a written request for the administration of the prescribed medication at school. This letter must include: name of pupil, name of medication, name of doctor, medical problem, amount to be administered, dosage, time to be administered, number of days medication will

be required, with dates, date, and signature of parent(s) or legal guardian(s). The parent(s) or legal guardian(s) shall relieve the school district and its employees of liability for administration of medication. This document shall be kept on file in the office of the school nurse.

2. Written orders are to be provided to the school from the private physician, detailing the diagnosis or type of illness involved, the name of the drug, dosage, time of administration and the side effects, number of days medication will be required, with dates and signature of physician. This document shall be kept on file in the office of the school nurse.
3. The medication should be brought to the school by the parent(s) or legal guardian(s) in the original container, appropriately labeled to include: name of medication, the prescription number, date, physician's name, and other pertinent information given by the pharmacy or physician.
4. When there is a question regarding medication, the school physician shall review and approve, in writing, the orders of the private physician.
5. The school shall provide a secured, locked space for safe storage of medication. Medication will be stored in the original labeled container. Parent(s) or legal guardian(s) will be responsible for picking up unused medication when it is no longer needed. Medication will be turned over to the head school nurse if not picked up by parent(s) or legal guardian(s) by the last day of school. The head school nurse will appropriately discard medication on the last day of school.
6. Only persons listed as authorized to administer medication (see above) are permitted to administer medication in the schools.
7. The records or documentation for administering medication to pupils shall be maintained by the school nurse.
8. A school nurse shall be made available to administer medication.

No school employee, including a school nurse, or any other officer or agent of the Monmouth County Vocational School District Board of Education, shall be held liable for any good faith act or omission consistent with the provisions of P.L.1997, c.368 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 designated in good faith by the school nurse pursuant to section 2 of P.L.1997, c.368 (C18A:40-12.6). Good faith shall not include willful misconduct, gross negligence or recklessness.

N.J.S.A. 18A:6-1.1; 18A:40-3.1; 18A:40-6; 18A:40-7; 18A:40-12.3;  
18A:40-12.4; 18A:40-12.5; 18A:40-12.6; 18A:40-12.7;  
18A:40-12.8  
N.J.S.A. 45:11-23  
N.J.A.C. 6A:16-2.3(b)

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, the Principal or designee, the school physician, and the Superintendent of Schools. The Superintendent shall inform the Board of Education after every incident including a life-threatening allergic reaction or whenever epinephrine is administered by the school nurse or designee. In addition, in accordance with the provisions of N.J.S.A. 18A:40-12.5.e.(3), the school nurse or designee shall arrange for the transportation of a pupil to the hospital emergency room by emergency services personnel after the administration of epinephrine, even if the pupil's symptoms appear to have resolved.



There will be occasions where food and/or beverages will be served as part of a classroom experience, field trip, and/or celebration. Because the ingredients of these food and beverage products may be unknown to the food preparation person and/or server, a pupil with 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.

N.J.S.A. 18A:40-12.3 through 18A:40-12.6

New Jersey Department of Education - Guidelines for the Management of Life-Threatening Food Allergies in Schools – September 2008

Revised September 15, 2009

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.S.A. 18A:40-12.3; 18A:40-12.7  
N.J.A.C. 6A:16-2.1(a)5

Adopted: 16 September 2008

5338 DIABETES MANAGEMENT

Diabetes is a serious chronic disease and must be managed twenty-four hours a day in order to avoid the potentially life-threatening short-term consequences of blood sugar levels that are either too high or too low 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.

N.J.S.A. 18A:40-12.11 through 18A:40-12.21

Adopted March 22, 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 a year for all secondary programs.

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).

N.J.A.C. 6:3-4A.1

Adopted: 16 September 2008

## 5460- HIGH SCHOOL GRADUATION

### A. Full Time Alternative Secondary Program Graduation Requirements

KIVA High School  
CLASS Academy

In order for all full time secondary pupils to be assured of a thorough and efficient education and in keeping with its obligation under N.J.S.A. 6:8-42, the Board sets forth the following as policy and procedure for pupil promotion and high school graduation.

1. Pupil Assessment
  - a. Prior to graduation from the Monmouth County Vocational School District, all full time secondary pupils must demonstrate a minimum level of competency in reading, writing and computation as prescribed by State examinations (pursuant to N.J.A.C. 6:8-42).
  - b. Passage of these examinations is a prerequisite to graduation with a State endorsed diploma. Pupils who have not reached the prescribed level of proficiency will be given a remedial program of studies during their high school years to reach such a level of proficiency.
  - c. All pupils will be assessed in these basic skills annually and upon their entry into the district. Pupils who are not meeting these standards will receive, under N.J.A.C. 6:8-3.4 an individual assessment. Those pupils progressing independently will be enrolled in an individual Pupil Improvement Plan (pursuant to N.J.A.C. 6:8-3.8).
2. New Jersey High School Graduation Requirements (N.J.A.C. 6A:8-5)
  - a. Pupils must demonstrate proficiency in these areas. These expectations will be clearly set forth in writing to the pupil before taking any course required for graduation, and a copy will be forwarded to the parent(s) or legal guardian(s). Additionally, pupils will be advised of all alternatives for fulfilling curriculum requirements before they plan each year's schedule.
  - b. The Board will provide opportunity for remediation for pupils not meeting these levels of proficiency.

- c. Special needs pupils with IEPs will meet graduation requirements in accordance to their plan as developed by Child Study Teams and parent(s) or legal guardian(s).
3. Attendance - The Board's attendance Policy 5200 will be adhered to for all full-time pupils.

4. Credit Hours Required For Promotion and Graduation

One hundred twenty credit hours are required for graduation.

Each pupil for each year he/she is enrolled shall carry a total of thirty credits.

Credit hours required for advancement to the next grade level will be as follows:

To Grade 10 Thirty credits including all required courses.

To Grade 11 Sixty credits including all required courses.

To Grade 12 Ninety credits including all required courses.

To Graduate One hundred twenty credits including all required courses.

See attached New Jersey High School Graduation Credit Requirements.

B. Full-Time Secondary Programs Graduation Requirements

Marine Academy of Science & Technology  
High Technology High School  
Monmouth County Academy of Allied Health & Science  
Communications High School of Monmouth County  
Monmouth County Biotechnology High School

In order for all full-time secondary pupils to be assured of a thorough and efficient education and in keeping with its obligation under N.J.S.A. 6A:8-5, the Board sets forth the following as policy and procedure for pupil promotion and high school graduation:

1. Pupil Assessment

- a. Prior to graduation from the Monmouth County Vocational School District, all full-time secondary pupils must pass the High School Proficiency Assessment in accordance with N.J.A.C. as adopted by New Jersey State Board of Education.
- b. Passage of these assessments is a prerequisite to graduation with a state endorsed diploma. Pupils who have not reached the prescribed level of

proficiency will be given a remedial program of studies during their high school years to reach such a level of proficiency.

- c. All pupils will be assessed in these basic skills annually and upon their entry into the district. Pupils who are not meeting these standards will receive, under N.J.A.C., an individual assessment. Those pupils progressing independently will be enrolled in an individual Pupil Improvement Plan.

## 2. Core Content Standards

- a. All full time schools will annually (November Reorganizational Meeting) have their curricula approved by the Board of Education. All pupils enrolled in their respective schools must meet the requirements of the prescribed curricula.
- b. State Requirements: All curriculum adopted by the Board of Education will meet and/or exceed the requirements as set forth by N.J.A.C. and Title 18:A. (See attached New Jersey High School Graduation Requirements (N.J.A.C. 6A:8-5)).
- c. Pupils must demonstrate proficiency in these areas. These expectations will be clearly set forth in writing to the pupil before taking any course required for graduation, and a copy will be forwarded to the parent(s) or legal guardian(s). Additionally, pupils will be advised of all alternatives for fulfilling curriculum requirements before they plan each year's schedule.
- d. The Board will provide opportunity for remediation for pupils not meeting these levels of proficiency.

- 3. Attendance - The Board's attendance Policy 5200 will be adhered to for all full-time pupils.

## 4. Credit Hours Required for Promotion and Graduation

One hundred sixty credit hours or equivalency are required for graduation.

Each pupil for each year he/she is enrolled shall carry a total of forty credit hours or equivalency.

Credit hours or equivalent required for advancement to the next grade level will be as follows:

To Grade 10 Forty credits including all required courses.



To Grade 11 Eighty credits including all required courses.

To Grade 12 One hundred twenty credits including all required courses.

To Graduate One hundred sixty credits including all required courses.

Specific requirements of credit and/or equivalency will be outlined in the annual curriculum approvals for each school. The Superintendent is authorized to make individual adjustments at the request of the building administration.

See attached New Jersey High School Graduation Credit Requirements.

### C. Adult Vocational/Technical High School Graduation Requirements

In order for all adult high school pupils to be assured of a thorough and efficient education and in keeping with its obligation under N.J.S.A. 6:30-4.8, the Board sets forth the following as policy and procedure for graduation.

#### 1. Basic Skills

- a. Prior to graduation from the Monmouth County Vocational School District, all adult high school pupils must demonstrate a minimum level of competency in reading, writing and computation as prescribed by State examinations (pursuant to N.J.A.C. 6:8-42).
- b. Pupils who are unable to pass Statewide assessment tests shall be further evaluated through a Special Review Assessment pursuant to N.J.A.C. 6:8-7.1(b) 3, 4 and 5.

#### 2. Minimum Requirements for Graduation

- a. Minimum credit requirements for graduation shall not be less than one hundred credits for all adults and will include the following:

Ten credits earned in course work in the Vocational/Technical Trades areas taken at Monmouth County Vocational/Technical Adult High School;

Twenty credits of communication, of which five credits shall be in literature;

Fifteen credits of mathematics;

Ten credits of history as required by N.J.S.A. 18A:35-1 and 2;

Five credits of world history/cultures;

Ten credits of natural or physical science;

Five credits of fine, practical or performing arts;

Five credits in health and safety or occupational health and safety; and

Two and one half credits of career exploration or development.

- b. Credits may also be assigned for courses previously earned in high school and verified by an official transcript with limitations on the awarding of credit as outlined in Title 6 of the New Jersey Administrative Code, Chapter 30, "Adult Education Program," "Subchapter 4."
- c. Additional credits may be awarded in the areas of physical education, basic military training, possession of a valid New Jersey driver's license, work experience, completion of apprentice training, an occupational license, or on-the-job training, the possession of a current occupational license, issued by an agency of the State of New Jersey, the passing of a comprehensive examination which is part of an approved course, or other areas of fine and performing arts in which the pupils demonstrate mastery of the subject area, remedial course work in communications and computations, ESL, and other subject areas allowable under the rules set forth in Subchapter 4 of this code.
- d. Courses listed in the Adult Education Catalog are approved for the awarding of adult high school credit as allowed under the rules of Subchapter 4.

#### D. Diplomas and Certificates

##### Secondary Program

The Board of Education shall issue a Certificate to all pupils who successfully complete an approved secondary vocational program.

##### Practical Nurse Program

The Board of Education shall issue a diploma to all pupils who successfully complete the Practical Nurse Program as approved by the State Department of Education and the State Board of Nursing.

##### Adult Program

The Board of Education shall issue a certificate to all pupils who meet the requirements set forth for adult programs approved by the Board.

E. Option II: Expanded Opportunities for Fulfilling High School Graduation Requirements

Purpose

Through this policy, the Board of Education establishes alternate pathways for pupils of the Monmouth County Vocational School District to satisfy requirements for high school graduation and meet the New Jersey Core Curriculum Standards in accord with New Jersey Administrative Code (N.J.A.C. 6A:8-5.1(a)1 ii).

The purpose of Option II is to provide educational experiences that are meaningful and relevant, and that provide pupils with opportunities to explore and achieve at high levels. In order to maximize pupil achievement and meet diverse pathways for learning, this policy permits pupils to employ alternative learning experiences that are stimulating and intellectually challenging, and that enable pupils to fulfill or exceed the expectations set forth in the Core Curriculum Content Standards.

Employment of Option II may include, but is not limited to, one or more of the following alternatives: pupil exchange programs, interdisciplinary or theme-based programs, independent study, internships, community service, accredited college coursework, meaningful research, and structured learning experiences.

Option II programs must meet or exceed the proficiencies established by the New Jersey Core Curriculum Standards, receive prior approval by the Board of Education and demonstrate satisfactory performance as measured by district approved competency assessment instruments in order for credits to be awarded.

Roles and Responsibilities

All programs of study approved under Option II must meet or exceed the proficiencies and skills identified by the New Jersey Core Curriculum Content Standards.

Skill proficiency will be measured or demonstrated through Board approved assessment instruments as established by the Principal. Such data will be collected and reported publicly to the Board of Education annually.

The Principal shall have primary responsibility and authority for the implementation of the Option II program and will oversee all aspects of the program.

All programs of study proposed through the Option II program shall have specific instructional objectives (N.J.A.C. 6A:5-1-(a)1 ii(c)) aligned with the Core Curriculum Content Standards and comply with all applicable laws and regulations including child labor laws and regulations governing occupational safety.

Programs approved and credits awarded toward the attainment of a high school diploma shall be determined by the Board of Education.

Pupils electing independent study, college coursework, internships, or other programs that are held off the high school campus and approved by the Option II Review Committee will be responsible for providing their own transportation to and from the work or school site.

Pupils approved for off-campus learning experiences shall be responsible for their personal safety and well being. Internships or other worksite learning experiences at area businesses will require a signed Memorandum of Agreement among the school, the worksite, and the pupil. Such memoranda will specify the roles and responsibilities of each party.

#### Evaluation Criteria

Option II programs will be recommended by the Principal to the Superintendent for Board of Education approval and will meet the following criteria:

1. Alignment with the New Jersey Core Curriculum Content Standards.
2. Clearly specified instructional objectives.
3. Learning experiences that are substantial in nature, intellectually challenging, academically beneficial to the pupil and measurable by district approved assessment instruments.
4. Compliance with all applicable laws and regulations, including child labor laws and occupational safety regulations.

#### Data Collection and Program Assessment

Data from all approved Option II learning alternatives, both individual and group experiences, will be collected at the end of each school year and assessed by the Principal. The assessment will include data from district approved assessment instruments. This information will then be forwarded to the Superintendent of Schools who shall present the findings to the Board of Education and the public.

- F. The high school graduation credit requirement may be met in whole or in part through program completion of a range of experiences that enable pupils to pursue a variety of personalized learning opportunities, as follows:
1. The district shall establish a process to approve individualized pupil learning opportunities that meet or exceed the Core Curriculum Content Standards.
    - a. Individualized pupil learning opportunities in all Core Curriculum Content Standards areas include, but are not limited to, the following:

- (1) Independent study;
  - (2) Online learning;
  - (3) Work-based programs, internships, apprenticeships;
  - (4) Study abroad programs;
  - (5) Pupil exchange programs;
  - (6) Service learning experiences; and
  - (7) Structured learning experiences.
- b. Individualized pupil learning opportunities based upon specific instructional objectives aimed at meeting or exceeding the Core Curriculum Content Standards shall:
- (1) Be based on pupil interest and career goals as reflected in the Personalized Pupil Learning Plans as they are phased in according to the schedule of implementation set forth at N.J.A.C. 6A:8-3.2(a)1;
  - (2) Include demonstration of pupil competency;
  - (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 his/her designee.
- c. Group programs based upon specific instructional objectives aimed at meeting or exceeding the Core Curriculum Content Standards 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 pupil achievement in meeting or exceeding the Core Curriculum Content Standards at the high school level, including those occurring by means of the individualized pupil learning opportunities enumerated as outlined in N.J.A.C. 6A:8-5.1(a)2. Such programs or assessments may occur all or in part prior to a pupil's high school enrollment; no such locally administered assessments shall preclude or exempt pupil participation in applicable Statewide assessments at grades three through twelve.

- a. The district shall choose assessments that are aligned with or exceed the Core Curriculum Content Standards and may include locally designed assessments.
  - b. The district shall choose from among the following assessment options to determine if pupils 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 Core Curriculum Content Standards:
    - (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-approved locally designed competency-based assessments.
3. The district shall establish a process to approve post-secondary learning opportunities that consist of: Advanced Placement (AP) courses and 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 Core Curriculum Content Standards.

G. Additional Graduation Requirements

1. Any statutorily mandated requirements for earning a high school diploma;
2. Demonstrated proficiency in all sections of the High School Proficiency Assessment (HSPA), Competency Assessments, or Alternative High School Assessment process applicable to the class graduating in the year they meet all other graduation requirements, based on a schedule prescribed by the Commissioner in accordance with N.J.A.C. 6A:8-4.1(b) through (d); and
3. Those pupils graduating from an adult high school shall demonstrate proficiency in all sections of the HSPA, applicable Competency Assessments, or designated Alternative High School Assessment (AHSA) process for any subjects not yet passed on a previously approved Statewide assessment required for graduation.

H. High School Proficiency Assessment (HSPA) and Alternative High School Assessment (AHSA)

1. The district will provide pupils who have not demonstrated proficiency on one or more sections of the HSPA following the 11<sup>th</sup> grade, or applicable Competency Assessments, with the opportunity to demonstrate such competence through both repeated administrations of the HSPA and the AHSA process conducted in accordance with rules of the State Board of Education.
  - a. The Superintendent shall submit the results of the AHSA process to the Executive County Superintendent of Schools by March 31 of each year, or as otherwise determined by the Commissioner of Education, for approval for graduation in June of the same year. Such results shall include information, as prescribed by the Commissioner, pertaining to pupils successfully completing the AHSA process, and to those who fail to complete the AHSA process successfully.
  - b. The Executive County Superintendent, as the Commissioner's designee, shall review the results of each pupil's AHSA and recommend to the Commissioner either approval or disapproval for graduation.
  - c. All English Language Learners (ELLs) shall satisfy the school district's requirements for high school graduation, except that any ELLs may demonstrate that they have attained State minimum levels of proficiency through:
    - (1) Passage of the AHSA process in their native language, when available, and passage of an English fluency assessment approved by the Department of Education; or
    - (2) Passage of the AHSA process in English with appropriate accommodations.
  - d. Pupils with disabilities as defined in N.J.A.C. 6A:14-1.3 or eligible under Section 504 of the Rehabilitation Act and who participate in the AHSA process are not required to participate in repeated administrations of the HSPA.

I. Attendance

Regular attendance is required for the successful completion of a course of study and graduation. Pupils are expected to be present in every scheduled class except as their attendance is excused in accordance with Board Policy 5200.

## J. Pupils with Disabilities

1. The district, through the IEP process and pursuant to N.J.A.C. 6A:14-4.11 - Graduation, may, for individual pupils with disabilities as defined in N.J.A.C. 6A:14-1.3, specify alternate requirements for a State-endorsed diploma.
2. The district shall specifically address any alternate requirements for graduation in a pupil's IEP, in accordance with N.J.A.C. 6A:14-4.11.
3. The district shall develop and implement procedures for assessing whether a pupil has met any alternate requirements for graduation individually determined in an IEP.
4. If a pupil with a disability attends a school other than that of the school district of residence, which is empowered to grant a diploma, the pupil shall have the choice of receiving a diploma of the school attended or a diploma of the school district of residence.
  - a. If the school the pupil is attending declines to issue a diploma to the pupil, the district of residence Board of Education shall issue the pupil a diploma if the pupil has satisfied all State and local graduation requirements, as specified in the pupil's IEP.
5. Pupils 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.
6. A pupil with a disability whose individualized education program 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 pupil has attended four years of high school.
7. When a pupil with a disability graduates or exceeds the age of eligibility, the pupil shall be provided a written summary of his or her academic achievement and functional performance prior to the date of the pupil'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.

## K. 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 requirements.



2. The Board of Education shall not issue a high school diploma to any pupil not meeting the criteria specified in State and local requirements.
  - a. The district shall provide pupils 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 the HSPA or applicable Competency Assessments to return to school at scheduled times for the purpose of taking the necessary test. Upon certification of passing the test applicable to the pupil's class in accordance with N.J.A.C. 6A:8-5.1(a)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 pupil formally requesting an early award of the diploma in accordance with the provisions of N.J.A.C. 6A:8-5.2(e) and Board Policy 5465.

L. Notification

Each pupil who enters or transfers into the high school and the pupil's parent(s) or legal guardian(s) will be provided a copy of the school district's requirements for a State-endorsed diploma, and those programs available to assist pupils in attaining the State-endorsed diploma.

M. Reporting

The Superintendent, in accordance with N.J.S.A. 18A:7C-7 and 18A:7E-3, shall report annually at a public meeting not later than September 30, to the Board of Education and the Commissioner:

1. The total number of pupils graduated;
2. The number of pupils graduated under the AHSA process;
3. The number of pupils receiving State-endorsed high school diplomas as a result of meeting any alternative requirements for graduation as specified in their IEPs;
4. The total number of pupils denied graduation from the 12<sup>th</sup> grade class; and

5. The total number of pupils denied graduation from the 12<sup>th</sup> grade class solely because of failure to pass the HSPA or AHSA, based on the provisions of N.J.A.C. 6A:8-5.1(a)3.
  
- N. The Superintendent shall provide the district's graduation requirements each year they are evaluated through the Quality Single Accountability Continuum (QSAC) to the Executive County Superintendent and update this filed copy each time the graduation policy and requirements are revised.

N.J.S.A. 18A:7C-1 et seq.; 18A:35-1; 18A:35-4.9; 18A:35-7; 18A:36-17  
N.J.A.C. 6A:8-1 et seq.; 6A:8-5.1; 6A:8-5.2; 6A:14-4.11 et seq.

Revised February 16, 2010

## NEW JERSEY HIGH SCHOOL GRADUATION CREDIT REQUIREMENTS

- A. At least twenty credits in language arts literacy aligned to grade nine through twelve standards;
- B. At least fifteen credits in mathematics, including Algebra I or the content equivalent (“content equivalent” is defined at N.J.A.C. 6A:8-1.3), including geometry or the content equivalent effective with the 2010-2011 grade nine class, and including a third year of mathematics that builds on the concepts and skills of algebra and geometry and that prepares pupils for college and 21<sup>st</sup> century careers effective with the 2012-2013 grade nine class;
- C. 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;
- D. At least fifteen credits in science, including at least five credits in laboratory biology/life science or the content equivalent, including one additional laboratory/inquiry-based science course which shall include chemistry, environmental science, or physics effective with the 2010-2011 grade nine class, and including on additional laboratory/inquiry-based science course effective with 2012-2013 grade nine class;
- E. 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;
- F. At least five credits in visual and performing arts; at least five credits in world languages or pupil demonstration of proficiency as set forth in N.J.A.C. 6A:8-5.1(a)2ii(2);
- G. At least two and one-half credits in financial, economic, business, and entrepreneurial literacy, effective with 2010-2011 grade nine class;
- H. Technological literacy, consistent with the Core Curriculum Content Standards, integrated throughout the curriculum; at least five credits in 21<sup>st</sup> century life and careers, or career-technical education; and
- I. Electives as determined by the high school program.

5465 EARLY GRADUATION

The Board of Education shall award a State-endorsed high school diploma to any currently enrolled pupil in accordance with the provisions of N.J.A.C. 6A:8-5.2 (e) who has not completed the twelfth grade.

In accordance with the provisions of N.J.A.C. 6A:8-5.2(e), a State-endorsed high school diploma will be awarded early by the Board of Education to any currently enrolled pupil who:

1. Has performed at a proficient or advanced proficient level of achievement in all sections of the HSPA or applicable High School Competency Assessments;
2. Has presented official transcripts showing at least thirty general education credits leading to a degree at an accredited institution of higher education; and
3. Has formally requested an early award of a State-endorsed high school diploma.

The diploma will bear the date of its issuance. The pupil may be permitted to participate in graduation ceremonies with his/her classmates without formal readmission to the school district on application to and approval of the high school Principal.

N.J.S.A. 18A:7C-1 et seq.  
N.J.A.C. 6A:8-5.1 et seq.; 6A:8-5.2 et seq.

Revised February 16, 2010

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: 16 September 2008

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.

N.J.S.A. 18A:11-1

Adopted: 16 September 2008

5511 DRESS AND GROOMING

All pupils are expected to dress appropriately for school and school functions. Pupils must maintain a neat, clean appearance at all times. Apparel shall not be so tight fitting, sheer, transparent, brief, low cut, or revealing above or below the waist as to be indecent, overly provocative, distracting or disruptive to the school environment. Knowledge of the dress code is the primary responsibility of the pupil and their parent(s) or legal guardian(s). Pupils are expected to maintain an appearance that is neither distracting to teachers, other pupils, or to the educational process of the school. It is the responsibility of the pupil and parent(s) or legal guardian(s) to make certain that what their son/daughter wears to school is tasteful and appropriate. The administration reserves the right to advise or counsel pupils as to what is or is not in good taste and appropriate.

1. Shorts are permitted during school hours. The length of cutoffs, shorts, "skorts," dresses, and skirts must exceed the length of the pupil's fully extended fingertips when placed at the pupil's side. Running shorts and gym shorts are not permitted unless during physical activities. Undergarments must not be visible. Swimsuits and pajama pants are not permitted. Size and/or length of pants must not present a safety hazard.
2. Halter tops, tank tops, spaghetti straps, tube tops, and open-backed shirts are not permitted. Sleeveless blouses and sleeveless shirts may be worn if they have a minimum of a two-inch width and no undergarments are showing. Male sleeveless undershirts are not permitted. Basketball jerseys are permitted, if worn over a T-shirt. Sweatshirts, warm-ups and T-shirts are permitted if they are neither torn nor contain a questionable slogan or print that is clearly vulgar, offensive, lewd, obscene, or connotes the use of alcohol and/or drugs. Pants and/or shirts that expose the midriff are not permitted. Excessively low-cut shirts are not permitted. Sheer tops are only permitted with an additional layer of clothing underneath.
3. Footwear is required. Open-toed shoes with backs may be worn if they do not present a safety hazard to the wearer. Flip-flops, and sports sandals without backs are not permitted. Heels over three inches are not permitted. The foot must be secure in the shoes at all times.
4. Safety and protective clothing/glasses, and footwear as well as athletic or gym clothing, shall be worn as required by the administration in concert with the suggestions of the classroom teacher.

5. Hats may not be worn indoors. "Hats" shall not include headwear of medical or religious significance.
6. Sunglasses may not be worn indoors unless prescribed by a doctor.
7. Pupils attending any school functions (field-based experience, field trips, dances, activities during or beyond school hours) will not be permitted to participate unless they are properly attired. Properly attired is defined as the school dress code or a specific dress code issued for the school related activity.
8. Individual schools, based upon programmatic needs, may have more specific dress code requirements. These requirements will be communicated to all pupils and their parent(s) or legal guardian(s), and will be included in the Student Handbook.
9. Pupils not conforming to the dress code shall be disciplined by the building administrator, in accordance with other Board policies. In addition, parent(s) or legal guardian(s), when notified, will be expected to pick up pupils who arrive to school dressed inappropriately and/or bring appropriate attire to school. Pupils not in accordance with the dress code may be kept from attending class at the discretion of the building administrator.

N.J.S.A. 18A:11-1; 18A:11-7; 18A:11-8; 18A:11-9



5512 HAZING

The Board of Education believes hazing activities of any type are inconsistent with the educational process and the Board prohibits all such and hazing behavior at any time on school premises, at any school-sponsored function or on any school bus.

“Hazing” means the performance of any act or the coercion of another to perform any act of initiation into any class, team, or organization that causes or creates a substantial risk of causing mental or physical harm. Permission, consent, or assumption of risk by an individual subjected to hazing shall not lessen the prohibitions contained in this policy.

All staff members, pupils and school volunteers shall be alert to possible behavior, circumstances, or events that might include hazing. A person who detects hazing and/or planned hazing shall immediately inform the pupil(s) involved of the prohibition against this behavior and/or conduct and direct them to immediately cease all such behavior and/or conduct. All such incidents must be reported to the Building Principal.

The Building Principal will report to the Affirmative Action Officer and the Superintendent any incident reported from a staff member, pupil, parent, legal guardian or any other source. The Building Principal will also report information received from anonymous sources, however, any formal disciplinary action will not be taken solely on the basis of an anonymous report.

There will be no reprisals or retaliation against any person(s) making such report of hazing behavior. Any allegations of reprisals or retaliation shall be reported directly to the Building Principal who will investigate such allegations and take appropriate action if the allegations are confirmed and/or if the person is found to have falsely accused another as means of retaliation or as a means of hazing.

The Building Principal or designee will immediately investigate any report of actual or planned hazing.

If the investigation determines hazing behavior was planned or was present, the administration will take reasonable, age-appropriate and effective corrective action to end the behavior which may include, but is not limited to, counseling, warning, and/or disciplinary action. The administration may need to provide support services to the pupil(s) that was to remedy the past hazing behavior.

Nothing in this Policy prohibits the Affirmative Action Officer from complying with the requirements of the district’s Affirmative Action Program as outlined in Policy 1550 and N.J.A.C. 6A:7-1.1 et seq.

The Building Principal, in conjunction with the Affirmative Action Officer, will develop and conduct training and information programs for all school staff, pupils, parents and interested community members on the district's Hazing Policy.

Any pupil organization that seeks to organize and perpetuate itself by taking in members based on the decision of the membership of the organization, rather than from the free choice of any pupils who are otherwise qualified to fill the special aims of such organization, is prohibited.

This Policy shall be published in pupil and staff handbooks upon its adoption by the Board. The Board will seek school community input prior to the initial adoption and any revisions to this Policy.

N.J.S.A. 18A:37-1 et seq.; 18A:42-5; 18A:42-6

Adopted: 16 September 2008

5512.01 HARASSMENT, INTIMIDATION, AND BULLYING

Policy Statement

The Board of Education prohibits acts of harassment, intimidation, or bullying of a pupil. 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 and disciplined environment. Since pupils 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.

“Harassment, intimidation, or bullying” means any gesture, written, verbal or physical act, or any electronic communication, that takes place on school property, at any school-sponsored function or on a school bus and that:

1. Is motivated by 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
2. By any other distinguishing characteristic; and
3. A reasonable person should know, under the circumstances, that the act(s) will have the effect of harming a pupil or damaging the pupil's property, or placing a pupil in reasonable fear of harm to his/her person or damage to his/her property; or
4. Has the effect of insulting or demeaning any pupil or group of pupils in such a way as to cause substantial disruption in, or substantial interference with, the orderly operation of the school.

“Electronic communication” means communication transmitted by means of an electronic device, including, but not limited to, a telephone, cellular phone, computer, or pager.

Acts of harassment, intimidation, or bullying may also be a pupil exercising power and control over another pupil, either in isolated incidents (e.g., intimidation, harassment) or patterns of harassing or intimidating behavior (e.g., bullying).

This policy may impose consequences for acts of harassment, intimidation, or bullying that occur off school grounds, such as cyber-bullying (e.g., the use of electronic or wireless devices to harass, intimidate, or bully), to the extent this policy complies with the provisions of N.J.A.C. 6A:16-7.6, Conduct Away from School Grounds, and the district's code of pupil conduct, pursuant to N.J.A.C. 6A:16-7.1. In all instances of harassment, intimidation, or bullying behavior occurring off school grounds, the consequences only may be exercised when it is reasonably necessary for the pupil's physical or emotional safety and well-being or for reasons relating to the safety and well-being of other pupils, staff or school grounds, pursuant to N.J.S.A. 18A:25-2 and 18A:37-2, and when the conduct which is the subject of a proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school. All acts of harassment, intimidation, or bullying that include the use of school property (e.g., school computers, other electronic or wireless communication devices) apply to the provisions of N.J.S.A. 18A:37-15 and N.J.A.C. 6A:16-7.9, harassment, intimidation, and bullying, whether the subject or recipient of the bullying is on or off school property.

#### Expected Behavior

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

The Board believes that standards for pupil behavior must be set cooperatively through interaction among the pupils, parent(s) or legal guardian(s), staff and community members, producing an atmosphere that encourages pupils 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 pupils, staff and community members.

The Board believes the best discipline is self-imposed, and it is the responsibility of school district staff to use instances of violations of the code of pupil conduct as opportunities to help pupils learn to assume and accept responsibility for their behavior and the consequences of their behavior. Staff members who interact with pupils shall apply best practices designed to prevent pupil conduct problems and foster pupils' abilities to grow in self-discipline.

General guidelines for pupil conduct will be developed by the Superintendent, in conjunction with school staff, and approved by the Board. These guidelines will be developed based on accepted core ethical values from a broad community involvement with input from parent(s) or legal guardian(s) and other community representatives, school employees, volunteers, pupils and administrators. These guidelines for pupil conduct will be suited to the developmental ages of pupils, the severity of the offenses and pupils' histories of inappropriate behaviors, and the mission and physical facilities of the individual school(s) in the district. This policy requires all pupils in the district to adhere to these rules and guidelines and to submit to the remedial and consequential measures that are appropriately assigned for infractions of these rules and guidelines.

The district prohibits active or passive support for acts of harassment, intimidation, or bullying. Pupils are encouraged to support other pupils who walk away from these acts when they see them, constructively attempt to stop them, and report these acts to the Building Principal or designee.

Pupils are required to conform to reasonable standards of socially acceptable behavior; respect the person, property and rights of others; obey constituted authority; and respond to school district teaching, support and administrative staff. Each Building Principal will develop and provide a school-based program for appropriate recognition for positive reinforcement for good conduct, self-discipline, good citizenship and academic success.

### Consequences and Appropriate Remedial Actions

The Board of Education requires its school administrators to implement procedures that ensure both the appropriate consequences and remedial responses for pupils who commit one or more acts of harassment, intimidation, or bullying, consistent with the code of pupil conduct and the consequences and remedial responses for staff members who commit one or more acts of harassment, intimidation, or bullying. The following factors, at a minimum, shall be given full consideration by school administrators in the implementation of appropriate consequences and remedial measures for each act of harassment, intimidation, or bullying by pupils. Appropriate consequences and remedial actions are those that are graded according to the severity of the offense(s), and consider the developmental ages of the pupil offenders and pupils' histories of inappropriate behaviors, per the code of pupil conduct.

### Factors for Determining Consequences

1. Age, developmental and maturity levels of the parties involved;
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 Remedial Measures

#### Personal

1. Life skill deficiencies;
2. Social relationships;

3. Strengths;
4. Talents;
5. Traits;
6. Interests;
7. Hobbies;
8. Extra-curricular activities;
9. Classroom participation; and
10. Academic performance.

#### Environmental

1. School culture;
2. School climate;
3. Pupil-staff relationships and staff behavior toward the pupil;
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 and appropriate remedial action for pupils who commit acts of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion, as set forth in the Board adopted Pupil Discipline/Code of Conduct pursuant to N.J.A.C. 6A:16-7.1. Consequences for a pupil 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 pupil and the pupil's history of problem behaviors and performance, and must be consistent with the district's code of pupil conduct. 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, and 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 during the school week or the weekend;
7. After-school programs;
8. Out-of-school suspension (short-term or long-term);
9. Legal action; and
10. Expulsion.

## Examples of Remedial Measures - Personal

1. Restitution and restoration;
2. Mediation;
3. Peer support group;
4. Recommendations of a pupil behavior or ethics council;
5. Corrective instruction or other relevant learning or service experience;
6. Supportive pupil interventions, including participation of the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
7. Behavioral assessment or evaluation, including, but not limited to, a referral to the Child Study Team, as appropriate;
8. Behavioral management plan, with benchmarks that are closely monitored;
9. Assignment of leadership responsibilities (e.g., hallway or bus monitor);
10. Involvement of school disciplinarian;

11. Pupil counseling;
12. Parent conferences;
13. Pupil treatment; or
14. Pupil therapy.

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

1. School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation, or bullying;
2. School culture change;
3. School climate improvement;
4. Adoption of research-based, systemic bullying prevention programs;
5. School policy and procedures revisions;
6. Modifications of schedules;
7. Adjustments in hallway traffic;
8. Modifications in pupil routes or patterns traveling to and from school;
9. Targeted use of monitors (e.g., hallway, cafeteria, bus);
10. Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
11. General professional development programs for certificated and non-certificated staff;
12. Professional development plans for involved staff;
13. Disciplinary action for school staff who contributed to the problem;
14. Supportive institutional interventions, including participation of the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
15. Parent conferences;
16. Family counseling;



17. Involvement of parent-teacher organizations;
18. Involvement of community-based organizations;
19. Development of a general bullying response plan;
20. Recommendations of a pupil behavior or ethics council;
21. Peer support groups;
22. School transfers; and
23. Law enforcement (e.g., school resource office, juvenile officer) involvement.

N.J.A.C. 6A:16-7.9(a)2.vi requires appropriate consequences and remedial actions for any staff member who commits an act of harassment, intimidation, or bullying. The consequences may include, but not be limited to, verbal or written reprimand, increment withholding, legal action, disciplinary action, and/or termination. Remedial measures may include, but not be limited to, in or out-of-school counseling, professional development programs, and work environment modifications.

#### Reporting Procedure

Complaints alleging violations of this policy shall be reported to the Principal or designee. All school employees as well as all other members of the school community including pupils, parent(s) or legal guardian(s), volunteers, and visitors are required to report alleged violations of this policy to the Principal or designee. While submission of an Incident Report Form to the Principal or designee is not required, the reporting party is encouraged to use the Incident Report Form available from the Building Principal or available at the school district's administrative offices or the reporting party may use a district's web-based reporting system. Oral reports shall also be considered official reports. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.

A school employee who promptly reports an incident of harassment, intimidation, or bullying in accordance with this policy, 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, as set forth in N.J.S.A. 18A:37-16.c.

#### Investigation

The Principal or designee is responsible for determining whether an alleged act constitutes a violation of this policy. The Principal or designee shall conduct a prompt, thorough and complete investigation of the alleged incident. The Principal or designee will maintain a record of each investigation regarding allegations of harassment, intimidation, or bullying.

## Response to an Incident of Harassment, Intimidation, or Bullying

An appropriate response will be provided to the individual who commits any incident of harassment, intimidation, or bullying. Some acts of harassment, intimidation, or bullying may be isolated incidents requiring the school 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 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 harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1, Discipline of Pupils and as set forth in N.J.A.C. 6A:16-7.2, Short-term Suspensions, N.J.A.C. 6A:16-7.3, Long-term Suspensions and N.J.A.C. 6A:16-7.5, Expulsions.

In considering whether a response beyond the individual level is appropriate, the administrator shall consider the nature and circumstances of the act, the degree of harm, the nature and severity of the behavior, past incidences or past or continuing patterns of behavior, and the context in which the alleged incident(s) occurred. The school district's responses can range from school and community surveys, to mailings, to focus groups, to adoption of research-based bullying prevention program models, to training for certificated and non-certificated staff. The district's responses may also include participation of parent(s) or legal guardian(s) and other community members and organizations, small or large group presentations for fully addressing the actions and the school district's response to the actions, in the context of acceptable pupil and staff member behavior and the consequences of such actions, and the involvement of law enforcement officers, including school resource officers. The district will also make resources available to individual victims of harassment, intimidation, and bullying, including, but not limited to, school counseling services and environmental modifications.

## Reprisal or Retaliation Prohibited

The Board prohibits reprisal or retaliation against any person 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 Principal or designee 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. The consequences and appropriate remedial action for pupils will range from positive behavior interventions up to and including suspension or expulsion. The consequences and appropriate remedial action for employees will range from an admonishment to termination of employment. The consequences and appropriate remedial action for a volunteer will range from an admonishment to dismissal from the volunteer position. The consequences for visitors will range from an admonishment to loss of visitation privileges. Examples of consequences and remedial measures are listed in the Consequences and Appropriate Remedial Actions section of this policy.

## Consequences for False Accusation

The Board prohibits any person from falsely accusing another as a means of harassment, intimidation, or bullying. Consequences and appropriate remedial action for a pupil found to have falsely accused another as a means of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1 et seq., Discipline of Pupils and as set forth in N.J.A.C. 6A:16-7.2, Short-term Suspensions, N.J.A.C. 6A:16-7, Long-term Suspensions and N.J.A.C. 6A:16-7.5, Expulsions.

Consequences and appropriate remedial action for a school employee found to have falsely accused another as a means of harassment, intimidation, or bullying shall be in accordance with district policies, procedures, and agreements.

Consequences and appropriate remedial action for a visitor or volunteer found to have falsely accused another as a means of harassment, intimidation, or bullying shall be determined by the Principal or designee, after consideration of the nature, severity and circumstances of the act, which may include a report to appropriate law enforcement officials.

## Policy Publication

This policy will be disseminated annually to all school staff, pupils, parent(s) or legal guardian(s), along with a statement explaining the policy applies to all applicable acts of harassment, intimidation, or bullying that occur on school property, at school-sponsored functions, or on a school bus. The Superintendent shall ensure notice of this policy appears in any publication of the school district that sets forth the comprehensive rules, procedures, and standards for schools within the district, and in any pupil handbook that includes the pupil code of conduct. This notice shall also indicate the district's Harassment, Intimidation, and Bullying Policy is available on the district's website.

## Harassment, Intimidation, and Bullying Prevention Programs

Pursuant to N.J.S.A. 18A:37-17.(5)(c) and N.J.A.C. 6A:16-7.9(d)1.i, information regarding the district's Harassment, Intimidation, and Bullying Policy shall be incorporated into a school's employee training program.

Pursuant to N.J.A.C. 6A:16-7.9(d)3, the district is required to annually review the extent and characteristics of harassment, intimidation, and bullying behavior in the schools of the district and implement locally determined programmatic or other responses, if determined appropriate by the district Board of Education.

Pursuant to N.J.A.C. 6A:16-7.9(d)1, the school district is required to annually review the training needs of district staff for the effective implementation of the Harassment, Intimidation, and Bullying Policy, procedures, programs, and initiatives of the district Board of Education and implement locally determined staff training programs consistent with the annual review of training needs and the findings of the annual review and update of the code of pupil conduct,

pursuant to N.J.A.C. 6A:16-7.1(a)3, as determined appropriate by the district Board of Education.

Pursuant to N.J.A.C. 6A:16-7.9(d)2, the school district is required to develop a process for annually discussing the school district's Harassment, Intimidation, and Bullying Policy with pupils.

Pursuant to N.J.S.A. 18A:37-15.1, this policy shall be transmitted to the Executive County Superintendent of Schools.

Pursuant to N.J.S.A. 18A:37-19, the school district may apply to the Commissioner of Education for additional costs due to the implementation of the provisions of N.J.S.A. 18A:37-13 through N.J.S.A. 18A:37-18.

N.J.S.A. 18A:37-13 through 18A:37-19  
N.J.A.C. 6A:16-7.9 et seq.

Revised March 22, 2010

## 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).

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.S.A. 18A:34-2; 18A:37-3  
N.J.A.C. 6A:23-6.6

Adopted: 16 September 2008



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 provided that such pupils present written parental approval, have been granted permission by the Building Principal to operate a motor vehicle on school grounds, possess a valid New Jersey driver's license, and submit copies of the vehicle registration and proof of insurance.

The Superintendent shall direct the Building Principal to develop and disseminate regulations for the operation and parking of vehicles on school grounds. Permission to operate a vehicle on school grounds may be revoked for a pupil's failure to observe 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: 16 September 2008

5516 REMOTELY ACTIVATING COMMUNICATION DEVICES -  
PAGERS & CELLULAR TELEPHONES

The Board recognizes the need to provide access to technological resources. For the purposes of this policy, “Remotely activated, or Activating Communication Devices” are defined to include portable two-way telecommunications devices, including but not limited to cellular telephones with or without cameras, beepers, walkie-talkies, other hand-held computing devices used as a communication device, any portable electronic device capable of storing and transmitting or receiving images, such as cameras, as well as any new technology developed for similar purposes.

The Monmouth County Vocational School District Board of Education extends to pupils the privilege to possess, display, and use “Remotely Activated or Activating Communication Devices” before and after the instructional day provided such “Remotely Activated or Activating Communication Devices” are not displayed, activated, or used during the instructional day on school grounds or while attending school sponsored activities on or off school grounds. All such devices must be turned off and in a locker, backpack or similar enclosure during the instructional day. The instructional day includes, but is not limited to lunch breaks, class changes, study halls, and any other structured or non-structured instructional activity that occurs during the normal school day. Exceptions will be made for pupils with specific needs that require such devices, with administrative approval.

In the event a pupil violates this policy, the Building Principal or designee will confiscate the device, contact the parent(s) or legal guardian(s), and may suspend the pupil’s privilege for future possession or use of “Remotely Activated or Activating Communication Devices”.

The Board of Education assumes no responsibility in any circumstances whatsoever for the loss, destruction, or theft of any cellular phones, remotely activating paging device or similar device that is brought to school at any time or to any extra-curricular or after school activity.

N.J.S.A. 2C:33-19  
N.J.A.C. 6A:16-5.8

Adopted: 16 September 2008

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  
N.J.S.A. 18A:6-1; 18A:37-1; 18A:37-2

Adopted: 16 September 2008

5530 SUBSTANCE ABUSE

The Board of Education recognizes that the misuse of drugs by any pupil seriously impedes that pupil's education and threatens the welfare of the entire school community. The Board is committed to the prevention of drug abuse and the rehabilitation of drug users by educational means, but will take necessary and appropriate steps to protect the school community from harm and exposure to drugs.

For the purpose of this policy, "drugs" include:

- All controlled dangerous substances set forth and prohibited in N.J.S.A. 24:21-1, et seq.
- All chemicals which release toxic vapors as defined and prohibited in N.J.S.A. 2A:170-25-9
- All alcoholic beverages
- Any prescription or patent drug, except those for which permission to use in school has been granted pursuant to Board policy
- Anabolic steroids

The Board prohibits the use, possession, distribution, and/or consumption of any drug on school premises, at any event away from the school premises sponsored by this Board and on any transportation vehicle provided by the Board.

To this end, the Board will cooperate and consult with the local, State, Federal and/or private agencies approved by the Department of Health in the development and implementation of this policy and procedures and in the annual review of its effectiveness.

The Superintendent shall take such steps as may be necessary to notify, on an annual basis, all pupils and their parent(s) or legal guardian(s), the community, and appropriate law enforcement agencies of this Board policy and to make it available for review.

The Board of Education recognizes that an effective educational approach, promoting accurate information and positive decision-making skills, is the first step in preventing a pupil from becoming harmfully involved with drugs.

A comprehensive program of drug education in every grade (nine – twelve full-time schools) shall be implemented to instruct pupils and staff in the nature of drugs, their effect on the human system and the social implications of drug abuse. Shared-time programs shall supplement the efforts of local sending districts by adapting the sending school districts' program(s).

An ongoing orientation regarding drug/alcohol education program shall be established and maintained for all school personnel in cooperation with the Building Principal, school nurse, and approved agencies. At least one session, at the beginning of each school year will be devoted to this end. All school personnel shall be instructed in the pharmacology of drugs, children of alcoholics, identification of users and the impact of drug use in the classroom and society. All personnel shall be alert to signs of disaffectedness in pupils and shall ensure open communication with all pupils. The signs of disaffectedness include, but are not limited to:

- Drop-off in grades
- Increased unexplained absenteeism
- Distractedness in classroom
- "Loner" behavior
- Sudden hostility or passivity
- Lying
- Changes in physical appearance, i.e., becoming unkempt, etc.

A professional staff member, in consultation with the Building Principal, will be assigned to provide support services assisting pupils in finding a resource agency that will help in the identification, evaluation, and counseling of any pupil suspected or diagnosed as being substance abusers. In shared-time programs, the Building Principal of the sending district shall be notified of pupils suspected or diagnosed of being substance abusers.

Pupils who request confidentiality shall be granted it unless there is clear evidence that danger exists which threatens the pupils or others. Pupils who divulge information concerning an illegal act shall be told that such information shall have to be reported to the proper authorities.

A suspicion or determination that a pupil is involved with drugs does not depend on a finding that the pupil is under the influence of a drug or possesses or distributes a drug on school premises.

### Identification/Reporting of Suspicion

The school district recognizes that, in spite of prevention efforts, pupils may become involved with harmful drugs. In such cases, the following procedures will be used:

Whenever it shall appear to any teaching staff member, school nurse, or other educational personnel that a pupil may be under the influence of substances as defined above they shall report the matter as soon as possible to the school nurse or medical inspector, as the case may be, or to a substance abuse coordinator, and to the Principal or, in his/her absence, to a designee.

The Principal or designee shall immediately notify the parent(s) or legal guardian(s) and the Superintendent of Schools. In shared-time programs, the home school Principal will be notified.

The Principal or designee shall arrange for an immediate examination by a doctor selected by the parent(s) or legal guardian(s) or if that doctor is not immediately available, by the medical inspector, or the pupil shall be taken to the emergency room or other licensed medical facility accompanied by a member of the school staff designated by the Principal and the parent(s) or legal guardian(s), if available.

The pupil will be examined immediately and the doctor used for the examination shall provide a written report within twenty-four hours to the school.

The verification shall include, at a minimum, the signature, printed name, address and phone number of the examining physician, the date and time of the medical examination, and the date by which the report will be provided.

If the doctor so indicates in his/her note, the pupil may return to school until the results of the drug screening are obtained.

If there is a positive result from the drug screening, the pupil shall not resume attendance at school until the examining doctor submits a written report certifying that he/she is physically and mentally able to return.

In addition, the pupil must be interviewed by a SAC for determining the extent of involvement. The SAC may conduct a reasonable investigation that may include interviews with teachers and parent(s) or legal guardian(s). In shared-time schools, the SAC will work cooperatively with the sending district's SAC.

If it is determined that use of a substance represents a danger to the pupil's health and well being, the SAC or other person designated by the Principal shall refer the pupil to a treatment program approved by the Commissioner of Health.

In addition, the staff member so designated by the Building Principal shall complete the Violence, Vandalism, and Substance Abuse Incident Report.

While the pupil is at home because of the medical examination or after his/her return to school, the school may require additional evaluation for the purpose of determining the extent of the pupil's drug use and dependency and its effect on his/her school performance.

Any staff member who reports a pupil to the Building Principal or his/her designee, in compliance with the provisions of N.J.A.C. 6:29-9.5, shall not be liable for civil damages as a result of making such a report, as specified by N.J.S.A. 2A:62A-4 and as provided for under N.J.S.A. 18A:210-4.2.

Pupils whose use of drugs has affected his/her performance in school will be referred to the appropriate Child Study Team to determine if the need exists for changes in his/her educational program. A change will be provided in the pupil's educational program if deemed appropriate by the sending district Child Study Team.

Monmouth County Vocational School District will assume the cost of the medical examination to determine pupil use and dependency, if conducted by the school medical inspector or his/her designee.

Should the pupil's parent(s) or legal guardian(s) wish to use a doctor or medical facilities other than those of the school, expenses shall be borne by the family.

If the family is unable to obtain the needed evaluation/assessment, Monmouth County Vocational School District will obtain permission to refer the pupil to an appropriate agency. Following this referral, the parent(s) or legal guardian(s) and Principal or designee shall be informed of the agency findings and recommendations.

#### Anabolic Steroids

Whenever any teaching staff member, school nurse, or other educational personnel of any public school shall have reason to believe that a pupil has used or may be using anabolic steroids, that teaching staff member shall report the matter as soon as possible to the Principal or designee.

In cases where staff identify pupils as either using or possibly using anabolic steroids, the following procedure shall be used.

The Principal or designee notifies the school nurse and provides for the safety of the pupil. The Superintendent of Schools and the parent(s) or legal guardian(s) of the pupil are immediately notified.

The Building Principal or his/her designee shall immediately arrange for a medical examination for the purpose of diagnosing whether or not the pupil may have used or is using anabolic steroids.

If the examination is conducted by the district's medical inspector or by a Monmouth County Vocational School District approved medical facility, Monmouth County Vocational School District shall assume the cost of the medical examination to determine the pupil's use and dependency.

Should the pupil's parent(s) or legal guardian(s) choose his/her own doctor or medical facility, the parent(s) or legal guardian(s) will assume the expenses of the examination. The examining physician shall furnish a written report of the examination to the parent(s) or legal guardian(s) and to the Principal or his/her designee. The anabolic steroid report is not limited to twenty-four hours.

After the examination, attendance at school shall resume, unless the physician indicates otherwise, until such time as a positive diagnosis of anabolic steroid use is received.

If it is determined that a pupil has been using anabolic steroids, the pupil will be referred to the appropriate Child Study Team of the sending district to determine if a need exists for changes in the pupil's educational program.

The pupil shall be interviewed by a trained teaching staff member or other trained professional determined by the Principal or his/her designee for the purpose of determining the extent of the pupil's involvement with these substances and possible need for treatment.

If it is determined that the pupil's involvement with and use of these substances represents a danger to the pupil's health and well-being, the pupil shall be referred to an approved treatment program.

Any staff member who reports a pupil to the Principal or his/her designee in compliance with the provisions of N.J.A.C. 6:25-9.5 shall not be liable for civil damages as a result of making such a report.

The Superintendent or designee may, but need not, disclose to law enforcement authorities the identity of a pupil suspected to have used or who may be using anabolic steroids.

The Superintendent or designee shall disclose to law enforcement authorities the identity of a pupil reasonably believed to be in possession of anabolic steroids or related paraphernalia or a pupil reasonably believed to be involved or implicated in distribution activities involving anabolic steroids.



### Suspicion of Possession or Selling Drugs

If a pupil is suspected of possessing or selling drugs on or off school property during a school-sponsored activity, the Building Principal or his/her designee shall be notified.

The Building Principal or his/her designee shall work to investigate/evaluate the situation and shall follow all due process procedures.

Local law enforcement authorities shall be notified.

A pupil's personal effects and school storage places may be searched for drugs in accordance with Board Policy.

The Principal or his/her designee conducting the search shall confiscate as evidence any drug found in the pupil's possession.

Such evidence shall be sealed in an appropriate container, labeled with the name of the pupil, date, and the name of school staff conducting the search.

The evidence shall be locked in a secure place until the school office delivers it to the proper law enforcement personnel and obtains a receipt for the evidence.

The objective of the Principal or his/her designee's investigation/evaluation shall be the removal of any such pupil selling or distributing drugs. Such removal shall be in accordance with existing statutes and codes.

The pupil shall be released to the custody of the local police who will contact the parent(s) or legal guardian(s). The pupil may be released to the custody of the parent(s) or legal guardian(s) if the police so direct.

Prior to the reinstatement of the pupil, the local sending district shall conduct a complete Child Study Team evaluation. Such evaluation will be to determine a future educational program.

The Superintendent or designee may, but need not, disclose to law enforcement authorities the identity of a pupil suspected to be under the influence of alcohol or other drugs.

The Superintendent or designee shall disclose to law enforcement authorities the identity of a pupil reasonably believed to be in possession of a controlled dangerous substance or related paraphernalia or a pupil reasonably believed to be involved or implicated in distribution activities regarding controlled dangerous substances.

### Non-Pupil Involvement

If a teaching staff member or other employee or educational personnel believes that non-pupils are under the influence of or in possession of controlled dangerous substances while on school grounds, that person shall report the same to the Building Principal or his/her designee. The Principal or his/her designee shall immediately report the incident to the local police for investigation.

N.J.S.A. 18A:40A-1 et seq.; 18A:40A-7.1 et seq.

N.J.A.C. 6A:16-4.1 et seq.

5533 PUPIL 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 the young may have lifelong deleterious consequences.

For purposes of this policy, "smoking" means the burning of, inhaling the smoke 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 and the use of smokeless tobacco and snuff.

For the purposes of this policy, "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, 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.

The Board prohibits smoking by pupils at any time on any school grounds as defined above, at events sponsored by the Board away from school, and on any transportation vehicle supplied by the Board.

A sign indicating smoking is prohibited on school grounds as defined above will be posted at each public entrance in accordance with law. The sign shall also indicate violators are subject to a fine. Pupils 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 Board directs that the health curriculum include instruction in the potential hazards of the use of tobacco. All school staff members shall, by example and persuasion, make every reasonable effort to discourage pupils 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. 18A:40A-1; N.J.S.A. 26:3D-55 through 26:3D-63; N.J.A.C. 6A:16-1.3

Cross reference: Policy Guides Nos. 5250, 7434

Revised March 22, 2010

5535 PASSIVE BREATH ALCOHOL SENSOR DEVICE

The Board of Education recognizes that a pupil's abuse of harmful substances seriously impedes that pupil'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 additional necessary and appropriate steps to protect the school community from harm and from exposure to harmful substances.

In keeping with its commitment to protect all pupils and the school community from the harm of alcohol use, the Board of Education authorizes the use of a passive breath alcohol sensor device (PBASD) in certain circumstances. A PBASD enables school district staff to check an approximate alcohol level quickly and efficiently without requiring the pupil's active participation. A PBASD may be used in certain circumstances as defined in this Policy and as determined by the Building Principal or designee or the staff member(s) in charge of a school related or school sponsored event or activity. The purpose for using a PBASD is to protect pupils who may be under the influence of alcohol, other pupils, staff, and community members attending such events and to deter the use of alcohol by pupils.

The Board authorizes PBASD screening before, during, and after school activities/events including, but not limited to: dances, proms, class trips, drama productions, graduation ceremonies, or school assemblies when the Building Principal or designee has reason to believe the use of alcohol by pupils may be present. When it is determined a PBASD will be used, the Building Principal or designee may determine to have pupils screened on a random basis (i.e. every fourth pupil entering an event.)

If the PBASD screening indicates the presence of alcohol on a pupil, a second screening will be conducted. If the second screening indicates the presence of alcohol on a pupil, the matter shall be reported to the Building Principal or designee and the certified or noncertified school nurse, or the school physician according to the reporting, notification, and examination requirements of N.J.S.A. 18A:40A-12, N.J.A.C. 6A:16-4.3, and Policy and Regulation 5530 – Substance Abuse.

In addition, a PBASD may be used to screen a pupil upon a report to the Building Principal or designee certified or noncertified school nurse, or the school physician if an educational staff member or other professional believes a pupil may be currently under the influence of alcohol on school property or at a school function provided an adult pupil and/or the pupil's parent/legal guardian consents to such screening. Notwithstanding the results of the PBASD screening under these circumstances, the Building Principal or designee must comply with the reporting, notification, and examination procedures of N.J.A.C. 6A:16-4.3 and Policy and Regulation 5530-Substance Abuse.

A PBASD will only be used in accordance with the guidelines of this Policy. The Building Principal or designee shall be responsible for the proper training of school staff members in the use of the PBASD in accordance with the manufacturer's specifications.

N.J.S.A. 40A-12  
N.J.A.C. 6A:16-4.1 et seq.

Adopted: 16 September 2008

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: 16 September 2008

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.S.A. 18A:17-46 et seq.; 18A:37-1 et seq.  
N.J.A.C. 6A:14-1.1 et seq.

Adopted: 16 September 2008

5600 PUPIL DISCIPLINE/CODE OF CONDUCT

The Board of Education adopts this Pupil Discipline/Code of Conduct Policy to establish standards and procedures for positive pupil development and behavioral expectations on school grounds, including on a school bus or at school-sponsored functions, and as appropriate, for conduct away from school grounds.

Every pupil enrolled in this district shall observe promulgated rules and regulations and submit to the discipline imposed for infraction of those rules. Regulation 5600 shall include a description of school responses and consequences to violations of the behavioral expectations established by the Board that, at a minimum, are graded according to the severity of the offenses, considering the developmental ages of the pupil offenders and pupils' histories of inappropriate behaviors pursuant to N.J.A.C. 6A:16-7.1(c)5.

The development, annual review, and update of this Policy shall involve parent, pupil, and community involvement which represents, where possible, the composition of the schools and community and shall be based on locally determined and accepted core ethical values.

The Board will review this Policy and Regulation after considering the findings of the annual reports of pupil conduct, including suspensions and expulsions, pursuant to N.J.A.C. 6A:16-7.1(a)5 and 6, and the incidences reported under the Electronic Violence and Vandalism Reporting System, in accordance with N.J.A.C. 6A:16-5.3.

The Superintendent shall report annually on the implementation of the Pupil Discipline/Code of Conduct Policy to the Board at a public meeting pursuant to N.J.A.C. 6A:16-7.1(a)5. The Superintendent shall submit a report annually to the New Jersey Department of Education on pupil conduct, including all pupil suspensions and expulsions, and the implementation of the Pupil Discipline/Code of Conduct Policy in accordance with the format prescribed by the Commissioner of Education and the Electronic Violence and Vandalism Reporting System, pursuant to N.J.A.C. 6A:16-5.3(e).

For pupils 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), pupil discipline and the code of conduct shall be implemented in accordance with the components of the applicable plans.

The Building Principal or designee shall have the authority to assign discipline to pupils. School authorities also 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, 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:16-7.5.

Any pupil to be disciplined shall be provided the due process procedures for pupils and their families as set forth in N.J.A.C. 6A:16-7.2 through 7.6.

When a pupil transfers to a public school district from another public school district, all information in the pupil's record related to disciplinary actions taken against the pupil 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), N.J.A.C. 6A:32(e)10.iv., and N.J.A.C. 6A:16-7.10.

Regulation 5600 shall include a description of pupil responsibilities that include expectations for academic achievement and behavior, a description of behaviors that will result in suspension or expulsion pursuant to N.J.S.A. 37-2, and a description of pupil rights pursuant to N.J.A.C. 6A:16-7.1(c)3.i through vii.

Comprehensive behavioral supports that promote positive pupil development and the pupil's abilities to fulfill the behavioral expectations established by the Board will include: positive reinforcement for good conduct and academic success including the programs as outlined in Policy 5440; supportive interventions and referral services including those services outlined in Policy 2417; remediation of problem behaviors that take into account the nature of the behaviors, the developmental ages of the pupils and the pupil's histories of problem behaviors and performance; and for pupils with disabilities, the behavior interventions and supports shall be determined and provided pursuant to the requirements of N.J.A.C. 6A:14.

The Building Principal shall maintain a current list of community-based health and social service provider agencies available to support a pupil and the pupil's family, as appropriate, and a list of legal resources available to serve the community.

Pupil discipline and code of conduct in the district will be applied without regard to 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, pursuant to N.J.S.A. 10:5.

The Pupil Discipline/Code of Conduct Policy and Regulation shall be disseminated annually to all school staff, pupils, and parent(s) or legal guardian(s). School staff shall be trained annually on the Pupil Discipline/Code of Conduct Policy and Regulation, which shall include training on the prevention, intervention, and remediation of pupil conduct in violation of the district's Policy and Regulation. Information on this Policy and Regulation shall be incorporated into the orientation program for new employees.

N.J.S.A. 18A:6-1; 18A:36-25.1; 18A:25-2; 18A:36-19a;  
18A:37-1 et seq.

N.J.A.C. 6A:16-7.1 et seq.; 6A:14-1.1 et seq.

5610 SUSPENSION

The Board of Education recognizes that even the temporary exclusion of a pupil from the educational program of this district is a severe sanction and one that cannot be imposed without due process.

Any pupil 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 pupil 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 Pupil 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 pupil from the regular instructional program.

For the purposes of this Policy, "short term suspension" means a suspension for a term of ten consecutive school days or less and "long term suspension" means a suspension for more than ten consecutive school days.

Any pupil who is convicted or adjudicated delinquent for possession of a firearm or a crime while armed with a firearm or found knowingly in possession of a firearm on any school property, on a school bus, or at a school-sponsored function shall be immediately removed from the school's regular educational program pending a hearing before the Board of Education to remove the pupil in accordance with N.J.S.A. 18A:37-8 and Policy No. 5611.

Any pupil who commits an assault, as defined pursuant to N.J.S.A. 2C:12-1, upon a pupil, teacher, administrator, Board member, or other school district employee, with a weapon other than a firearm, on any school property, on a school bus, or at a school-sponsored function must be immediately removed from the school's regular education program and placed in an alternative education school or program, pending a hearing before the Board of Education in accordance with N.J.S.A. 18A:37-2.2. and Policy 5612.

Any pupil who commits an assault, as defined pursuant to N.J.S.A. 2C:12-1, upon a teacher, administrator, Board member, or other school district employee, acting in the performance of his duties in a situation where his authority to so act is apparent, or as a result of the victim's relationship to an institution of public education in New Jersey, not involving the use of a weapon or firearm, shall be immediately suspended from school consistent with procedural due process pending suspension or expulsion proceedings before the Board in accordance with N.J.S.A. 18A:37-2.1.a.

Pursuant to N.J.S.A. 18A:37-2.1.b., whenever a teacher, administrator, Board member, 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 pupil, the Principal shall file a written report with the Superintendent. The Superintendent, upon receiving such report shall report the alleged assault to the Board at the next regular Board meeting; provided the name of the pupil who allegedly committed the assault; although it may be disclosed to the Board members, shall be kept confidential to the public at the Board meeting. A person failing to file a report of an alleged assault may be liable to disciplinary action.

A pupil may be suspended only by the Building 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 pupil may be reinstated by the Principal or by the Superintendent at any time before the second meeting of the Board following the suspension, or by the Board of Education at the first meeting following the suspension, except that no pupil 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 pupil's expulsion from school. At its second regular meeting after the suspension and thereafter, the Board alone may reinstate the pupil or continue the suspension.

In each instance of a short-term suspension, the pupil and their parent(s) or legal guardian(s) will be provided oral or written notice of the charges and an informal hearing conducted by the Building Principal or designee in accordance with the procedures outlined in N.J.A.C. 6A:16-7.2. To the extent the pupil's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the educational process, the pupil may be immediately removed from the pupil'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 pupil pursuant to N.J.A.C. 16A: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 pupil 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 Core Curriculum Content Standards pursuant to N.J.A.C. 6A:8-3.1, 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 pupil with a disability shall be provided consistent with the pupil's Individualized Education Program, in accordance with N.J.A.C. 6A:14. At the completion of a short-term suspension, the general education pupil shall be returned to the general education program.

The records of a pupil disciplined by suspension will be expunged in accordance with Policy and Regulation No. 8330. All record of a suspension will be immediately expunged if the pupil is found innocent of the charges levied. The name of a disciplined pupil will not appear in the agenda or minutes of a public meeting or in any public record of this district; any such pupil will be designated by code.

N.J.S.A. 18A:37-1 et seq.

N.J.S.A. 18A:54-20g

N.J.A.C. 6A:16-7.2; 6A:16-7.3; 6A:14-2.8 et seq.

20 U.S.C. 1415

5611 REMOVAL OF PUPILS FROM THE GENERAL EDUCATION PROGRAM FOR WEAPONS/FIREARMS OFFENSES

The Board prohibits the possession and/or use of firearms (NJSA 2C: 39-1(f)), other weapons, or dangerous instruments which can be used as weapons (NJSA 2C: 39-1(r)) from school property, on a school bus, at any school function, or while en route to or from school or any school function, unless written authorization for the possession of a firearm or weapon has been approved by the Board of Education.

The Principal shall make the final determination that a particular object is a dangerous instrument in any case where there is a question of its possession or use posing a threat to pupils, teachers, administrators, Board members, other Board employees or property.

#### Firearms

Any pupil who is convicted or adjudicated delinquent for possession of a firearm or committing a crime while armed with a firearm or found knowingly in possession of a firearm on any school property, on a school bus, or at a school-based function shall be immediately removed from the school's regular education program pending a hearing before the Board to remove the pupil from the regular education program for a period of not less than one calendar year. As in all disciplinary cases, due process will be provided.

The Principal/designee shall be responsible for the removal of such a pupil and shall immediately report the removal to the Superintendent. The Superintendent may modify a pupil's removal on a case-by-case basis. The Principal shall also notify the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice.

#### Weapons

A pupil found or observed on school property or at a school event in possession of a weapon or dangerous instrument other than a firearm shall be reported to the Principal/designee immediately. The Principal may inform the Superintendent/designee and appropriate law enforcement officials with all known information concerning the matter, including the identity of the pupil involved.

Any pupil who commits an assault with a weapon other than a firearm upon a pupil, teacher, administrator, Board member, or other Board employee on any school property, on a school bus, or at a school-based function shall be immediately removed from the school's regular education program pending a hearing before the Board to remove the pupil from the regular education program for a period not to exceed one calendar year. As in all disciplinary cases, due process will be provided.

PUPILS  
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Removal of Pupils From the General Education  
Program for Weapons/Firearms Offenses

The Principal/designee shall be responsible for the removal of such a pupil and shall immediately report the removal to the Superintendent. The Superintendent may modify a pupil's removal on a case-by-case basis. The Principal shall also notify the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice.

#### Assault

Any pupil who commits an assault not involving the use of a firearm or weapon upon a teacher, administrator, Board member, or other Board employee on any school property, on a school bus, or at a school-based function shall be immediately removed from the school's regular education program consistent with due process procedures.

The Principal/designee shall be responsible for the removal of such a pupil and shall immediately report the removal to the Superintendent.

A Violence, Vandalism, and Substance Abuse report shall be filed whenever a pupil is found to be in possession of a firearm, weapon, or dangerous instrument. Written records on a case-by-case basis will be maintained and will be made available to a school employee representative upon request. Annually, a final report will be filed with the Commissioner of Education. Due process will be provided for any employee alleged to have falsified the annual report on Violence, Vandalism, and Substance Abuse.

The Superintendent, law enforcement officials, and parent(s) or legal guardian(s) for pupils removed for possession of firearms or assault will be immediately notified of such action.

Policies and procedures regarding pupils removed for firearm offenses and assault offenses will be disseminated through the Student Handbook and the district website.

N.J.S.A. 18A:37-1 et seq.

N.J.A.C. 6A:14-2.8 et seq.; 6A:16-5 et seq. through 6A:16-9 et seq.

Adopted: 16 September 2008

5612 ASSAULT BY PUPILS ON BOARD MEMBERS OR EMPLOYEES

Any pupil 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 Board member or any district employee 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, according to the requirements of N.J.S.A. 18A:37-2.1, will be immediately suspended from school consistent with due process procedures, pending suspension or expulsion hearings before the Board.

This section shall be construed in a manner consistent with 20 U.S.C. §1400 et seq. and N.J.A.C. 6A:14-2.8. Nothing in this Policy will be construed as prohibiting the removal of a pupil with a disability or the expulsion of a general education pupil.

The Principal or designee will remove, isolate and place the pupil under the supervision of school staff until such time as the parent(s) or legal guardian(s) or appropriate agency takes custody of the pupil. The Principal will immediately report the removal of the pupil to the Superintendent and notify the pupil's parent(s) or legal guardian(s) of the removal action and the pupil's due process rights.

The Board will provide a hearing no later than thirty days following the day on which the pupil is suspended. The decision of the Board will 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.

N.J.A.C. 6A:16-5.7

Adopted: 16 September 2008



5620 EXPULSION

The Board of Education recognizes that expulsion from this district is the most severe sanction that can be imposed upon a pupil. For the purposes of this policy, “expulsion” means the Board discontinuing the educational services or discontinuing payment of educational services for a general regular education pupil from school pursuant to N.J.S.A. 18A:37-2.

The Board may expel a general education pupil only after the Board has provided the procedural due process rights set forth in N.J.A.C. 6A:16-7.3 and 7.4 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 only after the Board has provided an appropriate educational program or appropriate educational services, based on the criteria set forth under N.J.A.C. 6A:16-7.3(f) and as outlined in Regulation 5610. The educational program shall be consistent with the provisions of N.J.A.C. 6A:16-9.2, Alternative Educational Programs, and N.J.A.C. 6A:16-10.2, Home or Out-of-School Instruction for General Education Pupils, and N.J.A.C. 6A:14-2, Special Education, Procedural Safeguards and N.J.A.C. 6A:14-4.3, Special Education, Programs and Instruction, whichever are applicable. The educational services provided, either in school or out of school, shall be comparable to those provided in the public schools for pupils of similar grades and attainments, pursuant to the provisions of N.J.S.A. 18A:38-25.

Any appeal of the Board’s decision regarding the cessation of the pupil'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 appropriate educational services until a final determination has been made on the appeal of the Board’s action to expel a pupil.

The Board shall comply with the mandated pupil removal from general education pursuant to N.J.A.C. 6A:16-7.4. The Board shall follow N.J.A.C. 6A:16-5.5 for pupil removal for firearm offenses, N.J.A.C. 6A:16-5.6 for pupil removal for assaults with weapons offenses, and N.J.A.C. 6A:16-5.7 for pupil removal for assaults on district Board of Education members and employees.

An expulsion of a pupil with a disability from a receiving school shall be handled in accordance with N.J.A.C. 6A:14.

N.J.S.A. 18A:37-2  
N.J.A.C. 6A:16-7.4; 6A:16-7.5

Adopted: 16 September 2008

5710 PUPIL GRIEVANCE

It is recognized by the Board of Education of the Vocational Schools in the County of Monmouth that open lines of communication between pupils and the school administration must be maintained.

Pupils are encouraged to consult with the vocational guidance counselor and/or the vocational school Principal on any matters of concern.

Request forms are available in each school office and when completed by a pupil, the guidance counselor and/or building administrator meets with the pupil or pupils at the earliest opportunity.

If it is not possible to resolve the matter, the pupil may proceed formally with a grievance in the following manner.

1. A grievance shall be in writing and include each of the following:
  - a. The specific nature of the grievance and a brief statement of the facts giving rise to it.
  - b. What result the pupil desires.
  - c. The reasons why the pupil feels he/she is entitled to the requested result.
2. A copy of the grievance shall be delivered to the Principal and the Principal shall then arrange for and hold a hearing at which there shall be present the pupil or up to three pupils if a group is involved.
3. The Principal shall report the results of the hearing to the Superintendent of Schools with recommendations and determinations and shall convey his/her determinations to the pupil or pupils.
4. If the aggrieved is dissatisfied with the determinations of the Principal, the aggrieved shall set forth in writing reasons for disagreement and send copies to the Principal and Superintendent of Schools.
5. Upon receipt of the report from the Principal together with any objection set forth, the Superintendent shall, if within his authority, make a final determination or, in the event it is a matter on which the Board of Education is required to act, he/she shall make his recommendations of the Board.

6. Any party who has participated in the proceedings and is not satisfied with the determinations of the Superintendent shall have the right to request a hearing before the Board of Education, provided such a request is filed in writing with the Superintendent. The Board shall then make a final determination subject only to such further review as may be available under the provisions of Title 18A of the New Jersey Statutes.

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  
N.J.S.A. 18A:42-4

Adopted: 16 September 2008

5750 EQUAL EDUCATIONAL OPPORTUNITY

The Board of Education directs that all pupils enrolled in the schools of this district shall be afforded equal educational opportunities in strict accordance with law. No pupil 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 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 shall assure that all pupils 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 pupils, and enable pupils to interact effectively with others, regardless of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic 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.

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 Genocide.

Affirmative action shall be taken to ensure that pupils are protected from the effects of discrimination, in accordance with Policy No. 2260. Pupils who experience less than equal educational opportunities or experience discrimination shall use the procedure established by Regulation No. 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 pupils. 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 or sex, social or economic 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 pupil 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.S.A. 18A:4A-1, et seq.; 18A:6-5 et seq.; 18A:36-20  
N.J.A.C. 6A:7-1.1 et seq.; 6A:14-1.2

## 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.

United States Department of Education - Office of Civil Rights Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties (1997)



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: 16 September 2008

5755 EQUITY IN EDUCATIONAL PROGRAMS AND SERVICES

Equity In Pupil Access

It is the policy of the Board of Education to ensure equal and bias-free access to all school facilities, courses, programs, activities, and services, regardless of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability.

The school district administration will ensure: that all pupils will have equal and barrier-free access to all school and classroom facilities, that minority and female pupils are not under-represented in gifted and talented or accelerated/advanced courses and that minority and male pupils are not over-represented in detentions, suspensions, expulsions, dropouts, or special needs classifications. Support services will be available to all pupils and that all limited English-proficient pupils and pupils 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 pupils 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 or sex, social or economic 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 pupils to ensure that the racial/national origin composition of each school's enrollment reflects the composition of the district-wide enrollment and so that school and classroom enrollments are not identifiable on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability.

Pupils will not be separated or isolated by race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability within schools, courses, classes, programs, or extracurricular activities. Bias-free multiple measures for determining the special needs of language-minority pupils and pupils with disabilities will be utilized. Pregnant pupils will be permitted to remain in the regular school program and activities and if not permitted to attend school by her doctor, the pupil will be provided equivalent instruction.

#### Equity in Guidance Programs and Services

The school district will ensure the guidance program provides access to adequate and appropriate counseling services for minority pupils, limited English-proficient pupils, non-college bound pupils, and pupils with disabilities. A full range of possible career, professional, and/or vocational choices will be presented to all pupils.

#### Equity in Physical Education Training

All school district physical education programs will be co-educational, with the exception of wrestling practice and a minimum of 75% of the electives are chosen by at least 30% of enrolled male and female pupils, when the physical education programs are elective.

#### Equity in Athletic Programs

The school district's athletic program will provide equitable opportunities for female and male pupils 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 pupil or their parent(s) or legal guardian(s) may appeal school practices involving equity through the procedure established in Regulation No. 5750.

N.J.A.C. 6:4-1 et seq.  
Title IX of the Education Amendments of 1972  
Athletic Guidelines 1986

Adopted: 16 September 2008

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.

The Superintendent shall be notified of the proposed search of a pupil's person or intimate personal belongings.

Whenever possible, a search will be conducted by the Principal in the presence of the pupil, the pupil's parent(s) or legal guardian(s) or a representative of the parent(s) or legal guardian(s), and a teaching staff member other than the Principal. Under no circumstances shall any pupil be subjected to a strip search or a body cavity search.

A search prompted by the reasonable belief that the circumstances are exigent and pose an immediate threat, will be conducted by any teaching staff member with as much speed and dispatch as may be required to protect persons and property.

The Principal shall conduct a pupil search on the request of a law enforcement officer only on presentation of a duly authorized search warrant or on the voluntary and knowing consent of the pupil or when the Principal has independent grounds to suspect the presence of an incriminating object.

The Principal shall be responsible for the prompt recording in writing of each pupil search, including the reasons for the search; information received that established the need for the search and the name of the informant, if any; the persons present when the search was conducted; any substances or objects found; and the disposition made of them. The Principal shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or object taken from a pupil.

N.J.S.A. 18A:36-19.2, 18A:37-6

Adopted: 16 September 2008

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: 16 September 2008

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 one outside resource person.

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



6000 FINANCES

| <u>Number</u> | <u>Title</u>   |
|---------------|--|
| 6111          | Special Education Medicaid Initiative (SEMI) Program               |
| 6141          | Tax Revenues   |
| 6150          | Tuition Income   |
| 6160          | Grants from Private Sources  |
| 6210          | Fiscal Planning  |
| 6220          | Budget Preparation   |
| 6230          | Budget Hearing   |
| 6320          | Purchases Subject to Bid   |
| 6340          | Multiple Year Contracts  |
| 6350          | Competitive Contracting  |
| 6360          | Political Contributions  |
| 6362          | Contributions to Board Members and Contract Awards                 |
| 6421          | Purchases Budgeted   |
| 6422          | Budget Transfers, Emergency Purchases and Overexpenditure of Funds |
| 6423          | Expenditures for Non-Employee Activities, Meals and Refreshments   |
| 6424          | Emergency Contracts  |
| 6440          | Cooperative Purchasing   |
| 6450          | Choice of Vendor   |
| 6470          | Payment of Claims  |
| 6471          | School District Travel   |
| 6480          | Purchase of Food Supplies  |
| 6510          | Payroll Authorization  |
| 6520          | Payroll Deductions   |
| 6620          | Petty Cash   |
| 6650          | Scholarship Fund   |
| 6660          | Student Activity Fund  |
| 6700          | Investments  |
| 6810          | Financial Objectives   |
| 6820          | Financial Reports  |
| 6830          | Audit and Comprehensive Annual Financial Report                    |
| 6831          | Withholding or Recovering State Aid                                |

6111 SPECIAL EDUCATION MEDICAID INITIATIVE (SEMI) PROGRAM

Every New Jersey school district, with the exception of any district that obtains a waiver of the requirements of N.J.A.C. 6A:23A-5.3 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

Revised March 22, 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 Monmouth County tax revenues in anticipation of district expenditures in accordance with law on an annual basis.

N.J.S.A. 18A:17-34

N.J.S.A. 54:4-75

Adopted: 16 September 2008

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 in a County Vocational School District will be determined, charged, and paid in accordance with N.J.A.C. 6A:23-3.3 et seq. and all other related State statutes and administrative codes.

The Board will, with consent of the Board upon such terms, admit non-county resident 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.S.A. 18A:38-3; 18A:38-19; 18A:46-21  
N.J.A.C. 6A:23-3.1 et seq. through 3.4 et seq.  
N.J.A.C. 6A:14-7.8

Adopted: 16 September 2008

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 before being submitted to the funding agency. The Superintendent shall establish regulations for the processing of proposal ideas throughout the district.

6210 FISCAL PLANNING

The Board of Education shall collect and assemble the information necessary to discharge its responsibility for the fiscal management of the school district and to plan for the financial needs of the educational program. The Board will strive toward maintaining both short and long range perspectives of district financial requirements.

Accordingly, the Board directs the School Business Administrator/Board Secretary to include cost estimates in all ongoing district studies of the educational program, to prepare a long range year-by-year plan for the maintenance and replacement of facilities and equipment, to forecast an estimated expenditure budget for one year in the future, to maintain a plan of anticipated state and federal revenues, to meet periodically with the county governing board to review planned expenditures and the joint effect of school and community costs on tax rates, and to report to the Board any serious financial forecast that emerges from the district's fiscal planning.

## 6220 BUDGET PREPARATION

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 Board shall prepare and maintain a budget in which budgeted anticipated revenues and fund balances equal budgeted appropriations. Only those expenses reasonably required to provide a thorough and efficient educational program shall be approved for the budget. Surplus/fund balance remaining from the prior year's budget may be applied against taxes to be raised locally. The amount of surplus/fund balance appropriated into the budget will be in accordance with New Jersey Department of Education regulations.

The Board will submit its proposed budget to the County Superintendent, in the authorized budget format, as required by law. As a minimum, the budget shall be prepared on a fund basis and shall conform to the outline as contained in Appendix A of the Uniform Minimum Chart of Accounts (Handbook 2R2) for New Jersey Public Schools. The Board may approve an expanded coding structure to provide additional information and allow more efficient management of district resources. Unreserved fund balance/surplus remaining from the previous school year may be appropriated when developing the next year's budget to reduce the amount of local taxes required to support the budget. Unreserved fund balance/surplus may also be appropriated during the school year for unforeseen and/or emergency expenditures.

In order to allow adequate time for the preparation and review of the proposed budget, the Board directs the Superintendent and/or School Business Administrator/Board Secretary to present to the Board all available information associated with the budget in accordance with Department of Education guidelines. 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 budget shall be prepared in accordance with the annual budget statement and supporting documentation as prescribed by the Commissioner of Education. The budget revenue and appropriations shall be itemized as required in the budget statement and shall be readily understandable, in which shall be shown:

1. The total expenditure for each item for the preceding school year, the amount appropriated for the current school year adjusted for transfers as of the date specified by the New Jersey Department of Education of the current school year, and the amount estimated to be necessary to be appropriated for the ensuing school year, indicated separately for each item as determined by the Commissioner.
2. The amount of the surplus account available at the beginning of the preceding school year, at the beginning of the current school year and the amount anticipated to be available for the ensuing school year.
3. The amount of revenue available for budget purposes for the preceding school year, the amount available for the current school year as of the date specified by the New Jersey Department of Education of the current school year and the amount anticipated to be available for the ensuing school year in the categories designated by the New Jersey Department of Education and such other categories as determined by the Board.
4. Transfers between current expense and capital outlay for the preceding school year, the current school year as of the date specified by the New Jersey Department of Education of that year and transfers anticipated for the ensuing school year.

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. 6:20-2A.1.

N.J.S.A. 18A:7F et seq.; 18A:22-7 et seq.  
N.J.A.C. 6:20-2A.1 et seq.

Adopted: 16 September 2008

6230 BUDGET HEARING

Each year, as required by law, the Board of Education of a county vocational school district shall prepare and deliver to the County Superintendent and to each member of the Board of School Estimate, an itemized statement of the amount of money estimated to be necessary for current expenses and for repairing and furnishing schools or buildings of the county vocational school district for the ensuing school year.

Each year, as prescribed by law, the Board of School Estimate shall fix and determine by official action taken at a public meeting of the Board, the amount of money necessary to be appropriated for the use of the county vocational school district for the ensuing school year exclusive of the amount to be received from the State and other sources as provided in N.J.S.A. 18A:54-32.

The Board of School Estimate shall make two certificates for the amount, which shall be signed by at least three of its members. One certificate shall be delivered to the Monmouth County Vocational School District and the other to the Monmouth County Board of Chosen Freeholders.

N.J.S.A. 18A:7A-51; 18A:22-10 et seq.; 18A:22-37 et seq.

Adopted: 16 September 2008

6320 PURCHASES SUBJECT TO BID

The Board of Education directs the establishment and conduct of bidding procedures that serve the public interest and provide each qualified vendor an equal opportunity to furnish goods and services to the district.

Every contract for the performance of work or the purchase or lease of materials or supplies not exempted by law will be subject to public bidding whenever the aggregate value of such a contract within one contract year exceeds the bid threshold established by law and in accordance with N.J.S.A. 18A:18A-3.(a). Whenever possible, purchases will be aggregated; purchases may not intentionally be divided to avoid the requirements for competitive bidding as required in N.J.S.A. 18A:18A-8. The purchase of textbooks and materials that exceed the bid threshold and are approved by the Board pursuant to N.J.S.A. 18A:34-1 shall not require the further adoption of a resolution for purchase.

Bid specifications will be prepared and/or are coordinated by the School Business Administrator/Board Secretary or designee. 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 or designee is authorized to advertise for bids in accordance with N.J.S.A. 18A:18A-21 without the prior approval of the Board, but shall inform the Board of any such advertisement at the Board meeting next following. Records of advertisements will be kept in detail sufficient to show that a reasonable number of qualified vendors were invited to bid.

Bids shall be opened publicly by the School Business Administrator/Board Secretary or designee before one or more witnesses at a previously designated time and place. Contracts will be awarded, on a resolution duly adopted by the Board, to the lowest responsible bidder who submits the lowest responsible bid, except that the Board may choose to reject all bids, to readvertise, or to purchase under a State contract. The Board may disqualify a bidder who would otherwise be determined to be the lowest responsible bidder in accordance with N.J.S.A. 18A:18A-4. Whenever two or more bids are the lowest bids submitted by responsible bidders, the Board shall determine to which bidder the contract will be awarded.

The bid of a vendor who claims, before bids are opened, a mistake or omission in its preparation will be returned unopened. A bidder who discovers a mistake or omission after bids have been opened may withdraw the erroneous bid provided he or she gives immediate written notice of the mistake or omission and certification, supported by clear evidence, that he or she exercised reasonable care in the examination of the specifications and preparation of the bid. Any bidder who withdraws an opened bid shall forfeit any bid security deposited with the bid in accordance with law.

In accordance with the provisions of N.J.A.C. 6A:23A-5.4, pursuant to the authority granted the Commissioner of Education under N.J.S.A. 18A:55-2 and N.J.S.A. 18A:7F-60, the Commissioner shall subject to review for the withholding of State funds any school district that fails to obey the provisions of the Public Contract law, N.J.S.A. 18A:18A-1 et seq. The amount of funds to be withheld shall equal the amount of the contract awarded in violation of the provisions of N.J.S.A. 18A:18A-1 et seq. except for violations related to the award of contracts under the extraordinary unspecifiable services (EUS) provision which shall be governed by the provisions of N.J.S.A. 18A:18A-46.1.

N.J.S.A. 18A:18A-1 et seq.  
N.J.S.A. 18A:54-30  
N.J.A.C. 6A:23A-5.4; 6A:27-9.1 et seq.

6340 MULTIPLE YEAR CONTRACTS

The Board of Education may enter a multiple year contract for goods and services permitted by law whenever the extended contract will serve the needs of the district and yield greater return for the expenditure.

The School Business Administrator/Board Secretary is directed to investigate the advantage to the district of multiple year contracts. Investigation should include, but need not be limited to, a comparison of the costs of multiple year and single year contracts, an analysis of trends in the costs and availability of the goods or services to be provided, the projected needs of the district, and an inquiry into the reliability and stability of the vendor.

Except for those contracts exempted from the requirement by law, all multiple year contracts will contain a cancellation clause or a clause conditioning annual extension of the contract on the appropriation of sufficient funds to meet the Board's obligation.

All multiple year contracts must be approved by the Board. When the estimated annual cost of a multiple year contract exceeds the bid threshold established by law and the subject of the contract is not exempt from bidding, the contract shall be advertised in accordance with law and the bidding procedures of this district.

N.J.S.A. 18A:18A-5; 18A:18A-42

Adopted: 16 September 2008

### 6350 COMPETITIVE CONTRACTING

Competitive contracting may be used in lieu of public bidding for specialized goods or services that exceed the bid threshold provided the process is administered by a purchasing agent, by legal counsel of the Board of Education, or by the School Business Administrator and pursuant to N.J.S.A. 18A:18A-4.1. et seq. Competitive contracting may only be used for the purposes provided in N.J.S.A. 18A:18A-4.1. Unless an exception is provided for under N.J.S.A. 18A:18A-42 permitting a longer contract duration, contracts awarded under competitive contracting may be for a term not to exceed five years.

The purchasing agent will prepare a request for proposal documentation, which will include all requirements deemed appropriate and necessary to allow for full and free competition between vendors, information necessary for potential vendors to submit a proposal, and a methodology by which the Board will evaluate and rank proposals received from vendors. The methodology for the awarding of competitive contracts will be based on an evaluation and ranking and will be developed in a way that is intended to meet the specific needs of the district and where such criteria will not unfairly or illegally discriminate against or exclude otherwise capable vendors. The methodology for awarding competitive contracts will comply with such rules and regulations as the Director of the Division of Local Government Services in the Department of Community Affairs may adopt in accordance with N.J.S.A. 18A-4.4.

Request for Proposal documentation will be published in an official newspaper of the Board at least twenty days prior to the date established for the submission of proposals. The Board may charge a fee for the proposal documentation that will not exceed \$50.00 or the cost of reproducing the documentation, whichever is greater.

Each interested vendor will be required to submit a proposal which will include all the information required by the request for proposals. Failure to meet the requirements of the request for proposals may result in the Board disqualifying the vendor from further consideration. Under no circumstances will the provisions of a proposal be subject to negotiation by the Board.

If the Board, at the time of solicitation, utilizes its own employees to provide the goods or perform the services, or both considered for competitive contracting, the Board will, at any time prior to, but no later than the time of solicitation for competitive contracting proposals, notify affected employees of the Board's intention to solicit competitive contracting proposals pursuant to N.J.S.A. 18A:18A-4.5.c. Employees or their representatives will be permitted to submit recommendations and proposals affecting wages, hours, and terms and conditions of employment in such a manner as to meet the goals of the competitive contract. If employees are represented by an organization that has negotiated a contract with the Board, only the bargaining unit will be authorized to submit such recommendations or proposals. When requested by such

employees, the Board will provide such information regarding budgets and the costs of performing the services by such employees as may be available. Nothing will prevent such employees from making recommendations that may include modifications to existing labor agreements in order to reduce such costs in lieu of award of a competitive contract, and agreements implementing such recommendations may be considered as cause for rejecting all other proposals.

The purchasing agent will evaluate all proposals only in accordance with the methodology described in the request for proposals. After proposals have been evaluated, the purchasing agent will prepare a report evaluating and recommending the award of a contract or contracts. The report will be prepared pursuant to N.J.S.A. 18A:18A-4.5.d. The report will be made available to the public at least 48 hours prior to the awarding of the contract, or when made available to the Board, whichever is sooner. The Board will have the right to reject all proposals for any of the reasons set forth in N.J.S.A. 18A:18A-22.

Award of a contract will be made by resolution of the Board within sixty days of the receipt of the proposals, except that the proposals of any vendors who consent thereto, may, at the request of the Board, be held for consideration for such longer period as may be agreed.

The report prepared pursuant to this Policy and Regulation No. 6350 will become part of the public record and will reflect the final action of the Board. Contracts will be executed pursuant to N.J.S.A. 18A:18A-40.

The Secretary of the Board will publish a notice in the official newspaper of the Board summarizing the award of a contract pursuant to N.J.S.A. 18A:18A-4.5g.

N.J.S.A. 18A:18A-1 et seq.

Adopted: 16 September 2008

6360 POLITICAL CONTRIBUTIONS

Political Contribution Disclosure Requirements

In accordance with the requirements of Section 2 of P.L. 2005, Chapter 271 (N.J.S.A. 19:44A-20.26), the Board of Education shall have on file, to be maintained with other documents related to a contract, the following documents to award a “non-fair and open” contract to any business entity receiving a contract with an anticipated value in excess of \$17,500:

1. A Political Contribution Disclosure (PCD) form submitted by the business entity (at least ten days prior to award); and
2. A Business Registration Certificate (anytime prior to award).

“Business entity” means a 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.

A “non-fair and open” procurement process is one that does not meet the standards defined in N.J.S.A. 19:44A-20.7 as a “fair and open process.” “Fair and open” is defined as being:

1. Publicly advertised (either conventionally in newspapers or posted on the district website) in sufficient time (at least ten calendar days) to give notice in advance of the contract, and
2. Awarded under “a process that provides for public solicitation or proposals or qualifications,” and
3. Awarded under criteria established in writing by the Board prior to the solicitation of proposals or qualifications, and
4. Publicly opened and announced when awarded by the Board.

A PCD form is not required to be submitted by a business entity if the contract is awarded under a “fair and open” process as outlined above. Public bidding and competitive contracting models meet the requirements of a “fair and open” process. In addition, contracts awarded by a lead agency in a cooperative purchasing program or as a State contract are considered awarded under a “fair and open” process and a PCD form is not required.



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.

Contracts less than the bid threshold but higher than \$17,500 (a.k.a. "window contracts") fall under PCD requirements, but have special circumstances.

1. If these contracts are awarded as a "fair and open" contract, a PCD form is not required, and the contract must be approved by the Board.
2. If these contracts are awarded as a non-fair and open contract and the contract is in excess of \$17,500, a PCD form is required. If generally authorized by the Board to award these contracts, the School Business Administrator/Board Secretary can award these contracts.

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.

There is a range of goods and services that are exempt from bidding (N.J.S.A. 18A:18A-5 et seq.) which are subject to Chapter 271 (i.e. professional services, perishable food, textbooks, educational and library-media material, proprietary software or software maintenance, child study consultants, etc.). School districts can meet the fair and open requirement by using the "request for qualification" (RFQ) approach to a fair and open process. Using this model, a Board can specify the desired qualifications, establish criteria for, and award open-ended contracts (for terms as allowed by law) based on those proposals, which may or may not include pricing proposals. Orders for specific services would then be placed, as needed, with individual contractors based on price quotations, ability, or availability of specific goods or services. A RFQ does not require an evaluation based on price – it can be based on skills, ability to deliver a certain product, or range and breadth of product line – with price being agreed upon at the end of the evaluation process.

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, supplemental educational services under NCLB, 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. In this case, using the RFQ approach may be useful.

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.

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.

New Jersey Department of Community Affairs Local Finance Notice - 6/4/07

Revised March 22, 2010

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.

Contributions to Board Members and Contract Awards

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: 16 September 2008

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

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.

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 shall commit the expenditure against a specific budget line item or project category in order to guard against the creation of liabilities in excess of appropriations.

N.J.S.A. 18A:18A-1 et seq.; 18A:18A-37; 18A:22-8  
N.J.A.C. 5:34-2.1; 5:34-2.2

Adopted: 16 September 2008

6422 BUDGET TRANSFERS, EMERGENCY PURCHASES AND  
OVEREXPENDITURE OF FUNDS

The laws of the State and the interest of the community demand fiscal responsibility by the Board of Education in the operation of the school district. The Board directs the implementation of such fiscal controls as will ensure that public moneys are not disbursed in amounts in excess of the funds provided to this district and that expenditures do not exceed the amount budgeted for each line item account.

Budget Transfers

The School Business Administrator/Board Secretary will not approve an encumbrance or expenditure which, when added to the total of the existing encumbrances and expenditures, exceeds the amount appropriated by the Board in the applicable line item account established pursuant to the minimum chart of accounts referenced in N.J.A.C. 6A:23-2.2(g)1.

The Board has adopted an expanded chart of accounts pursuant to N.J.A.C. 6A:23-2.2(g)2 and pursuant to N.J.A.C. 6A:23-2.11(a)2 the Board in accordance with N.J.S.A. 18A:22-8.1, designates the Superintendent to approve such budget transfers as are necessary between Board meetings, provided the transfers are reported to the Board, ratified and duly recorded in the minutes at a subsequent meeting of the Board, but not less than monthly. The Board will ratify, by resolution of the Board, the budget transfers between line items which exceed the minimum chart of accounts as per N.J.A.C. 6A:23-2.11(a)2.

Emergency Purchases

In the event of emergency as defined in N.J.S.A. 18A:18A-7 et seq., a purchase order up to the amount of \$21,000.00 may be authorized by the School Business Administrator/Board Secretary. Emergency purchases in excess of the bid threshold may be negotiated or awarded without public advertising for bids only when an emergency affecting the health and safety of occupants of school property requires the immediate delivery of goods and services, provided the contracts are awarded in accordance with N.J.S.A. 18A:18A-7. Any such emergency authorization shall be reported to the Board at its next meeting.

### Overexpenditure of Funds

The Board Secretary shall present the Board a certification each month that no line item account has encumbrances and expenditures, which in total exceed the line item appropriation as defined in the budget transfer section above and in violation of law or this policy. In addition, the Board, after review of the Board Secretary's monthly financial report, shall certify in the minutes that no major account or fund has been overexpended and that sufficient funds are available to meet the district's financial obligations for the remainder of the fiscal year.

If the Board Secretary reports an overexpenditure or the Board is unable to certify that no overexpenditure has been made, the Board will eliminate the deficit by approving a resolution that transfers amounts among line item items and/or from the unreserved fund balance.

In the event the district is anticipating an overexpenditure in the general, capital projects, or debt service funds, the Superintendent will notify the County Superintendent pursuant to N.J.A.C. 6A:23-2.11(b). The Superintendent will notify the County Superintendent of the projected amount of the anticipated overexpenditure, the reason or reasons for the overexpenditure, and the action being taken by the Board to avoid the overexpenditure. Any such corrective action will be recorded in the Board minutes.

The Board recognizes that it is a crime of the fourth degree for a Board member to purposely and knowingly disburse, order, or vote for the disbursement of public funds in excess of appropriations or incur obligations in excess of the appropriate limits of expenditure set by law.

N.J.S.A. 2C:30-4

N.J.S.A. 18A:18A-1 et seq.; 18A:18A-7; 18A:22-8 et seq.

N.J.A.C. 6A:23-2.11 et seq.; 6A:23-2.3 et seq.

Adopted: 16 September 2008

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 supported by general fund revenues for each category of activity in a non-discriminatory manner (e.g. football, boys soccer, girls soccer, photography club). Student activity funds are excluded.



Pursuant to N.J.S.A. 18A:11-12 and State of New Jersey Department of Treasury, Office of Management and Budget Circular 08-19-OMB and 06-14-OMB, the following costs shall not be permitted using public funding:

1. Receptions, dinners, or other social functions held for or honoring any employee or group of employees of the district (e.g. breakfast, luncheon, dinner, or reception for retirees or award recipients). This does not prohibit the district from honoring employees without a social function or using public funds to support reasonable costs of employee recognition awards (e.g. teacher of the year awards, years of service awards). Use of public funds for reasonable costs of employee awards is a local discretionary expenditure;
2. Meals or refreshments served to guests at any athletic event or other games or contests; and/or
3. Expenses for alcoholic beverages.

The School Business Administrator/Board Secretary and/or designee shall maintain documentation to support activities, meals, and refreshments at district events. The documentation shall include a description of the activity, the purpose/justification of the activity, expressed in terms of the goal(s) or objective(s) of the district, the make-up of the group participating in the activity, and the names and titles of Board members or employees included in the group.

N.J.A.C. 6A:23A-5.8

Revised June 23, 2009

6424 EMERGENCY CONTRACTS

Any contract may be negotiated or awarded for a Board of Education without public advertising for bids and bidding notwithstanding that the contract price will exceed the bid threshold when an emergency affecting the health or safety of occupants of school property requires the immediate delivery of goods or the performance of services.

If the School Business Administrator/Board Secretary is satisfied that an emergency exists, he/she shall be authorized to award a contract or contracts for such purposes as may be necessary to respond to the emergent needs pursuant to the provisions of N.J.S.A. 18A:18A-7 et seq.

If conditions permit, the School Business Administrator/Board Secretary shall seek quotations from more than one source. If the expenditures are expected to be in excess of the bid threshold, the School Business Administrator/Board Secretary shall attempt to obtain no fewer than three quotations.

When emergency conditions have eased, the School Business Administrator/Board Secretary shall utilize the regular purchasing system to obtain estimates from suppliers, vendors, and contractors for materials and/or services that will eliminate the circumstances that created the emergency.

The School Business Administrator/Board Secretary shall prepare and submit a final report to the Board on every occasion an emergency contract is negotiated or awarded in accordance with the provisions of N.J.S.A. 18A:18A-7.

N.J.S.A. 18A:18A-7

Adopted: 16 September 2008

## 6440 COOPERATIVE PURCHASING

The Board of Education recognizes that centralized, cooperative purchasing tends to maximize the value received for each dollar spent. The Administration is encouraged to seek savings that may accrue to this district by means of joint agreements for the purchase of goods or services with the governing body of the municipality or the county within whose boundaries the school district is wholly or partly located, or by means of contracts entered into by the New Jersey State Treasury Department, Division of Purchase and Property.

A cooperative pricing system is a purchasing system in which the lead agency advertises for bids, awards a master contract to the vendor providing for its own needs and for the prices to be extended to registered members, and notifies them of the bid prices awarded. The registered members then contract directly with the vendor for their own needs, subject to the specifications in the master contract.

A joint purchasing system is a cooperative purchasing system in which the lead agency has complete purchasing responsibility for the registered members, and the only contractual relationship is between the lead agency and the vendor.

A cooperative purchasing system is either a joint purchasing or cooperative pricing 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 are Boards of Education, the purchase of work, materials or supplies 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.

No cooperative or joint purchase may be entered without Board approval of an agreement that specifies the categories of work, materials and supplies to be purchased; the manner of advertising for bids and the awarding of contracts; the method by which payment will be made by each participating Board of Education, municipality or county, and such other terms 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 manner as for other expenses of the participant.

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.

Any party to a contract for joint operation of electronic data processing services 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 agreement, the same shall be referred to the 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 and the State Board pursuant to law. In the event the districts are in more than one county, the controversy or dispute shall be referred to the 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.

In a cooperative purchasing system established and properly registered with the New Jersey Division of Local Government Services where the lead agency is a Board of Education or Educational Service Commission and the membership of the system is Boards of Education and local contracting units as defined in N.J.S.A. 40A:11-2(1), the purchase of any work, materials or supplies shall be conducted pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and N.J.A.C. 5:34-7.

N.J.S.A. 18A:18A-10 through 14

N.J.S.A. 40A:11-1 et seq.

N.J.A.C. 5:34-7

N.J.A.C. 6A:23-7.4

Adopted: 16 September 2008

6450 CHOICE OF VENDOR

The Board of Education recognizes its position as a major purchaser of goods and services in the community served by the school district. It is the intention of the Board to purchase goods and services of the requisite quality at the lowest possible cost and to invite widespread competition in order to achieve this end. Where all other considerations are equal, however, the Board will exercise a preference for dealing with established local merchants and service providers from within the boundaries of the school district.

The School Business Administrator/Board Secretary is authorized to place purchase orders with local merchants and providers when their prices and terms are competitive with other vendors. Nothing in this policy shall be deemed to circumvent the requirements of law regarding public purchasing.

All vendors shall supply assurances that they do not practice discrimination as described in the administrative code. All vendors shall be informed that harassment of any kind, of district pupils or employees by their representatives is prohibited.

N.J.S.A. 18A:6-8; 18A:12-2; 18A:18A-15(b)

Adopted: 16 September 2008

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 No. 6422.

The Board must approve all claims for payment, except, 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 not greater than the bid threshold, 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 will 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. 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 must be signed by the President, Board Secretary, and Treasurer of School Moneys.

N.J.S.A. 18A:17-36; 18A:19-1 et seq.; 18A:22-8.1

N.J.S.A. 18A:54-26

N.J.A.C. 6A:23A-6.10

Revised June 23, 2009

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.
2. The Board of Education, pursuant to the provisions of N.J.A.C. 6A:23A-7.3(b), authorizes an annual maximum amount per employee not to exceed \$1,500 for regular business travel only for which prior Board approval is not required.

- a. The annual maximum shall not exceed \$1,500 and shall be subject to the approval requirements in N.J.S.A. 18A:19-1.
- b. Regular school district business travel as defined in N.J.A.C. 6A:23A-1.2 includes attendance at regularly scheduled in-State county meetings and Department of Education sponsored or association sponsored events free of charge. It also includes regularly scheduled in-State professional development activities for which the registration fee does not exceed \$150 per employee or Board member.
- c. Regular school district business travel as authorized in this Policy requires approval of the Superintendent prior to obligating the district to pay related expenses and prior to attendance at the travel event.
  - (1) The Superintendent shall designate an alternate approval authority to approve travel requests in his/her absence when necessary to obtain timely Board approval.
  - (2) Regulation 6471 provides the procedures for the internal levels of approval required prior to Superintendent or designee approval of the travel event, as applicable.

#### 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, 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), 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.
5. The Board, in accordance with the provisions of N.J.A.C. 6A:23A-7.4(d) excludes from the requirements of prior Board approval any travel caused by or subject to existing contractual provisions, including grants and donations, and other statutory requirements, or Federal regulatory requirements.
  - a. For the exclusion of prior Board approval to apply, the required travel event must be detailed, with number of employee(s), Board member(s), and total cost in the applicable contract, grant, donation, statute, or Federal regulation.
    - (1) This does not include general grant guidelines or regulations that are permissive but do not require the travel event, unless the specific travel event, number of employee(s), Board member(s) and total cost is detailed in the approved grant, donation, or other fund acceptance agreement.
    - (2) This does not include general contractual provisions in labor agreements for continuing education or professional development, except where the Board has included in its policy, a maximum amount per employee for regular business travel that does not require prior Board approval pursuant to N.J.A.C. 6A:23A-7.3.

#### 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
1. Any Board of Education that violates its established maximum travel expenditure as set forth in N.J.A.C. 6A:23A-7.3, or that otherwise is not in compliance with the travel limitations set forth in N.J.A.C. 6A:23A-7 may be subject to sanctions by the Commissioner as authorized pursuant to N.J.S.A. 18A:4-23 and N.J.S.A. 18A:4-24, including reduction of State aid in an amount equal to any excess expenditure pursuant to N.J.S.A. 18A:11-12 and N.J.S.A. 18A:7F-60.
  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.

5. The annual audit conducted pursuant to N.J.S.A. 18A:23-1 shall include test procedures to ensure compliance with this Policy and travel limitations set forth in N.J.A.C. 6A:23A-7 and N.J.S.A. 18A:11-12.

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](http://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.
- (1) Meal expenses under the Federal per diem allowance limits do not require receipts pursuant to N.J.S.A. 18A:11-12.o.(3).]
- 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
1. Meals for in-State travel shall not be eligible for reimbursement except as expressly authorized within N.J.A.C. 6A:23A-7.
  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.S.A. 18A:11-12 et seq.

N.J.A.C. 6A:23A-5.9; 6A:23A-7 et seq.

Revised March 22, 2010

6480 PURCHASE OF FOOD SUPPLIES

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 food service/culinary class.

The Building Principal and/or designee may purchase all food supplies with or without advertising for bids in accordance with N.J.A.C. 6A:23-2.6(c), except the following food supplies.

The School Business Administrator/Board Secretary shall obtain price quotations for food supplies purchased without advertising for bids in accordance with N.J.A.C. 6A:23-2.6 et seq. Uniform specifications setting standards of quality shall be given to each interested vendor. Opportunity shall be provided to as many responsible suppliers as possible to do business with the district. Lists of potential suppliers for various types of foods shall be maintained, and quotations shall be solicited in accordance with N.J.S.A. 18A:18A-4 et seq. Food purchases up to \$250 in any one month may be made without solicitation of quotations provided that the purchaser files a statement indicating the reason why quotations could not be obtained.

Food shall be purchased from the vendor who submits the lowest quotation, except that food may be purchased from another vendor when the Building Principal’s designee has reason to justify the purchase at a higher price. 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 Board shall offer a hearing to any unsuccessful vendor whose quotation for food supplies was lower than the quotation accepted.

N.J.S.A. 18A:18A-4 et seq.; 18A:18A-5a.(6); 18A:18A-6  
N.J.A.C. 6A:23-2.6

Adopted: 16 September 2008

6510 PAYROLL AUTHORIZATION

The most substantial allocation of public funds for the operation of the school district is that made to the employees of the Board of Education for their services. Compensation will be tendered only to persons duly employed by this Board and only for services rendered.

Each Board resolution to employ or reemploy a person will include the person's name, position, and tenure status; the salary or rate of pay the person is to receive, the method of payment, the wage guide from which wages are derived, and the budget category to which the wages are to be charged; the period of time for which employment is authorized; 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. Substitute authorization will ordinarily be valid for one school year.

The minutes of Board meetings will record personnel actions of the Board, to include, but not be limited to, the appointment, promotion, resignation, retirement, death, discharge, compensation, or leave of absence for each employee. The minutes will also include effective dates for personnel action.

Certain categories of staff members designated by the Superintendent 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 Superintendent 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(s) and produce picture identification and sign for release of his or her paycheck or direct deposit voucher. The accepted picture identification shall be in the form of a district-issued identification card, valid drivers' license, official passport, or other picture identification issued by a State, county, or other local government agency.

The Superintendent 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.S.A. 18A:17-35; 18A:19-9 et seq.

N.J.S.A. 18A:54-20

N.J.A.C. 6A:23A-5.7

Revised June 23, 2009

6520 PAYROLL DEDUCTIONS

The Board of Education shall, in accordance with law or employee authorization, make deductions from an employee's paycheck and remit the amounts deducted to the agent designated by the employee.

Deductions will routinely be made as required for federal income tax, social security and medicare; New Jersey income tax, unemployment assistance, and other miscellaneous taxes; and by the New Jersey Division of Pensions.

Deductions may also be made, provided they have been duly authorized by the employee in writing, for contributions on the employee's behalf for:

1. The payment of premiums for group life, accidental death or dismemberment, hospitalization, medical, surgical, major medical, health and accident, and legal insurance plans, N.J.S.A. 18A:16-13;
2. The employee's participation in a summer payment plan, N.J.S.A. 18A:29-3;
3. Tax sheltered annuities or custodial accounts, N.J.S.A. 18A:66-127;
4. Payments to a credit union, N.J.S.A. 40A:19-17;
5. An approved charitable fund raising campaign, N.J.S.A. 52:14-15.9c; and
6. Bona fide organizational dues, N.J.S.A. 52:14-15.9e.

Contributions shall be made as soon as is reasonably possible after the funds have been deducted from an employee's salary. No contribution shall be made on behalf of an employee until the amount contributed has been deducted from the employee's salary.

If the number of subscribers falls below ten employees, no new subscribers will be allowed and the account will be terminated when all remaining subscribers have closed their accounts.

No more than three accounts will be approved for remittance at any one time.

An employee who wishes to pay into a tax sheltered annuity or mutual fund offered by a firm not approved by this Board for payroll deductions must make his/her payment individually.

No Board employee shall withhold or pay to another or purchase or have assigned, other than by court order, any compensation for the services rendered by an employee of this district.

N.J.S.A. 18A:16-9; 18A:66-19; 18A:66-30; 18A:66-78; 18A:66-128

N.J.S.A. 43:3C-9

N.J.S.A. 52:14-15.9; 52:18A-107 et seq.

N.J.S.A. 54:8A-9

N.J.A.C. 6A:23-2.8; 6A:23-2.10



6620 PETTY CASH

The Board of Education authorizes the establishment of petty cash funds in accordance with this policy. The Board directs the implementation of appropriate controls to protect the funds from abuse.

The Board hereby establishes imprest petty cash funds in the care of Board designated staff members in the amount of \$200.00 with a maximum single expenditure of \$30.00 without prior approval of the Superintendent.

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 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.S.A. 18A:19-13; 18A:23-2  
N.J.A.C. 6A:23-2.9 et seq.

Adopted: 16 September 2008

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 a separate interest bearing bank account carrying the name of the fund.

The School Business Administrator/Board Secretary 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 the School Business Administrator/Board Secretary. Payments will be directly made to the post-graduate school.

N.J.S.A. 18A:11-1

Adopted: 16 September 2008

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 Principal to administer the student activity account in each school building.

Funds collected for a student activity shall be turned into the 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.

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 the Principal's live signature, as authorized and approved by Board of Education resolution. Changes to the School Administrator/Principal's signature requires authorization by the School Business Administrator.

Each bank account reconciliation shall be completed in accordance with the procedures and requirements established by the School Business Administrator/Board Secretary. Copies of canceled checks, bank statements, and bank account reconciliations shall be retained for examination by the licensed public school accountant as part of the annual audit required under N.J.S.A. 18A:23-1 et seq. and stated in N.J.A.C. 6A:23A-16.2(i).

Borrowing funds from any student activity account is prohibited. In addition, the Board of Education shall not be responsible for the protection of and the accounting for funds collected by any teacher or pupil for an outside school organization. In addition, the Board of Education shall not approve such funds for deposit in a student activity account.

Any funds accumulated in an individual student activity account that are unexpended or unallocated for use after the student activity is no longer active, discontinuance of the activity or a class has graduated shall be re-allocated at the Principal's discretion.

N.J.S.A. 18A:19-14; 18A:23-2

N.J.A.C. 6A:23A-16.12

Revised March 22, 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 that secure public funds in accordance with statute.

The School Business Administrator/Board Secretary is authorized to invest district funds in accordance with this policy.

Any interest earned on the investment of district funds will be combined with general district revenues.

The Treasurer shall report to the Board each month the cash in all accounts on deposit and all investment assets. The Board Secretary shall report to the Board each month the amount of funds in investments, investment interest earned, and all investment transactions.

N.J.S.A. 17:9-41 et seq.; 17:12B-241

N.J.S.A. 18A:17-34; 18A:17-36; 18A:20-37; 18A:24-47

N.J.S.A. 40:3-7

N.J.S.A. 40A:5-14; 40A:5-15.1

Adopted: 16 September 2008

## 6810 FINANCIAL OBJECTIVES

The Board of Education recognizes its responsibility to the taxpayers of the district and the State to expend public moneys wisely and prudently for the maintenance of a thorough and efficient system of public education and to institute appropriate controls and accounting procedures.

The Board shall use accounting and reporting directives as prepared, published and distributed by the Commissioner of Education in addition to any books, materials or bulletins, for the guidance of school officials in establishing and maintaining the double entry bookkeeping and accounting system mandated in N.J.A.C. 6A:23-2.1.

The Board shall develop a system of accounting and reporting objectives that make it possible to present fairly and with full disclosure the funds and activities of the district and to determine and demonstrate compliance with finance-related legal and contractual matters. The Board shall develop an accounting system that is organized and operated on a fund basis and shall report governmental, proprietary and fiduciary funds in the fund financial statements to the extent they have activities that meet the criteria for using those funds. The Board shall establish and maintain those funds required by law and sound financial administration (only the minimum number of funds consistent with legal and operating requirements should be established) and use the modified accrual or accrual basis of accounting as appropriate in measuring financial position and operating results in accordance with GAAP and regulatory provisions. Transfers shall be recognized in the accounting period in which the interfund receivable and payable arise.

The Board shall adopt an annual budget and include the adopted annual budget in the minutes of the Board. A detailed budget statement, which includes the classification of expenditures by program and function shall be prepared on a fund basis in accordance with N.J.S.A. 18A:22-8 and on a form prescribed by the Commissioner. A detailed budget shall be prepared for each special project, capital project, and Federal or State grant. This budget shall be maintained, along with all authorized revisions, on file in the district Board of Education or Charter School Board of Trustees business office. The Board shall take appropriate action, as necessary, to maintain a balanced budget.

The Board shall ensure the accounting system provides the basis for appropriate budgetary control, and that budgetary comparison schedules are included in the appropriate financial statements and schedules for governmental funds in accordance with GAAP.

The Board shall use a common terminology and classification consistently throughout the budget, the accounts, and the financial reports of each fund, and shall adopt a chart of accounts prepared in conformity with N.J.A.C. 6A:23-2.2(g)1.

N.J.S.A. 18A:4-14; 18A:4-14.1; 18A:18A-1 et seq.;  
18A:19-1 et seq.; 18A:22-7 et seq.  
N.J.A.C. 6A:23-2.2 et seq.

Adopted: 16 September 2008

6820 FINANCIAL REPORTS

The Board of Education directs the Board Secretary and the Treasurer of School Moneys to make such accurate and timely reports to county, State, and federal offices as are required by law and rules of the State Board of Education. In addition, the Secretary and Treasurer 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 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 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 law, the Board Secretary shall so certify to the Board each month. If one or more line item account has encumbrances and expenditures that in total exceed the line item appropriation, the Board Secretary shall promptly notify the Board so that corrective action may be taken in accordance with Policy No. 6422.

If the reports of the Board Secretary and the Treasurer differ in cash receipts or expenditures, the 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.

N.J.S.A. 18A:17-9; 18A:17-36

N.J.S.A. 54:4-75

N.J.A.C. 6A:23-2.2; 6A:23-2.3; 6A:23-2.10; 6A:23-2.11

Adopted: 16 September 2008



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.S.A. 18A:23-1 et seq., N.J.A.C. 6A:23-2.2 et seq.; 6A:23-4.1 et seq.

Cross reference: Policy Guide No. 0173

Revised June 23, 2009

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: 16 September 2008

7000 PROPERTY

| <u>Number</u> | <u>Title</u>   |
|---------------|--|
| 7100          | Long-Range Facilities Planning   |
| 7102          | Site Selection and Acquisition   |
| 7230          | Gifts, Grants, and Donations   |
| 7300          | Disposition of Property  |
| 7410          | Maintenance and Repair   |
| 7420          | Hygienic Management  |
| 7422          | School Integrated Pest Management Plan                                   |
| 7430          | School Safety  |
| 7432          | Eye Protection   |
| 7434          | Smoking on School Grounds  |
| 7435          | Alcoholic Beverages on School Premises                                   |
| 7436          | Drug Free Workplace  |
| 7450          | Property Inventory   |
| 7510          | Use of School Facilities   |
| 7650          | School Vehicle Assignment, Use, Tracking, Maintenance,<br>and Accounting |

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.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:26-3.16, 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.

The district may submit an amendment to an approved LRFP for review and approval by the Commissioner of Education at any time whenever it seeks to undertake a capital project that is inconsistent with the approved LRFP then in effect.

The Board shall review all facilities annually to determine if any of them are substandard pursuant to 6A:26-8.1 et seq. All substandard facilities must be initially approved by the County Superintendent of Schools. Such approvals are given for a maximum of two consecutive years, unless inspected by the New Jersey Department of Education, Division of Finance. The Board shall not continue their use without the express written consent of the County Superintendent of Schools. No substandard educational facility will be approved unless inspected by the Division of Facilities and Transportation in the Department of Education to ensure:

1. The facilities meet health, safety and educational adequacy standards for temporary, substandard facilities, as specified in N.J.A.C. 6A:26;
2. A plan has been developed by the district and approved by the County Superintendent of Schools to upgrade the facilities to standard, fully approved conditions.

The County Superintendent will annually monitor the district's plans to upgrade facilities to fully approved status. The district will provide funds in the next immediate annual budget to correct the deficiencies about which the district is notified by the County Superintendent on or before October 1 annually. Failure to budget for the correction of deficiencies and to implement the corrections by the next September 1 following the October 1 notice will result in the Division of Facilities and Transportation ordering that the substandard facility be abandoned immediately.

The factors as outlined in N.J.A.C. 6A:26-8.1(e) will be taken into account in making a determination upon any application for the use of emergency substandard facilities.

N.J.S.A. 18A:7G-1 et seq.; 18A:11-1; 18A:33-1 et seq.; 18A:46-13  
N.J.A.C. 6:23-1.1 et seq.; 6A:26-2.1 et seq.; 6A:26-8.1 et seq.

Adopted: 16 September 2008

7102 SITE SELECTION AND ACQUISITION

The District 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:26-3.13 and N.J.A.C. 6A:26-7.1 through 7.3.

A. Submission to the Division of Facilities and Transportation

1. The district, or the authority on behalf of the district, shall submit the following information to the Division to obtain approval for the acquisition:
  - a. A written request for approval from the district, which shall include a statement, signed by the Board President and the chief school administrator, indicating the immediate and ultimate proposed uses of the site, in terms of building use, grade organization and potential maximum enrollment, and whether the land is, or will be, part of a school facilities project indicated in the district's LRFP:
  - b. Statement from a local or county water/sewerage agency certifying that:
    - (1) The land can be adequately provided with the necessary water for the proposed maximum enrollment;
    - (2) The land can be adequately provided with the necessary and acceptable sewerage disposal system for the proposed maximum enrollment; and
    - (3) Water and sewer infrastructure is, or is not, in place to service the site.
  - c. Statement from New Jersey Department of Environmental Protection or a licensed architect, engineer or professional planner, indicating whether:
    - (1) The land is subject to regulation under wetlands, pinelands, or the waterfront development acts, the Greenacres Act, or other statutes, regulations or Executive Orders administered by agencies of state or federal government;
    - (2) If so subject, the steps necessary to obtain approval from such agencies, and adequate documentation to demonstrate to the Division that such approvals will be obtainable and not affect the adequacy of the site; and

- (3) The land is in an area designated for growth under the New Jersey State Development and Redevelopment Plan.
- d. A statement from a New Jersey registered architect or licensed engineer indicating that the land to be acquired is suitable for the proposed use;
  - e. A completed plot plan of the land to be acquired showing topographical and contour lines, all adjacent properties and access roads. The acreage and dimensions of the tract proposed for acquisition shall be included as per the application of the standards for minimum acceptable school site sizes in C. below;
  - f. A map of the district showing the location of the land and the location of existing schools in the district;
  - g. A map showing the attendance area to be served by the school and the number of pupils who reside therein;
  - h. Data regarding the impact of the acquisition on racial balance within the district's public schools;
  - i. If existing buildings are located on the land to be acquired, the intended use and/or disposition of these buildings. Any building to be acquired and used must comply with the requirements of the Uniform Construction Code for educational occupancy, and the requirements of N.J.A.C. 6A:26-5.1 et seq. which apply to the construction of a new building;
  - j. Recommendations of the local planning board of the municipality in which the site is situated and which has an approved master plan, as required by N.J.S.A. 40:55D-31, 18A:18A-49 and 18A:18A-16;
  - k. Prior approvals of other agencies, such as the New Jersey Departments of Agriculture and Environmental Protection and the Pinelands Commission, where such approval is reasonably obtainable prior to acquisition;
  - l. Documentation that available data on soil conditions have been examined by the architect or engineer;
  - m. Reports by the architect or engineer of actual soil test borings and percolation tests on any site located less than one mile from a landfill;

- n. A full, detailed appraisal of the market value of the property prepared by a licensed professional; and
- o. The recommendation of the County Superintendent of Schools based on the requirements specified in this subchapter.

B. Size of School Sites

- 1. 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.
  - 2. All school sites require sufficient acreage for the following:
    - a. The placement of the school facility;
    - b. Expansion of the building to its maximum potential enrollment;
    - c. The placement of all other structures such as greenhouses, storage buildings, school bus maintenance buildings or garages and any other structure, above or below ground, which is to be placed thereon;
    - d. Multi-purpose physical education and recreation field(s) required to support the achievement of the Core Curriculum Content Standards as defined by the educational specifications under N.J.A.C. 6A:26-5.1 et seq.;
    - e. Disabled-accessible pedestrian walkways, roadways and parking areas on which people and vehicles access the building;
    - f. 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
    - g. A thirty-foot wide access around the entire building.
- C. Land owned by the school district which does not meet the standards of N.J.A.C. 6A:26-7.1 may be supplemented by adjacent municipally owned land if such land is formally leased on a long-term basis to the district Board of Education for exclusive use during school hours.

D. The approval of the Division shall remain effective for three years, after which time Division approval shall again be obtained prior to acquiring land.

E. Approval for Acquisition of Existing Facilities

1. If the district has an opportunity to acquire an existing facility through purchase, gift, lease or otherwise the district will comply 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 18A:20-4.2 as per N.J.A.C. 6A:26-7.3.
2. The district shall also have 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.
3. Off-site facilities which are to be procured for temporary, emergency use must comply with N.J.A.C. 6A:26-8, Substandard School Facilities.

F. Districts Eligible for 100% State Support Only

The authority may acquire land on behalf of a district eligible for 100% State support of final eligible costs, for school facilities projects that are consistent with such district's approved LRFP. For such districts, the Department requires submission of all information set forth in N.J.A.C. 6A:26-7.1(b) to demonstrate compliance with these regulations. The authority may submit the required information on behalf of such districts.

N.J.A.C. 6A:26-3.13; 6A:26-7.1; 6A:26-7.2; 6A:26-7.3



7230 GIFTS, GRANTS AND DONATIONS

The Board of Education accepts its responsibility to provide from public funds sufficient supplies and equipment for an effective instructional program. The Board recognizes, however, that from time to time individuals or organizations in the community may wish to contribute additional supplies or equipment to enhance or extend the instructional program.

The Board may accept by resolution duly passed at a public meeting any gift or grant of land, with or without improvement, and of money or other personal property. 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.

N.J.S.A. 18A:20-4; 18A:20-11 et seq.

Adopted: 16 September 2008

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 and N.J.A.C. 6A:26-7.4. If an approved site 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 Department of Education in accordance with the requirements of N.J.A.C. 6A:26-7.4 et seq. The Department of Education 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. 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.

Personal property may be sold to the United States, the State of New Jersey, or to any body politic in the State of New Jersey, or any foreign nation which has diplomatic relations with these United States by private sale without advertising for bids.

Notwithstanding anything to the contrary in this policy, property acquired with federal funds for use in a federally funded program will be disposed of in accordance with applicable law and guidelines.

The Superintendent shall develop regulations for the disposition of district property that provide for the review of the continued usefulness of all property in conjunction with the periodic inventory of property; the recommendation for Board designation of property for sale, donation, or discard; and the disposition of property in a fair and open manner consistent with the public interest and applicable laws.

N.J.S.A. 18A:18A-5; 18A:18A-45; 18A:20-6 et seq.  
N.J.A.C. 6A:26-7.4

Adopted: 16 September 2008

7410 MAINTENANCE AND REPAIR

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.S.A. 18A:18A-43; 18A:21-1  
N.J.A.C. 6A:23A-6.9; 6A:26A:-1.1 et seq.

Adopted: 16 September 2008

## 7420 HYGIENIC MANAGEMENT

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 the head custodian.

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 Building Principal 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 School Business Administrator/Board Secretary 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: 16 September 2008

## 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 Monmouth County Vocational School District.

### IPM Coordinator (IPMC)

The School Business Administrator/Board Secretary 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: 16 September 2008

7430 SCHOOL SAFETY

The Board of Education shall develop and implement comprehensive plans, procedures and mechanisms that provide for safety of the pupils in the district. The plans will be in written form, and revised annually.

The plan shall provide for:

1. The protection of the health, safety and welfare of the school population;
2. The prevention of, intervention in, response to and recovery from emergency and crisis situations;
3. The establishment and maintenance of a climate of civility; and
4. Supportive services for staff, pupils and their families.

The Superintendent or designee shall consult with law enforcement agencies, health and social services provider agencies, emergency management planners and other school and community resources, as appropriate, in the development of the district Board of Education's plans, procedures and mechanisms for school safety and annually revise if necessary the Memorandum of Understanding between the District local and County Law Enforcement agencies. The plans, procedures, revisions, and mechanisms shall be consistent with the provisions of N.J.S.A. App. A: 9-64 et seq. and the format and content established by the Attorney General and the Commissioner of Education.

The Monmouth County Vocational School District Board of Education shall disseminate a copy of individual school safety plans to all district Board of Education employees.

1. New district Board of Education employees shall receive a copy of the school safety plan, as appropriate, within sixty days of the effective date of their employment.
2. All district Board of Education employees shall be briefed in writing, as appropriate, regarding updates and changes to the school safety plan.

The district Board of Education shall develop and provide an in-service training program for district Board of Education employees to enable them to recognize and appropriately respond to safety concerns, including emergencies and crises, consistent with the school/district's plans, procedures and mechanisms for school safety and the provisions of this section.

1. New district Board of Education employees shall receive the in-service training, as appropriate, within sixty days of the effective date of their employment.
2. The in-service training program shall be reviewed annually and updated as appropriate.

N.J.S.A. 18A:6-2; 18A:40-12.1; 18A:40-12.2

N.J.S.A. 40:67-16.7

N.J.A.C. 6A:16-1.4; 6A:26-12.5

N.J.A.C. 6:43-2.2; 6:53-1.1 et seq.

## 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 including the adult evening school program.

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.S.A. 18A:40-12.1; 18A:40-12.2  
N.J.A.C. 6A:26-12.5  
N.J.A.C. 6:53-5.1

Adopted: 16 September 2008

7434 SMOKING ON SCHOOL GROUNDS

The Board of Education believes that the right of persons to smoke must be balanced against the right of nonsmokers to breathe air untainted by tobacco smoke.

For purposes of this policy, “smoking” means the burning of, inhaling the smoke 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.

For the purposes of this policy, “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, 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.

In accordance with law, the Board prohibits smoking at all times anywhere on school grounds.

Notwithstanding any provision of this policy, smoking by pupils is governed by Policy No. 5533.

A sign indicating smoking is prohibited on school grounds as defined above will be posted at each public entrance 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 or law after being ordered to stop smoking on school grounds and may request the assistance of law enforcement to accomplish this departure and removal.

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

Revised March 22, 2010

7435 ALCOHOLIC BEVERAGES ON SCHOOL PREMISES

The knowing possession, without legal authority, or knowing consumption of any alcoholic beverage by any person on school premises is a disorderly persons offense.

The Board of Education prohibits the possession and consumption of an alcoholic beverage, without the express written permission of the Superintendent, by any person in any school building and on school property or at any school sponsored activity.

The Board will report to law enforcement officials and prosecute as appropriate any person who violates law and this policy, except that any pupil who possesses or uses or is under the influence of alcohol on school premises or at any school sponsored activity will be treated in accordance with law and Policy Nos. 3218, 4218, and 5530.

School district employees who violate this policy or are present on school premises or at any school sponsored activity while under the influence of alcohol will be subject to discipline, which may include dismissal or certification of tenure charges, as appropriate.

N.J.S.A. 2C:33-15 et seq.

N.J.S.A. 18A:40A-12

N.J.S.A. 24:21-2 et seq.



7436 DRUG FREE WORKPLACE

The Board of Education prohibits the unlawful manufacture, distribution, dispensing, possession or use of any controlled dangerous substance by any person in any school building, on school grounds, or during any activity or event sponsored by the Board.

Every employee of this district must, as a condition of employment, agree to be bound by this policy. An employee who violates the prohibitions or reporting requirements of this policy will be subject to discipline, which may include dismissal, or certification of tenure charges, as appropriate. An employee whose involvement with drugs results in a conviction for a crime of the third degree or above or for an offense touching his/her position will be deemed to have forfeited his/her public employment, pursuant to N.J.S.A. 2C:51-2.

An employee who is convicted of a drug related offense must report the conviction to the Superintendent within five days of its occurrence. The Superintendent will, within ten days of the date on which notice of the conviction is received, report any such conviction resulting from drug use in the workplace to any federal agency from which the district has received funds through a grant.

The Board directs the Superintendent to establish and maintain a program to:

1. Alert employees as to the dangers of drug abuse in the workplace;
2. Inform employees of the prohibitions against drugs set forth in this policy;
3. Inform employees of available drug counseling, rehabilitation, and assistance programs; and
4. Warn employees of the penalties that may be imposed for violations of prohibitions set forth in this policy.

The Board will report to law enforcement officials and prosecute as appropriate any employee or visitor who violates the prohibitions of this policy. A pupil or employee who violates this policy will be treated in accordance with law and Policy Nos. 3218, 4218, and 5530.

This policy will be distributed to each district employee, including all those engaged in the performance of services under a federal grant, and will be prominently posted in the district.

41 U.S.C.A. Chapter 10  
34 CFR 85.600 et seq.  
N.J.S.A. 2C:33-15 et seq.  
N.J.S.A. 24:21-2 et seq.

Adopted: 16 September 2008

7450 PROPERTY INVENTORY

As steward of this district's school property, the Board of Education recognizes that efficient management and the replacement of lost, damaged, or stolen property depend upon an accurate inventory and properly maintained property records.

The Board shall conduct a complete inventory by physical count of all district-owned equipment and supplies through a perpetual inventory.

For purposes of this policy, "equipment" means a unit of furniture or furnishings, an instrument, a machine, an apparatus, or a set of articles that retains its shape and appearance with use, is nonconsumable, costs at least \$2,000.00 as a single unit, and does not lose its identity when incorporated into a more complex unit.

The School Business Administrator/Board Secretary 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 to determine loss, mislocation, or depreciation; any major loss shall be reported to the Board. Property records of consumable supplies shall be maintained on a continuous inventory basis.

The School Business Administrator/Board Secretary 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.

N.J.S.A. 18A:4-14  
N.J.A.C. 6:20-4.3

Adopted: 16 September 2008

7510 USE OF SCHOOL FACILITIES

The Board of Education believes that the school facilities of this district should be made available for community purposes, provided that such use does not interfere with the educational program of the schools.

The Board will permit the use of school facilities when such permission has been requested in writing and has been approved by the Superintendent and School Business Administrator/Board Secretary, except that the Board reserves the right to withdraw permission after it has been granted.

In weighing competing requests for the use of school facilities, the Board will give priority to the following uses, in the descending order given:

1. Uses and groups directly related to the schools and the operations of the schools, including pupil and teacher groups;
2. Uses and organizations indirectly related to the schools, including the P.T.A.;
3. Departments and agencies of county government;
4. Governmental agencies generally;
5. Community organizations formed for charitable, civic, social, or educational purposes; and
6. Other.

The use of school facilities will not be granted for the advantage of any commercial or profit-making organization, partisan political activity, private social function, or any purpose that is prohibited by law.

Each user shall present evidence of the purchase of organizational liability insurance to the limit prescribed by district regulations. Users shall be financially liable for damage to the facilities and for proper chaperonage. All activities must terminate by 11:00 p.m.

Use of school equipment in conjunction with the use of school facilities must be specifically requested in writing and may be granted. 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, no item of equipment may be used except by a qualified operator.

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 shall be without cost to the user except that the user may be subject to fees assessed in advance by the Superintendent and or School Business Administrator/Board Secretary as determined.
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 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 in writing to be bound by these regulations.

N.J.S.A. 18A:20-20; 18A:20-34

Adopted: 16 September 2008

7650 SCHOOL VEHICLE ASSIGNMENT, USE, TRACKING, MAINTENANCE,  
AND ACCOUNTING

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 be used primarily for business purposes, however, incidental and reasonable personal use is permitted.

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 School Business Administrator/Board Secretary 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.

N.J.A.C. 6A:23A-6.11; 6A:23A-6.12

Adopted: 16 September 2008

8000 OPERATIONS

| <u>Number</u> | <u>Title</u>  |
|---------------|---|
| 8110          | Attendance Policy   |
| 8130          | School Organization   |
| 8140          | Pupil Enrollments   |
| 8210          | School Year   |
| 8220          | School Day  |
| 8310          | Public Records  |
| 8320          | Personnel Records   |
| 8330          | Pupil Records   |
| 8335          | Family Educational Rights and Privacy Act                       |
| 8441          | Care of Injured and Ill Persons                                 |
| 8442          | Reporting Accidents   |
| 8451          | Control of Communicable Disease                                 |
| 8461          | Reporting Violence, Vandalism, Alcohol,<br>and Other Drug Abuse |
| 8462          | Reporting Potentially Missing or Abuse Children                 |
| 8465          | Hate Crimes and Bias-Related Acts                               |
| 8467          | Weapons   |
| 8500          | Food Services   |
| 8505          | School Nutrition  |
| 8506          | School Lunch Program Biosecurity Plan                           |
| 8540          | Free and Reduced Rate Meals                                     |
| 8600          | Transportation  |
| 8601          | Pupil Supervision After School Dismissal                        |
| 8630          | Bus Driver Responsibility                                       |
| 8660          | Transportation by Private Vehicle                               |
| 8710          | Property Insurance  |
| 8740          | Bonding   |
| 8750          | Employee Indemnification  |

8110 ATTENDANCE POLICY

Attendance in the Monmouth County Vocation School District shall be in accordance with the requirements of N.J.S.A. 18A:54-20.1.

Adopted: 16 September 2008

## 8130 SCHOOL ORGANIZATION

The Board of Education directs the organization of the instructional program of this district in the following schools and programs.

The Monmouth County Vocational School District is comprised of several unique learning environments.

Secondary career-technical education is provided in both shared-time and full-time settings. There are shared time career-technical programs offered in the Communications High School, the Culinary Education Center and at Vocational Buildings in Aberdeen, Freehold Borough, Hazlet, Keyport and Middletown. Career Academies are full time career-technical programs and include the Academy of Allied Health and Science, Biotechnology High School, Communications High School, High Technology High School and the Marine Academy of Science and Technology. There is a shared-time special education program at the Career Center and a full-time special education program at KIVA High School. CLASS Academy is a full time alternative high school.

Adult education is conducted both during the day and in the evening. Post-secondary programs are offered in licensed practical nursing, culinary education, cosmetology and other varied disciplines. The Evening Division provides vocational courses of instruction for adults. The Adult High School is a means for qualifying adults to attain a regular high school diploma.

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 the most effective use of district resources and serve the educational goals of the Board.



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 grades nine through twelve, each class for the disabled, shared-time classes for regular pupils, shared-time classes for pupils with disabilities, full-time bilingual education programs, career-technical 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.S.A. 18A:25-4

N.J.A.C. 6A:14-4.8; 6A:14-4.9; 6A:32-8.1; 6A:32-8.2

Adopted: 16 September 2008

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.

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 President of the Association, annually prepare and submit to the Board a school calendar no later than May 1. The Board reserves the right to alter the school calendar when such alteration is feasible and serves the best interests of the pupils of this district.

N.J.S.A. 18A:25-3; 18A:36-2; 18A:36-16  
N.J.S.A. 18A:54-25  
N.J.A.C. 6A:32-8.3

Adopted: 16 September 2008

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: 16 September 2008

## 8310 PUBLIC RECORDS

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 below:

|                                 |                 |
|---------------------------------|-----------------|
| First page to tenth page        | \$0.75 per page |
| Eleventh page to twentieth page | \$0.50 per page |
| All pages over 20               | \$0.25 per page |

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.i and as soon as possible, but not later than seven business days after receiving the request, provided that the record is currently available and not in storage or archived.

A custodian will post prominently in public view in the part of the office of the custodian that is open to or frequented by the public a statement that sets forth in clear, concise and specific terms the right to appeal a denial of, or failure to provide, access to a government record by any person for inspection, examination, or copying or for purchase of copies thereof and the procedure by which an appeal may be filed.

#### Challenge to Access Upon Denial (N.J.S.A. 47:1A-6)

A person who is denied access to a government record by the custodian, at the option of the requestor, may institute a proceeding to challenge the custodian's decision by filing an action in Superior Court or in lieu of filing an action in Superior Court, file a complaint with the Government Records Council established pursuant to Section 8 of P.L.2001, c. 404 (C.47:1A-7). If it is determined that access was improperly denied, the court or agency head shall order that access be allowed. A requestor who prevails in any proceeding shall be entitled to a reasonable attorney's fee.

#### 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.



## 8320 PERSONNEL RECORDS

The Board of Education believes that the orderly operation of the school district requires the retention of all records bearing upon an employee's qualifications for employment and employment history.

The Board requires that sufficient records be compiled and maintained to demonstrate an employee's qualifications for the position assigned; compliance with federal, state, and local benefit programs; conformity to district rules; the proper conduct of evaluations; and the employee's entitlement, as appropriate, to tenure and seniority.

The Superintendent shall be responsible for the custody and maintenance of personnel records. A single, central file of documents shall be maintained; temporary, subsidiary records will be permitted for ease in data gathering only. An employee's personnel file shall be maintained for six years following his/her termination of district service, provided the employment history record card is maintained a minimum of eighty years.

Records maintained in the personnel files of this district are not public records and are not open to inspection except as provided for in this policy. Board minutes and other public records of this district and any computerized files maintained by this district may include only an employee's name, title, position, assignments, salary, payroll record, length of service in the district and in military service, the date and reason for separation from service in this district, and the amount and type of pension a former employee receives.

Personnel records may be inspected by school administrators to the extent that such inspection is required in the performance of the inspector's duties.

Board members may have access to confidential information in the personnel files of only those employees recommended for or subjected to an employment action requiring a vote of the Board or where access to the information is essential for the performance of the Board member's duties. Board member access to personnel files is limited to the relevant portion of the file and is available only through the Superintendent. Board members may freely inspect employment applications filed by candidates for district positions.

An employee may inspect his/her personnel file provided that the employee requests such access in writing, reviews the record in the presence of the administrator designated to maintain the file, makes no alteration or addition to the file nor removes any material from it, and signs a log attached to the file indicating the date on which it was inspected.

An employee may appeal to the Superintendent the inclusion or exclusion of records or for appropriate administrative review of the accuracy of any record in his/her personnel file.

The Superintendent shall prepare rules enumerating the records to be maintained for each employee of this district, including, as a minimum and as appropriate to the position, the completed application form, employment contract(s), a copy of the employee's qualifying certification, transcripts, report of an employment physical examination, oath of allegiance, criminal background check, income tax forms, retirement registration, hospitalization forms, annuity forms, rate of compensation, attendance record, assignments to positions, completed evaluations, reports of disciplinary incidents, records of special awards or distinctions, and reports of annual or special physical and mental examinations.

N.J.S.A. 18A:18A-14.2; 18A:40-19; 18A:66-32  
N.J.S.A. 47:1A-1 et seq.

Adopted: 16 September 2008

### 8330 PUPIL RECORDS

There shall be maintained for each pupil currently enrolled in the Monmouth County Vocational School District a Pupil Personal Record Folder to be filed in the school of attendance, or in the case of a pupil in special placement, in the central office.

N.J.A.C. 6:3-2.1, et seq., sets forth specific and detailed requirements for gathering, maintaining and granting access to pupil records. In order to implement the Monmouth County Vocational School District Board of Education policy in compliance with Federal and New Jersey law, the following guidelines and procedures have been developed:

1. Secondary vocational pupil:
  - a. Mandated pupil records:
    - (1) Personal data which identifies each pupil enrolled in the school district. This data shall include the pupil's name, address, date of birth, name of parent(s) or legal guardian(s), citizenship, and sex of pupil.
    - (2) Record of daily attendance.
    - (3) Records of pupil progress.
    - (4) Health information.
  - b. Permitted records:
    - (1) Personal data card.
    - (2) Summer school attendance.
    - (3) Application and registration materials.
    - (4) Hours of achievement - will be maintained in the Central office file for those programs that require verification of hours completed.
    - (5) Follow-up materials - will be maintained in Central office file and will be used for the purpose of gathering survey information.

- (6) C.I.E. and D.E. Training Agreement with participating employers.
- (7) Testing materials.
- (8) Job placement information data - (information gathered will be filed by category of information rather than by individual pupil).

2. Classified special education pupil:

- a. Mandated records - Authorized persons requesting to view Child Study Team records will be referred to the sending district which is responsible for the maintaining of such records. The following mandated records will be maintained by the vocational district.

- (1) Personal data information.
- (2) Daily attendance.
- (3) Pupil progress reports.
- (4) Health information.

(All pupils have been referred by local school district Child Study Teams who have ultimate responsibility for the pupil. All pupil records will be returned to sending district upon termination of the pupil's program.)

- b. Permitted records:

- (1) Application and registration materials.
- (2) Follow-up information.

3. Post-secondary pupil:

- a. Mandated records:

- (1) Personal data information.
- (2) Daily attendance.

- (3) Pupil transcript.
  - b. Permitted records:
    - (1) Testing materials.
    - (2) Application materials.
    - (3) Follow-up information.
    - (4) Official transcript.
    - (5) Health record.
4. Adult Evening School pupil:
  - a. Mandated records: None.
  - b. Permitted records:
    - (1) Personal data card;
    - (2) Record of completion and hours accumulated if applicable; and
    - (3) Follow-up information.
5. Permitting access to records:
  - a. Only those persons authorized in N.J.A.C. 6:3-2.5(d) shall be permitted access to Pupil Personal Record Folders. These include:
    - (1) The parent(s) or legal guardian(s), foster parents or parent surrogates of a pupil under the age of eighteen, and the pupil who has the written permission of such parent(s) or legal guardian(s).
    - (2) Pupils at least sixteen years of age who are terminating their education in the district because they will graduate secondary school at the end of the term or no longer plan to continue their education.

- (3) The adult pupil and the pupil's parent(s) or legal guardian(s) who have the written permission of such pupil, except that the parent(s) or legal guardian(s) shall have access without consent of the pupil as long as the pupil is financially dependent on the parent(s) or legal guardian(s) and enrolled in the public school system; or if the pupil is legally incompetent.
- (4) Certified school personnel who have assigned educational responsibility for the pupil.
- (5) Accredited organizations in order to carry out their accrediting functions.
- (6) The Commissioner of Education and members of the New Jersey Department of Education staff who have assigned responsibility which necessitates the review of such records.
- (7) Officials of other public school districts, county boards of special services school districts, jointure commissions, educational services commissions and State-operated special education programs within the State of New Jersey in which the pupil is registered or intended to enroll, subject to the following conditions:
  - (a) Mandated pupil records shall be forwarded to the receiving district with written notification to the parent(s) or legal guardian(s) or adult pupil.
  - (b) Permitted records shall be forwarded to the receiving district only with the written consent of the parent(s) or legal guardian(s) or adult pupil except where a formal sending-receiving relationship exists between the school districts.
  - (c) All records to be forwarded shall be sent to the administrative official of the school to which the pupil has transferred within ten days after the transfer has been verified by the requesting school district.

- (8) Officers and employees of a State agency, responsible for protective services to children, engaged in investigations pursuant to N.J.S.A. 9:6- 8.40 as to a pupil referred to that agency as a minor requiring investigation or supervision by that agency. Whenever appropriate, local school districts shall ask such State agency for its cooperation in sharing the findings of the investigation.
  - (9) Organizations, agencies and persons from outside the school if they have the written consent of the parent(s) or legal guardian(s) or adult pupils, except that these organizations, agencies and persons shall not transfer pupil record information to a third party without the written consent of the parent(s) or legal guardian(s) or adult pupil.
  - (10) Organizations, agencies and individuals outside the school, other than those specified in this rule, upon the presentation of a court order.
  - (11) Bona fide researchers who explain in writing the nature of the research project and the relevance of the records sought, and who satisfy the Superintendent that the records will be used under strict conditions of anonymity and confidentiality. Such assurance must be received prior to the release of information to the researcher.
- b. Parent(s) or legal guardian(s) shall either have access to or be specifically informed about only that portion of another pupil's records that contain information about their own child.
  - c. Parent(s) or legal guardian(s) will be informed of their right to review pupil records in the Parent Handbook, issued by mail at the beginning of each school year. In the Parent Handbook, parent(s) or legal guardian(s) whose predominant language is other than English, or who suffer from some form of communication impediment, shall be informed that the Principal will secure appropriate counseling and aid for them from the Central district office.

- d. Only one copy of any record permitted by law to be copied may be made by each applicant. There will be no charge for this copy. In the case of pupil transcripts submitted with applications for admission to institutes of higher learning, each pupil will be permitted five transcripts before a charge of whatever the current cost of such copies to the district is levied.
- e. The Building Principal will be responsible for approving or disapproving all applications to review current Pupil Personal Record Folders, and for conforming to Federal and New Jersey mandates as forwarded by the Superintendent. The Board Secretary shall have like responsibility for all applications to review records in his/her care. All applications to review records are to be considered immediately on receipt. Where access is granted, the following regulations apply, according to the source of the application. Where permission is denied to an applicant (other than a parent(s) or legal guardian(s)), the Superintendent is to be notified immediately. The Superintendent will notify the applicant of the denial, and the reasons for it, within ten school days of the receipt of the application. When permission is denied a parent(s) or legal guardian(s), notification must be given within five days (see g. below). In cases where the records are required for a review or hearing held in accordance with State Board of Education regulations, the records shall be made available prior to the hearing.
- f. Parent(s) or legal guardian(s) requests to view records must be submitted to the Building Principal or his/her designee prior to the date required for review. In the case of clear right to review, the Principal shall fix the closest mutually convenient date within the school calendar and during the school day. Every reasonable effort must be made to accommodate working parent(s) or legal guardian(s) who may not be able to come during the school day.
- g. A record may be withheld from a parent(s) or legal guardian(s) of a pupil under eighteen, or from an adult pupil, only when the Superintendent in consultation with the professional staff is convinced that the disclosure would create a substantial risk of harm to the pupil or to a person with whom the record is concerned. When the Superintendent is convinced that the risk is of such high degree, he/she shall notify the parent(s) or legal guardian(s) or adult pupil in writing, within five days, that access to the record has been denied, and that the person has the right to appeal this decision to the Commissioner of Education. If an appeal should be made, the Commissioner shall designate a professional of the same discipline as



the originator of the record to review the record and to recommend whether access should be granted. The Commissioner shall make a determination within thirty days of the receipt of the request. Any decision made by the Commissioner may be appealed to the State Board of Education.

- h. Authorized organizations, agencies and persons from outside the school whose access requires the consent of parent(s) or legal guardian(s) or adult pupils must submit their requests in writing, together with any required authorization, to the Building Principal or the Board Secretary, whichever is applicable. Appointments may be made at any time mutually convenient to the Principal or designee and requestor during the school day.
- i. Unless otherwise judicially instructed, the Building Principal or the Board Secretary shall, prior to the disclosure of any pupil records to organizations, agencies, or persons outside the school pursuant to a court order, give the parent(s) or legal guardian(s) or adult pupil at least three days' notice (written if practicable) of the name of the requesting agency or person and the specific records requested. Only those records related to the specific purpose of the court order shall be disclosed.
- j. No pupil record shall be altered or destroyed during the time period between a written request to review the record and the actual review of the record.
- k. The Principal or his/her designee shall be present during the period of inspection to provide educational interpretation of the records where necessary, and/or to prevent their alteration, damage or loss.
- l. In every instance of inspection of pupil records by persons who do not have assigned educational responsibility (i.e., currently assigned certificated personnel or confidential classified staff), an entry shall be made on the PPRF of the name of the persons granted access, the reason the access was granted, the time and circumstances of inspection, the records studied, and the purpose for which the data will be used.
- m. Records pertaining to Juvenile Justice proceedings will not be released without parental permission in accordance with N.J.S.A. 2A:4A-60.

6. Appealing content of records:
- a. Pupil records are subject to challenge by parent(s) or legal guardian(s) and adult pupils on grounds of inaccuracy, irrelevancy, impermissible disclosure, inclusion of improper information or denial of access to organizations, agencies and persons. The parent(s) or legal guardian(s) or adult pupil may seek to:
    - (1) Expunge inaccurate, irrelevant or otherwise improper information from the pupil record.
    - (2) Insert additional data as well as reasonable comments as to the meaning and/or accuracy of the records.
    - (3) Request an immediate stay of disclosure pending final determination of the challenge procedure as described in these regulations.
  - b. To appeal, a parent(s) or legal guardian(s) or adult pupil must notify the Superintendent in writing of the specific issues relating to the pupil record. Within ten days of notification, the Superintendent or Building Principal shall meet with the parent(s) or legal guardian(s) or adult pupil to review the issues set forth in the appeal. If the matter is not satisfactorily resolved, the parent(s) or legal guardian(s) or adult pupil may appeal this decision to the local Board of Education or Commissioner of Education within ten days. If appeal is made to the local school Board, a decision shall be rendered within twenty days. The decision of the local school Board may be appealed to the Commissioner pursuant to N.J.S.A. 18A:6-9 and rules adopted in accordance with such statute. At all stages of the appeal process, the parent(s) or legal guardian(s)/adult pupil shall be afforded a full and fair opportunity to present evidence relevant to the issue. A record of the appeal proceedings and outcome shall be made a part of the pupil record with copies made available to the parent(s) or legal guardian(s) or adult pupil.

Appeals relating to the pupil records of educationally handicapped pupils shall be processed in accordance with the requirements of N.J.A.C. 6:28-1.1, et seq.

7. Disposal of records:
  - a. Permitted pupil records shall be reviewed annually by Director of Pupil Personnel or his/her certificated designee to determine the educational relevance of the material contained therein. The reviewer shall cause to be deleted from the records data no longer descriptive of the pupil or educational situation. Such information shall be destroyed and shall not be recorded elsewhere, nor shall a record of such deletion be made.
  - b. At the time of graduation or permanent departure from the district system, the adult pupil or the parent(s) or legal guardian(s) of a minor pupil shall have a right to review such permitted records, and decide which are to be included in the permanent record in addition to the mandated records; they will be provided a copy of the entire pupil record upon request.
  - c. No additions shall be made to the record after graduation or permanent departure from the district without the prior written consent of the parent(s) or legal guardian(s) or adult pupil.
8. Directory Information
  - a. Directory information is that, if released, will not invade the pupil's privacy or be harmful. The Monmouth County Vocational School District defines directory information as:
    - (1) Name;
    - (2) Address;
    - (3) Phone;
    - (4) Dates of attendance; and
    - (5) Diploma or certificate awarded.
  - b. No directory information about a pupil will be released if the parent(s) or legal guardian(s) or the adult pupil has notified the district that the information may not be released, otherwise directory information may be released upon request to educational institutions, employers and military, without prior consent of the parent(s) or legal guardian(s) or adult pupil. (NCLB Act of 2001, Title IX, Section 9525; N.J.A.C. 6:3-6:5 Access to Pupil Records)

- c. Before the information will be released, annual notification to the parent(s) or legal guardian(s) or adult pupil will be made as follows:
  - (1) Notification will describe the type of information to be designated as directory information.
  - (2) Notification will inform parent(s) or legal guardian(s) and adult pupil that they have the right to refuse to allow some or all of the information to be designated as directory information, therefore denying its release.
  - (3) Notification will inform parent(s) or legal guardian(s) or adult pupil that he/she has a ten-day period to submit a written statement to the district prohibiting the district from including any or all information about the pupil in any pupil information directory.

#### Full Time Secondary Programs Pupil Records

There shall be maintained for each pupil currently enrolled in the Monmouth County Vocational School District a Pupil Personal Record Folder to be filed in the school of attendance, or in the case of a pupil in special placement, in the Central office.

N.J.A.C. 6:3-2.1, et seq., sets forth specific requirements for gathering, maintaining and granting access for pupil records. In order to implement the Monmouth County Vocational School District Board of Education policy in compliance with Federal and New Jersey law, the following guidelines and procedures have been developed.

1. Secondary pupil
  - a. Mandated pupil records
    - (1) Personal data which identifies each pupil enrolled in the school district. This data shall include the pupil's name, address, date of birth, name of parent(s) or legal guardian(s), citizenship and sex of pupil.
    - (2) Record of daily attendance.
    - (3) Records of pupil progress.
    - (4) Health information.

- (5) All other records required by the State Board of Education.
- b. Permitted records
- (1) Personal data card.
  - (2) Summer school attendance.
  - (3) Application and registration materials.
  - (4) Hours of achievement - will be maintained in Central office file for those programs that require verification of hours completed.
  - (5) Follow-up materials - will be maintained in Central office file and will be used for the purpose of gathering survey information.
  - (6) C.I.E. and D.E. Training Agreement with participating employers.
  - (7) Testing materials.
  - (8) Job placement information data - (information gathered will be filed by category of information rather than by individual pupil).
  - (9) Skill profile sheets.
2. Classified special education pupil
- a. Mandated records - Authorized persons requesting to view Child Study Team records will be referred to the sending district which is responsible for the maintaining of such records. The following mandated records will be maintained by the vocational district.
    - (1) Personal data information.
    - (2) Daily attendance.
    - (3) Pupil progress reports.
    - (4) Health information.

- (5) Records pursuant to rules and regulations regarding the education of educationally handicapped pupils.
- (6) All other records required by the State Board of Education.

(All pupils have been referred by local school district Child Study Teams, who have ultimate responsibility for pupil. All pupil records will be returned to sending district upon termination of the pupil's program.)

b. Permitted records

- (1) Application and registration materials.
- (2) Follow-up information.
- (3) Skill profile sheets.

3. Post-secondary pupil

a. Mandated records

- (1) Personal data information.
- (2) Daily attendance.
- (3) Pupil transcript.

b. Permitted records

- (1) Testing materials.
- (2) Application materials.
- (3) Follow-up materials.
- (4) Official transcript.
- (5) Health record.

4. Adult evening school pupil
  - a. Mandated records: None.
  - b. Permitted records
    - (1) Personal data card.
    - (2) Record of completion and hours accumulated if applicable.
    - (3) Follow-up information.
5. Permitting access to records
  - a. Only those persons authorized in N.J.A.C. 6:3-2.5, et seq., shall be permitted access to Pupil Personal Record Folders. These include:
    - (1) The parent(s) or legal guardian(s), legal guardians, foster parents or parent surrogates of a pupil under the age of eighteen, and the pupil who has the written permission of such parent(s) or legal guardian(s).
    - (2) Pupils at least sixteen years of age who are terminating their education in the district because they will graduate secondary school at the end of the term or no longer plan to continue their education.
    - (3) The adult pupil and the pupil's parent(s) or legal guardian(s) who have the written permission of such pupil, except that the parent(s) or legal guardian(s) shall have access without consent of the pupil as long as the pupil is financially dependent on the parent(s) or legal guardian(s) and enrolled in the public school system; or if the pupil is legally incompetent by a court of appropriate jurisdiction.
    - (4) Certified school personnel who have assigned educational responsibility for the pupil.
    - (5) Accrediting organizations in order to carry out their accrediting functions.

- (6) The Commissioner of Education and members of the New Jersey Department of Education staff who have assigned responsibility which necessitates the review of such records.
- (7) Officials of other public school districts, county boards of special services school district, jointure commissions, education services commissions and State-operated special education programs within the State of New Jersey in which the pupil is registered or intends to enroll, subject to the following conditions:
  - (a) Mandated pupil records shall be forwarded to the receiving district with written notification to the parent(s) or legal guardian(s) or adult pupil.
  - (b) Permitted records shall be forwarded to the receiving district only with the written consent of the parent(s) or legal guardian(s) or adult pupil except where a formal sending-receiving relationship exists between the school districts.
  - (c) All records to be forwarded shall be sent to the administrative official of the school to which the pupil has transferred within ten days after the transfer has been verified by the requesting school district.
- (8) Officers and employees of a State agency, responsible for protective services to children, engaged in investigations pursuant to N.J.S.A. 9:6-8.40 as to a pupil referred to that agency as a minor requiring investigation or supervision by that agency. Whenever appropriate, local school districts shall ask such State agency for its cooperation in sharing the findings of the investigation.
- (9) Organizations, agencies and persons from outside the school if they have the written consent of the parent(s) or legal guardian(s) or adult pupils, except that these organizations, agencies and persons shall not transfer pupil record information to a third party without the written consent of the parent(s) or legal guardian(s) or adult pupil.
- (10) Organizations, agencies and individuals outside the school, other than those specified in this rule, upon the presentation of a court order.



- (11) Bona fide researchers who explain in writing the nature of the research project and the relevance of the records sought, and who satisfy the Superintendent that the records will be used under strict conditions of anonymity and confidentiality. Such assurance must be received prior to the release of information to the researcher.
  - (12) Secretarial and clerical personnel shall have access to pupil records only under the direction and supervision of the Superintendent or his/her designee.
- b. Parent(s) or legal guardian(s) shall either have access to or be specifically informed about only that portion of another pupil's records that contains information about their own child.
  - c. Parent(s) or legal guardian(s) will be informed of their right to review pupil records in the Parent Handbook, issued by mail at the beginning of each school year. In the Parent Handbook, parent(s) or legal guardian(s) whose predominant language is other than English, or who suffer from some form of communication impediment, shall be informed that the Principal will secure appropriate counseling and aid for them from the Central district office.
  - d. Only one copy of any record permitted by law to be copied may be made by each applicant. There will be no charge for this copy. In the case of pupil transcripts submitted with applications for admission to institutes of higher learning, each pupil will be permitted five transcripts before a charge of whatever the current cost of such copies to the district is levied.
  - e. The Building Principal will be responsible for approving or disapproving all applications to review current Pupil Personal Record Folders, and for conforming to Federal and New Jersey mandates as forwarded by the Superintendent. The Board Secretary shall have like responsibility for all applications to review records in his/her care. All applications to review records are to be considered immediately on receipt. Where access is granted, the following regulations apply, according to the source of the application. Where permission is denied to an applicant (other than a parent(s) or legal guardian(s)), the Superintendent is to be notified immediately. The Superintendent will notify the applicant of the denial, and the reasons for it, within ten school days of the receipt of the application. When permission is denied a parent(s) or legal guardian(s), notification must be given within five days (see g. below). In cases where the records are required for a review or hearing held in accordance with State Board of Education regulations, the records shall be made available prior to the hearing.

- f. Parent(s) or legal guardian(s) requests to view records must be submitted to the Building Principal or his/her designee prior to the date required for review. In the case of clear right to review, the Principal shall fix the closest mutually convenient date within the school calendar and during the school day. Every reasonable effort must be made to accommodate working parent(s) or legal guardian(s) who may not be able to come during the school day.
- g. A record may be withheld from a parent(s) or legal guardian(s) of a pupil under eighteen, or from an adult pupil, only when the Superintendent in consultation with the professional staff is convinced that the disclosure would create a substantial risk of harm to the pupil or to a person with whom the record is concerned. When the Superintendent is convinced that the risk is of such high degree, he/she shall notify the parent(s) or legal guardian(s), or adult pupil in writing, within five days, that access to the record has been denied, and that the person has the right to appeal this decision to the Commissioner of Education. If an appeal should be made, the Commissioner shall designate a professional of the same discipline as the originator of the record to review the record and to recommend whether access should be granted. The Commissioner shall make a determination within thirty days of the receipt of the request. Any decision made by the Commissioner may be appealed to the State Board of Education.
- h. Authorized organizations, agencies and persons from outside the school whose access requires the consent of parent(s) or legal guardian(s) or adult pupils must submit their requests in writing, together with any required authorization, to the Building Principal or the Board Secretary, whichever is applicable. Appointments may be made at any time mutually convenient to Principal or designee and requestor during the school day.
- i. Unless otherwise judicially instructed, the Building Principal or the Board Secretary shall, prior to the disclosure of any pupil records to organizations, agencies or persons outside the school pursuant to a court order, give the parent(s) or legal guardian(s) or adult pupil at least three days' notice (written if practicable) of the name of the requesting agency or person and the specific records requesting agency or person and the specific records requested. Only those records related to the specific purpose of the court order shall be disclosed.

- j. No pupil record shall be altered or destroyed during the time period between a written request to review the record and the actual review of the record.
  - k. The Principal or his/her designee shall be present during the period of inspection to provide educational interpretation of the records where necessary, and/or to prevent their alteration, damage or loss.
  - l. In every instance of inspection of pupil records by persons who do not have assigned educational responsibility (i.e., currently assigned certificated personnel or confidential classified staff), an entry shall be made on the PPRF of the name of the persons granted access, the reason the access was granted, the time and circumstances of inspection, the records studied and the purpose for which the data will be used.
6. Appealing contents of records
- a. Pupil records are subject to challenge by parent(s) or legal guardian(s) and adult pupils on grounds of inaccuracy, irrelevancy, impermissible disclosure, inclusion of improper information or denial of access to organizations, agencies and persons. The parent(s) or legal guardian(s) or adult pupil may seek to:
    - (1) Expunge inaccurate, irrelevant or otherwise improper information from the pupil record.
    - (2) Insert additional data as well as reasonable comments as to the meaning and/or accuracy of the records.
    - (3) Request an immediate stay of disclosure pending final determination of the challenge procedure as described in these regulations.
  - b. To appeal, a parent(s) or legal guardian(s) or adult pupil must notify the Superintendent in writing of the specific issues relating to the pupil record. Within ten days of notification, the Superintendent or his/her designee shall meet with the parent(s) or legal guardian(s) or adult pupil to review the issues set forth in the appeal. If the matter is not satisfactorily resolved, the parent(s) or legal guardian(s) or adult pupil may appeal this decision to the local Board of Education or Commissioner of Education within ten days. If appeal is made to the local school Board, a decision shall be rendered within twenty days.

The decision of the local school Board may be appealed to the Commissioner pursuant to N.J.S.A. 18A:6-9 and rules adopted in accordance with such statute. At all stages of the appeal process, the parent(s) or legal guardian(s)/adult pupil shall be afforded a full and fair opportunity to present evidence relevant to the issue. A record of the appeal proceedings and outcome shall be made a part of the pupil record with copies made available to the parent(s) or legal guardian(s) or adult pupil.

Appeals relating to the pupil records of educationally handicapped pupils shall be processed in accordance with the requirements of N.J.A.C. 6:28-1.1., et seq.

7. Retention and destruction of pupil records
  - a. Permitted pupil records shall be reviewed annually by the Director of Pupil Personnel or his/her certificated designee to determine the educational relevance of the materials contained therein. The reviewer shall cause to be deleted from the records data no longer descriptive of the pupil or educational situation. Such information shall be destroyed and shall not be recorded elsewhere, nor shall a record of such deletion be made.
  - b. Mandated pupil records of currently enrolled pupils, other than that described below, may be destroyed after the information is no longer necessary to provide educational services to a pupil. Such destruction shall be accomplished only after written parental or adult pupil notification and written parental or adult pupil permission has been granted or after reasonable attempts of such notification and reasonable attempts to secure parental permission have been unsuccessful.
  - c. At the time of graduation or permanent departure from the district system, the adult pupil or the parent(s) or legal guardian(s) of a minor pupil shall have a right to review such permitted records and decide which are to be included in the permanent record in addition to the mandated records; they will be provided a copy of the entire pupil record upon request.
  - d. No additions shall be made to the record after graduation or permanent departure from the district without the prior written consent of the parent(s) or legal guardian(s) or adult pupil.

- e. Information in pupil records may be destroyed in accordance with the discretion of Pupil Records Law, N.J.S.A., 47:3-15, et seq. Such destruction shall be done after notification or attempted notification of the parent(s) or legal guardian(s) or adult pupil.
  - f. The New Jersey Public School District of last enrollment shall be responsible for maintaining a pupil's records upon graduation or permanent departure of the pupil from the school district and shall keep in perpetuity a permanent record of a pupil's name, date of birth, sex, address, telephone number, grades, attendance record, classes attended, grade level completed, year completed, name of parent(s) or legal guardian(s), and citizenship status.
8. Needless public labeling - The Monmouth County Vocational School District Board of Education directs that the names and other personally identifiable data concerning identified and handicapped children shall be kept confidential and shall not be included in the public acts and records of this district. Such names and data shall be reduced to code for inclusion in the public record. Further, the Board Administrator, faculty and other personnel, shall avoid unnecessary and needless public labeling of such pupils. This shall include the avoidance of public address announcements so designating pupils, any open identification of classrooms with signs so designating or any item of open or general circulation which so designates an individual pupil or class.
9. Directory Information
- a. Directory information is that, if released, will not invade the pupil's privacy or be harmful. The Monmouth County Vocational School District defines directory information as:
    - (1) Name;
    - (2) Address;
    - (3) Phone;
    - (4) Dates of attendance;
    - (5) Diploma or certificate awarded;

- b. No directory information about a pupil will be released if the parent(s) or legal guardian(s) or the adult pupil has notified the district that the information may not be released, otherwise directory information may be released upon request to educational institutions, employers and military, without prior consent of the parent(s) or legal guardian(s) or adult pupil. (NCLB Act of 2001, Title IX, Section 9525; N.J.A.C. 6:3-6:5 Access to Pupil Records)
- c. Before the information will be released, annual notification to the parent(s) or legal guardian(s) or adult pupil will be made as follows:
  - (1) Notification will describe the type of information to be designated as directory information.
  - (2) Notification will inform parent(s) or legal guardian(s) and adult pupil that they have the right to refuse to allow some or all of the information to be designated as directory information, therefore denying its release.
  - (3) Notification will inform parent(s) or legal guardian(s) or adult pupil that he/she has a ten-day period to submit a written statement to the district prohibiting the district from including any or all information about the pupil in any pupil information directory.

N.J.S.A. 18A:36-19; 18A:36-19.1; 18A:40-4; 18A:40-19  
N.J.A.C. 6A:32-7.1; 6A:32-7.2; 6A:32-7.3; 6A:32-7.4; 6A:32-7.5

8335 FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

The Board of Education policies and regulations will be in compliance with the requirements of the Family Educational Rights and Privacy Act (FERPA). FERPA affords parents and adult 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: 16 September 2008

8441 CARE OF INJURED AND ILL PERSONS

The Board of Education directs the Superintendent to provide for prompt and appropriate medical attention for pupils, staff members, or visitors who are injured or become ill on school premises or at school sponsored events.

Any injury or illness shall be reported immediately to the school nurse or, in the absence of the school nurse, the Building Principal, who will determine whether an emergency exists. Immediate steps may be taken as necessary to remove the injured or ill person from imminent danger and/or prevent exacerbation of the disability. Routine first aid will be administered by district personnel as necessary to ensure the safety and comfort of the injured or ill person.

The parent(s) or legal guardian(s) of an injured or ill pupil and, if necessary, the family of an injured or ill staff member or adult visitor will be notified promptly and tactfully of the injury or illness. If the school nurse or school medical inspector or, in the absence of both, the Principal, determines that the injured or ill person should be removed from school for rest and/or treatment at home or for consultation with a private physician, the parent(s) or legal guardian(s), or family member shall be requested to provide transportation.

In a serious emergency requiring immediate medical attention, an ambulance may be summoned for transportation to a hospital or the school nurse may drive the injured or ill person to the hospital.

The Superintendent shall, in consultation with the school medical inspector and school nurse, prepare standing orders for the emergency treatment of injuries and disabilities by the school nurse and regulations for the handling of injured and ill persons by all other school employees. All district personnel will be briefed annually on the regulations governing the handling of injured and ill persons.

Injuries and disabilities that occur in the course of the athletic program are subject to the provisions of Policy No. 2431 and implementing regulations. Pupil disabilities attributable to substance abuse will be handled in accordance with Policy No. 5530. Injuries that occur in the course of school bus transportation will be handled in accordance with regulations implementing Policy No. 8630.

N.J.S.A. 18A:40-3  
N.J.A.C. 6A:16-1.4(a)1; 6A:16-1.4(a)2; 6A:16-1.4(a)3

Adopted: 16 September 2008



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.

A copy shall be retained by the Building Principal and a copy shall be sent to the business office.

Any employee of the Board who suffers a job-related injury must report the injury and its circumstances to the Building Principal or job supervisor, as appropriate, no later than twenty-four hours following the occurrence of the injury. The failure of an employee to comply with this mandate may result in disciplinary action.

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 Monmouth County Board of Health governing the prevention, control, and reporting of communicable disease.

The teacher may exclude from the classroom and the Principal may exclude from the school building any pupil who appears to be ill or has been exposed to a communicable disease. A pupil may be isolated in school to await the arrival of or instructions from an adult member of his/her family. If the school medical inspector or the school nurse is present in the building, his/her recommendation shall be sought before any such exclusion or isolation is ordered.

Any pupil retained at home or excluded from school by reason of having or being suspected of having a communicable disease shall not be readmitted to his/her classroom until he/she presents written evidence of being free of communicable disease. That evidence may be supplied by the school medical inspector or another qualified physician who has examined the pupil.

Any pupil or adult who has weeping skin lesions that cannot be covered shall be excluded from school.

The Superintendent shall develop procedures for the control of communicable disease that include the instruction of teaching staff members in the detection of disease and measures for its prevention and control; the removal from school premises to the care of a responsible adult for pupils identified and excluded in accordance with this policy; the preparation of standards for the readmission of pupils who have recovered from communicable disease; the provision of appropriate home instruction to excluded pupils in accordance with law; and the filing of reports as required by law.

N.J.S.A. 18A:40-3; 18A:40-7 et seq.

N.J.S.A. 26:4-4; 26:4-6

N.J.A.C. 6A:16-1.4

N.J.A.C. 8:57-1.3; 8:57-1.6; 8:57-2.1 et seq.

Adopted: 16 September 2008

8461 REPORTING VIOLENCE, VANDALISM, ALCOHOL,  
AND OTHER DRUG ABUSE

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.

Any school employee who observes or has direct knowledge from a participant or victim of an act of violence or the possession and/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 Electronic Violence and Vandalism Reporting System (EVVRS).

The Building Principal, for each incident report of violence, vandalism, alcohol, or other drug abuse, 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 monthly access to the number and disposition of all reported acts of school violence 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.

The Superintendent annually shall submit a report to the Commissioner of Education of each incident of violence, vandalism and alcohol and other drug abuse in the school district utilizing the EVVRS in accordance with the requirements of N.J.A.C. 6A:16-5.3(e)1 through (e)3.

At an annual hearing held pursuant to N.J.S.A. 18A:17-46, the Superintendent shall report to the Board all acts of violence and vandalism and incidents of alcohol and other drug abuse that occurred during the previous school year, according to the provisions of N.J.S.A. 18A:17-46.

Whenever it is alleged a school employee has knowingly falsified the annual report on violence and vandalism required under N.J.S.A. 18A:17-46, the Board shall make a determination regarding whether the employee committed the act. The Board shall provide written notice of the allegations to the employee and the employee shall be entitled to a hearing before the Board in accordance with the provisions of N.J.A.C. 6A:16-5.3(g)2. Upon a determination by the Board that an employee has knowingly falsified the annual violence and vandalism report, the Board may take appropriate action as outlined in N.J.A.C. 6A:16-5.3(g)3. Any action taken by the Board shall be based on its consideration of the nature of the conduct, the circumstances under which it occurred, and the employee's prior employment record. Any employee having been found responsible for the falsification of the annual report by the Board shall have the right to file a grievance under their respective bargaining agreements, appeal the Board's determination to the Commissioner of Education and subsequently to the State Board of Education, or appeal the decision to the Superior Court of New Jersey. The availability of appeal options shall be based upon the action taken by the Board.

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.

N.J.S.A. 18A:17-46; 18A:36-5.1

N.J.A.C. 6A:16-5.2; 6A:16-5.3

Revised March 22, 2010

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:36-25. The Board provides this Policy for its employees, volunteers, or interns to provide 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:36-25 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. 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, prior to notifying designated child welfare authorities, inform the Building Principal or designee if the action will not delay immediate notification. The person notifying designated child welfare authorities shall inform the Building Principal or designee of the notification, if such had not occurred prior to the notification. Notice to the Building Principal or designee need not be given when the person believes that such notice would likely endanger the reporter or pupil involved or when the person believes that such disclosure would likely result in retaliation against the pupil or in discrimination against the reporter with respect to his or her employment.

The Building Principal or designee 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 of incidents of potentially missing, abused, or neglected child situations. Notification to appropriate law enforcement authorities shall be made for all reports by employees, volunteers, or interns working in the school district. Confirmation by another person is not required for a school district employee, volunteer, or intern to report the suspected missing, abused, or neglected child situation.

School district officials will cooperate with designated child welfare and law enforcement authorities in all investigations of potentially missing, abused, or neglected children in accordance with the provisions of N.J.A.C. 6A:16-11.1(a)5.

The district designates the Superintendent or designee 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 understanding, 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, and/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, and/or interns shall receive the required information and training as part of their orientation.

There shall be no reprisal or retaliation against any person who, in good faith, reports or causes a report to be made of a potentially missing, abused, or neglected child situation pursuant to N.J.S.A. 9:6-8.13.

N.J.S.A. 18A:36-24  
N.J.A.C. 6A:16-11.1

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 been 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 local police department and Bias Investigation Officer for the county prosecutor's office. The Principal shall notify the local 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 local police department.

In deciding whether to refer the matter of a bias-related act to the local 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 local 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 local 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 local police department or the county prosecutor's office. The school officials, when feasible, will cover or conceal such evidence until the arrival of the local 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: 16 September 2008



## 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 and/or designee and/or immediate supervisor. The Building Principal and/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 and/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 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. 2C:39-1 et seq.; 2C:58-6.1; 2C:58-15

N.J.S.A. 18A:6-1

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: 16 September 2008

8500 FOOD SERVICES

The Board of Education recognizes the midday meal as an important part of each pupil enrolled in a full day program's 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 in specific schools.

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 School Business Administrator/Board Secretary. 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.S.A. 18A:18A-42.1; 18A:33-3 et seq.; 18A:58-7.1

N.J.A.C. 6A:23-2.6 et seq.

N.J.A.C. 8:24-2.1 through 7.5

Adopted: 16 September 2008

## 8505 SCHOOL NUTRITION

The Board of Education recognizes child and adolescent obesity has reached epidemic levels in the United States and that poor diet combined with the lack of physical activity negatively impacts on pupils' health and their ability and motivation to learn. The Board is committed to: providing pupils with healthy and nutritious foods; encouraging the consumption of fresh fruits and vegetables, low fat milk and whole grains; supporting healthy eating through nutrition education; encouraging pupils to select and consume all components of the school meal; and providing pupils with the opportunity to engage in daily physical activity.

All reimbursable meals shall meet Federal nutrient standards as required by the U.S. Department of Agriculture Child Nutrition Program regulations. All items served as part of an After School Snack Program shall meet the standards as outlined within this Policy.

The following items may not be served, sold, or given out as free promotion anywhere on school property at anytime before the end of the school day:

1. Foods of minimal nutritional value (FMNV) as defined by U.S. Department of Agriculture regulations;
2. All food and beverage items listing sugar, in any form, as the first ingredient; and
3. All forms of candy.

Schools shall reduce the purchase of any products containing trans fats. Federal labeling of trans fats on all food products is required by January 1, 2006.

All snack and beverage items sold or served anywhere on school property during the school day, including items sold in a la carte lines, vending machines, snack bars, school stores, and fundraisers, or served in the reimbursable After School Snack Program, shall meet the following standards:

1. Based on manufacturers nutritional data or nutrient facts labels:
  - a. No more than eight grams of total fat per serving, with the exception of nuts and seeds.
  - b. No more than two grams of saturated fat per serving.

2. All beverages shall not exceed 12 ounces, with the following exceptions:
  - a. Water.
  - b. Milk containing 2% or less fat.
3. Whole milk shall not exceed 8 ounces.

In elementary schools, 100% of all beverages offered shall be milk, water, or 100% fruit or vegetable juices.

In middle and high schools, at least 60% of all beverages offered, other than milk and water, shall be 100% fruit or vegetable juices. No more than 40% of all ice cream/frozen desserts shall be allowed to exceed the standards in this Policy for sugar, fat, and saturated fat.

Food and beverages served during special school celebrations or during curriculum related activities shall be exempt from this Policy, with the exception of foods of minimal nutritional value as defined by USDA regulations.

This Policy does not apply to: medically authorized special needs diets pursuant to 7 CFR Part 210; school nurses using FMNVs during the course of providing health care to individual pupils; or special needs pupils whose Individualized Education Plan (IEP) indicates their use for behavior modification.

Adequate time shall be allowed for pupil meal service and consumption. The school district shall provide a pleasant dining environment for pupils, and schools shall attempt to schedule physical education or recess before lunch whenever possible.

The school district's curriculum shall incorporate nutrition education and physical activity consistent with the New Jersey Department of Education Core Curriculum Standards.

The Board of Education is committed to promoting this School Nutrition Policy with all food service personnel, teachers, nurses, coaches, and other school administrative staff so they have the skills needed to implement this Policy and promote healthy eating practices. The Board will work toward expanding awareness about this Policy among pupils, parent(s) or legal guardian(s), teachers, and the community at large.

N.J.A.C. 2:36-1.7(a); 2:36-1.7(b)

Adopted: 16 September 2008

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: 16 September 2008

8540 FREE AND REDUCED RATE MEALS

The Board of Education recognizes the importance of good nutrition to each pupil's educational performance and directs that needy pupils be provided with lunch at reduced rates or free of charge.

Pupils shall be eligible for free or reduced rate meals who would not otherwise receive proper nourishment. The Board designates the Assistant Superintendent for Business/Board Secretary to determine, in accordance with standards issued annually by the State Department of Education, the pupils eligible for free or reduced rate meals.

The Superintendent shall annually notify all interested persons in the school district of the availability, eligibility requirements, and application procedures for free and reduced rate meals by the distribution of an application for such meals to the family of each pupil enrolled in the district, by placing a notice in the Board's official newspaper, and by informing appropriate municipal agencies and community organizations.

A parent(s) or legal guardian(s) who so requests shall be given an application form and at least two weeks to prepare and submit the form. Where necessary, the Principal or the Principal's designee shall assist the applicant in the preparation of the form. The pupil's eligibility shall be determined and the applicant shall be notified of that determination in writing within three working days of the receipt of the application. Any pupil found eligible shall be offered free or reduced rate meals immediately and shall continue to receive such meals during the pendency of any inquiry regarding his/her eligibility.

A denial of eligibility for free or reduced rate meals shall be in writing and shall include the reasons for which eligibility was denied, notice of the applicant's right to appeal the denial, and the procedures for appeal. Appeal procedures shall include a hearing, held with reasonable promptness and at the convenience of the applicant and before a hearing officer other than the school official who denied the application; the applicant'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 Building Principal of the Career Center.

Pupils attending this school district on a share-time basis shall have eligibility determined for free and reduced meals by their resident district.

The identity of pupils who receive free or reduced rate meals will be protected, and they shall not be required to work in consideration for receiving such meals.

The Superintendent shall develop regulations to implement this policy and shall seek out and apply for such federal, state, and local funds as may be applied to the district's program of free and reduced rate meals.

7 C.F.R. 210.1 et seq.  
N.J.S.A. 18A:33-5; 18A:58-7.2  
N.J.A.C. 2:36

Adopted: 16 September 2008



8600 TRANSPORTATION

Regular pupil transportation to and from the Monmouth County Vocational School District shall be the responsibility of the local sending districts.

The Board of Education may purchase, equip, and maintain vehicles for field trips and athletic trips and shall contract for school bus services for pupils who stay late.

N.J.S.A. 18A:39-1 et seq.

N.J.S.A. 27:15-16

N.J.S.A. 39:3B-1 et seq.

N.J.A.C. 6A:27-1.1 et seq.; 6A:27-2.1 et seq.; 6A:27-3.1

Adopted: 16 September 2008

8601 PUPIL SUPERVISION AFTER SCHOOL DISMISSAL

The Board of Education of the Vocational Schools in the County of Monmouth adopts this policy as a result of the New Jersey Supreme Court's decision in Joseph Jerkins, an infant by his Guardian Ad Litem, Charles Jerkins; Charles Jerkins and Toni Jerkins, individually v. Soweto Anderson; Kemba N. Anderson: John Does 1-10 (fictitious individuals) and ABC Corporations 1-10 (fictitious entities), and Board of Education of Pleasantville Public Schools and Rosemay Clarke.

The New Jersey Supreme Court in Jerkins indicated dangers exist for younger 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 8601 are applicable to parents or legal guardians of pupils attending district-operated schools or programs in grades nine to twelve 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 nine to twelve 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. This form shall be made available upon request to the Principal, or designee, or the program administrator.

Only those parent(s) or legal guardian(s) 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. 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 sessions, 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).

8630 BUS DRIVER RESPONSIBILITY

The Board of Education requires all school bus drivers employed by the district or employed by a contracted school bus company to be reliable persons of good moral character who possess the qualifications and communication skills necessary to perform the duties of the position. The school bus driver will possess the appropriate license and endorsement(s) to drive a school bus in the State of New Jersey and is subject to all the Federal and State requirements to maintain the appropriate license.

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 pupil from the school bus, but if unable to manage a pupil, the school bus driver will report the unmanageable pupil to the Principal or designee of the school in which the pupil attends.

The Principal or designee, upon such report from the school bus driver, may assign appropriate discipline. The discipline may include excluding the pupil from the bus and the pupil's parent(s) or legal guardian(s) shall provide for the pupil's transportation to and from school during the time of exclusion.

In the event of an emergency, the school bus driver shall follow procedures established by this Board. 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 a Preliminary School Bus Accident Report prescribed by the Commissioner of Education and provide the Report to the Principal of the receiving school by the end of the next working day. The Principal of the receiving school shall retain a copy of the Report and forward other copies of the Report as prescribed by the New Jersey Department of Education.

A school bus driver, during the driver's work schedule, may only use a cellular or other wireless telephone, for school related business. The driver is prohibited from using a cellular or other wireless telephone, while operating a school bus. A cellular, or other wireless telephone, may only be used for school related business by the school bus driver while operating the school bus, when the school bus is parked in a safe area off a highway or in an emergency situation. A driver who violates this policy provision is subject to fines pursuant to N.J.S.A. 39:3B-25.

The school bus driver is responsible for the safety of his/her pupils and shall rigorously observe all motor vehicle laws and regulations and State Board of Education rules in the operation of his/her school bus.

N.J.S.A. 18A:25-2

N.J.S.A. 39:3B-25

N.J.A.C. 6A:27-11.1 et seq.; 6A:27-12.1 et seq.

Adopted: 16 September 2008

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. 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.

N.J.S.A. 18A:16-6; 18A:25-2; 18A:39-20.1  
N.J.A.C. 6A:27-7.6; 6A:27-7.7

Adopted: 16 September 2008

8710 PROPERTY INSURANCE

The Board of Education recognizes its responsibility under law to insure the replacement value of the property of this school district, both real and personal, against loss or damage by fire and expressly extends such insurance coverage to loss or damage caused by theft, water, glass breakage, explosion, boiler failure, smoke, windstorm, vandalism, and other hazards.

In placing property insurance coverage, the Board shall be guided by the price of the coverage, the ability of the insurer to meet obligations promptly and fully, the reputation and past performance of the insurer's agent, and the goal of distributing the insurance coverage of the district through one insurance broker.

The Board shall annually appoint an insurance advisor who shall review the insurance program of the district, consider alternatives, and report recommendations to the Board; recommend specific insurance placement and prepare specifications; assist the Board in the establishment and maintenance of property valuation and insurance records; provide annual safety and fire inspections; process all claims; provide workshops and lectures on fire safety and prevention and safety precautions to the appropriate staff members; and recommend such measures as may reduce the cost of insurance premiums.

To be eligible to represent this Board an insurance agent must write all insurance through a company whose minimum financial status, so far as loss paying ability is concerned, is rated by A.M. Best and Company to be no less than A+; and must derive over fifty percent of his/her income from insurance premium commissions or receive no less than \$100,000 annually in premium income from sources other than this school district.

The Board may, in accordance with law, enter a joint contract for the purchase of property insurance.

N.J.S.A. 18A:18A-42(e); 18A:20-25  
N.J.S.A. 40A:10-52 et seq.

Adopted: 16 September 2008

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 and Board Secretary in accordance with rules of the State Board of Education. All other employees shall be covered under a blanket bond in an amount to be determined by the Board.

The Board shall bear the cost of bonding each employee required to be bonded by law or by this policy.

N.J. Consti., Art. 7, §1, 4  
N.J.S.A. 18A:17-6; 18A:17-26; 18A:17-32  
N.J.A.C. 6A:23-2.5

Adopted: 16 September 2008



8750 EMPLOYEE INDEMNIFICATION

The Board of Education recognizes that officers and employees of this district are exposed to certain risks in the course of the performance of their duties and will provide insurance coverage against losses that may be incurred by such risks.

The Board shall in accordance with law, insure employees of the school district against injury and death arising out of or in the course of their employment.

The Board shall provide indemnification to any person holding any office, position or employment under the jurisdiction of the Board, including any student teacher/intern, or person assigned to other professional pre-teaching field experience, for damages, losses, and costs incurred as a result of a civil or administrative action or other legal proceeding brought against any such persons for any acts or omissions arising out of and in the course of their employment, student teaching, or other assignment to professional field experience with this Board. This indemnification will include all costs of defending such action, including reasonable counsel fees and expenses, together with costs of appeal, if any, and will hold harmless and protect such person from any financial loss resulting from such action. No employee will be held harmless or have his/her defense costs defrayed in a disciplinary proceeding instituted against him/her by the Board or when the employee is appealing an action taken by the Board. Indemnification for exemplary or punitive damages is not required and will be governed by the standards and procedures set forth in N.J.S.A. 59:10-4. The Board may arrange for and maintain appropriate insurance to cover all such damages, losses and expenses.

The Board shall provide indemnification to any person holding any office, position or employment under the jurisdiction of the Board, including any student teacher/intern, or person assigned to other professional pre-teaching field experience, for the costs of defense against any criminal or quasi-criminal action for any such act or omission when such prosecution is dismissed or results in a final disposition favorable to the officer or employee. This indemnification will include the cost of defending such proceeding, including reasonable counsel fees and expenses of the original hearing or trial and all appeals. No employee will be held harmless or have his/her defense costs defrayed as a result of a criminal or quasi-criminal complaint filed against the employee by or on behalf of the Board. The Board may arrange for and maintain appropriate insurance to cover all such damages, losses and expenses.

The Board shall insure against any liability arising out of the use of motor vehicles in the course of the conduct of automobile driver training courses and against any liability arising from the use of a motor vehicle by a person duly appointed by the Board to transport pupils and while in the course of such transportation.

The Board may insure against any major liability arising from the use of a motor vehicle by an employee or pupil of the district in the performance of district business.

The Board may, in accordance with law, enter a joint contract for the purchase of liability insurance.

N.J.S.A. 18A:16-6; 18A:16-6.1; 18A:18A-3.2;  
18A:18A-42(e); 18A:18B-1; 18A:18B-2;  
18A:39-6; 18A:39-6.1; 18A:39-20.1  
N.J.S.A. 40A:10-52

9000 COMMUNITY

| <u>Number</u> | <u>Title</u>                              |
|---------------|---|
| 9120          | Public Relations Program                  |
| 9140          | Citizens Advisory Committees              |
| 9150          | School Visitors                           |
| 9210          | Parent Organizations                      |
| 9260          | Parental Liability for Vandalism          |
| 9320          | Cooperation with Law Enforcement Agencies |
| 9541          | Student Teachers/Interns                  |
| 9550          | Educational Research Projects             |
| 9560          | Administration of School Surveys          |
| 9713          | Recruitment by Special Interest Groups    |

## 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

Revised June 23, 2009

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 of Schools.

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)  
20 U.S.C.A. 3801 et seq.

Adopted: 16 September 2008

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.

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

N.J.S.A. 18A:17-42; 18A:20-1; 18A:20-34

Adopted: 16 September 2008

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.



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.

N.J.S.A. 18A:37-3

Adopted: 16 September 2008

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.(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: 16 September 2008

9541 STUDENT TEACHERS/INTERNS

The Board of Education encourages cooperation with the state colleges and universities in the education of teachers, because the public school offers an experience essential to their training, interaction with pupils and teachers at work in the classroom. Accordingly, the schools of this district will accept students from accredited institutions of higher learning as junior or senior student teachers/interns.

The Board, upon the recommendation of the Superintendent, shall approve all student teachers/interns.

Student teachers/interns shall be assigned by the Superintendent. The Superintendent shall assign student teachers/interns throughout the district in a manner that assures that no single group of pupils will be subject to excessive student teacher/intern classroom hours.

Student teachers/intern shall comply with the health examination required by rules of the State Board of Education and that required for teaching staff members by this Board.

Student teachers/interns shall at all times be subject to the policies of this Board. Student teachers/interns serving in the schools of this district shall be responsible to the Principal for their conduct and to the cooperating teacher for their performance.

Students and other affiliates of educational institutions will be offered the opportunity to visit and observe our district in the course of teacher training programs and educational research projects. Such students will be treated as visitors and will be under the direct supervision of the Principal.

N.J.A.C. 6A:9-6.5; 6A:9-10.2; 6A:9-10.3; 6A:9-10.4

Adopted: 16 September 2008

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: 16 September 2008

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. A pupil's decision to not attend a formal Board hearing should be in writing and signed by both the pupil and parent/legal guardian. The signatures should be witnessed.
  - b. A pupil who does not avail himself/herself of the opportunity to a formal hearing will be construed to have waived his/her right to the hearing. Constructive waiver will not be presumed before the passage of a considerable period of time, to be determined on a case-by-case basis, since it operates to foreclose the pupil's rights.

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 Building Principal 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: 16 September 2008

9713 RECRUITMENT BY SPECIAL INTEREST GROUPS

The Board of Education will permit access to school pupils on school premises and access to certain information about individual pupils for educational, occupational, and military recruitment activities. Access for recruitment purposes will be equally available to all recruitment agencies, in accordance with law.

Representatives of bona fide educational institutions, occupational agencies, and the United States Armed Forces may recruit pupils 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 five working days before the planned activity and must be approved in advance by the Superintendent. The Superintendent shall not favor one recruiter over another, but shall not approve an activity that, in the Superintendent's judgment, carries a substantial likelihood of disrupting the educational program of this district.

Each representative of a bona fide educational institution, occupational agency, and the United States Armed Forces will be given, on request, a copy of the pupil information directory, compiled in accordance with Policy No. 8330.

Parent(s) or legal guardian(s) and adult pupils will be informed annually in writing of their right to request a pupil's excusal from participation in all recruitment activities and/or from a listing in the pupil information directory distributed for recruitment purposes.

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.

N.J.S.A. 18A:36-19.1  
No Child Left Behind §9528

Adopted: 16 September 2008