



**HACKENSACK  
PUBLIC SCHOOLS**  
EXCELLENCE IN EDUCATION

# **Staff Handbook**

**September 2019**

# Table of Contents

<b>INTRODUCTION</b> .....	1
<b>WELCOME</b> .....	2
<b>MISSION STATEMENT OF THE HACKENSACK PUBLIC SCHOOLS</b> .....	3
<b>SCHOOL/GRADE LEVEL, SUBJECT AREA AND/OR DEPARTMENT CONTACTS</b> .....	4
<b>2361. ACCEPTABLE USE OF COMPUTER NETWORKS/COMPUTERS AND RESOURCES</b> .....	5
<b>R2361. ACCEPTABLE USE OF COMPUTER NETWORKS/COMPUTERS AND RESOURCES</b> .....	9
<b>4321. ACCEPTABLE USE OF COMPUTER NETWORK(S)/ COMPUTERS AND RESOURCES BY SUPPORT STAFF MEMBERS</b> .....	17
<b>R4321. ACCEPTABLE USE OF COMPUTER NETWORK(S)/ COMPUTERS AND RESOURCES BY SUPPORT STAFF MEMBERS</b> .....	20
<b>3321. ACCEPTABLE USE OF COMPUTER NETWORK(S)/ COMPUTERS AND RESOURCES BY TEACHING STAFF MEMBERS</b> .....	26
<b>R3321. ACCEPTABLE USE OF COMPUTER NETWORK(S)/ COMPUTERS AND RESOURCES BY TEACHING STAFF MEMBERS</b> .....	29
<b>4212. ATTENDANCE (SUPPORT STAFF)</b> .....	35
<b>R4212. ATTENDANCE (SUPPORT STAFF)</b> .....	36
<b>3212. ATTENDANCE (TEACHING STAFF)</b> .....	39
<b>R3212. ATTENDANCE (TEACHING STAFF)</b> .....	40
<b>4215. CODE OF ETHICS (SUPPORT STAFF)</b> .....	42
<b>3211. CODE OF ETHICS (TEACHING STAFF)</b> .....	43
<b>4214. CONFLICT OF INTEREST (SUPPORT STAFF)</b> .....	46
<b>3214. CONFLICT OF INTEREST (TEACHING STAFF)</b> .....	47
<b>3211.3. CONSULTING OUTSIDE THE DISTRICT (TEACHING STAFF)</b> .....	48
<b>R3211.3. CONSULTING OUTSIDE THE DISTRICT (TEACHING STAFF)</b> .....	49
<b>4211.3. CONSULTING OUTSIDE THE DISTRICT (SUPPORT STAFF)</b> .....	51
<b>R4211.3. CONSULTING OUTSIDE THE DISTRICT (SUPPORT STAFF)</b> .....	52
<b>9320. COOPERATION WITH LAW ENFORCEMENT AGENCIES</b> .....	54
<b>R9320. COOPERATION WITH LAW ENFORCEMENT AGENCIES</b> .....	55
<b>3216. DRESS AND GROOMING (TEACHING STAFF)</b> .....	66
<b>3283. ELECTRONIC COMMUNICATIONS BETWEEN TEACHING STAFF MEMBERS AND STUDENTS</b> .....	68
<b>4283. ELECTRONIC COMMUNICATIONS BETWEEN SUPPORT STAFF MEMBERS AND STUDENTS</b> .....	72
<b>7436. DRUG FREE WORKPLACE</b> .....	76
<b>8420. EMERGENCY AND NON-FIRE EVACUATION PLAN</b> .....	77
<b>R8420. EMERGENCY AND NON-FIRE EVACUATION PLAN</b> .....	79
<b>4240. EMPLOYEE TRAINING (SUPPORT STAFF)</b> .....	81
<b>R4240. EMPLOYEE TRAINING (SUPPORT STAFF)</b> .....	82

<b>3221. EVALUATION OF TEACHERS .....</b>	<b>85</b>
<b>R3221. EVALUATION OF TEACHERS .....</b>	<b>87</b>
<b>3222. EVALUATION OF TEACHING STAFF MEMBERS, EXCLUDING TEACHERS AND ADMINISTRATORS (M) .....</b>	<b>104</b>
<b>R3222. EVALUATION OF TEACHING STAFF MEMBERS, EXCLUDING TEACHERS AND ADMINISTRATORS .....</b>	<b>106</b>
<b>7432. EYE PROTECTION .....</b>	<b>116</b>
<b>R7432. EYE PROTECTION .....</b>	<b>118</b>
<b>2340. FIELD TRIPS .....</b>	<b>121</b>
<b>R2340. FIELD TRIPS .....</b>	<b>123</b>
<b>5512. HARASSMENT, INTIMIDATION, AND BULLYING .....</b>	<b>131</b>
<b>7433. HAZARDOUS SUBSTANCES .....</b>	<b>151</b>
<b>4351. HEALTHY WORKPLACE ENVIRONMENT (SUPPORT STAFF) .....</b>	<b>154</b>
<b>3351. HEALTHY WORKPLACE ENVIRONMENT (TEACHING STAFF).....</b>	<b>156</b>
<b>3280. LIABILITY FOR STUDENT WELFARE (TEACHING STAFF) .....</b>	<b>158</b>
<b>R3280. LIABILITY FOR STUDENT WELFARE (TEACHING STAFF).....</b>	<b>159</b>
<b>6510. PAYROLL AUTHORIZATION .....</b>	<b>161</b>
<b>4160. PHYSICAL EXAMINATION (M) (SUPPORT STAFF) .....</b>	<b>163</b>
<b>R4160. PHYSICAL EXAMINATION (M) (SUPPORT STAFF) .....</b>	<b>165</b>
<b>3160. PHYSICAL EXAMINATION (M) (TEACHING STAFF) .....</b>	<b>169</b>
<b>R3160. PHYSICAL EXAMINATION (M) (TEACHING STAFF).....</b>	<b>171</b>
<b>3233. POLITICAL ACTIVITIES (TEACHING STAFF).....</b>	<b>175</b>
<b>R3233. POLITICAL ACTIVITIES (TEACHING STAFF) .....</b>	<b>176</b>
<b>3240. PROFESSIONAL DEVELOPMENT FOR TEACHERS AND SCHOOL LEADERS .....</b>	<b>177</b>
<b>R3240. PROFESSIONAL DEVELOPMENT FOR TEACHERS AND SCHOOL LEADERS.....</b>	<b>179</b>
<b>8462. REPORTING POTENTIALLY MISSING OR ABUSED CHILDREN .....</b>	<b>186</b>
<b>R8462. REPORTING POTENTIALLY MISSING OR ABUSED CHILDREN .....</b>	<b>188</b>
<b>8461. REPORTING VIOLENCE, VANDALISM, HARASSMENT, INTIMIDATION, BULLYING, ALCOHOL, AND OTHER DRUG ABUSE .....</b>	<b>193</b>
<b>R8461. REPORTING VIOLENCE, VANDALISM, HARASSMENT, INTIMIDATION, BULLYING, ALCOHOL, AND OTHER DRUG ABUSE.....</b>	<b>195</b>
<b>7522. SCHOOL DISTRICT PROVIDED TECHNOLOGY DEVICES TO STAFF MEMBERS .....</b>	<b>198</b>
<b>R7522. SCHOOL DISTRICT PROVIDED TECHNOLOGY DEVICES TO STAFF MEMBERS.....</b>	<b>201</b>
<b>7440. SECURITY OF SCHOOL PREMISES .....</b>	<b>203</b>
<b>R7440. SECURITY OF SCHOOLS.....</b>	<b>204</b>
<b>5751. SEXUAL HARASSMENT .....</b>	<b>209</b>
<b>R5751. SEXUAL HARASSMENT .....</b>	<b>211</b>

<b>4352. SEXUAL HARASSMENT (M) (SUPPORT STAFF)</b> .....	220
<b>R4352. SEXUAL HARASSMENT (M) (SUPPORT STAFF)</b> .....	221
<b>3362. SEXUAL HARASSMENT (M) (TEACHING STAFF)</b> .....	225
<b>R3362. SEXUAL HARASSMENT (M) (TEACHING STAFF)</b> .....	226
<b>3322. STAFF MEMBER’S USE OF PERSONAL CELLULAR TELEPHONES/OTHER COMMUNICATION DEVICES (TEACHING STAFF)</b> .....	230
<b>4322. STAFF MEMBER’S USE OF PERSONAL CELLULAR TELEPHONES/OTHER COMMUNICATION DEVICES (SUPPORT STAFF)</b> .....	231
<b>5530. SUBSTANCE ABUSE</b> .....	232
<b>R5530. SUBSTANCE ABUSE</b> .....	238
<b>4218. SUBSTANCE ABUSE (M) (SUPPORT STAFF)</b> .....	251
<b>R4218. SUBSTANCE ABUSE (M) (SUPPORT STAFF)</b> .....	253
<b>3218. SUBSTANCE ABUSE (M) (TEACHING STAFF)</b> .....	257
<b>R3218. SUBSTANCE ABUSE (M) (TEACHING STAFF)</b> .....	259
<b>2531. USE OF COPYRIGHTED MATERIALS</b> .....	263
<b>R2531. USE OF COPYRIGHTED MATERIALS</b> .....	264
<b>5516. USE OF ELECTRONIC COMMUNICATION AND RECORDING DEVICES (ECD) (M)</b> .....	270
<b>3217. USE OF CORPORAL PUNISHMENT (TEACHING STAFF)</b> .....	272
<b>5561. USE OF PHYSICAL RESTRAINT AND SECLUSION TECHNIQUES FOR STUDENTS WITH DISABILITIES</b> .....	273
<b>R5561. USE OF PHYSICAL RESTRAINT AND SECLUSION TECHNIQUES FOR STUDENTS WITH DISABILITIES</b> .....	275
<b>7510. USE OF SCHOOL FACILITIES</b> .....	280
<b>R7510. USE OF SCHOOL FACILITIES</b> .....	282
<b>3282. USE OF SOCIAL NETWORKING SITES (TEACHING STAFF)</b> .....	290
<b>4282. USE OF SOCIAL NETWORKING SITES (SUPPORT STAFF)</b> .....	292
<b>5410. PROMOTION AND RETENTION (M)</b> .....	294
<b>R5410. PROMOTION AND RETENTION (M)</b> .....	295
<b>5111. ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)</b> .....	297
<b>R5111. ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)</b> .....	303
<b>REQUEST FOR FIELD TRIP APPROVAL</b> .....	320
<b>REQUEST FOR FIELD TRIP APPROVAL – PART 2</b> .....	321
 <b><u>JOB DESCRIPTIONS</u></b>	
<b>CLASSROOM TEACHER PREK-4</b> .....	322
<b>CLASSROOM TEACHER 5-12</b> .....	324
<b>GENERAL EDUCATION PARA-EDUCATOR</b> .....	330

<b>SPECIAL EDUCATION PARA-EDUCATOR.....</b>	<b>332</b>
<b>PERSONAL AIDE (1-1 AIDE).....</b>	<b>334</b>
<b>LUNCH AIDE/CAFETERIA MONITOR.....</b>	<b>336</b>
<b>INDEX.....</b>	<b>338</b>

## **INTRODUCTION**

This handbook has been prepared to provide you with a basic understanding of the District's mission, core values, policies, and your responsibilities as an employee. It was prepared to make you aware of what you can expect from Hackensack Public Schools and what our schools will expect from you.

We hope your experience here will be both challenging and rewarding. The information included in this handbook is meant to provide an overview of expectations and Board policies, and may be subject to change; however, all laws, rules, and Board of Education policies and regulations, from which this handbook is derived can be found in the Board of Education Policy Manual, found online.

If any information contained in this handbook conflicts with any of the above, those laws, rules and policies take precedence over the information provided in this handbook. Staff members who are part of a collective bargaining agreement are asked to refer to their respective agreement for the specific provisions and benefits applicable to them.

Any questions regarding the content of this handbook or district policies should be addressed through your supervisor to the Superintendent's Office.

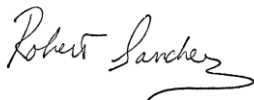
## WELCOME

On behalf of the Hackensack Board of Education, I welcome you to the 2019-2020 School Year and the Comet Family. We are proud to call ourselves a family because as staff members of HPS, we share a commitment to a common mission of educational excellence for every child. We are dedicated to inspiring and challenging students to be active learners who can think critically, problem-solve, communicate effectively, take pride in their work and contribute to making a positive difference in the world around them.

We hope you continue to connect with our core values of personal responsibility, a strong work ethic, collaboration respect for others and the firm belief that every child can learn.

We hope this handbook provides you with easy access to important information and wish you a successful school year!

Sincerely,

A handwritten signature in cursive script that reads "Robert Sanchez". The signature is written in black ink and has a decorative flourish at the end.

Robert Sanchez  
Superintendent

## **MISSION STATEMENT OF THE HACKENSACK PUBLIC SCHOOLS**

The mission of the Hackensack Public School District is to challenge all students to excel along their own personal learning continuum and become responsible, civic-minded global citizens of the 21st Century. We inspire and challenge students to be active learners who can think critically, engage in complex problem-solving, communicate effectively, take pride in the work they produce and contribute to making a positive difference in the world around them.

Our schools strive to personalize learning to meet the needs of each student. In partnership with parents and the community, our schools will maximize academic achievement and develop confident students who are accountable for their ongoing learning, value initiative and diversity, and who are able to contribute meaningfully to the ever-changing global society.

We believe:

- All students are entitled to opportunities to maximize their talents and abilities;
- Our ethnic and cultural diversity is one of our greatest strengths and prepares students for success in a global society;
- Setting high expectations for students, teachers and administrators ensures that our students successfully meet or exceed New Jersey Student Learning Standards.
- Parents are essential partners in the education of their children;
- Our students will be effective communicators, quality producers, self-directed lifelong learners, community contributors, collaborative workers and complex thinkers;
- Maintaining a strong partnership with the Hackensack community is integral to student success;
- Understanding, implementing and responding to current trends in digital learning is intrinsic to success in a global 21st century;
- In ensuring that the district has a well-trained, highly qualified and competent staff;
- In maintaining a safe and secure learning environment.

Our schools aim to prepare students for challenges facing them today and in the future. We believe our children and our teachers are our most precious gifts. Our goal is to inspire students to be leaders of their own learning. As a community of learners, we value our rich cultural diversity and recognize it as one of our greatest strengths. We also understand that achieving our goals requires collaboration between staff, teachers, parents, students and the broader community.



Teachers and staff should know who to contact when questions about resources, curriculum, standardized testing or systems and technology arise. The contact list below is meant to support open and timely communication.

## **School/Grade Level, Subject Area and/or Department Contacts**

### Pre –K and Early Childhood Special Education

Early Childhood Center	Mrs. Stefanie Golam, Supervisor	201-353-5782
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### School Contacts

Fairmount School	Mrs. Ashton-Loeb, Principal	201-646-7890
Fanny M. Hillers School	Mrs. Joy Whiting, Principal	201-646-7870
Jackson Ave. School	Mr. Chris Moran, Principal	201-646-7990
Nellie K. Parker School	Mrs. Lillian Whitaker, Principal	201-646-8020
Hackensack Middle School	Mr. Damen Cooper, Principal	201-646-7842
Hackensack High School	Mr. James Montesano	201-646-7900

Please always contact your school-based administrators or direct supervisor first, with any needs related to supplies, classroom resources or curriculum questions.

<u>Pre-K– 5 Curriculum and Grants &amp; ESSA/Title I</u>	Dr. Lauren Kazmark	201-678-2940
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### 5-12 Curriculum, Resources & Testing

English Language Arts Department	Mrs. Roseanne Cavallo, Supervisor	201-646-7933
Math & Business Department	Mr. John Spadafino, Supervisor	201-646-7650
Science/STEM Department	Mr. Rich Delvechio, Supervisor	201-646-7959

High School Guidance Department	Ms. Talin Hovsepian, Supervisor	201-646-7921
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<u>Special Services Department K-12</u>	Office	201-646-8010
<u>Special Services Department K-5</u>	Ms. Kristen Carroll, Supervisor	201-646-8011
<u>Bilingual/ESL &amp; World Languages Dept.</u>	Ms. Marielle Messina, Director	201-646-6825

### Testing Coordinators

District Testing Coordinator	Dr. Lauren Kazmark, Director	201-678-2940
District ACCESS/WIDA Testing Coordinator	Ms. Marielle Messina, Director	201-646-6825
District DLM Testing Coordinator	Ms. Kristen Carroll	201-646-8011

### Other District Contacts

Superintendent's Office	Mrs. Iannacone or Mrs. Medina	201-646-0276
Personnel Office	Mrs. Larko or Mrs. Venditti	201-646-1850
Business Office	Mrs. Linda Fritz	201-646-0295
District Systems Information Coordinator	Mrs. Magy Fischer	201-646-1852
District Technology Coordinator	Mr. Adrian Cepero	201-646-1853

**2361. ACCEPTABLE USE OF COMPUTER NETWORKS/COMPUTERS AND RESOURCES**

The Board of Education recognizes as new technologies shift the manner in which information is accessed, communicated, and transferred; these changes will alter the nature of teaching and learning. Access to technology will allow students to explore databases, libraries, Internet sites, and bulletin boards while exchanging information with individuals throughout the world. The Board supports access by students to these information sources but reserves the right to limit in-school use to materials appropriate for educational purposes. The Board directs the Superintendent to effect training of teaching staff members in skills appropriate to analyzing and evaluating such resources as to appropriateness for educational purposes.

The Board also recognizes technology allows students access to information sources that have not been pre-screened by educators using Board approved standards. The Board therefore adopts the following standards of conduct for the use of computer networks and declares unethical, unacceptable, or illegal behavior as just cause for taking disciplinary action, limiting or revoking network access privileges, and/or instituting legal action.

The Board provides access to computer networks/computers for educational purposes only. The Board retains the right to restrict or terminate student access to computer networks/computers at any time, for any reason. School district personnel will monitor networks and online activity to maintain the integrity of the networks, ensure their proper use, and ensure compliance with Federal and State laws that regulate Internet safety.

**Standards for Use of Computer Networks**

Any individual engaging in the following actions when using computer networks/computers shall be subject to discipline or legal action:

- A. Using the computer networks/computers for illegal, inappropriate or obscene purposes, or in support of such activities. Illegal activities are defined as activities that violate Federal, State, local laws and regulations. Inappropriate activities are defined as those that violate the intended use of the networks. Obscene activities shall be defined as a violation of generally accepted social standards for use of publicly owned and operated communication vehicles.
- B. Using the computer networks/computers to violate copyrights, institutional or third party copyrights, license agreements or other contracts.
- C. Using the computer networks in a manner that:
  - 1. Intentionally disrupts network traffic or crashes the network;
  - 2. Degrades or disrupts equipment or system performance;

## 2361. ACCEPTABLE USE OF COMPUTER NETWORKS/COMPUTERS AND RESOURCES (M)

Date Created: June, 2017

Date Edited: June, 2017

3. Uses the computing resources of the school district for commercial purposes, financial gain, or fraud;
4. Steals data or other intellectual property;
5. Gains or seeks unauthorized access to the files of others or vandalizes the data of another person;
6. Gains or seeks unauthorized access to resources or entities;
7. Forges electronic mail messages or uses an account owned by others;
8. Invades privacy of others;
9. Posts anonymous messages;
10. Possesses any data which is a violation of this Policy; and/or
11. Engages in other activities that do not advance the educational purpose for which computer networks/computers are provided.

**Internet Safety Protection**

As a condition for receipt of certain Federal funding, the school district shall be in compliance with the Children's Internet Protection Act, the Neighborhood Children's Internet Protection Act, and has installed technology protection measures for all computers in the school district, including computers in media centers/libraries. The technology protection must block and/or filter material and visual depictions that are obscene as defined in Section 1460 of Title 18, United States Code; child pornography, as defined in Section 2256 of Title 18, United States Code; are harmful to minors including any pictures, images, graphic image file or other material or visual depiction that taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or depicts, describes, or represents in a patently offensive way, with respect to what is suitable for minors, sexual acts or conduct; or taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

This Policy also establishes Internet safety policy and procedures in the district as required in the Neighborhood Children's Internet Protection Act. Policy 2361 addresses access by minors to inappropriate matter on the Internet and World Wide Web; the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications; unauthorized access, including "hacking" and other unlawful activities by minors online; unauthorized disclosures, use, and dissemination of personal identification information regarding minors; and measures designed to restrict minors' access to materials harmful to minors.

2361. ACCEPTABLE USE OF COMPUTER NETWORKS/COMPUTERS AND RESOURCES (M)

Date Created: June, 2017

Date Edited: June, 2017

Notwithstanding blocking and/or filtering the material and visual depictions prohibited in the Children's Internet Protection Act and the Neighborhood Children's Internet Protection Act, the Board shall determine other Internet material that is inappropriate for minors.

In accordance with the provisions of the Children's Internet Protection Act, the Superintendent of Schools or designee will develop and ensure education is provided to every student regarding appropriate online behavior, including students interacting with other individuals on social networking sites and/or chat rooms, and cyberbullying awareness and response.

The Board will provide reasonable public notice and will hold one annual public hearing during a regular monthly Board meeting or during a designated special Board meeting to address and receive public community input on the Internet safety policy - Policy and Regulation 2361. Any changes in Policy and Regulation 2361 since the previous year's annual public hearing will also be discussed at a meeting following the annual public hearing.

The school district will certify on an annual basis, that the schools, including media centers/libraries in the district, are in compliance with the Children's Internet Protection Act and the Neighborhood Children's Internet Protection Act and the school district enforces the requirements of these Acts and this Policy.

#### Consent Requirement

No student shall be allowed to use the school districts' computer networks/computers and the Internet unless they have filed a consent form signed by the student and his/her parent(s) or legal guardian(s).

#### Violations

Individuals violating this Policy shall be subject to the consequences as indicated in Regulation 2361 and other appropriate discipline, which includes but are not limited to:

1. Use of the network only under direct supervision;
2. Suspension of network privileges;
3. Revocation of network privileges;
4. Suspension of computer privileges;
5. Revocation of computer privileges;
6. Suspension from school;
7. Expulsion from school; and/or

2361. ACCEPTABLE USE OF COMPUTER NETWORKS/COMPUTERS AND RESOURCES (M)

Date Created: June, 2017

Date Edited: June, 2017

8. Legal action and prosecution by the authorities.

N.J.S.A. 2A:38A-3

Federal Communications Commission: Children's Internet Protection Act

Federal Communications Commission: Neighborhood Children's Internet Protection Act

Adopted: 06 June 2017

**R2361. ACCEPTABLE USE OF COMPUTER NETWORKS/COMPUTERS AND RESOURCES**

The school district provides computer equipment, computer services, and Internet access to its students and staff for educational purposes only. The purpose of providing technology resources is to improve learning and teaching through research, teacher training, collaboration, dissemination and the use of global communication resources.

For the purpose of this Policy and Regulation, “computer networks/computers” includes, but is not limited to, the school district’s computer networks, computer servers, computers, other computer hardware and software, Internet equipment and access, and any other computer related equipment.

For the purpose of this Policy and Regulation, “school district personnel” shall be the person(s) designated by the Superintendent to oversee and coordinate the school district’s computer networks/computer systems. School district personnel will monitor networks and online activity, in any form necessary, to maintain the integrity of the networks, ensure proper use, and to be in compliance with Federal and State laws that regulate Internet safety.

Due to the complex association between government agencies and computer networks/computers and the requirements of Federal and State laws, the end user of the school district’s computer networks/computers must adhere to strict regulations. Regulations are provided to assure staff, community, students, and parent(s) or legal guardian(s) of students are aware of their responsibilities. The school district may modify these regulations at any time. The signatures of the student and his/her parent(s) or legal guardian(s) on a district-approved Consent and Waiver Agreement are legally binding and indicate the parties have read the terms and conditions carefully, understand their significance, and agree to abide by the rules and regulations established under Policy and Regulation 2361.

Students are responsible for acceptable and appropriate behavior and conduct on school district computer networks/computers. Communications on the computer networks/computers are often public in nature and policies and regulations governing appropriate behavior and communications apply. The school district’s networks, Internet access, and computers are provided for students to conduct research, complete school assignments, and communicate with others. Access to computer networks/computers is given to students who agree to act in a considerate, appropriate, and responsible manner. Parent(s) or legal guardian(s) permission is required for a student to access the school district’s computer networks/computers. Access entails responsibility and individual users of the district computer networks/computers are responsible for their behavior and communications over the computer networks/computers. It is presumed users will comply with district standards and will honor the agreements they have signed and the permission they have been granted. Beyond the clarification of such standards, the district is not responsible for the actions of individuals utilizing the computer networks/computers who violate the policies and regulations of the Board.

Computer networks/computer storage areas shall be treated in the same manner as other school storage facilities. School district personnel may review files and communications to maintain system integrity, confirm users are using the system responsibly, and ensure compliance with Federal and State laws that regulate Internet safety. Therefore, no person should expect files stored on district servers will be private or confidential.

The following prohibited behavior and/or conduct using the school district's networks/computers, includes but is not limited to, the following:

1. Sending or displaying offensive messages or pictures;
2. Using obscene language and/or accessing material or visual depictions that are obscene as defined in section 1460 of Title 18, United States Code;
3. Using or accessing material or visual depictions that are child pornography, as defined in section 2256 of Title 18, United States Code;
4. Using or accessing material or visual depictions that are harmful to minors including any pictures, images, graphic image files or other material or visual depictions that taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
5. Depicting, describing, or representing 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;
6. Cyberbullying;
7. Inappropriate online behavior, including inappropriate interaction with other individuals on social networking sites and in chat rooms;
8. Harassing, insulting, or attacking others;
9. Damaging computers, computer systems, or computer networks/computers;
10. Violating copyright laws;
11. Using another's password;
12. Trespassing in another's folders, work or files;
13. Intentionally wasting limited resources;
14. Employing the computer networks/computers for commercial purposes; and/or

15. Engaging in other activities that do not advance the educational purposes for which computer networks/computers are provided.

**INTERNET SAFETY****Compliance with Children's Internet Protection Act**

As a condition for receipt of certain Federal funding, the school district has technology protection measures for all computers in the school district, including computers in media centers/libraries, that block and/or filter material or visual depictions that are obscene, child pornography and harmful to minors as defined in 2, 3, 4, 5, 6, and 7 above and in the Children's Internet Protection Act. The school district will certify the schools in the district, including media centers/libraries are in compliance with the Children's Internet Protection Act and the district complies with and enforces Policy and Regulation 2361.

**Compliance with Neighborhood Children's Internet Protection Act**

Policy 2361 and this Regulation establish an Internet safety protection policy and procedures to address:

1. Access by minors to inappropriate matter on the Internet and World Wide Web;
2. The safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications;
3. Unauthorized access, including "hacking" and other unlawful activities by minors online;
4. Cyberbullying;
5. Inappropriate online behavior, including inappropriate interaction with other individuals on social networking sites and in chat rooms;
6. Unauthorized disclosures, use, and dissemination of personal identification information regarding minors; and
7. Measures designed to restrict minors' access to materials harmful to minors.

Notwithstanding the material or visual depictions defined in the Children's Internet Protection Act and the Neighborhood Children's Internet Protection Act, the Board shall determine 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 protection policy - Policy and Regulation



2361. Any changes in Policy and Regulation 2361 since the previous year's annual public hearing will also be discussed at a meeting following the annual public hearing.

#### Information Content and Uses of the System

Students may not publish on or over the system any information which violates or infringes upon the rights of any other person or any information which would be abusive, profane, or sexually offensive to a reasonable person, or which, without the approval of the Superintendent or designated school district personnel, contains any advertising or any solicitation to use goods or services. A student cannot use the facilities and capabilities of the system to conduct any business or solicit the performance of any activity which is prohibited by law.

Because the school district provides, through connection to the Internet, access to other computer systems around the world, students and their parent(s) or legal guardian(s) should be advised the Board and school district personnel have no control over content. While most of the content available on the Internet is not offensive and much of it is a valuable educational resource, some objectionable material exists. Even though the Board provides students access to Internet resources through the district's computer networks/computers with installed appropriate technology protection measures, parents and students must be advised potential dangers remain and offensive material may be accessed notwithstanding the technology protection measures taken by the school district.

Students and their parent(s) or legal guardian(s) are advised some systems and Internet sites may contain defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, or otherwise illegal or offensive material. The Board and school district personnel do not condone the use of such materials and do not permit usage of such materials in the school environment. Parent(s) or legal guardian(s) having Internet access available to their children at home should be aware of the existence of such materials and monitor their child's access to the school district system at home. Students knowingly bringing materials prohibited by Policy and Regulation 2361 into the school environment will be disciplined in accordance with Board policies and regulations and such activities may result in termination of such students' accounts or access on the school district's computer networks and their independent use of computers.

#### On-line Conduct

Any action by a student or other user of the school district's computer networks/computers that is determined by school district personnel to constitute an inappropriate use of the district's computer networks/computers or to improperly restrict or inhibit other persons from using and enjoying those resources is strictly prohibited and may result in limitation on or termination of an offending person's access and other consequences in compliance with Board policy and regulation. The user specifically agrees not to submit, publish, or display any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, or otherwise illegal or offensive material; nor shall a user encourage the use, sale, or distribution of controlled substances.

Transmission of material, information or software in violation of any local, State or Federal law is also prohibited and is a breach of the Consent and Waiver Agreement.

Students and their parent(s) or legal guardian(s) specifically agree to indemnify the school district and school district personnel for any losses, costs, or damages, including reasonable attorneys' fees incurred by the Board relating to, or arising out of any breach of this section by the student.

Computer networks/computer resources are to be used by the student for his/her educational use only; commercial uses are strictly prohibited.

#### Software Libraries on the Network

Software libraries on or through the school district's networks are provided to students as an educational resource. No student may install, upload, or download software without the expressed consent of appropriate school district personnel. Any software having the purpose of damaging another person's accounts or information on the school district computer networks/computers (e.g., computer viruses) is specifically prohibited. School district personnel reserve the right to refuse posting of files and to remove files. School district personnel further reserve the right to immediately limit usage or terminate the student's access or take other action consistent with the Board's policies and regulations of a student who misuses the software libraries.

#### Copyrighted Material

Copyrighted material must not be placed on any system connected to the computer networks/computers without authorization. Students may download copyrighted material for their own use in accordance with Policy and Regulation 2531 - Use of Copyrighted Materials. A student may only redistribute a copyrighted program with the expressed written permission of the owner or authorized person. Permission must be specified in the document, on the system, or must be obtained directly from the author or authorized source.

#### Public Posting Areas (Message Boards, Blogs, Etc.)

Messages are posted from systems connected to the Internet around the world and school district personnel have no control of the content of messages posted from these other systems. To best utilize system resources, school district personnel will determine message boards, blogs, etc. that are most applicable to the educational needs of the school district and will permit access to these sites through the school district computer networks. School district personnel may remove messages that are deemed to be unacceptable or in violation of Board policies and regulations. School district personnel further reserve the right to immediately terminate the access of a student who misuses these public posting areas.

### Real-time, Interactive, Communication Areas

School district personnel reserve the right to monitor and immediately limit the use of the computer networks/computers or terminate the access of a student who misuses real-time conference features (talk/chat/Internet relay chat).

### Electronic Mail

Electronic mail (“email”) is an electronic message sent by or to a person in correspondence with another person having Internet mail access. The school district may or may not establish student email accounts. In the event the district provides email accounts, all messages sent and received on the school district computer networks/computers must have an educational purpose and are subject to review. Messages received by a district-provided email account are retained on the system until deleted by the student or for a period of time determined by the district. A canceled account will not retain its emails. Students are expected to remove old messages within fifteen days or school district personnel may remove such messages. School district personnel may inspect the contents of emails sent by a student to an addressee, or disclose such contents to other than the sender or a recipient when required to do so by the policy, regulation, or other laws and regulations of the State and Federal governments. The Board reserves the right to cooperate fully with local, State, or Federal officials in any investigation concerning or relating to any email transmitted or any other information on the school district computer networks/computers.

### Disk Usage

The district reserves the right to establish maximum storage space a student receives on the school district’s system. A student who exceeds his/her quota of storage space will be advised to delete files to return to compliance with the predetermined amount of storage space. A student who remains in noncompliance of the storage space allotment after seven school days of notification may have their files removed from the school district’s system.

### Security

Security on any computer system is a high priority, especially when the system involves many users. If a student identifies a security problem on the computer networks/computers, the student must notify the appropriate school district staff member. The student should not inform other individuals of a security problem. Passwords provided to students by the district for access to the district’s computer networks/computers or developed by the student for access to an Internet site should not be easily guessable by others or shared with other students. Attempts to log in to the system using either another student’s or person’s account may result in termination of the account or access. A student should immediately notify the Principal or designee if a password is lost or stolen, or if they have reason to believe that someone has obtained unauthorized access to their account. Any student identified as a security risk will have limitations placed on usage of the computer networks/computers or may be terminated as a user and be subject to other disciplinary action.

### Vandalism

Vandalism to any school district owned computer networks/computers may result in cancellation of system privileges and other disciplinary measures in compliance with the district's discipline code. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the system, or any of the agencies or other computer networks/computers that are connected to the Internet backbone or of doing intentional damage to hardware or software on the system. This includes, but is not limited to, the uploading or creation of computer viruses.

### Printing

The printing facilities of the computer networks/computers should be used judiciously. Unauthorized printing for other than educational purposes is prohibited.

### Internet Sites and the World Wide Web

Designated school district personnel may establish an Internet site(s) on the World Wide Web or other Internet locations. Such sites shall be administered and supervised by designated school district personnel who shall ensure the content of the site complies with Federal, State, and local laws and regulations as well as Board policies and regulations.

### Violations

Violations of the Acceptable Use of Computer Networks/Computers and Resources Policy and Regulation may result in a loss of access as well as other disciplinary or legal action. Disciplinary action shall be taken as indicated in Policy and/or Regulation, 2361 - Acceptable Use of Computer Networks/Computers and Resources, 5600 - Student Discipline/Code of Conduct, 5610 - Suspension and 5620 - Expulsion as well as possible legal action and reports to the legal authorities and entities.

### Determination of Consequences for Violations

The particular consequences for violations of this Policy shall be determined by the Principal or designee. The Superintendent or designee and the Board shall determine when school expulsion and/or legal action or actions by the authorities is the appropriate course of action.

Individuals violating this Policy shall be subject to the consequences as indicated in Board Policy and Regulation 2361 and other appropriate discipline, which includes but is not limited to:

1. Use of computer networks/computers only under direct supervision;
2. Suspension of network privileges;
3. Revocation of network privileges;

4. Suspension of computer privileges;
5. Revocation of computer privileges;
6. Suspension from school;
7. Expulsion from school; and/or
8. Legal action and prosecution by the authorities.

Issued: 06 June 2017

**4321. ACCEPTABLE USE OF COMPUTER NETWORK(S)/ COMPUTERS AND  
RESOURCES BY SUPPORT STAFF MEMBERS**

Date Created: June, 2017

Date Edited: June, 2017

**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.

**4321. ACCEPTABLE USE OF COMPUTER NETWORK(S)/ COMPUTERS AND  
RESOURCES BY SUPPORT STAFF MEMBERS**

Date Created: June, 2017

Date Edited: June, 2017

- C. Using the computer network(s) in a manner that:
1. Intentionally disrupts network traffic or crashes the network;
  2. Degrades or disrupts equipment or system performance;
  3. Uses the computing resources of the school district for commercial purposes, financial gain or fraud;
  4. Steals data or other intellectual property;
  5. Gains or seeks unauthorized access to the files of others or vandalizes the data of another user;
  6. Gains or seeks unauthorized access to resources or entities;
  7. Forges electronic mail messages or uses an account owned by others;
  8. Invades privacy of others;
  9. Posts anonymous messages;
  10. Possesses any data which is a violation of this policy; and/or
  11. Engages in other activities that do not advance the educational purposes for which computer network(s)/computers are provided.

**Violations**

Individuals violating this policy shall be subject to appropriate disciplinary actions as defined by Policy No. 4150, Discipline which includes but are not limited to:

1. Use of the network(s)/computers only under direct supervision;
2. Suspension of network privileges;
3. Revocation of network privileges;
4. Suspension of computer privileges;
5. Revocation of computer privileges;
6. Suspension;

Support Staff Members

**4321. ACCEPTABLE USE OF COMPUTER NETWORK(S)/ COMPUTERS AND  
RESOURCES BY SUPPORT STAFF MEMBERS**

Date Created: June, 2017

Date Edited: June, 2017

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: 06 June 2017



4321. ACCEPTABLE USE OF COMPUTER NETWORK(S)/ COMPUTERS AND  
RESOURCES BY SUPPORT STAFF MEMBERS

Date Created: June, 2017

Date Edited: June, 2017

**R4321. ACCEPTABLE USE OF COMPUTER NETWORK(S)/ COMPUTERS AND  
RESOURCES BY SUPPORT STAFF MEMBERS**

The school district provides computer equipment, computer services, and Internet access to its students and staff for educational purposes only. The purpose of providing technology resources is to improve learning and teaching through research, teacher training, collaboration, dissemination and the use of global communication resources. The “system administrators” referred to herein as employees of the school district who administer the school district computer network(s)/computers and the system administrators reserve the right to monitor all activity on network(s)/computer facilities/computers.

Because of the complex association between so many government agencies and computer network(s)/computers, support staff members must adhere to strict regulations. Regulations are provided here so that support staff members are aware of their responsibilities. The school district may modify these regulations at any time by publishing modified regulations on the network(s) and elsewhere.

Support staff members are responsible for good behavior on computer network(s)/computers. Communications on the computer network(s)/computers are often public in nature. Policies and Regulations governing support staff members’ behavior and communications apply. The school district’s network(s), Internet access and computers are provided to conduct research and as a tool for instruction and to communicate with others. Access to computer network services/computers is given to support staff members who are expected to act in a considerate, responsible and professional manner. Access is a privilege, not a right. Access entails responsibility. Individual users of the district computer network(s)/computers are responsible for their behavior and communications over the computer network(s)/computers. It is presumed that users will comply with district standards. Beyond the clarification of such standards, the district is not responsible for the actions of individuals utilizing the computer network(s)/computers who violate the policies and regulations of the Board.

Computer network(s)/computer storage areas shall be treated in the same manner as other school storage facilities. Computer network(s)/computer administrators may review files and communications to maintain system integrity and ensure that users are using the system responsibly. Users should not expect that files stored on district servers will always be private. Users should expect all files stored on district servers will be available for review by the Director of Technology and/or school administrators.

Within reasonable limits, freedom of speech and access to information will be honored.

4321. ACCEPTABLE USE OF COMPUTER NETWORK(S)/ COMPUTERS AND  
RESOURCES BY SUPPORT STAFF MEMBERS

Date Created: June, 2017

Date Edited: June, 2017

Behaviors including but not limited to the following are prohibited:

1. Sending or displaying offensive messages or pictures;
2. Using obscene language;
3. Harassing, insulting or attacking others;
4. Damaging, degrading or disrupting computers, computer systems or computer network(s)/ computers;
5. Violating copyright laws;
6. Using another's password;
7. Trespassing in another's folders, work or files;
8. Intentionally wasting limited resources;
9. Employing the network(s)/computers for commercial purposes;
10. Engaging in other activities which do not advance the educational purposes for which computer network(s)/computers are provided;
11. Stealing data or other intellectual projects;
12. Forging electronic mail messages;
13. Posting anonymous messages;
14. Accessing school computers for other than educational purposes; and/or
15. Any other unethical, unacceptable, illegal and/or inappropriate activity.

## Information Content and Uses of the System

Users agree not to publish on or over the system any information which violates or infringes upon the rights of any other person or any information which would be abusive, profane or sexually offensive to an average person, or which without the approval of the system administrators, contains any advertising or any solicitation of other members to use goods or services. The user agrees not to use the facilities and capabilities of the system to conduct any non-school related business or solicit the performance of any activity which is prohibited by law or is non-educational.

**4321. ACCEPTABLE USE OF COMPUTER NETWORK(S)/ COMPUTERS AND  
RESOURCES BY SUPPORT STAFF MEMBERS**

Date Created: June, 2017

Date Edited: June, 2017

While most of the content available on the Internet is innocuous and much of it a valuable educational resource, some objectionable material exists. The Board will provide student access to Internet resources only in supervised environments and has taken steps to lock out objectionable areas to the extent possible, but potential dangers remain. Support staff members are advised that some systems may contain defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, or otherwise illegal material and are to supervise student use of computers and the Internet. The Board and the system administrators do not condone the use of such materials and do not permit usage of such materials in the school environment. Support staff members should discipline students knowingly bringing such materials into the school environment in accordance with Board policies and regulations and inform students that such activities may result in termination of such students' accounts on the computer network(s) and their independent use of computers.

**On-line Conduct**

Any action by a support staff member or other user of the school district's computer network(s)/computers that is determined by a system administrator to constitute an inappropriate use of computer network(s)/computers resources or to improperly restrict or inhibit other members from using and enjoying those resources is strictly prohibited and may result in limitation on or termination of an offending member's account and other action in compliance with the Board policy and regulation. The user specifically agrees not to submit, publish, or display any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, or otherwise illegal material; nor shall a user encourage the use, sale, or distribution of controlled substances. Transmission of material, information or software in violation of any local, state or federal law is also prohibited and is a breach of the Consent and Waiver Agreement.

Users agree to indemnify the Hackensack School District and the system administrators for any losses, costs, or damages, including reasonable attorneys' fees incurred by the Board relating to, or arising out of any breach of this section by the user.

Computer network(s)/computer resources are to be used by the user for his/her educational use only; commercial uses are strictly prohibited.

**Software Libraries on the Network(s)**

Software libraries on the network(s) are provided to support staff members as an educational resource. No support staff member may install, upload, or download software without the expressed consent of the system administrator. Any software having the purpose of damaging other members' accounts on the school district computer network(s)/computers (e.g., computer viruses) is specifically prohibited. The system administrators, at their sole discretion, reserve the rights to refuse posting of files and to remove files. The system administrators, at their sole discretion, further reserve the right to immediately limit usage or terminate the account or take

4321. ACCEPTABLE USE OF COMPUTER NETWORK(S)/ COMPUTERS AND  
RESOURCES BY SUPPORT STAFF MEMBERS

Date Created: June, 2017

Date Edited: June, 2017

other action consistent with the Board's policies and regulations of a member who misuses the software libraries.

## Copyrighted Material

Copyrighted material must not be placed on any system connected to the network(s)/computers without the author's specific written permission. Only the owner(s) or persons they specifically authorize may upload copyrighted material to the system. Members may download copyrighted material for their own use in accordance with Policy and Regulation Nos. 2531, Copying Copyrighted Materials. Any member may also non-commercially redistribute a copyrighted program with the expressed written permission of the owner or authorized person. Permission must be specified in the document, on the system, or must be obtained directly from the author.

## Public Posting Areas (Message Boards/Usenet Groups)

Usenet and Internet Relay Chat Room messages are posted from systems connected to the Internet around the world and the school district system administrators have no control of the content of messages posted from these other systems. To best utilize system resources, the system administrators will determine which Usenet groups are most applicable to the educational needs of the school district and will carry these groups on the school district computer network(s). The system administrators or the school administration, at their sole discretion, may remove messages posted locally that are deemed to be unacceptable or in violation of the Board policies and regulations. The system administrators or the school administration, at their sole discretion, further reserve the right to immediately terminate the account of a member who misuses the message boards or Usenet groups.

## Real-time, Interactive, Communication Areas

The system administrators, at their sole discretion, reserve the right to monitor and immediately limit the use of the computer network(s)/computers or terminate the account of a member who misuses real-time conference features (talk/chat/Internet relay chat) etc.

## Electronic Mail

Electronic mail ("E-mail") is an electronic message sent by or to a member in correspondence with another person having Internet mail access. All messages sent and received on the school district computer network(s) must have an educational or administrative purpose and are subject to review. A sender of an E-mail message should expect the E-mail messages will be reviewed by the system administrators or the school administration. Messages received by the system are retained on the system until deleted by the recipient or for a maximum of thirty calendar days. A canceled account will not retain its E-mail. Members are expected to remove old messages within thirty calendar days or the system administrators may remove such messages. The system administrators may inspect the contents of E-mail sent by one member to an addressee, or disclose such contents to other than the sender or a recipient when required to do so by the Board

4321. ACCEPTABLE USE OF COMPUTER NETWORK(S)/ COMPUTERS AND  
RESOURCES BY SUPPORT STAFF MEMBERS

Date Created: June, 2017

Date Edited: June, 2017

policy, regulation or other laws and regulations of the State and Federal governments. The Board reserves the right to cooperate fully with local, state, or federal officials in any investigation concerning or relating to any E-mail transmitted on the school district computer network(s) or computers.

## Disk Usage

The system administrators reserve the right to set quotas for disk usage on the system. A member who exceeds his/her quota of disk space will be advised to delete files to return to compliance with predetermined quotas. A member who remains in noncompliance of disk space quotas after seven school days of notification will have their files removed by a system administrator.

## Security

Security on any computer system is a high priority, especially when the system involves many users. If a member feels that he/she can identify a security problem on the computer network(s), the member must notify a system administrator. The member should not inform individuals other than the system administrators or other designated members of the school district staff of a security problem. Professional staff may allow individuals who are not members to access the system through the staff personal account as long as the staff person does not disclose the password of the account to the individuals and understands that the staff person assumes responsibility for the actions of individuals using his/her account. Members may not otherwise allow others to use their account and password. Passwords to the system should not be easily guessable by others, nor should they be words which could be found in a dictionary. Attempts to log in to the system using either another member's account or as a system administrator will result in termination of the account. Members should immediately notify a system administrator if a password is lost or stolen, or if they have reason to believe that someone has obtained unauthorized access to their account. Any member identified as a security risk will have limitations placed on usage of the computer network(s)/computers or may be terminated as a user and be subject to other disciplinary action.

## Vandalism

Vandalism will result in cancellation of system privileges and other disciplinary measures. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the system, or any of the agencies or other network(s)/computers that are connected to the Internet backbone or of doing intentional damage to hardware or software on the system. This includes, but is not limited to, the uploading or creation of computer viruses.

## Printing

The printing facilities of the computer network(s)/computers should be used judiciously. Printing for other than educational, or school related purposes is prohibited.

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4321. ACCEPTABLE USE OF COMPUTER NETWORK(S)/ COMPUTERS AND  
RESOURCES BY SUPPORT STAFF MEMBERS

Date Created: June, 2017

Date Edited: June, 2017

## Violations

Violations of the Acceptable Use of Computer Network(s)/Computers and Resources may result in a loss of access as well as other disciplinary or legal action. Disciplinary action shall be taken as indicated in Policy and Regulation No. 4321, Support Staff Members, Acceptable Use of Computer Network(s)/Computers and Resources, Policy No. 4150, Support Staff Member Discipline, as well as possible legal action and reports to the legal authorities and entities.

## Determination of Consequences for Violations

The particular consequences for violations of this policy shall be determined by the Director of Technology in matters relating to the use of computer network(s)/computers and by the Superintendent or designee in matters of discipline or employee suspension or actions by the authorities deemed to be the appropriate course of action.

Individuals violating this policy shall be subject to the consequences as indicated in Policy No. 2361 and other appropriate discipline which includes but are not limited to:

1. Use of Computer Network(s)/Computers only under direct supervision;
2. Suspension of network privileges;
3. Revocation of network privileges;
4. Suspension of computer privileges;
5. Revocation of computer privileges;
6. Suspension from employment;
7. Legal action and prosecution by the authorities; and/or
8. Any appropriate action that may be deemed necessary as determined by the Superintendent and approved by the Board of Education.

Decisions of the Director of Technology may be appealed in accordance with the appropriate employee grievance procedure.

Issued: 06 June 2017

**3321. ACCEPTABLE USE OF COMPUTER NETWORK(S)/ COMPUTERS AND  
RESOURCES BY TEACHING STAFF MEMBERS**

Date Created: June, 2017

Date Edited: June, 2017

**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.

**3321. ACCEPTABLE USE OF COMPUTER NETWORK(S)/ COMPUTERS AND  
RESOURCES BY TEACHING STAFF MEMBERS**

Date Created: June, 2017

Date Edited: June, 2017

3. Using the computer network(s) in a manner that:
  - a. Intentionally disrupts network traffic or crashes the network;
  - b. Degrades or disrupts equipment or system performance;
  - c. Uses the computing resources of the school district for commercial purposes, financial gain or fraud;
  - d. Steals data or other intellectual property;
  - e. Gains or seeks unauthorized access to the files of others or vandalizes the data of another user;
  - f. Gains or seeks unauthorized access to resources or entities;
  - g. Forges electronic mail messages or uses an account owned by others;
  - h. Invades privacy of others;
  - i. Posts anonymous messages;
  - j. Possesses any data which is a violation of this policy; and/or
  - k. Engages in other activities that do not advance the educational purposes for which computer network(s)/computers are provided.

**Violations**

Individuals violating this policy shall be subject to appropriate disciplinary actions as defined by Policy No. 3150, Discipline which includes but are not limited to:

1. Use of the network(s)/computers only under direct supervision;
2. Suspension of network privileges;
3. Revocation of network privileges;
4. Suspension of computer privileges;
5. Revocation of computer privileges;
6. Suspension;



**3321. ACCEPTABLE USE OF COMPUTER NETWORK(S)/ COMPUTERS AND  
RESOURCES BY TEACHING STAFF MEMBERS**

Date Created: June, 2017

Date Edited: June, 2017

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: 06 June 2017

**3321. ACCEPTABLE USE OF COMPUTER NETWORK(S)/ COMPUTERS AND  
RESOURCES BY TEACHING STAFF MEMBERS**

Date Created: June, 2017

Date Edited: June, 2017

**R3321. ACCEPTABLE USE OF COMPUTER NETWORK(S)/ COMPUTERS AND  
RESOURCES BY TEACHING STAFF MEMBERS**

The school district provides computer equipment, computer services, and Internet access to its students and staff for educational purposes only. The purpose of providing technology resources is to improve learning and teaching through research, teacher training, collaboration, dissemination and the use of global communication resources. The “system administrators” referred to herein as employees of the school district who administer the school district computer network(s)/computers and the system administrators reserve the right to monitor all activity on network(s)/computer facilities/computers.

Because of the complex association between so many government agencies and computer network(s)/computers, teaching staff members must adhere to strict regulations. Regulations are provided here so that teaching staff members are aware of their responsibilities. The school district may modify these regulations at any time by publishing modified regulations on the network(s) and elsewhere.

Teaching staff members are responsible for good behavior on computer network(s)/computers. Communications on the computer network(s)/computers are often public in nature. Policies and Regulations governing teaching staff members’ behavior and communications apply. The school district’s network(s), Internet access and computers are provided to conduct research and as a tool for instruction and to communicate with others. Access to computer network services/computers is given to teaching staff members who are expected to act in a considerate, responsible and professional manner. Access is a privilege, not a right. Access entails responsibility. Individual users of the district computer network(s)/computers are responsible for their behavior and communications over the computer network(s)/computers. It is presumed that users will comply with district standards. Beyond the clarification of such standards, the district is not responsible for the actions of individuals utilizing the computer network(s)/computers who violate the policies and regulations of the Board.

Computer network(s)/computer storage areas shall be treated in the same manner as other school storage facilities. Computer network(s)/computer administrators may review files and communications to maintain system integrity and ensure that users are using the system responsibly. Users should not expect that files stored on district servers will always be private. Users should expect all files stored on district servers will be available for review by the Director of Technology and/or school administrators.

Within reasonable limits, freedom of speech and access to information will be honored. During school, teaching staff members will guide students toward appropriate materials.

**3321. ACCEPTABLE USE OF COMPUTER NETWORK(S)/ COMPUTERS AND  
RESOURCES BY TEACHING STAFF MEMBERS**

Date Created: June, 2017

Date Edited: June, 2017

Behaviors including but not limited to the following are prohibited:

1. Sending or displaying offensive messages or pictures;
2. Using obscene language;
3. Harassing, insulting or attacking others;
4. Damaging, degrading or disrupting computers, computer systems or computer network(s)/computers;
5. Violating copyright laws;
6. Using another's password;
7. Trespassing in another's folders, work or files;
8. Intentionally wasting limited resources;
9. Employing the network(s)/computers for commercial purposes;
10. Engaging in other activities which do not advance the educational purposes for which computer network(s)/computers are provided;
11. Stealing data or other intellectual projects;
12. Forging electronic mail messages;
13. Posting anonymous messages;
14. Accessing school computers for other than educational purposes; and/or
15. Any other unethical, unacceptable, illegal and/or inappropriate activity.

**Information Content and Uses of the System**

Users agree not to publish on or over the system any information which violates or infringes upon the rights of any other person or any information which would be abusive, profane or sexually offensive to an average person, or which without the approval of the system administrators, contains any advertising or any solicitation of other members to use goods or services. The user agrees not to use the facilities and capabilities of the system to conduct any non-school related business or solicit the performance of any activity which is prohibited by law or is non-educational.

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While most of the content available on the Internet is innocuous and much of it a valuable educational resource, some objectionable material exists. The Board will provide student access to Internet resources only in supervised environments and has taken steps to lock out objectionable areas to the extent possible, but potential dangers remain. Teaching staff members are advised that some systems may contain defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, or otherwise illegal material and are to supervise student use of computers and the Internet. The Board and the system administrators do not condone the use of such materials and do not permit usage of such materials in the school environment. Teaching staff members should discipline students knowingly bringing such materials into the school environment in accordance with Board policies and regulations and inform students that such activities may result in termination of such students' accounts on the computer network(s) and their independent use of computers.

**On-line Conduct**

Any action by a teaching staff member or other user of the school district's computer network(s)/computers that is determined by a system administrator to constitute an inappropriate use of computer network(s)/computers resources or to improperly restrict or inhibit other members from using and enjoying those resources is strictly prohibited and may result in limitation on or termination of an offending member's account and other action in compliance with the Board policy and regulation. The user specifically agrees not to submit, publish, or display any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, or otherwise illegal material; nor shall a user encourage the use, sale, or distribution of controlled substances. Transmission of material, information or software in violation of any local, state or federal law is also prohibited and is a breach of the Consent and Waiver Agreement.

Users agree to indemnify the Hackensack School District and the system administrators for any losses, costs, or damages, including reasonable attorneys' fees incurred by the Board relating to, or arising out of any breach of this section by the user.

Computer network(s)/computer resources are to be used by the user for his/her educational use only; commercial uses are strictly prohibited.

**Software Libraries on the Network(s)**

Software libraries on the network(s) are provided to teaching staff members as an educational resource. No teaching staff member may install, upload, or download software without the expressed consent of the system administrator. Any software having the purpose of damaging other members' accounts on the school district computer network(s)/computers (e.g., computer viruses) is specifically prohibited. The system administrators, at their sole discretion, reserve the rights to refuse posting of files and to remove files. The system administrators, at their sole discretion, further reserve the right to immediately limit usage or terminate the account or take

**3321. ACCEPTABLE USE OF COMPUTER NETWORK(S)/ COMPUTERS AND  
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Date Created: June, 2017

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other action consistent with the Board's policies and regulations of a member who misuses the software libraries.

**Copyrighted Material**

Copyrighted material must not be placed on any system connected to the network(s)/computers without the author's specific written permission. Only the owner(s) or persons they specifically authorize may upload copyrighted material to the system. Members may download copyrighted material for their own use in accordance with Policy and Regulation Nos. 2531, Copying Copyrighted Materials. Any member may also non-commercially redistribute a copyrighted program with the expressed written permission of the owner or authorized person. Permission must be specified in the document, on the system, or must be obtained directly from the author.

**Public Posting Areas (Message Boards/Usenet Groups)**

Usenet and Internet Relay Chat Room messages are posted from systems connected to the Internet around the world and the school district system administrators have no control of the content of messages posted from these other systems. To best utilize system resources, the system administrators will determine which Usenet groups are most applicable to the educational needs of the school district and will carry these groups on the school district computer network(s). The system administrators or the school administration, at their sole discretion, may remove messages posted locally that are deemed to be unacceptable or in violation of the Board policies and regulations. The system administrators or the school administration, at their sole discretion, further reserve the right to immediately terminate the account of a member who misuses the message boards or Usenet groups.

**Real-time, Interactive, Communication Areas**

The system administrators, at their sole discretion, reserve the right to monitor and immediately limit the use of the computer network(s)/computers or terminate the account of a member who misuses real-time conference features (talk/chat/Internet relay chat) etc.

**Electronic Mail**

Electronic mail ("E-mail") is an electronic message sent by or to a member in correspondence with another person having Internet mail access. All messages sent and received on the school district computer network(s) must have an educational or administrative purpose and are subject to review. A sender of an E-mail message should expect the E-mail messages will be reviewed by the system administrators or the school administration. Messages received by the system are retained on the system until deleted by the recipient or for a maximum of thirty calendar days. A canceled account will not retain its E-mail. Members are expected to remove old messages within thirty calendar days or the system administrators may remove such messages. The system administrators may inspect the contents of E-mail sent by one member to an addressee, or disclose such contents to other than the sender or a recipient when required to do so by the Board

**3321. ACCEPTABLE USE OF COMPUTER NETWORK(S)/ COMPUTERS AND  
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Date Created: June, 2017

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policy, regulation or other laws and regulations of the State and Federal governments. The Board reserves the right to cooperate fully with local, state, or federal officials in any investigation concerning or relating to any E-mail transmitted on the school district computer network(s) or computers.

#### Disk Usage

The system administrators reserve the right to set quotas for disk usage on the system. A member who exceeds his/her quota of disk space will be advised to delete files to return to compliance with predetermined quotas. A member who remains in noncompliance of disk space quotas after seven school days of notification will have their files removed by a system administrator.

#### Security

Security on any computer system is a high priority, especially when the system involves many users. If a member feels that he/she can identify a security problem on the computer network(s), the member must notify a system administrator. The member should not inform individuals other than the system administrators or other designated members of the school district staff of a security problem. Professional staff may allow individuals who are not members to access the system through the staff personal account as long as the staff person does not disclose the password of the account to the individuals and understands that the staff person assumes responsibility for the actions of individuals using his/her account. Members may not otherwise allow others to use their account and password. Passwords to the system should not be easily guessable by others, nor should they be words which could be found in a dictionary. Attempts to log in to the system using either another member's account or as a system administrator will result in termination of the account. Members should immediately notify a system administrator if a password is lost or stolen, or if they have reason to believe that someone has obtained unauthorized access to their account. Any member identified as a security risk will have limitations placed on usage of the computer network(s)/computers or may be terminated as a user and be subject to other disciplinary action.

#### Vandalism

Vandalism will result in cancellation of system privileges and other disciplinary measures. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the system, or any of the agencies or other network(s)/computers that are connected to the Internet backbone or of doing intentional damage to hardware or software on the system. This includes, but is not limited to, the uploading or creation of computer viruses.

**3321. ACCEPTABLE USE OF COMPUTER NETWORK(S)/ COMPUTERS AND  
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Date Created: June, 2017

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**Printing**

The printing facilities of the computer network(s)/computers should be used judiciously. Printing for other than educational, or school related purposes is prohibited.

**Violations**

Violations of the Acceptable Use of Computer Network(s)/Computers and Resources may result in a loss of access as well as other disciplinary or legal action. Disciplinary action shall be taken as indicated in Policy and Regulation No. 3321, Teaching Staff Members, Acceptable Use of Computer Network(s)/Computers and Resources, Policy No. 3150, Teaching Staff Member Discipline, as well as possible legal action and reports to the legal authorities and entities.

**Determination of Consequences for Violations**

The particular consequences for violations of this policy shall be determined by the Director of Technology in matters relating to the use of computer network(s)/computers and by the Superintendent or designee in matters of discipline or employee suspension or actions by the authorities are the appropriate course of action.

Individuals violating this policy shall be subject to the consequences as indicated in Policy No. 2361 and other appropriate discipline which includes but are not limited to:

1. Use of Computer Network(s)/Computers only under direct supervision;
2. Suspension of network privileges;
3. Revocation of network privileges;
4. Suspension of computer privileges;
5. Revocation of computer privileges;
6. Suspension from employment;
7. Legal action and prosecution by the authorities; and/or
8. Any appropriate action that may be deemed necessary as determined by the Superintendent and approved by the Board of Education.

Decisions of the Director of Technology may be appealed in accordance with the appropriate employee grievance procedure.

Issued: 06 June 2017

**4212. ATTENDANCE (SUPPORT STAFF)**

The regular and prompt attendance of support staff members is an essential element in the efficient operation of the school district and the effective conduct of the educational program. Staff member absenteeism disrupts the educational program and the Board of Education considers attendance an important component of a staff member's job performance.

A support 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 may be subject to appropriate consequences, which may include the withholding of a salary increment, dismissal, and/or certification of tenure charges.

In accordance with N.J.S.A. 18A:30-1, sick leave is defined to mean the absence from work because of a personal disability due to injury or illness or because the support staff member has been excluded from school by the school medical authorities on account of contagious disease or of being quarantined for such a disease in the staff member's immediate household. No support staff member will be discouraged from the prudent, necessary use of sick leave and any other leave provided for in the collective bargaining agreement negotiated with the member's majority representative, in an individual employment contract, or provided in the policies of the Board. In accordance with N.J.S.A. 18A:30-4, the Superintendent or Board of Education may require a physician's certificate to be filed with the Secretary of the Board in order to obtain sick leave.

The Superintendent, in consultation with administrative staff members, will review the rate of absence among the staff members. The review will include the collection and analysis of attendance data, the training of support staff members in their attendance responsibilities, and the counseling of support staff members for whom regular and prompt attendance is a problem.

N.J.S.A. 18A:30-1 et seq.

Adopted: 06 June 2017



**R4212. ATTENDANCE (SUPPORT STAFF)****A. Reporting Intended Absence**

1. A support staff member who anticipates absence from work will call their immediate supervisor before the intended absence, whenever possible.
2. The following information will be given by the caller:
  - a. The employee's name, job title, assigned school, and shift (if applicable);
  - b. The day and date of the intended absence; and
  - c. The reason for the absence.
3. Employees must call in daily each intended absence unless absence for more than one day has been approved in advance by the immediate supervisor.

**B. Analysis of Absence**

1. Each intended absence of a support staff member shall be reported to his/her immediate supervisor, who shall determine whether or not a replacement is required for the period of absence.
2. The immediate supervisor shall determine whether the absence is acceptable or requires further verification. Reasons for verification include, but are not limited to the following:
  - a. A pattern of absences on the same day(s) of the week;
  - b. A pattern of absences before or after nonworking days;
  - c. The exhaustion or near exhaustion of accumulated sick leave; and
  - d. The habitual exhaustion of personal leave.

**C. Review of Absence**

1. If the immediate supervisor deems any reason for absence to be unacceptable for any reason, the immediate supervisor shall conduct an informal discussion with the employee to help the employee improve his/her performance. The supervisor shall keep no record of this conference.

2. If the abuse of absence continues the immediate supervisor shall:
  - a. Notify the employee in writing of the date and time for a formal conference and the reason for the conference,
  - b. Confer with the employee and, if the employee so chooses, his/her representative as well,
  - c. Document the reasons for the absences and offer the employee the opportunity to verify or rebut the documentation, and
  - d. Prepare a report of the conference to be placed in the employee's file and provide the employee with the opportunity to attach written comments and documents thereto.

**D. Record of Attendance**

1. A record shall be kept of the attendance of each support staff member, including administrators. Any absence, for part or all of a school day, shall be recorded along with the reason for the absence. An employee's attendance record shall be part of the employee's personnel file.
2. The record will distinguish paid leave, such as sick leave, personal days, family illness, jury duty, and other approved leaves, from unpaid leave, such as excessive sick or personal leave. The employee's attendance record will include notation of verification of an absence where such verification is required by Policy No. 4432.
3. The record will include each employee's rate of absence as calculated monthly.
4. At the end of each year, a cumulative attendance record shall be assembled for each school and for the district. An attendance summary shall be prepared from the cumulative attendance record.

**E. Attendance Improvement Plan**

1. The attendance summary shall be analyzed for patterns of absence, such as excessive absenteeism in a given school or work place, among certain groups of employees, for certain specific causes, or on certain days of the week, month, or year.
2. Specific strategies for reducing the rate of absence shall be developed.
3. The Principal shall be responsible for implementing the approved plan for the improvement of staff member attendance in his/her school building.

F. In-service Training

The Principal or immediate supervisor shall meet with the support staff members assigned to his/her building at the beginning of each school year to:

1. Inform employees of Board policy and district regulations on attendance;
2. Familiarize employees with the procedures to be used in reporting and verifying absences;
3. Review with employees the cost of absenteeism to the district and the value of accumulated sick leave to the employee; and
4. Acquaint employees with the degree to which attendance will affect evaluation reports.

G. Discipline

1. The record of a conference(s) dealing with excessive absenteeism may serve as an element in the evaluation of any employee's performance and may contribute to a salary recommendation.

Issued: 06 June 2017

**3212. ATTENDANCE (TEACHING STAFF)**

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. Staff member absenteeism disrupts the educational program and the Board of Education considers attendance an important component of a staff member's job performance.

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 may be subject to appropriate consequences, which may include the withholding of a salary increment, dismissal, and/or certification of tenure charges.

In accordance with N.J.S.A. 18A:30-1, sick leave is defined to mean the absence from work because of a personal disability due to injury or illness or because the staff member has been excluded from school by the school medical authorities on account of contagious disease or of being quarantined for such a disease in the staff member's immediate household. No teaching staff member will be discouraged from the prudent, necessary use of sick leave and any other leave provided for in the collective bargaining agreement negotiated with the member's majority representative, in an individual employment contract, or provided in the policies of the Board. In accordance with N.J.S.A. 18A:30-4, the Superintendent or Board of Education may require a physician's certificate to be filed with the Secretary of the Board in order to obtain sick leave.

The Superintendent, in consultation with administrative staff members, will review the rate of absence among the staff members. The review will include 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: 06 June 2017

**R3212. ATTENDANCE (TEACHING STAFF)****A. Review of Attendance Data**

1. A record shall be kept of the attendance of each teaching staff member, including teachers, educational services personnel, and administrators. Any absence, for part or all of a school day, shall be recorded along with the reason for the absence. The record will distinguish sick leave, professional days, unpaid leaves of absence, personal leave, and other approved leaves. The employee's attendance record will include notation of verification of an absence where such verification is required by Policy No. 3432. The employee's rate of absence shall be calculated every pay period and entered on his/her attendance record. An employee's attendance record shall be part of the employee's personnel file.
2. At the end of each year, a cumulative attendance record shall be assembled for each school and for the district.
3. An attendance summary shall be prepared from the cumulative attendance record. The attendance summary shall show the rate of absence for each school and for the district. The attendance summary shall be posted in each school of the district.
4. A record shall be made of the appointment of substitutes for absent employees and the wages paid to substitutes.

**B. Attendance Improvement Plan****1. Planning**

The Superintendent will meet with Building Principals and appropriate administrators to discuss the attendance summary. The attendance summary shall be analyzed for patterns of absence, such as excessive absenteeism in a given school or work place, among certain groups of employees, for certain specific causes, or on certain days of the week, month, or year. Specific strategies for reducing the rate of absence shall be developed.

**2. Implementation**

- a. The Building Principal shall be responsible for implementing the district's plan for the improvement of professional staff member attendance in his/her school building.
- b. The Principal shall encourage the regular attendance of the teaching staff members in his/her building. He/She shall maintain contact with absent employees and confer personally with each employee who returns from an absence of any duration, impressing upon employees the district's concern for their health and well-being.

The Principal shall, by appropriate means, recognize teaching staff members whose attendance is exemplary.

- c. The Principal shall incorporate, and shall direct other supervisors to incorporate, a teaching staff member's attendance record in his/her evaluation.
- d. The Principal may require teachers to evaluate the work done by substitutes in their absence.
- e. The Principal shall report to the Superintendent any teaching staff member whom he/she suspects of misusing sick leave or falsifying the reasons for absence.
- f. In-service Training

The Principal shall meet with the teaching staff members assigned to his/her building at the beginning of each school year to inform employees of Board policy and district regulations on attendance, to familiarize employees with the forms to be used in reporting and verifying absences, to review with employees the cost of absenteeism to the district and the value of accumulated sick leave to the employee, and to acquaint employees with the degree to which attendance will affect evaluation reports.

#### 4. Counseling

- a. The Building Principal may, in his/her discretion, call a conference with a teaching staff member where the number and/or pattern of the members' absences or the reasons offered for the member's absences indicate a misunderstanding of the teaching staff member's responsibility to the school district or the possible misuse of the privilege of paid leave.
- b. Prior to the giving of any admonition or reprimand or imposition of discipline of any kind, the Principal shall determine the nature of the absences and consider any extenuating circumstances.
- c. A written report of any attendance conference shall be prepared and retained with the teaching staff member's evaluations. The member shall, in accordance with Board policy on teaching staff member evaluation, be permitted to examine the report and affix his/her comments, if any, to the report.

**4215. CODE OF ETHICS (SUPPORT STAFF)**

All support staff employees will:

Represent themselves honestly in the application and selection procedure;

Report to work as scheduled;

Discuss complaints with their immediate superior, or through approved channels;

Not advise or counsel students except in special cases with the knowledge and consent of the Principal;

Complete thoroughly their assigned tasks;

Endeavor to establish good working relationships with other employees, professional as well as non-professional;

Commit themselves to providing the best possible services for students;

Uphold all rules and regulations as set by the Board, the Superintendent, and the Principals;

Keep the trust under which confidential information may be given;

Adhere to all the conditions of a contract;

Give prompt notice of any change in availability for continued employment; and

Protect and care for district property.

Adopted: 06 June 2017

**3211. CODE OF ETHICS (TEACHING STAFF)**

The Board of Education endorses the code of ethics for professional educators published by the National Education Association.

**Preamble**

The educator, believing in the worth and dignity of each human being, recognizes the supreme importance of the pursuit of truth, devotion to excellence, and the nature of democratic principles. Essential to these goals is the protection of freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator accepts the responsibility to adhere to the highest ethical standards.

The educator recognizes the magnitude of the responsibility inherent in the teaching process. The desire for the respect and confidence of one's colleagues, of students, of parent(s) or legal guardian(s), and of the members of the community provides the incentive to attain and maintain the highest possible degree of ethical conduct. The Code of Ethics of the Education Profession indicates the aspiration of all educators and provides standards by which to judge conduct.

The remedies specified by the NEA and/or its affiliates for the violation of any provision of this Code shall be exclusive and no such provision shall be enforceable in any form other than one specifically designated by the NEA or its affiliates.

**Principle I — Commitment to the Student**

The educator strives to help each student realize his/her potential as a worthy and effective member of society. The educator therefore works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

In fulfillment of the obligation to the student, the educator—

1. Shall not unreasonably restrain the student from independent action in the pursuit of learning.
2. Shall not unreasonably deny the student access to varying points of view.
3. Shall not deliberately suppress or distort subject matter relevant to the student's progress.
4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety.



5. Shall not intentionally expose the student to embarrassment or disparagement.
6. Shall not on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, family, social or cultural background, or sexual orientation, unfairly—
  - a. Exclude any student from participation in any program
  - b. Deny benefits to any student
  - c. Grant any advantage to any student
7. Shall not use professional relationships with students for private advantage.
8. Shall not disclose information about students obtained in the course of professional service, unless disclosure serves a compelling professional purpose or is required by law.

#### Principle II — Commitment to the Profession

The education profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service.

In the belief that the quality of the services of the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards to promote a climate that encourages the exercise of professional judgment, to achieve conditions which attract persons worthy of the trust to careers in education, and to assist in preventing the practice of the profession by unqualified persons.

In fulfillment of the obligation to the profession, the educator—

1. Shall not in an application for a professional position deliberately make a false statement or fail to disclose a material fact related to competency and qualifications.
2. Shall not misrepresent his/her professional qualifications.
3. Shall not assist entry into the profession of a person known to be unqualified in respect to character, education, or other relevant attribute.
4. Shall not knowingly make a false statement concerning the qualifications of a candidate for a professional position.
5. Shall not assist a non educator in the unauthorized practice of teaching.
6. Shall not disclose information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.

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# **POLICY**

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**Hackensack  
Board of Education**

Teaching Staff Members

3211. CODE OF ETHICS

Date Created: June, 2017

Date Edited: June, 2017

7. Shall not knowingly make false or malicious statements about a colleague.
8. Shall not accept any gratuity, gift, or favor that might impair or appear to influence professional decisions or actions.

Adopted: 06 June 2017

**4214. CONFLICT OF INTEREST (SUPPORT STAFF)**

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 students and their parent(s) or legal guardian(s), because it may embarrass students with limited means and give the appearance of currying favor.

The Board directs that support staff members instruct students to express their appreciation by means other than gifts.

Support staff members may receive gifts of only nominal value from students or their parent(s) or legal guardian(s).

The Superintendent may approve an act or gift of appreciation to an individual support staff member when special circumstances warrant.

N.J.S.A. 18A:6-8; 18A:11-1

Adopted: 06 June 2017

**3214. CONFLICT OF INTEREST (TEACHING STAFF)**

No 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 staff member's duties.

No staff member shall use or attempt to use his/her position to secure unwarranted privileges or advantages.

No 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 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 staff member in the discharge of his/her duties.

The Board of Education discourages the presentation of gifts to staff members by students and their parent(s) or legal guardian(s), because it may embarrass students with limited means and give the appearance of currying favor.

The Board encourages that staff members instruct their students to express their appreciation by means other than gifts.

Staff members may receive gifts of only nominal value from students or their parent(s) or legal guardian(s).

The Superintendent may approve an act or gift of appreciation to an individual staff member when special circumstances warrant.

N.J.S.A. 18A:6-8; 18A:11-1

Adopted: 06 June 2017

**3211.3. CONSULTING OUTSIDE THE DISTRICT (TEACHING STAFF)**

The Board of Education recognizes that teaching staff members will have expertise and knowledge in areas that other school districts, agencies, and other entities may desire. Recognizing that the school district will request the expertise from teaching staff members from other school districts, agencies and other entities, the Board supports sharing of its teaching staff members with other school districts, agencies, and other entities to the extent it does not interfere with the efficient operation of the school district.

The Superintendent may recommend to the Board a teaching staff member's attendance in another school district, agency or other entity without additional remuneration to the teaching staff member or school district, upon a written request from the agency or from the teaching staff member.

The Board of Education recognizes teaching staff members will have expertise and knowledge in areas that other school districts, public and private agencies, and private business organizations may desire to compensate as a paid consultant. When a teaching staff member serves as a paid consultant, the teaching staff member is not permitted to use normal work hours for any paid consulting activities. The teaching staff member must complete any paid consulting activities on their own time to include vacation days, evenings, weekends, and/or school holidays.

The teaching staff member must comply with the New Jersey School Ethics Act N.J.S.A. 18A:12-21 et seq. and, if required, must comply with financial disclosure requirements of N.J.S.A. 18A:12-24 and 12-25.

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

Adopted: 06 June 2017

**R3211.3. CONSULTING OUTSIDE THE DISTRICT (TEACHING STAFF)**

The Board of Education recognizes that teaching staff members will have expertise and knowledge in areas that other school districts, agencies, private business organizations and other entities may desire. Recognizing that the school district will request the expertise from teaching staff members from other school districts, agencies, private business organizations and other entities the Board supports sharing of its teaching staff members with other school districts and agencies to the extent it does not interfere with the efficient operation of the school district.

**A. Definitions**

1. Agency - A public or private agency requesting the services of the school district's teaching staff member.
2. Other school districts - A school district other than the school district that employs the teaching staff member, including all supervisory and administrative personnel.
3. Out-of-pocket expenses - Expenses that provide reimbursement for such items as travel, lodging, meal expenses, parking, copy costs, and supply costs.
4. Remuneration - Any compensation, including, but not limited to, a paid stipend, an hourly fee, a per day fee, and/or any benefit conferred upon the teaching staff member, except out-of-pocket expenses.
5. Staff member - A contracted member of the school district's teaching staff, including all supervisory and administrative personnel.

**B. Procedure - Consulting For No Additional Remuneration**

1. The teaching staff member or the agency requesting the expertise and knowledge of the teaching staff member must submit a written request to the Superintendent or designee. The written request must include the following:
  - a. The date(s) the teaching staff member will be away from the district;
  - b. The time of day the teaching staff member's will be away from the school district;
  - c. Any out-of-pocket costs to the school district;
  - d. Any reimbursements that the teaching staff member is entitled to from the other school district or agency;
  - e. The specific services requested of the teaching staff member; and

- f. The location where the services will be provided.
2. The Superintendent or designee will evaluate the request for a recommendation to be approved by the Board based on the criteria above along with any existing or potential relationships with the other school district for reciprocal services, a reduction in the future or existing cost of services to the school district, the teaching staff member's attendance record and the impact of the teaching staff member being out of the school district for the requested time.
3. The Superintendent or designee will determine and recommend each request on a case by case basis and the decision is final. The Superintendent may require the other district or agency to pay the cost of any substitute personnel related to the request.
4. If deemed to be in the best interest of the school district, the Superintendent's recommendation will be submitted to the Board for approval.
5. The Board's approval of the Superintendent's recommendation will permit the teaching staff member's consulting activity attendance and the teaching staff member will receive credit as a regular workday. There shall be no overtime, extra-pay or additional time-off granted to the teaching staff member if the request is approved by the Board.

**C. Reporting Activities**

The teaching staff member must comply with the New Jersey School Ethics Act N.J.S.A. 18A:12-21 et seq. and, if required, must comply with financial disclosure requirements of N.J.S.A. 18A:12-24 and 12-25.

Issued: 06 June 2017

**4211.3. CONSULTING OUTSIDE THE DISTRICT (SUPPORT STAFF)**

The Board of Education recognizes that support staff members will have expertise and knowledge in areas that other school districts, agencies, and other entities may desire. Recognizing that the school district will request the expertise from support staff members from other school districts, agencies and other entities, the Board supports sharing of its support staff members with other school districts, agencies, and other entities to the extent it does not interfere with the efficient operation of the school district.

The Superintendent may recommend to the Board a support staff member's attendance in another school district, agency or other entity without additional remuneration to the support staff member or school district, upon a written request from the agency or from the support staff member.

The Board of Education recognizes support staff members will have expertise and knowledge in areas that other school districts, public and private agencies, and private business organizations may desire to compensate as a paid consultant. When a support staff member serves as a paid consultant, the support staff member is not permitted to use normal work hours for any paid consulting activities. The support staff member must complete any paid consulting activities on their own time to include vacation days, evenings, weekends, and/or school holidays.

The support staff member must comply with the New Jersey School Ethics Act N.J.S.A. 18A:12-21 et seq. and, if required, must comply with financial disclosure requirements of N.J.S.A. 18A:12-24 and 12-25.

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

Adopted: 06 June 2017



**R4211.3. CONSULTING OUTSIDE THE DISTRICT (SUPPORT STAFF)**

The Board of Education recognizes that support staff members will have expertise and knowledge in areas that other school districts, agencies, private business organizations and other entities may desire. Recognizing that the school district will request the expertise from support staff members from other school districts, agencies, private business organizations and other entities the Board supports sharing of its support staff members with other school districts and agencies to the extent it does not interfere with the efficient operation of the school district.

**A. Definitions**

1. Agency - A public or private agency requesting the services of the school district's support staff member.
2. Other school districts - A school district other than the school district that employs the support staff member, including all supervisory and administrative personnel.
3. Out-of-pocket expenses - Expenses that provide reimbursement for such items as travel, lodging, meal expenses, parking, copy costs, and supply costs.
4. Remuneration - Any compensation, including, but not limited to, a paid stipend, an hourly fee, a per day fee, and/or any benefit conferred upon the support staff member, except out-of-pocket expenses.
5. Staff member - A contracted member of the school district's support staff, including all supervisory and administrative personnel.

**B. Procedure - Consulting For No Additional Remuneration**

1. The support staff member or the agency requesting the expertise and knowledge of the support staff member must submit a written request to the Superintendent or designee. The written request must include the following:
  - a. The date(s) the support staff member will be away from the district;
  - b. The time of day the support staff member will be away from the school district;
  - c. Any out-of-pocket costs to the school district;
  - d. Any reimbursements that the support staff member is entitled to from the other school district or agency;
  - e. The specific services requested of the support staff member; and

- f. The location where the services will be provided.
2. The Superintendent or designee will evaluate the request for a recommendation to be approved by the Board based on the criteria above along with any existing or potential relationships with the other school district for reciprocal services, a reduction in the future or existing cost of services to the school district, the support staff member's attendance record and the impact of the support staff member being out of the school district for the requested time.
3. The Superintendent or designee will determine and recommend each request on a case by case basis and the decision is final. The Superintendent may require the other district or agency to pay the cost of any substitute personnel related to the request.
4. If deemed to be in the best interest of the school district, the Superintendent's recommendation will be submitted to the Board for approval.
5. The Board's approval of the Superintendent's recommendation will permit the support staff member's consulting activity attendance and the support staff member will receive credit as a regular workday. There shall be no overtime, extra-pay or additional time-off granted to the support staff member if the request is approved by the Board.

**C. Reporting Activities**

The support staff member must comply with the New Jersey School Ethics Act N.J.S.A. 18A:12-21 et seq. and, if required, must comply with financial disclosure requirements of N.J.S.A. 18A:12-24 and 12-25.

Issued: 06 June 2017

**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 students 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: 06 June 2017

**R9320. COOPERATION WITH LAW ENFORCEMENT AGENCIES****A. Relations with Local Police Department**

1. The Principal of each school will endeavor to establish a continuing cooperative relationship with the law enforcement officers that serve the area in which the school is located.
2. Local police officers will be encouraged to visit the school on regular tours of duty so that their presence in the school is helpful and non-threatening.
3. Police should be encouraged to take active roles as resource persons in school programs in order to bring them into direct contact with students and to impress students with the positive aspects of police protection and security. Police officers may be invited to participate in such programs as driver education, substance abuse, and health/family life education.
4. At the same time that he/she works toward a liaison with the police and assists the police in the necessary performance of their responsibility to enforce the law, the Principal will impress upon the police his/her role as protector of the rights and interests of the students enrolled in the school.
5. For the purposes of this Regulation:
  - a. "Police Department" means the law enforcement agency designated by the County Prosecutor to receive such information.
  - b. "Principal" means the Principal and/or designee.
  - c. "Superintendent" means the Chief School Administrator and/or designee.
  - d. "School staff member" means any school employee.

**B. Summoning the Police onto School Property for the Purpose of Conducting Law Enforcement Investigations, Searches, Seizures, Arrests and in Emergencies**

1. Police may be summoned to the school by the Principal or, in the absence of the Principal, the staff member in charge of the school building. If the Principal or staff member in charge is not immediately available in an emergency situation, the police may be summoned by any staff member with direct knowledge of the emergency, who shall report his/her call to the Principal at the earliest possible time.

2. The telephone number by which police can be summoned shall be prominently displayed at telephones in the school that have an outside line.
3. Police officers should be summoned to the school:
  - a. When an incident involving the suspected or actual use, possession, or distribution of alcohol or a controlled dangerous substance, including anabolic steroids, drug paraphernalia or a firearm or other deadly weapon occurs, in accordance with Regulation No. 5530;
  - b. When evidence indicates that a crime has been committed, that a break and entry has occurred, that a deadly weapon is on school premises, or that a breach of the peace has occurred, in accordance with Regulation No. 7440;
  - c. When an act of vandalism has occurred, in accordance with Regulation No. 7610;
  - d. When fire is detected and immediately after the fire department has been summoned, in accordance with Regulation No. 8420.1;
  - e. When a bomb threat has been received, in accordance with Regulation No. 8420.2;
  - f. When the school is threatened by toxic hazard, in accordance with Regulation No. 8431;
  - g. In a serious medical emergency, in accordance with Regulation No. 8441;
  - h. When a visitor to the school is seriously disruptive and/or refuses to obey the Principal's order to leave the premises, in accordance with Regulation No. 9150; and
  - i. In any other instance in which the Principal or staff member in charge has cause to believe the health, safety and welfare of the building occupants and/or property are in jeopardy.
4. An emergency call to the police should include the:
  - a. The name and title of the caller;
  - b. The name and location of the school building in which law enforcement is needed; and
  - c. A brief description of the nature of the situation, including an accurate assessment of the seriousness of the situation.

5. If possible, a staff member or responsible student should be dispatched to meet and guide responding officers.
6. If offenders are to be arrested, a staff member should be prepared to assist the police in obtaining the necessary warrants.

C. Planned Security Protection at School Events and Extra-Curricular Activities

1. Each September or before, the Principal will provide the local police department with a calendar of events scheduled at the school for the school year just beginning. The calendar will be updated as necessary during the year.
2. The Principal will review with the police the events for which the need for police assistance and/or security is anticipated. Their review will include:
  - a. The number of officers required,
  - b. The responsibilities to be assumed by the officers, and
  - c. The remuneration, if any, each is to receive.

D. Police Investigations in the School

1. The Principal shall demand proper identification of any individual who represents him/herself as a police officer before the Principal permits any investigation to go forward. The Principal may verify this identification with the Police Department or the law enforcement agency that the individual claims to represent.
2. A police officer's request for access to school records will be responded to as follows:
  - a. A request for access to the public records of this district will be granted only in accordance with Regulation No. 8310.
  - b. A request for access to district or Board of Education records that are classified as confidential by Policy No. 8310 shall be reported to the Superintendent or Board Secretary, who will determine, in consultation with the Board Attorney, whether or not to release the record.
  - c. A request for access to personnel records that are classified as confidential by Policy No. 8320 shall be reported to the Superintendent and shall be released only if:
    - (1) The employee concerned has consented to inspection of his/her file, or

- (2) The law enforcement officer presents a warrant authorizing a search or certain confidential records from the file.
        - (3) The Superintendent may consult with the Board Attorney prior to releasing any personnel records that are classified as confidential.
      - d. A request for access to student records that are classified as confidential by law and by Policy No. 8330 shall be reported to the Superintendent and shall be released only if:
        - (1) The adult student concerned or parent(s) or legal guardian(s) of the minor student concerned has consented in writing to the inspection; or
        - (2) The police officer presents to the Superintendent a court order authorizing access to the record; or
        - (3) The adult student concerned or parent(s) or legal guardian(s) of the minor student concerned has been given at least three days written notice of the name of the requesting agency and the records requested and has not obtained a judicial order barring access.
        - (4) The Superintendent may consult with the Board Attorney prior to releasing any student records that are classified as confidential.
    3. A request by law enforcement officials to interrogate students, on school premises or while under the protection of the school, shall be handled as follows:
      - a. The police officer shall be required to ask the Principal for access to the student, regardless of the student's location in or about school premises or on a school-sponsored trip or at a school-sponsored event.
      - b. The Principal shall ask the police officer to delay the interrogation or conduct the interrogation away from school. In general, it should not be necessary to conduct an interrogation in school unless the matter involves:
        - (1) A crime committed in school; or
        - (2) An investigation that would be compromised without the interrogation in school; or
        - (3) An endangerment to the lives or safety of students or other persons; or
        - (4) Other reasons law enforcement officials believe an interrogation must be conducted in school and cannot wait until the student is away from school.

- c. The Principal shall make every reasonable effort to notify the student's parent(s) or legal guardian(s) of the request by law enforcement officials to interrogate the student while in school to receive the parent's or legal guardian's consent to permit the student to be interrogated before the interrogation.
- (1) The Principal will permit the interrogation if the parent(s) or legal guardian(s) consents to the interrogation.
  - (2) The Principal will delay the interrogation in the event the parent(s) or legal guardian(s) requests to be present during the interrogation.
  - (3) The Principal will deny the law enforcement official an interrogation if the parent(s) or legal guardian(s) cannot be contacted or if the parent(s) or legal guardian(s) does not consent to the interrogation.
  - (4) In the event the interrogation is not denied by the Principal for the reasons in (3) above, the Principal will immediately contact the Superintendent, who will contact the Board Attorney to determine the Principal's and school district's legal responsibilities under the circumstances of law enforcement's request for the student to be interrogated in school.
- d. A student shall not be removed from school for interrogation unless:
- (1) The student has been lawfully arrested; or
  - (2) The adult student or the parent(s) or legal guardian(s) of a minor student has consented to the removal.
4. All searches and seizures of students, their property and personal effects conducted by school staff must comply with the standards prescribed by the United States Supreme Court in *New Jersey v. T.L.O.* 469 U.S. 325 (1985) and in compliance with Policy No. 5770.
- a. Any questions concerning searches conducted by school officials shall be directed to the County Prosecutor.
  - b. A school official may request that law enforcement authorities assume responsibility for conducting any search or seizure.
  - c. No school staff member will impede any law enforcement officer engaged in a lawful search, seizure or arrest whether pursuant to a warrant or otherwise.
  - d. School staff will permit law enforcement authorities upon their arrival to assume responsibility for conducting any search or seizure.



- e. All inspections of lockers, desks or other objects or personal property on school grounds involving the use of law enforcement, drug-detection canines may only be undertaken with the express permission of the County Prosecutor or the Director of the Division of Criminal Justice in the New Jersey Department of Law and Public Safety.
  - f. Any questions concerning the legality of any contemplated or ongoing search, seizure or arrest conducted by a law enforcement officer on school grounds shall be directed to the County Prosecutor or, in the case of search, seizure or arrest undertaken by the Division of Criminal Justice, to the assigned Assistant Attorney General.
5. The Superintendent and Building Principal will cooperate with law enforcement authorities in the planning and conduct of undercover school operations.
- a. The Superintendent shall approve such undercover operations without prior notification to the Board of Education in accordance with N.J.A.C. 6A:16-6.2(a)6.i.
  - b. All information relative to any undercover school operation shall be kept strictly confidential by the Superintendent and the Building Principal and may not be divulged to any person without the express approval of the County Prosecutor.
  - c. The Superintendent and/or Building Principal must immediately inform the County Prosecutor in the event it becomes known by such authorized school official(s) that any information regarding the existence of an undercover operation has been revealed.
6. A request or attempt to arrest a student, on school premises or while under the protection of the school, shall be handled as follows:
- a. The police officer shall be required to ask the Principal for access to the student, regardless of the student's location in or about school premises or on a school-sponsored trip or at a school-sponsored event.
  - b. The police officer shall not be permitted to arrest or take custody of a student unless:
    - (1) The Principal lawfully requests the removal of the student; or
    - (2) The officer has probable cause to arrest the student for a felony; or
    - (3) The officer has an arrest warrant or a judicial order requiring the custody of the student.

- c. The Principal shall request the police officer to defer the arrest to another time and place or, if that is not possible, to take steps to protect the student's privacy, such as taking custody in a private place or assigning the taking of custody to a nonuniformed police officer or a school security officer.
- d. The Principal shall make every reasonable effort to notify the student's parent(s) or legal guardian(s) of the impending arrest.
- e. The Principal shall determine the place to which the student will be removed and held in custody or detention and will so inform the parent(s) or legal guardian(s).
- f. Notwithstanding anything to the contrary in this Regulation, a police officer has the legal right to take direct and unhindered action in the school.
  - (1) In an emergency situation, where the commission of a crime or offense involving felony or a serious breach of the peace in school has been witnessed by the officer, or
  - (2) The police officer is in "hot pursuit" of the student for such a crime.
- g. In any situation in which a police officer takes direct action, the Principal shall be promptly notified.

**E. Reporting Students or Staff Members to Law Enforcement**

- 1. Subject to the provisions of N.J.A.C. 6A:16-6.5, any staff member having reason to believe that a student or staff member has unlawfully possessed or in any way been involved in the distribution of a controlled dangerous substance, including anabolic steroids or drug paraphernalia, on or within 1,000 feet of the outermost boundary of the school property pursuant to N.J.S.A. 2C:35-7, shall report the matter as soon as possible to the Principal or, in the absence of the Principal, to the staff member responsible at the time of the alleged violation.
  - a. Either the Principal or the responsible staff member shall notify the Superintendent, who in turn shall notify the Police Department as soon as possible.
  - b. The Superintendent will provide to the Police Department and/or County Prosecutor all known information concerning the matter, including the identity of the student or staff member involved.
  - c. The Superintendent and/or Principal will not disclose the identity of any student or staff member who has voluntarily sought treatment or counseling for a substance

abuse problem provided the student or staff member is not currently involved or implicated in drug distribution activities.

- d. An admission by a student or staff member in response to questioning initiated by the Principal or teaching staff member, or following the discovery of a controlled dangerous substance, including anabolic steroids or drug paraphernalia by the Principal or teaching staff member, shall not constitute a voluntary, self-initiated request for counseling and treatment.
2. The Principal, or in the absence of the Principal the staff member responsible at the time of the alleged violation, will report to the police department. Whenever any staff member develops reason to believe that a firearm, as defined in N.J.S.A. 2C:39-1(f) and 18 U.S.C. section 921, or other deadly weapon, whether enumerated in N.J.S.A. 2C:39-1(r) or not, except a firearm as defined by N.J.S.A. 2C:39-1(f) and 18 U.S.C. section 921, has unlawfully been brought onto school property, or that any student or other person is in unlawful possession of a firearm or other deadly weapon, whether on or off school property, or that any student or other person has committed an offense with or while in possession of a firearm, whether or not such offense was committed on school property or during school operating hours.
  - a. Either the Principal or the responsible staff member shall notify the Superintendent, who shall notify the Police Department as soon as possible.
  - b. The Superintendent will provide to the Police Department all known information concerning the matter, including the identity of the student or staff member involved.
3. The Superintendent and/or the Principal will immediately notify the Police Department whenever any school staff member in the course of his or her employment develops reason to believe that a student has threatened, is planning, or otherwise intends to cause death, serious bodily injury or significant bodily injury to another person under circumstances in which a reasonable person would believe the student genuinely intends at some time in the future to commit the violent act or carry out the threat.
4. The Superintendent and/or the Principal will immediately notify the Police Department whenever any school employee in the course of his or her employment develops reason to believe that a crime involving sexual contact or criminal sexual conduct has been committed on school property, or by or against a student during school operating hours or during school-related functions or activities.
5. School employees will immediately notify the Principal and/or Superintendent when in the course of their employment they develop reason to believe that 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 student, whether on or off school property. This notification is

required whether or not such offense was or is to be committed during school hours. This notification is also required if a student 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 school hours.

- a. The Principal and/or Superintendent will promptly notify the Police Department and the Bias Investigation Officer for the County Prosecutor's office in the instances described above.
- b. The Principal and/or Superintendent will immediately notify the Police Department and the Bias Investigation Officer for the County Prosecutor's office where 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 student, or there is otherwise reason to believe that a life has been or will be threatened.

F. Handling of Substances, Firearms and Other Items

1. Any school employee who seizes or discovers any substance or item believed to be a controlled dangerous substance, including anabolic steroids, or drug paraphernalia, shall immediately notify and turn the substance or item over to the Principal or designee.
  - a. The Principal or designee shall immediately notify the Superintendent or designee who shall notify the Police Department.
  - b. The school employee, Principal or designee shall safeguard the substance or paraphernalia against further use or destruction and shall secure the substance or paraphernalia until such time as the substance or paraphernalia can be turned over to the appropriate law enforcement officials.
  - c. The Principal will provide to the County Prosecutor or designee all information concerning the manner in which the substance or paraphernalia was discovered or seized, including:
    - (1) The identity of all persons who had custody of the substance or paraphernalia following its discovery or seizure; and
    - (2) The identity of any student or staff member believed to have been in possession of the substance or paraphernalia.
  - d. The Principal will not disclose the identity of any student or staff member who on his or her own initiative turned over the substance or paraphernalia to a school employee, provided that there is reason to believe that the student or staff member was involved with the substance or paraphernalia for the purpose of personal use,

not distribution activities, and further provided that the student or staff member agrees to participate in an appropriate treatment or counseling program.

An admission by a student or staff member in response to questioning initiated by the Principal or teaching staff member, or following the discovery of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia by the Principal or teaching staff member will not constitute a voluntary self-initiated request for counseling and treatment.

2. Whenever a school employee seizes or comes upon any firearm or dangerous weapon, school officials will:
  - a. In the case of a firearm, immediately advise the Police Department and secure the firearm pending the response by the Police Department to retrieve and take custody of the firearm; and
  - b. In the case of a dangerous weapon other than a firearm, immediately advise the Police Department and secure the weapon pending the response by the Police Department to retrieve and take custody of the dangerous weapon.
3. School employees having custody of a firearm or dangerous weapon shall take reasonable precautions to prevent the theft, destruction or unlawful use of the firearm or dangerous weapon by any person.

G. Confidentiality of Student or Staff Involvement in Substance Abuse Intervention and Treatment Programs

1. All information concerning a student's or staff member's involvement in a school intervention or treatment program for substance abuse shall be kept strictly confidential, according to the requirements of 42 CFR Part 2 and N.J.S.A. 18A:40A-7.1 and 7.2.
2. Nothing in this Regulation shall be construed in any way to authorize or require the transmittal of any information or records which are in the possession of a substance abuse counseling or treatment program.
3. The Principal will not disclose to law enforcement officials or to any person other than a member of the local district's comprehensive alcohol, tobacco and other drug abuse program that a student or staff member has received or is receiving services through the local district's comprehensive alcohol and other drug abuse program. The Principal will not disclose any information, including the student's or staff member's identity or information about illegal activity, where such information was learned in the course of or as a result of services provided through the local district's comprehensive alcohol and other drug abuse program.

4. Nothing in this Regulation shall be construed to preclude the disclosure of information about illegal activity that was learned by any school employee outside of the local district's comprehensive alcohol and other drug abuse program.

Any such information about illegal activity shall be reported according to the requirements of this Regulation and N.J.A.C. 6A:16-6.3 and 6.4.

#### H. Records

1. The Principal shall report to the Superintendent each incident involving an interrogation, search, or arrest of a student by a law enforcement agent.
2. The Principal shall record in writing and enter in the student's file:
  - a. The date, time, place, and circumstances of the incident;
  - b. The name of the officer and the law enforcement agency he/she represents;
  - c. The name of the student;
  - d. The notification or attempt to notify the student's parent(s) or legal guardian(s);  
and
  - e. An anecdotal description of the incident, including such information regarding its conduct as may be necessary to show that the student was fairly or unfairly treated.

#### I. In-Service Training

The Superintendent will develop, in conjunction with the Building Principal(s), the County Prosecutor's Office and the Police Department, in-service training for school staff regarding Policy and Regulation 9320.

#### J. Agreement or Memorandum of Understanding With Law Enforcement

1. The Superintendent and Police Department will meet on a regular basis, or at least annually, to discuss the implementation and need for revising the Agreement or Memorandum of Understanding and to review the effectiveness of the policies and procedures implemented in accordance with N.J.A.C. 6A:16-6.1 et seq.
2. Any Agreement or Memorandum of Understanding between the Board of Education and Law Enforcement Officials will be approved by the Board of Education and will be submitted to the Police Department, County Prosecutor and County Superintendent of Schools.

**3216. DRESS AND GROOMING (TEACHING STAFF)**

The Hackensack Board of Education believes that the appearance and dress of teaching staff members is an important component of the educational program of this school district. The attitude of teaching staff members about their professional responsibilities and the importance of education in the lives of their students are reflected in their dress and appearance. Accordingly, in order to create an atmosphere of respect for teachers and an environment conducive to discipline and learning, the Board establishes the following rules for the dress of teaching staff members in the performance of their professional duties:

1. Female teaching staff members may wear dresses, skirts, dress capri or pant suits, or skirts or pants with blouses or sweaters, hosiery optional;
2. Male teaching staff members may wear suits or slacks with or without jackets; male teaching staff members must wear a dress shirt with necktie (preferred, required for administrators) or a turtleneck shirt or crew/V-neck dress sweater, with or without a jacket;
3. The clothing and appearance of all teaching staff members shall be business appropriate, clean and neat;
4. No clothing may be worn that constitutes a danger to health or safety to the wearer or to others, and no clothing may be worn that interferes with the instructional program;
5. A teaching staff member may request a waiver of this dress code for the performance of particular duties; such waivers may be granted by the Building Principal;
6. In keeping with professional dress the following items are considered unacceptable dress for all personnel:
  - a. Wearing of denim jeans regardless of color;
  - b. T-shirts or sweat/warm-up suits;
  - c. Exposed midriffs or backs;
  - c. Shorts or mini-skirts;
  - d. Halter tops, tank tops, spaghetti straps or off the shoulder blouses or sweaters;
  - f. Thong-type footwear, clogs and sneakers;
  - g. Sunglasses shall not be worn within the building (except for documented medical reasons).

7. The Building Principal shall have full discretion in temporarily suspending the dress code during after-school activities and/or special theme days. Occasionally, specifically organized learning activities (i.e., field trips) may reasonably dictate variations from the dress code of the normal classroom setting;
8. Teachers of Physical Education may wear clothing appropriate to their subject area, e.g., athletic jackets, sport shirt with collar, warm-up suit, shorts, sneakers or appropriate footwear;
9. Staff members shall demonstrate by example and precept a professional attitude toward neatness, cleanliness, propriety in attire and appearance;
10. The Building Principal or the teaching staff member's supervisor, as appropriate, shall determine whether a violation of this dress code has occurred and shall discuss the violation with the teaching staff member concerned. Where a single violation so warrants or violations recur, the Principal or supervisor may enter a reprimand in the teaching staff member's file and may recommend more stringent disciplinary measures;
11. All medical requests for waivers of the dress code shall be directed to the Assistant Superintendent for Personnel, for approval;
12. Any exceptions to this policy will be made by the Superintendent or his/her designee and disseminated to the staff;
13. It shall be the policy of the Board to review this professional staff dress code at intervals of not less than three years and to invite the comments of appropriate staff members in that review.

N.J.S.A. 18A:27-4

Adopted: 06 June 2017



**3283. ELECTRONIC COMMUNICATIONS BETWEEN TEACHING STAFF MEMBERS  
AND STUDENTS (M)**

Date Created: June, 2017

Date Edited: June, 2017

**3283. ELECTRONIC COMMUNICATIONS BETWEEN TEACHING STAFF  
MEMBERS AND STUDENTS**

“Electronic communications,” for the purpose of this policy, means a communication transmitted by means of an electronic device including, but not limited to, a telephone, cellular phone, computer, computer network, personal data assistant, or pager. Electronic communications include, but are not limited to, e-mails, instant messages, and communications made by means of an Internet website, including social media and social networking websites. The Superintendent and/or Principals will annually remind staff members and orient new staff members concerning the importance of maintaining proper decorum in the on-line, digital world as well as in person. Employees must conduct themselves in ways that do not distract from or disrupt the educational process.

The annual orientation and reminder will give special emphasis to improper fraternization with students using electronic communications:

1. School employees may not list current students as “friends” on networking sites without written approval of the Superintendent or designees;
2. All electronic contact with students should be through the school’s computer/telephone systems and/or other district approved methods of communication;
3. All electronic contacts by coaches and extracurricular advisors with team members and members of extracurricular activities shall, as a general rule, be sent to all team members and activity participants;
4. School employees will not give out their private cell phone or home phone numbers to students without prior approval of the Superintendent or designees;
5. Electronic communications that are inappropriate and therefore prohibited include but are not limited to:
  - a. Items with sexual content;
  - b. Items exhibiting or advocating use of drugs, alcohol or other illegal activities;
  - c. Items that pertain to students, including confidential information;
  - d. Any content that significantly affects the employee’s ability to perform his/her job or disrupts the educational environment;
  - e. Any content that would violate district policies and procedures.

**3283. ELECTRONIC COMMUNICATIONS BETWEEN TEACHING STAFF MEMBERS  
AND STUDENTS (M)**

Date Created: June, 2017

Date Edited: June, 2017

6. Examples of inappropriate behavior from other districts shall be covered and discussed, including behavior to avoid and the need for staff to use common sense in avoiding inappropriate and unprofessional behavior;
7. Staff shall have no expectation of privacy when using district technology, the district network and/or public social media venues;
8. The administration shall monitor for improper staff electronic communications on district computers, other school issued technology, and the district computer network;
9. Staff shall be informed of the consequences that may result from inappropriate electronic communications up to and including dismissal from employment;
10. Staff shall not upload/post images, video and/or audio media intended for, containing or created by students to any non-district-managed/approved system, service or social media network (i.e., YouTube, SchoolTube, Facebook, Twitter, etc.) without the express written consent of the Superintendent or designees.

The Superintendent or designees may periodically conduct Internet searches to see if staff members have posted inappropriate materials on-line. When inappropriate use of computers and Internet websites is discovered, the school Principals and Superintendent will seek to preserve the problematic or offensive material and will seek to maintain storage and chain of custody of the evidence. The Superintendent and/or Principal shall promptly bring that alleged misconduct to the attention of the Board President.

**Cell Phones**

As a general rule, school staff shall not contact students' cell phones unless directed to do so by the parent or student. School district personnel shall limit cell phone interaction with students to contact that pertains to legitimate school business. Legitimate school business includes (but is not limited to):

1. Answering academic inquiries regarding homework, other classroom work or assignments;
2. Scheduling appointments for school related conferences and/or extra help;
3. Clarifying classroom expectations and/or assignments;
4. Notifications related to classroom, club or sports schedules, events, trips, assignments, and deadlines.

Cell phone contact with students shall be as brief and direct as possible. When brief contact is not sufficient and/or feasible to resolve the matter, where appropriate, teachers shall schedule

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**3283. ELECTRONIC COMMUNICATIONS BETWEEN TEACHING STAFF MEMBERS  
AND STUDENTS (M)**Teaching Staff Members  
Date Created: June, 2017

Date Edited: June, 2017

face-to-face conferences during regular classroom and extra-help periods to confer with the student. No cell phone contact shall exceed three replies.

**Text Messages**

Any text messages by staff members, coaches and volunteers shall, as a general rule, be sent to the entire class, team, club or organization and not to any student individually. Exceptions may include situations involving confidential medical issues, emergencies or individual issues not involving the entire group. Staff shall not send messages containing material that:

1. May be perceived as profane, obscene, racist, sexist or promote illicit, illegal or unethical activity;
2. Violates the district's affirmative action policies;
3. Is personal in nature and not related to the business of the district;
4. Can be interpreted as provocative, flirtatious or sexual in nature;
5. Is confidential information and not authorized for distribution;
6. Violates Board Policy 5512, Harassment, Intimidation and Bullying.

**Electronic Communication**

School district personnel shall adhere to the following guidelines when sending or receiving messages via district owned or issued devices and the district network:

1. All messages shall pertain to legitimate school business;
2. Personnel shall not reveal district issued passwords to others. If a staff member believes that a password has been lost or stolen, or that email has been accessed by someone without authorization, he/she must contact the supervisor for technology or the Principal;
3. District administrators shall have access to the employee's password or passwords for all district-owned or issued devices and the use of the district network;
4. Electronic messages on school owned or issued electronic devices and the district network shall be retained for the period of time specified by the Destruction of Public Records Law and Board policy (retained three years for external correspondence and one year for internal correspondence);
5. Federal copyright laws shall be observed;

**3283. ELECTRONIC COMMUNICATIONS BETWEEN TEACHING STAFF MEMBERS  
AND STUDENTS (M)**

Date Created: June, 2017

Date Edited: June, 2017

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  - d. Can be interpreted as provocative, flirtatious or sexual in nature;
  - e. Is confidential and not authorized for distribution;
  - f. Violates Board Policy 5512 Harassment, Intimidation and Bullying.
7. Personnel shall become familiar with the district's policies and regulation on staff and student access to networked information resources and acceptable use of technology (Policy and Regulation 3321 Acceptable Use of Computer Network(s)/Computers and Resources by Teaching Staff Members) before initiating email use;
8. Employees learning of any misuse of the email systems shall notify the supervisor for technology, Principal or Superintendent immediately.

**Online Education**

An online classroom is still a classroom. Though courses and/or assigned programs of home instruction may be online, appropriate classroom behavior is still mandatory. Respect for the participants is essential for learning and student achievement.

Staff communications with students during online education will be limited to legitimate school business as set forth under cell phones, text messages and electronic communication, above. Professional standards and etiquette shall be observed at all times.

**Implementation**

This policy shall be made available electronically or otherwise disseminated to all staff members, annually or as needed.

N.J.S.A. 18A:36-40

Adopted: 06 June 2017

Support Staff Members  
4283. ELECTRONIC COMMUNICATIONS BETWEEN TEACHING STAFF MEMBERS  
AND STUDENTS (M)  
Date Created: June, 2017  
Date Edited: June, 2017

**4283. ELECTRONIC COMMUNICATIONS BETWEEN SUPPORT STAFF MEMBERS  
AND STUDENTS**

"Electronic communications," for the purpose of this policy, means a communication transmitted by means of an electronic device including, but not limited to, a telephone, cellular phone, computer, computer network, personal data assistant, or pager. Electronic communications include, but are not limited to, e-mails, instant messages, and communications made by means of an Internet website, including social media and social networking websites. The Superintendent and or Principals will annually remind staff members and orient new staff members concerning the importance of maintaining proper decorum in the on-line, digital world as well as in person. Employees must conduct themselves in ways that do not distract from or disrupt the educational process.

The annual orientation and reminder will give special emphasis to improper fraternization with students using electronic communications:

1. School employees may not list current students as "friends" on networking sites without written approval of the Superintendent or designees;
2. All electronic contact with students should be through the school's computer/telephone systems and/or other district approved methods of communication;
3. All electronic contacts by coaches and extracurricular advisors with team members and members of extracurricular activities shall, as a general rule, be sent to all team members and activity participants;
4. School employees will not give out their private cell phone or home phone numbers to students without prior approval of the Superintendent or designees;
5. Electronic communications that are inappropriate and therefore prohibited include but are not limited to:
  - a. Items with sexual content;
  - b. Items exhibiting or advocating use of drugs, alcohol or other illegal activities;
  - c. Items that pertain to students, including confidential information;
  - d. Any content that significantly affects the employee's ability to perform his/her job or disrupts the educational environment;
  - e. Any content that would violate district policies and procedures.

Support Staff Members

**4283. ELECTRONIC COMMUNICATIONS BETWEEN TEACHING STAFF MEMBERS  
AND STUDENTS (M)**

Date Created: June, 2017

Date Edited: June, 2017

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Support Staff Members  
4283. ELECTRONIC COMMUNICATIONS BETWEEN TEACHING STAFF MEMBERS  
AND STUDENTS (M)  
Date Created: June, 2017  
Date Edited: June, 2017

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5. Federal copyright laws shall be observed;

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AND STUDENTS (M)**

Date Created: June, 2017

Date Edited: June, 2017

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Staff communications with students during online education will be limited to legitimate school business as set forth under cell phones, text messages and electronic communication, above. Professional standards and etiquette shall be observed at all times.

**Implementation**

This policy shall be made available electronically or otherwise disseminated to all staff members, annually or as needed.

N.J.S.A. 18A:36-40

Adopted: 06 June 2017



**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 student 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: 06 June 2017

**8420. EMERGENCY AND NON-FIRE EVACUATION PLAN**

The Board of Education recognizes its responsibility to provide for the safety and security in each school building in the district. The district will develop and implement written plans and procedures to provide for the protection of health, safety, security, and welfare of the school population; the prevention of, intervention in, response to and recovery from emergency and crisis situations; the establishment and maintenance of a climate of civility; and supportive services for staff, students, and their families.

The Superintendent of Schools or designee shall consult with law enforcement agencies, health and social services provider agencies, emergency management planners, and school and community resources, as appropriate, in the development of the school district's plans, procedures, and mechanisms for school safety and security. The plans, procedures, and mechanisms shall be consistent with the provisions of N.J.A.C. 6A:16-5.1 and the format and content established by the Domestic Security Preparedness Task Force, pursuant to N.J.S.A. App. A:9-64 et seq., and the Commissioner of Education and shall be reviewed annually, and updated as appropriate.

A copy of the school district's school safety and security plan shall be disseminated to all school district employees. New employees shall receive a copy of the school district's safety and security plan, as appropriate, within sixty days of the effective date of their employment. All employees shall be briefed in writing, as appropriate, regarding updates and changes to the school safety and security plan.

The school district shall develop and provide an in-service training program for all school district employees to enable them to recognize and appropriately respond to safety and security concerns, including emergencies and crisis, consistent with the school district's plans, procedures, and mechanisms for school safety and security and the provisions of N.J.A.C. 6A:16-5.1. New employees shall receive this in-service training, as appropriate, within sixty days of the effective date of their employment. This in-service training program shall be reviewed annually and updated, as appropriate.

In accordance with N.J.S.A. 18A:41-1, at least one fire drill and one school security drill will be conducted each month within school hours, including any summer months, which the school is open for instructional programs. A school security drill means an exercise, other than a fire drill, to practice procedures that respond to an emergency situation including, but not limited to, a non-fire evacuation, lockdown, bomb threat, or active shooter situation that is similar in duration to a fire drill. Schools are required to hold a minimum of two active shooter, non-fire evacuation, bomb threat, and lockdown security drills annually. Fire alarm systems shall be initiated only during a fire drill evacuation. Responses made necessary by the unplanned activation of emergency procedures or by any other emergency shall not be substituted for a required school security drill.

## 8420. EMERGENCY AND NON-FIRE EVACUATION PLAN (M)

Date Created: June, 2017

Date Edited: June, 2017

The Principal or designee will provide local law enforcement or other emergency responders, as appropriate, with a friendly notification at least forty-eight hours prior to holding a school security drill. Although these outside agencies are not required to observe school security drills, the Principal is encouraged to invite representatives from local law enforcement and emergency responder agencies to attend and observe at least four different security drills annually.

Such drills and in-service training programs shall be conducted in accordance with a building security drill guide and training materials that educate school employees on proper evacuation and lockdown procedures in a variety of emergency situations on school grounds as provided by the New Jersey Office of Homeland Security and Preparedness.

The school district will be required to annually submit a security drill statement of assurance to the New Jersey Department of Education by June 30 of each school year. Each school in the district will be required to complete a security drill record form as required by the New Jersey Department of Education.

N.J.S.A. 2C:33-3

N.J.S.A. 18A:41-1 et seq.

N.J.A.C. 6A:16-5.1; 6A:27-11.2

Adopted: 06 June 2017

**R8420. EMERGENCY AND NON-FIRE EVACUATION PLAN**

The need for orderly and safe evacuation during certain situations is critical to the safety of the occupants of a school building. If such a threat is deemed immediate, credible, and reasonable, the Principal or designee may order a non-fire building evacuation. In the event the Principal or designee believes a threat does not exist or immediate evacuation is not required, the Principal or designee shall review the situation with the Superintendent, who may consult with local law enforcement officials to review the threat risk.

- A. Procedures in the Event it is Determined a Non-Fire Evacuation is Warranted
1. The Principal or designee will immediately order a non-fire evacuation of the school building. The notification process may be the school's fire alarm system, a notice over the school's public address system, or any other method deemed appropriate by the Principal or designee to inform building occupants to evacuate the school building. The evacuation may be an entire or partial building evacuation depending on the circumstances.
  2. The Principal or designee will:
    - a. Immediately call local law enforcement officials;
    - b. Immediately call the Superintendent;
    - c. Ensure any school buses enroute to the school or other vehicles entering the school grounds are redirected to a designated alternative location pending further instructions from law enforcement officials;
    - d. Notify and maintain contact with the Superintendent regarding the communication to be released to parents, community and media; and
    - e. Allow local enforcement officials to control the scene upon their arrival.
  3. School staff members, upon receiving notice the school needs to be evacuated, will:
    - a. Direct students to gather personal belongings in the classroom or within their immediate area;
    - b. Instruct students not to use any electronic communication device until instructed otherwise;
    - c. Close the windows and doors of their vacated rooms and turn off any light or electrical switch;

## 8420. EMERGENCY AND NON-FIRE EVACUATION PLAN (M)

Date Created: June, 2017

Date Edited: June, 2017

- d. Take the student roster and the day's attendance;
- e. Lead their class or the students under their supervision upon receiving the evacuation notice to the evacuation area;
- f. Take attendance when arriving at the evacuation area and report any additional students or missing students to the Principal or designee;
- g. Not allow any student to re-enter the building, leave the evacuation area, or be dismissed from school unless authorized by the Principal or designee or law enforcement officials; and
- h. Not speak to the media or permit media to interview any student.

**B. Procedures After it is Determined the School Building Can be Reoccupied**

- 1. The Principal or designee, upon a determination by school and law enforcement officials that the threat or risk is concluded, will direct the reoccupation of the building.
- 2. If it is determined the building is not safe to re-enter, the Principal or designee will notify school officials of the situation at the evacuation assembly locations. If it is determined students will be released for the day, the Principal or designee, in consultation with the Superintendent, will coordinate student dismissal procedures from the evacuation assembly areas and family notification and reunification protocols.
- 3. The school district will provide school district staff and other school district crisis response team members to provide counseling and support as needed.

Critical Incident Response Procedures for School Administrators, Faculty and Staff – The New Jersey Office of Homeland Security and Preparedness and the New Jersey Department of Education - 2010

Adopted: 06 June 2017

**4240. EMPLOYEE TRAINING (SUPPORT STAFF)**

The Board of Education believes that continuing training and study is essential to the improvement of employee performance and the acquisition of technological skills. The Board encourages all employees to participate in appropriate training programs.

The School Business Administrator/Board Secretary shall prepare rules for employee participation in programs of job skill improvement. The rules will include methods of reporting and verifying claims for participation in such activities.

The Board will reimburse employee requests for attendance at training programs provided participation has been approved in advance by the Superintendent.

Adopted: 06 June 2017

**R4240. EMPLOYEE TRAINING (SUPPORT STAFF)****A. Programs of Job Skills Improvement**

1. The purpose of job skills improvement programs is to increase the knowledge, proficiency, ability, and skills of support staff employees.
2. Training programs will be structured to meet the immediate needs of the district as well as the personal goals of the employees.
3. Training programs for support staff members shall be developed by the School Business Administrator/Board Secretary or immediate supervisor for implementation by the immediate supervisor.

**B. Determination of Training Needs**

1. Principals and supervisors shall annually inventory the training needs of the employees under their supervision by determining whether:
  - a. Assignments are being carried out in a systematic and effective manner,
  - b. Policies of the Board and regulations of the district are being properly implemented,
  - c. Employee evaluations indicate a need for improvement,
  - d. Excessive waste or damage is occurring or safety methods are not being followed,
  - e. Employees have an opportunity to express their views on the manner in which assignments are performed, and
  - f. Career advancement training opportunities are available to employees.
2. The immediate supervisor shall prepare a report of the training needs for the review of the School Business Administrator/Board Secretary that shows:
  - a. Identified needs determined from the inventory;
  - b. Current programs that meet identified needs and areas in which current programs do not meet identified needs;
  - c. Recommendations for on-the-job training procedures in areas in which a need is identified and no current program is available, and

- d. Recommendations for the use of off-the-job training programs known to meet district needs.

**C. On-the-Job Training**

1. On-the-job training is that given to employees while they are at their assigned work stations.
2. On-the-job training shall be directed primarily to new employees and those whose job responsibilities have been changed.
3. On-the-job training programs shall be developed by the immediate supervisor; the assistance of experts is encouraged with approval of the School Business Administrator/Board Secretary.
4. Scheduling of training on the job will be the responsibility of the immediate supervisor.
5. The outcome of training on the job should be a higher level of performance by each affected employee.

**D. Off-the-Job Training**

1. Off-the-job training is that attended by employees during or after their regular job assignments but away from their assigned work stations.
2. Training off the job should generally be directed to those employees who have specialized workplace needs.
3. Suitable training programs shall be identified for support staff employees by the immediate supervisor with approval of costs by the School Business Administrator/Board Secretary.
4. Scheduling of off-the-job training will be the responsibility of the School Business Administrator/Board Secretary.
5. Allowable fees for attendance at off-the-job training programs shall be reimbursed upon the submission of an expense voucher to the School Business Administrator/Board Secretary in accordance with Policy No. 6471.
6. Employees who are recompensed for costs of off-the-job training are expected to continue in their employment for at least one year. Prorata reimbursement will be required for shorter periods of employment.



**E. Training Effectiveness**

1. Employees assigned to training off the job shall complete a district form designed to evaluate the effectiveness of the program.
2. The immediate supervisor shall review the performance of each employee assigned training either on or off the job thirty to forty-five days following the completion of the program.
3. The immediate supervisor shall report to the School Business Administrator/Board Secretary on the effectiveness and cost of the training programs. He/She shall recommend continuation and discontinuance of programs as appropriate.

Issued: 06 June 2017

**3221. EVALUATION OF TEACHERS**

The Board of Education recognizes the importance of teacher effectiveness to further the development of a professional corps of educators and to increase student achievement. The Board of Education adopts Policy and Regulation 3221 for the evaluation of teachers consistent with the Teacher Effectiveness and Accountability for the Children of New Jersey Act (TEACHNJ) and the AchieveNJ administrative codes. This Policy and Regulation provides the provisions and requirements for teacher evaluations consistent with TEACHNJ and AchieveNJ.

For the purposes of Policy and Regulation 3221, “teacher” means a teaching staff member who holds the appropriate standard, provisional, or emergency instructional certificate issued by the Board of Examiners and is assigned a class roster of students for at least one particular course.

The rules in N.J.A.C. 6A:10 – Educator Effectiveness shall not override any conflicting provision(s) of collective bargaining agreements or other employment contracts in effect on July 1, 2013 and no collective bargaining agreement entered into after July 1, 2013, shall conflict with the educator evaluation system established pursuant to N.J.A.C. 6A:10-1.1 et seq. or any other specific statute or regulation, nor shall topics subject to bargaining involve matters of educational policy or managerial prerogatives. All information contained in annual performance reports and all information collected, compiled, and/or maintained by employees for the evaluation process pursuant to N.J.A.C. 6A:10-1.1 et seq. shall be confidential and shall not be subject to public inspection or copying pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq.

The Board shall annually adopt evaluation rubrics for teachers which shall be submitted to the Commissioner by June 1 for approval by August 1 of each year. The evaluation rubrics shall have four defined annual ratings: ineffective, partially effective, effective, and highly effective. The Board shall meet the requirements as outlined in N.J.A.C. 6A:10-2.2(a) for the annual evaluation of teachers and shall ensure the training procedures as outlined in N.J.A.C. 6A:10-2.2(b) are followed when implementing the evaluation rubrics for all teachers. A District Evaluation Advisory Committee shall be established in accordance with the requirements of N.J.A.C. 6A:10-2.3.

The minimum requirements for the evaluation procedures for teachers as outlined in N.J.A.C. 6A:10-2.4 shall be followed. For each teacher rated ineffective or partially effective on the annual summative evaluation rating, as measured by the evaluation rubrics, a corrective action plan shall be developed in accordance with the provisions of N.J.A.C. 6A:10-2.5. A School Improvement Panel shall be established in accordance with N.J.A.C. 6A:10-3.1 and with the responsibilities outlined in N.J.A.C. 6A:10-3.2.

The components of the teacher evaluation rubric as described in N.J.A.C. 6A:10-4.1 shall apply to teachers. Measures of student achievement, as outlined in N.J.A.C. 6A:10-4.2, shall be used to determine impact on student learning. Teacher observations shall be conducted in accordance with the provisions of N.J.A.C. 6A:10-4.4. Observers shall conduct the observations pursuant to

N.J.S.A. 18A:6-123.b.(8) and N.J.A.C. 6A:10-2.5 and 3.2, and they shall be trained pursuant to N.J.A.C. 6A:10-2.2(b).

The teacher practice instrument approved by the Department of Education shall meet the criteria as outlined in N.J.A.C. 6A:10-7.2.

The Superintendent shall annually notify all teachers of the adopted evaluation policies and procedures/regulations no later than October 1. If a teacher is hired after October 1, the Superintendent shall notify the teacher of the policies and procedures/regulations at the beginning of his or her employment. All teachers shall be notified of amendments to the policy and procedures/regulations within ten teacher working days of adoption.

N.J.S.A. 18A:6-117 et seq.

N.J.A.C. 6A:10-1.1 through 1.4; 6A:10-2.1 through 2.5

N.J.A.C. 6A:10-3.1 and 3.2; N.J.A.C. 6A:10-4.1 through 4.4

N.J.A.C. 6A:10-7.1 and 7.2

Adopted: 06 June 2017

**R3221. EVALUATION OF TEACHERS****A. Definitions – N.J.A.C. 6A:10-1.2**

The following words and terms shall have the following meanings when used in Policy and Regulation 3221 unless the context clearly indicates otherwise:

“Announced observation” means an observation in which the person conducting an observation for the purpose of evaluation will notify the teacher of the date and the class period the observation will be conducted.

“Annual performance report” means a written appraisal of the teacher’s performance prepared by the teacher’s designated supervisor based on the evaluation rubric for his or her position.

“Annual summative evaluation rating” means an annual evaluation rating that is based on appraisals of educator practice and student performance, and includes all measures captured in a teacher’s evaluation rubric. The four summative performance categories are ineffective, partially effective, effective, and highly effective.

“Calibration” in the context of educator evaluation means a process to monitor the competency of a trained evaluator to ensure the evaluator continues to apply an educator practice instrument accurately and consistently according to the standards and definitions of the specific instrument.

“Chief School Administrator” means the Superintendent of Schools or the Administrative Principal if there is no Superintendent.

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

“Co-observation” means two or more supervisors who are trained on the practice instrument who observe simultaneously, or at alternate times, the same lesson or portion of a lesson for the purpose of training.

“Corrective Action Plan” means a written plan developed by the designated supervisor in collaboration with the teacher to address deficiencies as outlined in an evaluation. The corrective action plan shall include timelines for corrective action, responsibilities of the individual teacher and the school district for implementing the plan, and specific support that the district shall provide as defined in N.J.S.A. 18A:6-119.

“Department” means the New Jersey Department of Education.

“Designated supervisor” means the supervisor designated by the Superintendent of Schools or designee as the teacher’s supervisor.

“District Evaluation Advisory Committee” means a group created to oversee and guide the planning and implementation of the Board of Education's evaluation policies and procedures as set forth in N.J.A.C. 6A:10-2.3.

“Educator practice instrument” means an assessment tool that provides: scales or dimensions that capture competencies of professional performance; and differentiation of a range of professional performance as described by the scales, which must be shown in practice and/or research studies.

“Evaluation” means an appraisal of an individual’s professional performance in relation to his or her job description and professional standards and based on, when applicable, the individual’s evaluation rubric.

“Evaluation rubric” means a set of criteria, measures, and processes used to evaluate all teachers in a specific school district or local education agency. Evaluation rubrics consist of measures of professional practice, based on educator practice instrument, and student outcomes. Each Board of Education will have an evaluation rubric specifically for teachers, another specifically for Principals, Vice Principals, and Assistant Principals, and evaluation rubrics for other categories of teaching staff members.

“Indicators of student progress and growth” means the results of assessment(s) of students as defined in N.J.A.C. 6A:8, Standards and Assessment.

“Individual professional development plan” is as defined in N.J.S.A. 18A:6-119.

“Job description” means a written specification of the function of a position, duties and responsibilities, the extent and limits of authority, and work relationships within and outside the school and school district.

“Observation” means a method of collecting data on the performance of a teacher's assigned duties and responsibilities. An observation for the purpose of evaluation will be included in the determination of the annual summative evaluation rating and shall be conducted by an individual employed in the school district in a supervisory role and capacity and possessing a school administrator, Principal, or supervisor endorsement as defined in N.J.A.C. 6A:9-2.1.

“Post-observation conference” means a meeting, either in-person or remotely, between the supervisor who conducted the observation and the teacher for the purpose of evaluation to discuss the data collected in the observation.

“Scoring guide” means a set of rules or criteria used to evaluate a performance, product, or project. The purpose of a scoring guide is to provide a transparent and reliable evaluation process. Teacher practice instruments include a scoring guide that an evaluator uses to structure his or her assessments and ratings of professional practice.

“Semester” means half of the school year.

“Signed” means the name of one physically written by oneself or an electronic code, sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

“Student growth objective” means an academic goal that teachers and designated supervisors set for groups of students.

“Student growth percentile” means a specific metric for measuring individual student progress on Statewide assessments by tracking how much a student’s test scores have changed relative to other students Statewide with similar scores in previous years.

“Superintendent” means Superintendent of Schools or Chief School Administrator.

“Supervisor” means an appropriately certified teaching staff member, as defined in N.J.S.A. 18A:1-1, or Superintendent employed in the school district in a supervisory role and capacity, and possessing a school administrator, Principal, or supervisor endorsement as defined in N.J.A.C. 6A:9B-12.

“Teacher” means a teaching staff member who holds the appropriate standard, provisional, or emergency instructional certificate issued by the Board of Examiners and is assigned a class roster of students for at least one particular course.

“Teacher practice instrument” means an assessment tool that provides: scales or dimensions that capture competencies of professional performance; and differentiation of a range of professional performance as described by the scales, which must be shown in practice and/or research studies. The scores from the teacher practice instrument are components of the teacher’s evaluation rubrics and the scores are included in the summative evaluation rating for the individual.

“Unannounced observation” means an observation in which the person conducting an observation for the purpose of evaluation will not notify the teacher of the date or time the observation will be conducted.

**B. Applicability of Rules on Collective Bargaining Agreements – N.J.A.C. 6A:10-1.3**

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

**C. Educator Evaluation Data, Information, and Annual Performance Reports – N.J.A.C. 6A:10-1.4**

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

**D. Evaluation of Teachers – N.J.A.C. 6A:10-2.1**

1. The Board of Education annually shall adopt evaluation rubrics for teachers. The evaluation rubrics shall have four defined annual ratings: ineffective, partially effective, effective, and highly effective.
2. The evaluation rubrics for teachers shall include all other relevant minimum standards set forth in N.J.S.A. 18A:6-123 (P.L. 2012, c. 26, § 17c).
3. Evaluation rubrics shall be submitted to the Commissioner by June 1 for approval by August 1 of each year.

**E. Duties of the Board of Education – N.J.A.C. 6A:10-2.2**

1. The Board of Education shall meet the following requirements for the annual evaluation of teachers, unless otherwise specified:
  - a. Establish a District Evaluation Advisory Committee to oversee and guide the planning and implementation of the Board of Education's evaluation policies and procedures as set forth in N.J.A.C. 6A:10-2 et seq.;
  - b. Annually adopt policies and procedures developed by the Superintendent pursuant to N.J.A.C. 6A:10-2.4, including the evaluation rubrics approved by the Commissioner pursuant to N.J.A.C. 6A:10-2.1(c):
    - (1) The Superintendent shall develop policies and procedures that, at a minimum, ensure student performance data on the Statewide assessment is, upon receipt, promptly distributed or otherwise made available to teaching staff members who were primarily responsible for instructing the applicable students in the school year in which the assessment was taken, as well as to teaching staff members who are or will be primarily responsible for instructing the applicable students in the subsequent school year.

- c. Ensure the Superintendent annually notifies all teachers of the adopted evaluation policies and procedures no later than October 1. If a teacher is hired after October 1, the Board/Superintendent shall notify the teacher of the policies and procedures at the beginning of his or her employment. All teachers shall be notified of amendments to the policy and procedures within ten working days of adoption;
  - d. Annually adopt by June 1, any Commissioner-approved teacher practice instruments and, as part of the process described at N.J.A.C. 6A:10-2.1(c), notify the Department which instruments will be used as part of the school district's evaluation rubrics;
  - e. Ensure the Principal of each school within the school district has established a School Improvement Panel pursuant to N.J.A.C. 6A:10-3.1. The panel shall be established annually by August 31 and shall carry out the duties and functions described in N.J.A.C. 6A:10-3.2;
  - f. Ensure data elements are collected and stored in an accessible and usable format. Data elements shall include, but not be limited to, scores or evidence from observations for the purpose of evaluation and student growth objective data; and
  - g. Ensure the Superintendent or designee certifies to the Department that any observer who conducts an observation of a teacher for the purpose of evaluation as described in N.J.A.C. 6A:10-4.4; N.J.A.C. 6A:10-5.4; and N.J.A.C. 6A:10-6.2, shall meet the statutory observation requirements of N.J.S.A. 18A:6-119; 18A:6-123.b(8); and N.J.S.A. 18A:27-3.1 and the teacher member of the School Improvement Panel requirements of N.J.A.C. 6A:10-3.2.
2. The Board of Education shall ensure the following training procedures are followed when implementing the evaluation rubric for all teachers and, when applicable, applying the Commissioner-approved educator practice instrument:
- a. Annually provide training on and descriptions of each component of the evaluation rubric for all teachers who are being evaluated in the school district and provide more thorough training for any teacher who is being evaluated for the first time. Training shall include detailed descriptions of all evaluation rubric components including, when applicable, detailed descriptions of student achievement measures and all aspects of the educator practice instrument;
  - b. Annually provide updates and refresher training for supervisors who are conducting evaluations in the school district and more thorough training for any supervisor who will evaluate teachers for the first time. Training shall be



provided on each component of the evaluated teacher's evaluation rubric before the evaluation of a teacher;

c. Annually require each supervisor who will conduct observations for the purpose of evaluation of a teacher to complete at least two co-observations during the school year.

(1) Co-observers shall use the co-observation to promote accuracy and consistency in scoring.

(2) A co-observation may count as one required observation for the purpose of evaluation pursuant to N.J.A.C. 6A:10-4.4, as long as the observer meets the requirements set forth in N.J.A.C. 6A:10-4.3 and 4.4, but the co-observation shall not count as two or more required observations. If a co-observation counts as one required observation, the score shall be determined by the teacher's designated supervisor.

d. The Superintendent shall annually certify to the Department that all supervisors of teachers in the school district who are utilizing evaluation rubrics have completed training on and demonstrated competency in applying the evaluation rubrics.

F. District Evaluation Advisory Committee – N.J.A.C. 6A:10-2.3

1. Members of the District Evaluation Advisory Committee shall include representation from the following groups: teachers from each school level represented in the school district; central office administrators overseeing the teacher evaluation process; supervisors involved in teacher evaluation, when available or appropriate; and administrators conducting evaluations, including a minimum of one administrator conducting evaluations who participates on a School Improvement Panel. Members also shall include the Superintendent, a special education administrator, a parent, and a member of the Board of Education.

2. The Superintendent may extend membership on the District Evaluation Advisory Committee to representatives of other groups and to individuals.

3. Beginning in 2018-2019, the District Evaluation Advisory Committees shall no longer be required and the Board of Education shall have the discretion to continue the District Evaluation Advisory Committee.

G. Evaluation Procedures for Teachers – N.J.A.C. 6A:10-2.4

1. The provisions outlined in Policy and Regulation 3221 and N.J.A.C. 6A:10-2.4 shall be the minimum requirements for the evaluation of teachers.

2. Evaluation policies and procedures requiring the annual evaluation of all teachers shall be developed under the direction of the Superintendent, who may consult with the District Evaluation Advisory Committee or representatives from School Improvement Panels, and shall include, but not be limited to, a description of:
  - a. Roles and responsibilities for implementation of evaluation policies and procedures;
  - b. Job descriptions, evaluation rubrics for teachers, the process for calculating the summative ratings and each component, and the evaluation regulations set forth in N.J.A.C. 6A:10 et seq.;
  - c. Methods of data collection and reporting appropriate to each job description, including, but not limited to, the process for student attribution to teachers, Principals, Assistant Principals, and Vice Principals for calculating the median and school-wide student growth percentile;
  - d. Processes for observations for the purpose of evaluation and post-observation conference(s) by a supervisor;
  - e. Process for developing and scoring student growth objectives;
  - f. The process for preparation of individual professional development plans; and
  - g. The process for preparation of an annual performance report by the teacher's designated supervisor and an annual summary conference between the teacher and his or her designated supervisor.
3. The annual summary conference between designated supervisors and teachers shall be held before the annual performance report is filed. The conference shall occur on or before June 30 of each school year and shall include, but not be limited to, a review of the following:
  - a. The performance of the teacher based upon the job description and the scores or evidence compiled using the teacher's evaluation rubric, including, when applicable:
    - (1) The teacher's practice instrument; and
    - (2) Available indicators or student achievement measures such as student growth objective scores and student growth percentile scores.
  - b. The progress of the teacher toward meeting the goals of the individual professional development plan or, when applicable, the corrective action plan; and

- c. The preliminary annual performance report.
  4. If any scores for the teacher's evaluation rubric are not available at the time of the annual summary conference due to pending assessment results, the annual summative evaluation rating shall be calculated once all component ratings are available.
  5. The annual performance report shall be prepared by the teacher's designated supervisor and shall include, but not be limited to:
    - a. A summative rating based on the evaluation rubric, including, when applicable, a total score for each component as described in N.J.A.C. 6A:10-4;
    - b. Performance area(s) of strength and area(s) needing improvement based upon the job description and components of the teacher's evaluation rubric; and
    - c. The teacher's individual professional development plan or corrective action plan from the evaluation year being reviewed in the report.
  6. The teacher and the designated supervisor shall sign the report within five working days of the review.
  7. The Board of Education shall include all performance reports and supporting data, including, but not limited to, written observation reports and additional components of the summative evaluation rating as part of the teacher's personnel file, or in an alternative, confidential location. If reports and data are stored in an alternative location, the personnel file shall clearly indicate the report's location and how it can be easily accessed. The records shall be confidential and shall not be subject to public inspection or copying pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq.
- H. Corrective Action Plans for Teachers – N.J.A.C. 6A:10-2.5
  1. For each teacher rated ineffective or partially effective on the annual summative evaluation, as measured by the evaluation rubrics, a corrective action plan shall be developed by the teacher and the teacher's designated supervisor. If the teacher does not agree with the corrective action plan's content, the designated supervisor shall make a final determination.
  2. The corrective action plan shall be developed and the teacher and his or her designated supervisor shall meet to discuss the corrective action plan by October 31 of the school year following the year of evaluation except:
    - a. If the ineffective or partially effective summative evaluation rating is received after October 1 of the school year following the year of evaluation, a corrective action plan shall be developed, and the teacher and his or her designated

supervisor shall meet to discuss the corrective action plan within twenty-five teacher working days following the school district's receipt of the teacher's summative rating.

3. The content of the corrective action plan shall replace the content of the individual professional development plan required pursuant to N.J.A.C. 6A:9C-4.3(a) and 4.4(a) and shall:
  - a. Address areas in need of improvement identified in the teacher evaluation rubric;
  - b. Include specific, demonstrable goals for improvement;
  - c. Include responsibilities of the evaluated employee and the school district for the plan's implementation; and
  - d. Include timelines for meeting the goal(s).
4. The teacher's designated supervisor and the teacher on a corrective action plan shall discuss the teacher's progress toward the goals outlined in the corrective action plan during each required post-observation conference, pursuant to N.J.S.A. 18A:27-3.1 or N.J.A.C. 6A:10-4.4. The teacher and his or her designated supervisor may update the goals outlined in the corrective action plan to reflect any change(s) in the teacher's progress, position, or role.
5. Progress toward the teacher's goals outlined in the corrective action plan:
  - a. Shall be documented in the teacher's personnel file and reviewed at the annual summary conference and the mid-year evaluation. Both the teacher on a corrective action plan and his or her designated supervisor may collect data and evidence to demonstrate the teacher's progress toward his or her corrective action plan goals; and
  - b. May be used as evidence in the teacher's next annual summative evaluation; however, such progress shall not guarantee an effective rating on the next summative evaluation.
6. Responsibilities of the evaluated teacher on a corrective action plan shall not be exclusionary of other plans for improvement determined to be necessary by the teacher's designated supervisor.
7. The School Improvement Panel shall ensure teachers with a corrective action plan receive a mid-year evaluation as required by N.J.S.A. 18A:6-120.c. The mid-year evaluation shall occur approximately midway between the development of the corrective action plan and the expected receipt of the next annual summative rating. The mid-year evaluation

- shall include, at a minimum, a conference to discuss progress toward the teacher's goals outlined in the corrective action plan. The mid-year evaluation conference may be combined with a post-observation conference.
8. The School Improvement Panel shall ensure teachers with a corrective action plan receive one observation, including a post-observation conference, in addition to the observations required in N.J.A.C. 6A:10-4.4 for the purpose of evaluation as described in N.J.A.C. 6A:10-1.2 and 4.4(a).
  9. Except where a school district employs only one administrator whose position requires a supervisor, principal, or school administrator endorsement, tenured teachers with a corrective action plan shall be observed by multiple observers for the purpose of evaluation as described in N.J.A.C. 6A:10-4.4(c)4.
  10. The corrective action plan shall remain in effect until the teacher receives his or her next summative evaluation rating.
  11. There shall be no minimum number of teacher working days a teacher's corrective action plan can be in place.
- I. School Improvement Panel – N.J.A.C. 6A:10-3 et seq.
    1. School Improvement Panel Membership – N.J.A.C. 6A:10-3.1
      - a. The School Improvement Panel shall include the Principal, a Vice Principal, and a teacher who is chosen in accordance with b. below by the Principal in consultation with the majority representative. If an Assistant Principal or Vice Principal is not available to serve on the panel, the Principal shall appoint an additional member who is employed in the district in a supervisory role and capacity, in accordance with N.J.S.A. 18A:6-120.a. The Principal may appoint additional members to the School Improvement Panel as long as all members meet the criteria outlined in this section and N.J.S.A. 18A:6-120.a and the teacher(s) on the panel represents at least one-third of its total membership.
      - b. The Principal annually shall choose the teacher(s) on the School Improvement Panel through the following process:
        - (1) The teacher member shall be a person with a demonstrated record of success in the classroom. A demonstrated record of success in the classroom means the teacher member shall have been rated effective or highly effective in the most recent available annual summative rating.
        - (2) The majority representative, in accordance with a. above, may submit to the Principal, teacher member nominees for consideration.

- (3) The Principal shall have final decision-making authority and is not bound by the majority representative's list of nominees.
  - c. The teacher member shall serve a full school year, except in case of illness or authorized leave, but may not be appointed more than three consecutive school years.
  - d. All members of the School Improvement Panel shall be chosen by August 31 of each year.
2. School Improvement Panel Responsibilities – N.J.A.C. 6A:10-3.2
- a. The School Improvement Panel shall:
    - (1) Oversee the mentoring of teachers according to N.J.A.C. 6A:9C-5.3(a)2 and support the implementation of the school district mentoring plan;
    - (2) Conduct evaluations of teachers pursuant to N.J.A.C. 6A:10-2.4 and 4.4;
    - (3) Ensure corrective action plans for teachers are created in accordance to N.J.A.C. 6A:10-2.5; and ensure mid-year evaluations are conducted for teachers who are on a corrective action plan; and
    - (4) Identify professional development opportunities for all teachers based on the review of aggregate school-level data, including, but not limited to, teacher evaluation and student performance data to support school-level professional development plans described in N.J.A.C. 6A:9C-4.2.
  - b. To conduct observations for the purpose of evaluation, the teacher member shall have:
    - (1) Agreement of the majority representative;
    - (2) An appropriate supervisory certificate; and
    - (3) Approval of the Principal who supervises the teacher being observed.
  - c. The teacher member who participates in the evaluation process shall not serve concurrently as a mentor under N.J.A.C. 6A:9C-5.2(a)3.

**J. Components of Teacher Evaluation Rubric – N.J.A.C. 6A:10-4.1**

1. The components of the teacher evaluation rubric described in N.J.A.C. 6A:10-4.1 et seq. shall apply to teachers holding the position of teacher and holding a valid and effective standard, provisional, or emergency instructional certificate.
2. Evaluation rubrics for all teachers shall include the requirements described in N.J.S.A. 18A:6-123, including, but not limited to:
  - a. Measures of student achievement pursuant to N.J.A.C. 6A:10-4.2; and
  - b. Measures of teacher practice pursuant to N.J.A.C. 6A:10-4.3 and 4.4.
3. To earn a summative rating, a teacher shall have a student achievement score, including median student growth percentile and/or student growth objectives(s) scores, and a teacher practice score pursuant to N.J.A.C. 6A:10-4.4.
4. Each score shall be converted to a percentage weight so all components make up 100 percent of the evaluation rubric. By August 31 prior to the school year in which the evaluation rubric applies, the Department shall provide on its website the required percentage weight of each component and the required summative rating scale. All components shall be worth the following percentage weights or fall within the following ranges:
  - a. If, according to N.J.A.C. 6A:10-4.2(b), a teacher receives a median student growth percentile, the student achievement component shall be at least thirty percent and no more than fifty percent of a teacher's evaluation rubric rating as determined by the Department.
  - b. If, according to N.J.A.C. 6A:10-4.2(b), a teacher does not receive a median student growth percentile, the student achievement component shall be at least fifteen percent and no more than fifty percent of a teacher's evaluation rubric rating as determined by the Department.
  - c. Measures of teacher practice described in N.J.A.C. 6A:10-4.3 and 4.4 shall be at least fifty percent and no more than eighty-five percent of a teacher's evaluation rubric rating as determined by the Department.
5. Standardized tests, used as a measure of student progress, shall not be the predominant factor in determining a teacher's annual summative rating.

**K. Student Achievement Components – N.J.A.C. 6A:10-4.2**

1. Measures of student achievement shall be used to determine impact on student learning. The student achievement measure shall include the following components:
  - a. If the teacher meets the requirements of 2. below, the median student growth percentile of all students assigned to a teacher, which shall be calculated as set forth in 4. below; and
  - b. Student growth objective(s), which shall be specific and measurable, based on available student learning data, aligned to the New Jersey Student Learning Standards (NJSLS), and based on growth and/or achievement.
    - (1) For teachers who teach subjects or grades not covered by the NJSLS, student growth objective(s) shall align to standards adopted or endorsed, as applicable, by the State Board.
2. The median student growth percentile shall be included in the annual summative rating of a teacher who:
  - a. Teaches at least one course or group within a course that falls within a standardized-tested grade or subject. The Department shall maintain on its website a course listing of all standardized-tested grades and subjects for which student growth percentile can be calculated pursuant to 4. below;
  - b. Teaches the course or group within the course for at least sixty percent of the time from the beginning of the course to the day of the standardized assessment; and
  - c. Has at least twenty individual student growth percentile scores attributed to his or her name during the school year of the evaluation. If a teacher does not have at least twenty individual student growth percentile scores in a given school year, the student growth percentile scores attributed to a teacher during the two school years prior to the evaluation year may be used in addition to the student growth percentile scores attributed to the teacher during the school year of the evaluation. Only student growth percentile scores from school year 2013-2014 or any school year after shall be used to determine median student growth percentiles.
3. The Department shall periodically collect data for all teachers that include, but are not limited to, student achievement and teacher practice scores.
4. The Department shall calculate the median student growth percentile for teachers using students assigned to the teacher by the school district. For teachers who have a student growth percentile score:



- a. The Board of Education shall submit to the Department final ratings for all components, other than the student growth percentile, for the annual summative rating; and
  - b. The Department then shall report to the employing district Board of Education the annual summative rating, including the median student growth percentile for each teacher who receives a median student growth percentile.
5. Student growth objectives for teachers shall be developed and measured according to the following procedures:
- a. The Superintendent shall determine the number of required student growth objectives for teachers, including teachers with a student growth percentile. A teacher with a student growth percentile shall have at least one and not more than four student growth objectives. A teacher without a student growth percentile shall have at least two and a maximum of four student growth objectives. By August 31 prior to the school year the evaluation rubric applies, the Department shall provide on its website the minimum and maximum number of required student growth objectives within this range.
  - b. A teacher with a student growth percentile shall not use the standardized assessment used in determining the student growth percentile to measure progress toward a student growth objective.
  - c. Each teacher shall develop, in consultation with his or her supervisor or a Principal's designee, each student growth objective. If the teacher does not agree with the student growth objectives, the Principal shall make the final determination.
  - d. Student growth objectives and the criteria for assessing teacher performance based on the objectives shall be determined, recorded, and retained by the teacher and his or her supervisor by October 31 of each school year, or within twenty-five working days of the teacher's start date if the teacher begins work after October 1.
  - e. Adjustments to student growth objectives may be made by the teacher in consultation with his or her supervisor only when approved by the Superintendent or designee. Adjustments shall be recorded in the teacher's personnel file on or before February 15.
    - (1) If the Student Growth Objective (SGO) covers only the second semester of the school year, or if the teacher begins work after October 1, adjustments shall be recorded before the mid-point of the second semester.

- f. The teacher's designated supervisor shall approve each teacher's student growth objective score. The teacher's student growth objective score, if available, shall be discussed at the teacher's annual summary conference and recorded in the teacher's personnel file.

L. Teacher Practice Components – N.J.A.C. 6A:10-4.3

1. The teacher practice component rating shall be based on the measurement of the teacher's performance according to the school district's Commissioner-approved teacher practice instrument. Observations pursuant to N.J.A.C. 6A:10-4.4 shall be used as one form of evidence for the measurement.

M. Teacher Observations – N.J.A.C. 6A:10-4.4

1. For the purpose of teacher evaluation, observers shall conduct the observations pursuant to N.J.S.A. 18A:6-123.b(8) and N.J.A.C. 6A:10-2.5 and 3.2, and they shall be trained pursuant to N.J.A.C. 6A:10-2.2(b).
2. Observation conferences shall include the following procedures:
  - a. A supervisor who is present at the observation shall conduct a post-observation conference with the teacher being observed. A post-observation conference shall occur no more than fifteen teacher working days following each observation.
  - b. The post-observation conference shall be for the purpose of reviewing the data collected at the observation, connecting the data to the teacher practice instrument and the teacher's individual professional development plan, collecting additional information needed for the evaluation of the teacher, and offering areas to improve effectiveness. Within a school year, the post observation conference shall be held prior to the occurrence of further observations for the purpose of evaluation.
  - c. If agreed to by the teacher, one required post-observation conference and any pre-conference(s) for observations of tenured teachers who are not on a corrective action plan may be conducted via written communication, including electronic.
  - d. One post-observation conference may be combined with a teacher's annual summary conference, as long as it occurs within the required fifteen teacher working days following the observation for the purpose of evaluation.
  - e. A pre-conference, when required, shall occur at least one but not more than seven teacher working days prior to the observation.

3. Each teacher shall be observed as described in N.J.A.C. 6A:10-4.4. For all teachers, at least one of the required observations shall be announced and preceded by a pre-conference, and at least one of the required observations shall be unannounced. The Superintendent shall decide whether additional required observations are announced or unannounced, if applicable. The following additional requirements shall apply:
- a. Each observation required for the purpose of evaluation shall be conducted for at least twenty minutes.
  - b. Non-tenured teachers shall be observed at least three times each school year, but not less than once each semester. The observations shall be conducted in accordance with the timeframe set forth in N.J.S.A. 18A:27-3.1.
    - (1) Except where a school district employs only one administrator whose position requires a supervisor, principal, or school administrator endorsement, non-tenured teachers shall be observed during the course of the year by more than one appropriately certified supervisor.
  - c. Tenured teachers shall be observed at least two times during each school year. Observations for all tenured teachers shall occur prior to the annual summary conference, which shall occur prior to the end of the academic school year.
    - (1) If a tenured teacher was rated highly effective on his or her most recent summative evaluation and if both the teacher and the teacher's designated supervisor agree to use this option, one of the two required observations may be an observation of a Commissioner-approved activity other than a classroom lesson. The Department of Education shall post annually to its website a list of Commissioner-approved activities that may be observed in accordance with N.J.A.C. 6A:10-4.4.
  - d. Teachers on a corrective action plan shall receive, in accordance with N.J.A.C. 6A:10-2.5(h), one additional observation, including a post-observation conference.
  - e. Upon receiving a final summative evaluation that necessitates a corrective action plan, in accordance with N.J.A.C. 6A:10-2.5(a), any remaining required observation(s) shall not be conducted until the corrective action plan has been finalized.
  - f. A written or electronic observation report shall be signed by the supervisor who conducted the observation and post-observation and the teacher who was observed.

- g. The teacher shall submit his or her written objection(s) of the evaluation within ten teacher working days following the conference. The objection(s) shall be attached to each party's copy of the annual performance report.
- 4. To earn a teacher practice score, a non-tenured teacher shall receive at least three observations.
  - a. If a non-tenured teacher is present for less than forty percent of the total student school days in a school year, he or she shall receive at least two observations to earn a teacher practice score.
- N. Teacher Practice Instrument – N.J.A.C. 6A:10-7.2
  - 1. The teacher practice instrument approved by the Department shall meet the following criteria:
    - a. Include domains of professional practice that align to the New Jersey Professional Standards for Teachers pursuant to N.J.A.C. 6A:9-3;
    - b. Include scoring guides for assessing teacher practice that differentiate among a minimum of four levels of performance, and the differentiation has been shown in practice and/or research studies. Each scoring guide shall:
      - (1) Clearly define the expectations for each rating category;
      - (2) Provide a conversion to four rating categories;
      - (3) Be applicable to all grades and subjects; or to specific grades and/or subjects if designed explicitly for the grades and/or subjects; and
      - (4) Use clear and precise language that facilitates common understanding among teachers and administrators.
    - c. Rely on, to the extent possible, specific, discrete, observable, and/or measurable behaviors of students and teachers in the classroom with direct evidence of student engagement and learning; and
    - d. Include descriptions of specific training and implementation details required for the instrument to be effective.

Adopted: 06 June 2017

**3222. EVALUATION OF TEACHING STAFF MEMBERS, EXCLUDING TEACHERS  
AND ADMINISTRATORS (M)**

The Board of Education recognizes the importance of teaching staff member effectiveness to further the development of a professional corps of educators and to increase student achievement. The Board of Education adopts Policy and Regulation 3222 for the evaluation of teaching staff members consistent with the Teacher Effectiveness and Accountability for the Children of New Jersey Act (TEACHNJ) and the AchieveNJ administrative codes. This Policy and Regulation provides the provisions and requirements for teaching staff member evaluations consistent with TEACHNJ and AchieveNJ.

For the purposes of Policy and Regulation 3222, “teaching staff member” includes, but is not limited to, educational services staff members, guidance counselors, school nurses, library/media specialists, occupational therapists, and other teaching staff members working under an educational services certificate. For the purposes of Policy and Regulation 3222, “teaching staff member” does not include teachers, Principals, Vice Principals, Assistant Principals, and administrators, including, but not limited to, directors and/or supervisors.

The rules in N.J.A.C. 6A:10 – Educator Effectiveness shall not override any conflicting provision(s) of collective bargaining agreements or other employment contracts in effect on July 1, 2013 and no collective bargaining agreement entered into after July 1, 2013, shall conflict with the educator evaluation system established pursuant to N.J.A.C. 6A:10-1.1 et seq. or any other specific statute or regulation, nor shall topics subject to bargaining involve matters of educational policy or managerial prerogatives. All information contained in annual performance reports and all information collected, compiled, and/or maintained by employees for the evaluation process pursuant to N.J.A.C. 6A:10-1.1 et seq. shall be confidential and shall not be subject to public inspection or copying pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq.

The Board shall annually adopt evaluation rubrics for teaching staff members which shall be submitted to the Commissioner by June 1 for approval by August 1 of each year. The evaluation rubrics shall have four defined annual ratings: ineffective, partially effective, effective, and highly effective. The Board shall meet the requirements as outlined in N.J.A.C. 6A:10-2.2(a) for the annual evaluation of teaching staff members and shall ensure the training procedures as outlined in N.J.A.C. 6A:10-2.2(b) are followed when implementing the evaluation rubrics for all teaching staff members. A District Evaluation Advisory Committee shall be established in accordance with the requirements of N.J.A.C. 6A:10-2.3.

The minimum requirements for the evaluation procedures for teaching staff members as outlined in N.J.A.C. 6A:10-2.4 shall be followed. For each teaching staff member rated ineffective or partially effective on the annual summative evaluation rating, as measured by the evaluation rubrics, a corrective action plan shall be developed in accordance with the provisions of N.J.A.C. 6A:10-2.5.

**3222. EVALUATION OF TEACHING STAFF MEMBERS, EXCLUDING TEACHERS AND ADMINISTRATORS (M)**

Date Created: June, 2017

Date Edited: June, 2017

Observations and evaluations for non-tenured teaching staff members shall be in accordance with the provisions of N.J.S.A. 18A:27-3.1. Evaluations for non-tenured teaching staff members shall take place before April 30 each year prior to the May 15 notice requirement date for continued employment. Evaluations for tenured teaching staff members shall be completed prior to June 30.

The Superintendent shall annually notify all teaching staff members of the adopted evaluation policies and procedures/regulations no later than October 1. If a teaching staff member is hired after October 1, the Superintendent shall notify the teaching staff member of the policies and procedures/regulations at the beginning of his or her employment. All teaching staff members shall be notified of amendments to the policy and procedures/regulations within ten teaching staff member working days of adoption.

N.J.S.A. 18A:6-117 et seq.; N.J.S.A. 18A:27-3.1

N.J.A.C. 6A:10-1.1 through 1.4; 6A:10-2.1 through 2.5; 6A:10-6.2

Adopted: 06 June 2017

**R3222. EVALUATION OF TEACHING STAFF MEMBERS, EXCLUDING TEACHERS  
AND ADMINISTRATORS**

## A. Definitions – N.J.A.C. 6A:10-1.2

The following words and terms shall have the following meanings when used in Policy and Regulation 3222 unless the context clearly indicates otherwise:

“Annual performance report” means a written appraisal of the teaching staff member's performance prepared by the teaching staff member's designated supervisor based on the evaluation rubric for his or her position.

“Annual summative evaluation rating” means an annual evaluation rating that is based on appraisals of educator practice and student performance, if applicable, and includes all measures captured in a teaching staff member's evaluation rubric. The four summative performance categories are ineffective, partially effective, effective, and highly effective.

“Chief School Administrator” means the Superintendent of Schools or the Administrative Principal if there is no Superintendent.

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

“Corrective Action Plan” means a written plan developed by the designated supervisor in collaboration with the teaching staff member to address deficiencies as outlined in an evaluation. The corrective action plan shall include timelines for corrective action, responsibilities of the individual teaching staff member and the school district for implementing the plan, and specific support that the district shall provide as defined in N.J.S.A. 18A:6-119.

“Department” means the New Jersey Department of Education.

“Designated supervisor” means the supervisor designated by the Superintendent of Schools or designee as the teaching staff member's supervisor.

“District Evaluation Advisory Committee” means a group created to oversee and guide the planning and implementation of the Board of Education's evaluation policies and procedures as set forth in N.J.A.C. 6A:10-2.3.

“Educator practice instrument” means an assessment tool that provides: scales or dimensions that capture competencies of professional performance; and differentiation of a range of professional performance as described by the scales, which must be shown in practice and/or research studies. The scores from educator practice instruments for teaching staff members other than teachers, Principals, Vice Principals, and Assistant Principals may be applied to the teaching staff member's summative evaluation rating in a manner determined by the school district.

**3222. EVALUATION OF TEACHING STAFF MEMBERS, EXCLUDING TEACHERS AND ADMINISTRATORS (M)**

Date Created: June, 2017

Date Edited: June, 2017

“Evaluation” means an appraisal of an individual’s professional performance in relation to his or her job description and professional standards and based on, when applicable, the individual’s evaluation rubric.

“Evaluation rubric” means a set of criteria, measures, and processes used to evaluate all teaching staff members in a specific school district or local education agency. Evaluation rubrics consist of measures of professional practice, based on educator practice instruments and student outcomes. Each Board of Education will have an evaluation rubric specifically for teachers, another specifically for Principals, Vice Principals, and Assistant Principals, and evaluation rubrics for other categories of teaching staff members.

“Indicators of student progress and growth” means the results of assessment(s) of students as defined in N.J.A.C. 6A:8, Standards and Assessment.

“Individual professional development plan” is as defined in N.J.S.A. 18A:6-119.

“Job description” means a written specification of the function of a position, duties and responsibilities, the extent and limits of authority, and work relationships within and outside the school and school district.

“Observation” means a method of collecting data on the performance of a teaching staff member's assigned duties and responsibilities. An observation for the purpose of evaluation will be included in the determination of the annual summative evaluation rating and shall be conducted by an individual employed in the school district in a supervisory role and capacity and possessing a school administrator, Principal, or supervisor endorsement as defined in N.J.A.C. 6A:9-2.1.

“Post-observation conference” means a meeting, either in-person or remotely, between the supervisor who conducted the observation and the teaching staff member for the purpose of evaluation to discuss the data collected in the observation.

“Scoring guide” means a set of rules or criteria used to evaluate a performance, product, or project. The purpose of a scoring guide is to provide a transparent and reliable evaluation process. Educator practice instruments include a scoring guide that an evaluator uses to structure his or her assessments and ratings of professional practice.

“Semester” means half of the school year.

“Signed” means the name of one physically written by oneself or an electronic code, sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.



**3222. EVALUATION OF TEACHING STAFF MEMBERS, EXCLUDING TEACHERS AND ADMINISTRATORS (M)**

Date Created: June, 2017

Date Edited: June, 2017

“Student growth objective” means an academic goal that teaching staff members and designated supervisors set for groups of students.

“Superintendent” means Superintendent of Schools or Chief School Administrator.

“Supervisor” means an appropriately certified teaching staff member, as defined in N.J.S.A. 18A:1-1, or Superintendent employed in the school district in a supervisory role and capacity, and possessing a school administrator, Principal, or supervisor endorsement as defined in N.J.A.C. 6A:9B-12.

“Teaching staff member” for the purposes of Policy 3222 and this Regulation, includes, but is not limited to, educational services staff members, guidance counselors, school nurses, library/media specialists, occupational therapists, and other teaching staff members working under an educational services certificate and does not include teachers, Principals, Vice Principals, Assistant Principals, and administrators, including, but not limited to, Directors and/or Supervisors.

**B. Applicability of Rules on Collective Bargaining Agreements – N.J.A.C. 6A:10-1.3**

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

**C. Educator Evaluation Data, Information, and Annual Performance Reports – N.J.A.C. 6A:10-1.4**

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

**D. Evaluation of Teaching Staff Members – N.J.A.C. 6A:10-2.1**

1. The Board of Education annually shall adopt evaluation rubrics for all teaching staff members. The evaluation rubrics shall have four defined annual ratings: ineffective, partially effective, effective, and highly effective.

**3222. EVALUATION OF TEACHING STAFF MEMBERS, EXCLUDING TEACHERS AND ADMINISTRATORS (M)**

Date Created: June, 2017

Date Edited: June, 2017

2. Evaluation rubrics shall be submitted to the Commissioner by June 1 for approval by August 1 of each year.

**E. Duties of the Board of Education – N.J.A.C. 6A:10-2.2**

1. The Board of Education shall meet the following requirements for the annual evaluation of teaching staff members, unless otherwise specified:
  - a. Establish a District Evaluation Advisory Committee to oversee and guide the planning and implementation of the Board of Education's evaluation policies and procedures as set forth in N.J.A.C. 6A:10-2 et seq.;
  - b. Annually adopt policies and procedures developed by the Superintendent pursuant to N.J.A.C. 6A:10-2.4, including the evaluation rubrics approved by the Commissioner pursuant to N.J.A.C. 6A:10-2.1(c):
    - (1) The Superintendent shall develop policies and procedures that, at a minimum, ensure student performance data on the Statewide assessment is, upon receipt, promptly distributed or otherwise made available to staff members who were primarily responsible for instructing the applicable students in the school year in which the assessment was taken, as well as to staff members who are or will be primarily responsible for instructing the applicable students in the subsequent school year.
  - c. Ensure the Superintendent annually notifies all teaching staff members of the adopted evaluation policies and procedures no later than October 1. If a teaching staff member is hired after October 1, the Board/Superintendent shall notify the teaching staff member of the policies and procedures at the beginning of his or her employment. All teaching staff members shall be notified of amendments to the policy and procedures within ten working days of adoption;
  - d. Annually adopt by June 1, any Commissioner-approved educator practice instruments and, as part of the process described at N.J.A.C. 6A:10-2.1(c), notify the Department which instruments will be used as part of the school district's evaluation rubrics;
  - e. Ensure the Principal of each school within the school district has established a School Improvement Panel pursuant to N.J.A.C. 6A:10-3.1. The panel shall be established annually by August 31 and shall carry out the duties and functions described in N.J.A.C. 6A:10-3.2;

**3222. EVALUATION OF TEACHING STAFF MEMBERS, EXCLUDING TEACHERS AND ADMINISTRATORS (M)**

Date Created: June, 2017

Date Edited: June, 2017

- f. Ensure data elements are collected and stored in an accessible and usable format. Data elements shall include, but not be limited to, scores or evidence from observations for the purpose of evaluation and student growth objective data; and
- g. Ensure the Superintendent or designee certifies to the Department that any observer who conducts an observation of a teaching staff member for the purpose of evaluation as described in N.J.A.C. 6A:10-4.4; N.J.A.C. 6A:10-5.4, and N.J.A.C. 6A:10-6.2, shall meet the statutory observation requirements of N.J.S.A. 18A:6-119; 18A:6-123.b(8); and N.J.S.A. 18A:27-3.1 and the teacher member of the School Improvement Panel requirements of N.J.A.C. 6A:10-3.2.

2. The Board of Education shall ensure the following training procedures are followed when implementing the evaluation rubric for all teaching staff members and, when applicable, applying the Commissioner-approved educator practice instruments:

- a. Annually provide training on and descriptions of each component of the evaluation rubric for all teaching staff members who are being evaluated in the school district and provide more thorough training for any teaching staff member who is being evaluated for the first time. Training shall include detailed descriptions of all evaluation rubric components including, when applicable, detailed descriptions of student achievement measures and all aspects of the educator practice instruments;
- b. Annually provide updates and refresher training for supervisors who are conducting evaluations in the school district and more thorough training for any supervisor who will evaluate teaching staff members for the first time. Training shall be provided on each component of the evaluated teaching staff member's evaluation rubric before the evaluation of a teaching staff member; and
- c. The Superintendent shall annually certify to the Department that all supervisors of teaching staff members in the school district who are utilizing evaluation rubrics have completed training on and demonstrated competency in applying the evaluation rubrics.

F. District Evaluation Advisory Committee – N.J.A.C. 6A:10-2.3

- 1. Members of the District Evaluation Advisory Committee shall include representation from the following groups: teachers from each school level represented in the school district; central office administrators overseeing the teacher evaluation process; supervisors involved in teacher evaluation, when available or appropriate; and administrators conducting evaluations, including a minimum of one administrator conducting evaluations who participates on a School Improvement Panel. Members also

**3222. EVALUATION OF TEACHING STAFF MEMBERS, EXCLUDING TEACHERS AND ADMINISTRATORS (M)**

Date Created: June, 2017

Date Edited: June, 2017

shall include the Superintendent, a special education administrator, a parent, and a member of the Board of Education.

2. The Superintendent may extend membership on the District Evaluation Advisory Committee to representatives of other groups and to individuals.
3. Beginning in 2018-2019, the District Evaluation Advisory Committees shall no longer be required and the Board of Education shall have the discretion to continue the District Evaluation Advisory Committee.

**G. Evaluation Procedures for Teaching Staff Members – N.J.A.C. 6A:10-2.4**

1. The provisions outlined in Policy and Regulation 3222 and N.J.A.C. 6A:10-2.4 shall be the minimum requirements for the evaluation of teaching staff members.
2. Evaluation policies and procedures requiring the annual evaluation of all teaching staff members shall be developed under the direction of the Superintendent, who may consult with the District Evaluation Advisory Committee or representatives from School Improvement Panels, and shall include, but not be limited to, a description of:
  - a. Roles and responsibilities for implementation of evaluation policies and procedures;
  - b. Job descriptions, evaluation rubrics for all teaching staff members, the process for calculating the summative ratings and each component, and the evaluation regulations set forth in N.J.A.C. 6A:10 et seq.;
  - c. Methods of data collection and reporting appropriate to each job description, including, but not limited to, the process for student attribution to teachers, Principals, Assistant Principals, and Vice Principals for calculating the median and school-wide student growth percentile;
  - d. Processes for observations for the purpose of evaluation and post-observation conference(s) by a supervisor;
  - e. Process for developing and scoring student growth objectives;
  - f. The process for preparation of individual professional development plans; and
  - g. The process for preparation of an annual performance report by the teaching staff member's designated supervisor, and an annual summary conference between the teaching staff member and his or her designated supervisor.

**3222. EVALUATION OF TEACHING STAFF MEMBERS, EXCLUDING TEACHERS AND ADMINISTRATORS (M)**

Date Created: June, 2017

Date Edited: June, 2017

3. The annual summary conference between the designated supervisor and the teaching staff member shall be held before the annual performance report is filed. The conference shall occur on or before June 30 of each school year and shall include, but not be limited to, a review of the following:
  - a. The performance of the teaching staff member based upon the job description and the scores or evidence compiled using the teaching staff member's evaluation rubric, including, when applicable:
    - (1) The teaching staff member's practice instrument; and
    - (2) Available indicators or student achievement measures such as student growth objective scores and student growth percentile scores.
  - b. The progress of the teaching staff member toward meeting the goals of the individual professional development plan or, when applicable, the corrective action plan; and
  - c. The preliminary annual performance report.
4. If any scores for the teaching staff member's evaluation rubric are not available at the time of the annual summary conference due to pending assessment results, the annual summative evaluation rating shall be calculated once all component ratings are available.
5. The annual performance report shall be prepared by the teaching staff member's designated supervisor and shall include, but not be limited to:
  - a. A summative rating based on the evaluation rubric;
  - b. Performance area(s) of strength and area(s) needing improvement based upon the job description and components of the teaching staff member's evaluation rubric; and
  - c. The teaching staff member's individual professional development plan or corrective action plan from the evaluation year being reviewed in the report.
6. The teaching staff member and the designated supervisor shall sign the report within five working days of the review.
7. The Board of Education shall include all performance reports and supporting data, including, but not limited to, written observation reports and additional components of the summative evaluation rating as part of the teaching staff member's personnel file or in an alternative, confidential location. If reports and data are stored in an alternative

**3222. EVALUATION OF TEACHING STAFF MEMBERS, EXCLUDING TEACHERS AND ADMINISTRATORS (M)**

Date Created: June, 2017

Date Edited: June, 2017

location, the personnel file shall clearly indicate the report's location and how it can be easily accessed. The records shall be confidential and shall not be subject to public inspection or copying pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq.

**H. Corrective Action Plans for Teaching Staff Members – N.J.A.C. 6A:10-2.5**

1. For each teaching staff member rated ineffective or partially effective on the annual summative evaluation, as measured by the evaluation rubrics, a corrective action plan shall be developed by the teaching staff member and the teaching staff member's designated supervisor. If the teaching staff member does not agree with the corrective action plan's content, the designated supervisor shall make a final determination.
2. The corrective action plan shall be developed and the teaching staff member and his or her designated supervisor shall meet to discuss the corrective action plan by October 31 of the school year following the year of evaluation, except:
  - a. If the ineffective or partially effective summative evaluation rating is received after October 1 of the school year following the year of evaluation, a corrective action plan shall be developed, and the teaching staff member and his or her designated supervisor shall meet to discuss the corrective action plan within twenty-five teaching staff member working days following the school district's receipt of the teaching staff member's summative rating.
3. The content of the corrective action plan shall replace the content of the individual professional development plan required pursuant to N.J.A.C. 6A:9C-4.3(a) and 4.4(a) and shall:
  - a. Address areas in need of improvement identified in the teaching staff member evaluation rubric;
  - b. Include specific, demonstrable goals for improvement;
  - c. Include responsibilities of the evaluated employee and the school district for the plan's implementation; and
  - d. Include timelines for meeting the goal(s).
4. The teaching staff member's designated supervisor and the teaching staff member on a corrective action plan shall discuss the teaching staff member's progress toward the goals outlined in the corrective action plan during each required post-observation conference. The teaching staff member and his or her designated supervisor may update the goals outlined in the corrective action plan to reflect any change(s) in the teaching staff member's progress, position, or role.

**3222. EVALUATION OF TEACHING STAFF MEMBERS, EXCLUDING TEACHERS AND ADMINISTRATORS (M)**

Date Created: June, 2017

Date Edited: June, 2017

5. Progress toward the teaching staff member's goals outlined in the corrective action plan:
    - a. Shall be documented in the teaching staff member's personnel file and reviewed at the annual summary conference and the mid-year evaluation. Both the teaching staff member on a corrective action plan and his or her designated supervisor may collect data and evidence to demonstrate the teaching staff member's progress toward his or her corrective action plan goals; and
    - b. May be used as evidence in the teaching staff member's next annual summative evaluation; however, such progress shall not guarantee an effective rating on the next summative evaluation.
  6. Responsibilities of the evaluated teaching staff member on a corrective action plan shall not be exclusionary of other plans for improvement determined to be necessary by the teaching staff member's designated supervisor.
  7. The corrective action plan shall remain in effect until the teaching staff member receives his or her next summative evaluation rating.
  8. There shall be no minimum number of teaching staff member working days a teacher's corrective action plan can be in place.
- I. Teaching Staff Member Observations and Evaluations – N.J.A.C. 6A:10-6.2
1. The Superintendent shall determine the duration of observations required pursuant to N.J.S.A. 18A:27-3.1 for non-tenured teaching staff members, except teachers, Principals, Vice Principals, and Assistant Principals. Observations include, but are not limited to, observations of meetings, student instruction, parent conferences, and case-study analysis of a significant student issue. The observation shall:
    - a. Be at least twenty minutes in length;
    - b. Be followed within fifteen teaching staff member working days by a conference between the supervisor who made the observation and the non-tenured teaching staff member;
    - c. Be followed by both parties to such a conference signing the written or electronic observation report and each retaining a copy of his or her records; and
    - d. Allow the non-tenured teaching staff member to submit his or her written objection(s) of the evaluation within ten teaching staff member working days following the conference. The objection(s) shall be attached to each party's copy of the annual performance report.

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**3222. EVALUATION OF TEACHING STAFF MEMBERS, EXCLUDING TEACHERS AND**

2. All tenured teaching staff members shall receive at least one observation per school year.
3. All non-tenured teaching staff members shall receive at least three observations, as required pursuant to N.J.S.A. 18A:27-3.1.
  - a. The required observations and evaluations for non-tenured teaching staff members shall take place before April 30 each year. These observations and 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 observations and evaluations must have been completed prior to April 30.
  - b. The number of required observations and evaluations for non-tenured teaching staff members may be reduced proportionately when an individual teaching staff member's term of service is less than one academic year.
4. Evaluations for tenured teaching staff shall be completed prior to June 30.

Adopted: 06 June 2017



**7432. EYE PROTECTION**

The Board of Education directs the rigorous implementation and enforcement of eye safety practices for students, staff members, and visitors exposed to conditions potentially hazardous to the eyes in the instructional program of this district.

The Superintendent shall be responsible for the continual monitoring of the school program, including, but not limited to, all vocational education, industrial arts education, science education, technology education and arts education, for conditions under which students, staff members, or visitors are exposed to a process or activity that might have a tendency to cause damage to the eyes.

Each student, 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 student, 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 students or staff members are exposed to caustic materials that can cause damage to the eyes shall be equipped with an emergency eye wash fountain in accordance with standards established by the 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 students in appropriate eye safety practices and for serving as exemplary models in the implementation of such practices.

The Board authorizes each staff member responsible for an activity or process hazardous to the eyes to compile and maintain, for the duration of the course of study, a list of students in the course who wear contact lenses.

A student 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 student 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

Adopted: 06 June 2017

**R7432. EYE PROTECTION**

## A. Eye Protection Devices

1. The following types of eye protective devices must be worn by all students, staff members, and visitors (including persons attending evening adult school programs) participating in the activity or process designated wherever it may occur on school premises:

Potential eye hazard	Protective devices
Caustic or explosive	Goggle, flexible fitting materials, hooded ventilation; add plastic window face shield for severe exposure
Dust producing operations	Goggle, flexible fitting, hooded ventilation
Electric arc welding	Welding helmet in combination with spectacles with eye cup or semi- or flat-fold side shields
Oxy-acetylene welding	Welding goggle, eye cup type with tinted lenses; welding goggle, coverspec type with tinted lenses or tinted plate lens
Hot liquids and gases	Goggle, flexible fitting, hood ventilation; add plastic window face shield for severe exposure
Hot solids	Clear or tinted goggles or spectacles with side shields
Molten materials	Clear or tinted goggles and plastic or mesh window face shield
Heat treatment or tempering	Clear or tinted goggles or clear or tinted spectacles with side shields
Glare operations	Tinted goggles; tinted spectacles with side shields or welding goggles, eye cup or coverage type with tinted lenses or plate lens
Shaping solid materials	Clear goggles, flexible or rigid body; clear spectacles with side shields; add plastic window face shield for severe exposure
Laser device operation or experimentation	Appropriate for specific hazard
Repair or servicing of vehicles	Clear goggles, flexible or rigid body; clear spectacles with side shields
Other potentially hazardous processes or activities	Appropriate for specific hazard

2. The supplier of any eye protective device to this district shall certify in writing that the device meets or exceeds ANSI standards. All spectacle type eye protective devices shall have side shields of the eye cup, semi-, or flat-fold type.

Property  
7432. EYE PROTECTION (M)  
Date Created: June, 2017  
Date Edited: June, 2017

3. Staff members shall regularly and frequently inspect the eye protective devices used in their classes and shall report to the Principal devices that are defective or poorly fitting. All eye protective devices shall be identified with the name(s) of the user(s) and shall be properly stored when not in use.
4. An eye protective device that is shared shall be disinfected between uses by a method prescribed by the local school medical inspector.
5. The use of contact lenses shall be restricted in learning environments which entail exposure to chemical fumes, vapors or splashes, intense heat, molten metals, or highly particulate atmospheres. Staff members in these learning environments shall identify the students in his/her class who wear contact lenses. A list of such students shall be kept by the staff member in order that appropriate emergency eye care may be given; the list shall be destroyed at the end of the course of study.

When permitted, contact lenses may be worn only in conjunction with appropriate eye protective devices. The contact lens wearer shall be identified for appropriate emergency eye care in hazardous learning environments.

6. A student who wears prescription glasses shall be provided with an appropriate eye protective device that fits over his/her glasses. A student or staff member may wear his/her personal corrective eye wear in the course of an activity hazardous to the eyes provided that the eye wear has been certified in writing by a licensed optician to meet or exceed ANSI standards as defined in N.J.A.C. 6:29-1.7(b)1 and 2 for the appropriate eye protective device required.
7. The responsible staff member will provide each visitor to an area in which an activity hazardous to eyes is conducted with an appropriate eye protective device.

#### B. Eye Wash Fountains

1. Eye wash fountains or similar devices, capable of a minimum of fifteen minutes of continuous flow of eye wash solution shall be provided in accordance with Policy No. 7432 and the standards of the State Department of Education and N.J.A.C. 6:29-1.7(d).
2. Eye wash fountains shall be routinely checked by the responsible staff member and any fountain that does not operate properly shall be promptly reported to the Principal.

#### C. Enforcement

1. Staff members shall not permit students to engage in an activity potentially hazardous to the eyes without appropriate eye protection and shall dismiss from the class period a student who refuses or persistently neglects to wear eye protection or to observe established eye protection practices. Any such dismissed student shall be reported absent for the class.

2. Staff members shall report to the Building Principal a visitor who refuses or persistently neglects to wear eye protection or observe established eye protection practices.
3. The Principal shall annually inspect the school premises for the existence of conditions potentially hazardous to the eyes, for the placement of signs requiring appropriate eye protective devices, and for an adequate supply of appropriate eye protective devices in satisfactory condition. Conditions potentially hazardous to the eyes include, in addition to the activities listed in paragraph A1 above, the likelihood of flying objects and spilled liquids and the presence of protruding and sharp objects.

**D. Training and Supplies**

The school district shall provide annual training and appropriate supplies and equipment to all school personnel responsible for implementing the eye safety policies and program. The training shall include all aspects of eye protection as defined in this regulation.

Issued: 06 June 2017

**2340. FIELD TRIPS**

These rules shall apply to all trips sponsored by school personnel; educational or recreational, inside and outside the school day.

**Application**

Each teacher contemplating a trip shall confer with his/her Principal before making any arrangements. After securing the Principal's tentative approval, the teacher shall make the arrangements for the trip. The teacher shall then make out a trip application no later than one week prior to the trip, secure the Principal's signature for approval and send the application to the Assistant to the Superintendent for Administration and Personnel for final approval.

The Board of Education shall approve all proposed field trips.

**Out of State and/or 150 Miles or More Radius Out of Country and/or Overnight Trips**

All trips that require overnight stays or 150 miles or more radius must be formally approved by the Board of Education. The pertinent facts and itinerary shall be submitted to the Board through the Superintendent prior to any commitments for the trip.

**Significant Value**

Student trips of significant educational value shall be encouraged and student trips of significant recreational value shall be permitted under rules established by the Superintendent. Student safety and adequate supervision shall be primary considerations.

The reason for any trips, its value to the students, and the proper standards of dress and conduct should be made clear to the students. Evaluation of the trip after its conclusion shall be standard procedure.

**Approval of Parents**

Each student going on a trip must have, in advance, written permission of his/her parents on a standard school form. A parental permission slip for each student must be on file in the school office prior to the trip. This procedure shall be followed for each and every trip.

**Loading and Unloading Students**

All students making a trip shall assemble in one place for boarding the vehicle, and shall be discharged from the vehicle in one place at the end of the trip, unless some other arrangement has been described in advance on the trip application and has been approved by the Principal.

### Supervision of Students

At least one member of the school professional staff in addition to the driver must travel in each bus used for a trip.

### Insurance Coverage

Any staff member or volunteer adult, who transports students in his/her car for a school purpose, must show evidence of bodily injury liability insurance of \$100,000-\$300,000.

### Cost

The Board may authorize field trips for which all or part of the costs are borne by the students' parent(s), except that no student in a special education class or student unable to pay the cost assessed shall be prohibited from attending a field trip. (N.J.S.A. 18A:36-21)

Cost of transportation for such trips and all expenditures incurred, including the cost of adequate supervision, normally shall be incorporated as a part of the curriculum and be taken from funds provided for in the budget of the Board of Education. Such expenditures must be approved by the Superintendent.

Parents shall be asked to bear the expense of all other excursions. No student is to be denied the right to participate because of inability to pay.

The Board does not endorse, support or assume liability in any way for any staff member of this district who takes students on trips not approved by the Board. No staff member may solicit students of this district for such trips within the facilities or on the school grounds of this district without Board permission.

### Student Self-Administration of Medication

The Board shall permit self-administration of medication on field trips for asthma or other potentially life-threatening illness by students. All conditions established by law and Board policy shall be met.

Epinephrine shall be administered via epi-pen to students in emergencies on field trips by the school nurse, his/her designee(s), the student's parent or the student himself/herself, in accordance with Board policy.

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

Adopted: 06 June 2017

**R2340. FIELD TRIPS****A. Definition**

A “field trip” is any journey by a group of students away from the school premises that has been duly approved in accordance with Policy No. 2340. A school sponsored trip taken by students as part of a co-curricular activity or a class trip is not a field trip and is governed instead by Regulation No. 5850.

**B. Approval of Trips**

1. A list of field trips considered appropriate for each grade level or subject area will be prepared cooperatively by teaching staff members and approved by the Principal. The approved list will be reviewed annually for additions, deletions, and revisions and will be distributed to teachers as a suggested guideline. In addition, the curriculum guide for a specific course of study may include suggested field trips.
2. To ensure the equitable allocation of budgeted field trip funds, each teacher shall submit a list of proposed field trips to the Principal at the beginning of the school year. The acceptance of the list does not constitute approval of any specific field trip on the list or of the number of field trips proposed by a teacher.
3. A teacher shall request approval of a specific field trip by submitting a written application to the Principal no less than thirty working days prior to the date of the anticipated trip. Field trip application forms are available in the office of the Principal.
4. The field trip application will include:
  - a. Proposed date of the trip (which should be checked in advance against the school calendar) and any alternate date(s);
  - b. The proposed destination and, if the destination is not generally known, its description and the reason it is selected by the teacher;
  - c. The relationship of the trip to curriculum goals and objectives;
  - d. The location of the destination and the route that will be taken to it;
  - e. Transportation arrangements, the estimated cost of transportation, and the provision of safe and adequate loading and unloading areas for bus-borne students;
  - f. The time of departure and the estimated time of return to the school;
  - g. Provisions for emergency and sanitation facilities;



- h. Admission fees and tolls, if any; and
  - i. Provisions for meals, if any are required.
5. The Principal may deny a field trip request when:
- a. The application is incomplete;
  - b. The anticipated cost is excessive;
  - c. The proposed trip bears insufficient relationship to the curriculum;
  - d. The students involved will have been taken from the class for the trip and other activities for an excessive amount of time;
  - e. The trip conflicts with other scheduled events or with other demands on school buses;
  - f. The class has exceeded its equitable allocation of field trips;
  - g. The trip will occur during an exam period or immediately before the end of a marking period; or
  - h. The destination and trip activity are inappropriate choices for students of the age and maturity typical of the class.
6. A request for an overnight field trip must receive the preliminary approval of the Superintendent before it is submitted to the Board of Education for final approval.
7. The teacher will be given written approval or denial of the teacher's request for a field trip. A denial of approval will include the reason(s) for the denial.

C. Planning and Preparation

1. Each teacher who plans a field trip should take the following preliminary steps:
- a. Determine that the proposed trip is the best method available for achieving the desired learning outcomes. Consult the list of approved field trip destinations for alternatives;
  - b. Consult the school calendar for any conflicts with the projected date of the field trip and for any clusters of field trips on or about that date;

- c. Determine whether classes can be combined in a joint field trip for maximum economy;
  - d. Gather the information necessary to fill out the field trip application form; and
  - e. Complete and submit the form.
2. If the field trip is approved, the teacher should take the following preparatory steps:
- a. Discuss the proposed trip with students, giving particular attention to;
    - (1) The purpose of the trip and its relationship to the course of study,
    - (2) What in the trip the students should give particular attention to and ask questions about,
    - (3) Any reports, note taking, sketching, or the like students should accomplish on the trip,
    - (4) The assignment of background materials and research to enhance the value of the trip, and
    - (5) Rules of conduct and expected behaviors, both at the trip destination and in transit to and from the destination.
  - b. Distribute and collect a permission slip for each student who will participate in the trip. The slip must be signed by the student's parent(s) or legal guardian(s). The slip will include notice of:
    - (1) The date, departure time, and return time;
    - (2) The destination and its location;
    - (3) The name of the teacher in charge;
    - (4) The means of transportation; and
    - (5) The purpose of the trip.

Signed permission slips will be filed with the teacher, who will file them until the end of the school year.
  - c. Make arrangements for travel and inform the Principal of those arrangements in writing no later than fifteen days before the trip.

- d. Arrange with officials at the point of destination for:
    - (1) The students' admission;
    - (2) The provision of any materials that will enhance the trip;
    - (3) The services of guides, if necessary; and
    - (4) The provision of meals, if necessary.
  - e. Arrange for chaperones, who may be other teaching staff members or volunteer parent(s) or legal guardian(s), and apprise them of their responsibilities.
  - f. If unfamiliar with trip destination, make a reasonable effort to visit the premises to become acquainted with points of interest, special features, potential problem areas, and the food and restroom accommodations.
  - g. Notify other teachers or departments, as appropriate, of the nature of the field trip and the students involved in the trips:
    - (1) To permit other teachers to plan for the absences; and
    - (2) To encourage other teachers to incorporate the field trip experience in their lesson plans.
  - h. Prepare a roster of students who will participate in the field trip.
  - i. Make alternate educational arrangements for any students who will not participate in the field trip.
  - j. Ascertain whether any student participating in the field trip will or may require medication in the course of the trip and arrange for the presence of the school nurse, a registered nurse, or the student's parent(s) or legal guardian(s) to administer the medication, except where students are allowed to self-administer medication under statutory authority. If none can be present, report the matter to the Principal who may deny the student's participation.
3. On the day of the field trip, the teacher will:
- a. If the weather is inclement and the trip is to take place out of doors or involves transportation that might be made hazardous by the weather.
    - (1) Check with the Principal who may determine to cancel or postpone the trip.

- (2) If the trip is canceled or postponed, promptly inform chaperones.
- b. Take attendance and deliver to the Main office a roster of the students who are actually leaving on the field trip.
  - c. Ascertain that the full complement of assigned chaperones is present and prepared.
  - d. Ascertain that all students participating in the field trip have left the school by the arranged method of transportation. Only in exceptional circumstances, approved in advance by the Principal, may students be delivered directly to the destination by means other than those arranged by the teacher.
  - e. Take all reasonable steps to assure that students profit educationally from the trip.
  - f. Make no change or substitutions in the trip itinerary unless an emergency has occurred (see paragraph E following).
  - g. Ascertain that all students participating in the field trip have left the destination by the arranged method of transportation. Only in exceptional circumstances, approved in advance by the Principal, or in an emergency may students be taken from the destination by means other than those arranged by the teacher.
  - h. If the trip will bring students back to school after the end of the school day, ascertain that the Principal will remain on the premises until the student's return or has appointed an emergency coordinator to remain on school premises. Plan to stay at the school or assign a chaperone to stay at the school until the last student has been picked up or has departed for home by his/her regular transportation.

**D. Chaperones**

- 1. The teacher in charge of the trip is responsible for appointing and training chaperones. Chaperones should be persons known to the teacher to be responsible, dependable, and comfortable with children of the student's age and maturity.
- 2. The Board will pay the expenses of chaperones to the extent that the expenses of students and teachers are paid.
- 3. Chaperones will be assigned a specific group of students and are accountable for the welfare of those students. Students must not be left unattended; if the chaperone must briefly leave his/her assigned students, the chaperone should ask the teacher or another chaperone to take his/her place for the absence.
- 4. Smoking and the use of alcohol or drugs or the possession of weapons is prohibited for both students and chaperones.

5. Prior to their arrival at the destination, chaperones should inform the students in their charge of:
  - a. The conduct expected of them,
  - b. The time and place of departure, and
  - c. Any other information necessary to the conduct of the trip, such as meal arrangements and the location of restrooms.
6. Chaperones should attempt to regulate student conduct. Any significant or persistent disciplinary problem should be reported to the teacher for appropriate action.

**E. Emergencies**

The following guidelines will be followed in the event of an emergency during a field trip.

1. An emergency on a school bus will be governed by the procedures set forth in Regulation No. 8630.
2. In the event a student is lost or missing, and all reasonable efforts to find him/her have failed, the teacher shall immediately notify the Principal and emergency personnel.
3. In the event of a medical emergency, the teacher shall summon first aid and/or ambulance services. Any medical emergency shall be immediately reported to the Principal. Within twenty-four hours of the trip, the teacher shall file with the Principal a full written report of the emergency and the steps taken to protect the victim's health and safety.
4. In the event of a delay that will bring students back to school later than anticipated and after the end of the school day, the teacher will, as soon as he/she can estimate the actual time of arrival, call the Principal or a person designated by the Principal to remain at the school as emergency coordinator. The Principal or emergency coordinator will:
  - a. Inform parent(s) or legal guardian(s) of the delay by telephone;
  - b. Make the school facilities available to waiting parents or legal guardians;
  - c. Remain at the telephone to answer incoming calls; and
  - d. Confer with the teacher to be certain all students have been safely dispatched.

**F. Overnight Trips**

1. A field trip that will remove students from the district overnight must be specifically approved by the Board. The request and approval procedures outlined in paragraph B6 above must be followed.
2. All of the provisions of this regulation are applicable to overnight field trips.
3. Students and their parent(s) or legal guardian(s) may be required, as a condition of their participation in the trip, to attend a meeting at which they will be informed of the:
  - a. Purpose of the trip;
  - b. The particulars of the trip such as itinerary, departure and return times, duration, overnight accommodations, and points of interest;
  - c. Rules of conduct and behavior expectations, both on the trip and at the destination;
  - d. Need, if any, for special clothing, supplies, apparatus, or equipment; and
  - e. Costs, if any, of the trip.

**G. Follow-up and Evaluation**

1. The teacher in charge of the field trip should express his/her appreciation to:
  - a. The chaperones, both lay and professional;
  - b. The officials and guides at the destination; and
  - c. Any other persons or representatives who assisted in the conduct of the trip.
2. The teacher in charge should incorporate the field trip experience into student's learning by:
  - a. Conducting a discussion and a critical evaluation of the experience;
  - b. Encouraging creative projects on themes experienced on the field trip;
  - c. Testing students on information gained and attitudes formed; and/or
  - d. Assigning students written reports or presentations on the experience.

3. The teacher will assist the Principal in a critical evaluation of the trip by filing a written report of the trip that includes its benefits and drawbacks. The report should address these questions, as appropriate to the trip:
- a. Was the destination the best choice for the teaching purpose served?
  - b. Were there sufficient materials available to students as background for the trip?
  - c. Did the trip experiences encourage new understandings, impart new knowledge, or stimulate students to new activity?
  - d. Did the trip experience relate to other school learning experiences?
  - e. Did the trip impart accurate information and a truthful picture?
  - f. Were the students exposed to any hazard to their physical or emotional well-being?
  - g. Was the trip worth the time and expense?
  - h. Were there any serious problems with student conduct and management?
  - i. To what extent, if any, did the trip generate cooperation and a positive relationship between the school and the community?

Issued: 06 June 2017

**5512. HARASSMENT, INTIMIDATION, AND BULLYING**

## Table of Contents

Section	Section Title
A.	Policy Statement
B.	Harassment, Intimidation, and Bullying Definition
C.	Student Expectations
D.	Consequences and Appropriate Remedial Actions
E.	Harassment, Intimidation, and Bullying Reporting Procedure
F.	Anti-Bullying Coordinator, Anti-Bullying Specialist, and School Safety Team(s)
G.	Harassment, Intimidation, and Bullying Investigation
H.	Range of Responses to an Incident of Harassment, Intimidation, or Bullying
I.	Reprisal or Retaliation Prohibited
J.	Consequences and Appropriate Remedial Action for False Accusation
K.	Harassment, Intimidation, and Bullying Policy Publication and Dissemination
L.	Harassment, Intimidation, and Bullying Training and Prevention Programs
M.	Harassment, Intimidation, and Bullying Policy Reevaluation, Reassessment and Review
N.	Reports to Board of Education and New Jersey Department of Education
O.	School and District Grading Requirements
P.	Reports to Law Enforcement
Q.	Collective Bargaining Agreements and Individual Contracts
R.	Students with Disabilities



**5512. HARASSMENT, INTIMIDATION, AND BULLYING (M)**

Date Created: June, 2017

Date Edited: August, 2018

**S. Approved Private Schools for Students with Disabilities (APSSD)****A. Policy Statement**

The Board of Education prohibits acts of harassment, intimidation, or bullying of a student. A safe and civil environment in school is necessary for students to learn and achieve high academic standards. Harassment, intimidation, or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe and disciplined environment. Since students learn by example, school administrators, faculty, staff and volunteers should be commended for demonstrating appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment, intimidation, or bullying.

For the purposes of this Policy, the term "parent," pursuant to N.J.A.C. 6A:16-1.3, means the natural parent(s) or adoptive parent(s), legal guardian(s), foster parent(s), or parent surrogate(s) of a student. Where parents are separated or divorced, "parent" means the person or agency which has legal custody of the student, as well as the natural or adoptive parent(s) of the student, provided such parental rights have not been terminated by a court of appropriate jurisdiction.

**B. Harassment, Intimidation, and Bullying Definition**

“Harassment, intimidation, or bullying” means any gesture, any written, verbal or physical act, or any electronic communication, as defined in N.J.S.A. 18A:37-14, whether it be a single incident or a series of incidents that:

1. Is reasonably perceived as being motivated by either any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic;
2. Takes place on school property, at any school-sponsored function, on a school bus, or off school grounds, as provided for in N.J.S.A. 18A:37-15.3;
3. Substantially disrupts or interferes with the orderly operation of the school or the rights of other students; and that
  - a. A reasonable person should know, under the circumstances, that the act(s) will have the effect of physically or emotionally harming a student or damaging the student's property, or placing a student in reasonable fear of physical or emotional harm to his/her person or damage to his/her property; or
  - b. Has the effect of insulting or demeaning any student or group of students; or

**5512. HARASSMENT, INTIMIDATION, AND BULLYING (M)**

Date Created: June, 2017

Date Edited: August, 2018

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

Schools are required to address harassment, intimidation, and bullying occurring off school grounds, when there is a nexus between the harassment, intimidation, and bullying and the school (e.g., the harassment, intimidation, or bullying substantially disrupts or interferes with the orderly operation of the school or the rights of other students).

“Electronic communication” means a communication transmitted by means of an electronic device, including, but not limited to: a telephone, cellular phone, computer, or pager.

**C. Student Expectations**

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

The Board believes that standards for student behavior must be set cooperatively through interaction among the students, parents, school employees, school administrators, school volunteers, and community representatives, producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for school district and community property on the part of students, staff, and community members.

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

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

1. Student responsibilities (e.g., requirements for students to conform to reasonable standards of socially accepted behavior; respect the person, property and rights of others; obey constituted authority; and respond to those who hold that authority);

**5512. HARASSMENT, INTIMIDATION, AND BULLYING (M)**

Date Created: June, 2017

Date Edited: August, 2018

2. Appropriate recognition for positive reinforcement for good conduct, self-discipline, and good citizenship;
3. Student rights; and
4. Sanctions and due process for violations of the Code of Student Conduct.

Pursuant to N.J.S.A. 18A:37-15(a) and N.J.A.C. 6A:16-7.1(a)1, the district has involved a broad-base of school and community members, including parents, students, instructional staff, student support services staff, school administrators, and school volunteers, as well as community organizations, such as faith-based, health and human service, business and law enforcement, in the development of this Policy. Based on locally determined and accepted core ethical values adopted by the Board, pursuant to N.J.A.C. 6A:16-7.1(a)2, the Board must develop guidelines for student conduct pursuant to N.J.A.C. 6A:16-7.1. These guidelines for student conduct will take into consideration the developmental ages of students, the severity of the offenses and students' histories of inappropriate behaviors, and the mission and physical facilities of the individual school(s) in the district. This Policy requires all students in the district to adhere to the rules established by the school district and to submit to the remedial and consequential measures that are appropriately assigned for infractions of these rules.

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

The district prohibits active or passive support for acts of harassment, intimidation, or bullying. Students are encouraged to support other students who:

1. Walk away from acts of harassment, intimidation, and bullying when they see them;
2. Constructively attempt to stop acts of harassment, intimidation, or bullying;
3. Provide support to students who have been subjected to harassment, intimidation, or bullying; and
4. Report acts of harassment, intimidation, and bullying to the designated school staff member.

**D. Consequences and Appropriate Remedial Actions****Consequences and Appropriate Remedial Actions – Students**

**5512. HARASSMENT, INTIMIDATION, AND BULLYING (M)**

Date Created: June, 2017

Date Edited: August, 2018

The Board of Education requires its school administrators to implement procedures that ensure both the appropriate consequences and remedial responses for students who commit one or more acts of harassment, intimidation, or bullying, consistent with the Code of Student Conduct. The following factors, at a minimum, shall be given full consideration by school administrators in the implementation of appropriate consequences and remedial measures for each act of harassment, intimidation, or bullying by students.

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

**Factors for Determining Consequences – Student Considerations**

1. Age, developmental and maturity levels of the parties involved and their relationship to the school district;
2. Degrees of harm;
3. Surrounding circumstances;
4. Nature and severity of the behavior(s);
5. Incidences of past or continuing patterns of behavior;
6. Relationships between the parties involved; and
7. Context in which the alleged incidents occurred.

**Factors for Determining Consequences – School Considerations**

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

**Factors for Determining Remedial Measures****Personal**

1. Life skill deficiencies;
2. Social relationships;
3. Strengths;
4. Talents;
5. Interests;
6. Hobbies;

**5512. HARASSMENT, INTIMIDATION, AND BULLYING (M)**

Date Created: June, 2017

Date Edited: August, 2018

7. Extra-curricular activities;
8. Classroom participation;
9. Academic performance; and
10. Relationship to students and the school district

**Environmental**

1. School culture;
2. School climate;
3. Student-staff relationships and staff behavior toward the student;
4. General staff management of classrooms or other educational environments;
5. Staff ability to prevent and manage difficult or inflammatory situations;
6. Social-emotional and behavioral supports;
7. Social relationships;
8. Community activities;
9. Neighborhood situation; and
10. Family situation.

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

Remedial measures shall be designed to correct the problem behavior, prevent another occurrence of the problem, protect and provide support for the victim of the act, and take corrective action for documented systemic problems related to harassment, intimidation, or bullying. The consequences and remedial measures may include, but are not limited to, the examples listed below:

**Examples of Consequences**

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

**5512. HARASSMENT, INTIMIDATION, AND BULLYING (M)**

Date Created: June, 2017

Date Edited: August, 2018

## Examples of Remedial Measures

## Personal – Student Exhibiting Bullying Behavior

1. Develop a behavioral contract with the student. Ensure the student has a voice in the outcome and can identify ways he or she can solve the problem and change behaviors;
2. Meet with parents to develop a family agreement to ensure the parent and the student understand school rules and expectations;
3. Explain the long-term negative consequences of harassment, intimidation, and bullying on all involved;
4. Ensure understanding of consequences, if harassment, intimidation, and bullying behavior continues;
5. Meet with school counselor, school social worker, or school psychologist to decipher mental health issues (e.g., what is happening and why?);
6. Develop a learning plan that includes consequences and skill building;
7. Consider wrap-around support services or after-school programs or services;
8. Provide social skill training, such as impulse control, anger management, developing empathy, and problem solving;
9. Arrange for an apology, preferably written;
10. Require a reflective essay to ensure the student understands the impact of his or her actions on others;
11. Have the student research and teach a lesson to the class about bullying, empathy, or a similar topic;
12. Arrange for restitution (i.e., compensation, reimbursement, amends, repayment), particularly when personal items were damaged or stolen;
13. Explore age-appropriate restorative (i.e., healing, curative, recuperative) practices; and
14. Schedule a follow-up conference with the student.

## Personal – Target/Victim

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

## Parents, Family, and Community

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

**5512. HARASSMENT, INTIMIDATION, AND BULLYING (M)**

Date Created: June, 2017

Date Edited: August, 2018

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

1. Analysis of existing data to identify bullying issues and concerns;
2. Use of findings from school surveys (e.g., school climate surveys);
3. Focus groups;
4. Mailings – postal and email;
5. Cable access television;
6. School culture change;
7. School climate improvement;
8. Increased supervision in “hot spots” (e.g. locker rooms, hallways, playgrounds, cafeterias, school perimeters, buses);
9. Adoption of evidence-based systemic bullying prevention practices and programs;
10. Training for all certificated and non-certificated staff to teach effective prevention and intervention skills and strategies;
11. Professional development plans for involved staff;
12. Participation of parents and other community members and organizations (e.g., Parent Teacher Associations, Parent Teacher Organizations) in the educational program and in problem-solving bullying issues;
13. Formation of professional learning communities to address bullying problems;
14. Small or large group presentations for fully addressing the actions and the school’s response to the actions, in the context of the acceptable student and staff member behavior and the consequences of such actions;
15. School policy and procedure revisions;
16. Modifications of schedules;
17. Adjustments in hallway traffic;
18. Examination and adoption of educational practices for actively engaging students in the learning process and in bonding students to pro-social institutions and people;
19. Modifications in student routes or patterns traveling to and from school;
20. Supervision of student victims before and after school, including school transportation;
21. Targeted use of monitors (e.g., hallway, cafeteria, locker room, playground, school perimeter, bus);
22. Targeted use of teacher aides;
23. Disciplinary action, including dismissal, for school staff who contributed to the problem;
24. Supportive institutional interventions, including participation in the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
25. Parent conferences;
26. Family counseling;
27. Development of a general harassment, intimidation, and bullying response plan;
28. Behavioral expectations communicated to students and parents;
29. Participation of the entire student body in problem-solving harassment, intimidation, and bullying issues;
30. Recommendations of a student behavior or ethics council;
31. Participation in peer support groups;

**5512. HARASSMENT, INTIMIDATION, AND BULLYING (M)**

Date Created: June, 2017

Date Edited: August, 2018

32. School transfers; and
33. Involvement of law enforcement officers, including school resource officers and juvenile officers or other appropriate legal action.

**Consequences and Appropriate Remedial Actions – Adults**

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

**Target/Victim Support**

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

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

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

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



## 5512. HARASSMENT, INTIMIDATION, AND BULLYING (M)

Date Created: June, 2017

Date Edited: August, 2018

## 12. Treatment or therapy.

## E. Harassment, Intimidation, and Bullying Reporting Procedure

The Board of Education requires the Principal at each school to be responsible for receiving complaints alleging violations of this Policy. All Board members, school employees, and volunteers and contracted service providers who have contact with students are required to verbally report alleged violations of this Policy to the Principal or the Principal's designee on the same day when the individual witnessed or received reliable information regarding any such incident. All Board members, school employees, and volunteers and contracted service providers who have contact with students, also shall submit a report in writing to the Principal within two school days of the verbal report.

The Principal or designee will inform the parents of all students involved in alleged incidents, and, as appropriate, may discuss the availability of counseling and other intervention services. The Principal or designee shall take into account the circumstances of the incident when providing notification to parents of all students involved in the reported harassment, intimidation, or bullying incident and when conveying the nature of the incident, including the actual or perceived protected category motivating the alleged offense. The Principal, upon receiving a verbal or written report, may take interim measures to ensure the safety, health, and welfare of all parties pending the findings of the investigation.

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

A person may report, verbally or in writing, an act of harassment, intimidation, or bullying committed by an adult or youth against a student anonymously. The Board will not take formal disciplinary action based solely on the anonymous report.

A Board member or school employee who promptly reports an incident of harassment, intimidation, or bullying and who makes this report in compliance with the procedures set forth in this Policy, is immune from a cause of action for damages arising from any failure to remedy the reported incident.

In accordance with the provisions of N.J.S.A. 18A:37-18, the harassment, intimidation, and bullying law does not prevent a victim from seeking redress under any other available law, either civil or criminal, nor does it create or alter any tort liability.

**5512. HARASSMENT, INTIMIDATION, AND BULLYING (M)**

Date Created: June, 2017

Date Edited: August, 2018

The district may consider every mechanism available to simplify reporting, including standard reporting forms and/or web-based reporting mechanisms. For anonymous reporting, the district may consider locked boxes located in areas of a school where reports can be submitted without fear of being observed.

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

**F. Anti-Bullying Coordinator, Anti-Bullying Specialist, and School Safety Team(s)**

1. The Superintendent shall appoint a district Anti-Bullying Coordinator. The Superintendent shall make every effort to appoint an employee of the school district to this position.

The district Anti-Bullying Coordinator shall:

- a. Be responsible for coordinating and strengthening the school district's policies to prevent, identify, and address harassment, intimidation, or bullying of students;
  - b. Collaborate with school Anti-Bullying Specialists in the district, the Board of Education, and the Superintendent to prevent, identify, and respond to harassment, intimidation, or bullying of students in the district;
  - c. Provide data, in collaboration with the Superintendent, to the Department of Education regarding harassment, intimidation, or bullying of students;
  - d. Execute such other duties related to school harassment, intimidation, or bullying as requested by the Superintendent; and
  - e. Meet at least twice a school year with the school Anti-Bullying Specialist(s) to discuss and strengthen procedures and policies to prevent, identify, and address harassment, intimidation, and bullying in the district.
2. The Principal in each school shall appoint a school Anti-Bullying Specialist. The Anti-Bullying Specialist shall be a guidance counselor, school psychologist, or other certified staff member trained to be the Anti-Bullying Specialist from among the currently employed staff in the school.

The school Anti-Bullying Specialist shall:

- a. Chair the School Safety Team as provided in N.J.S.A. 18A:37-21;

## 5512. HARASSMENT, INTIMIDATION, AND BULLYING (M)

Date Created: June, 2017

Date Edited: August, 2018

- b. Lead the investigation of incidents of harassment, intimidation, or bullying in the school; and
  - c. Act as the primary school official responsible for preventing, identifying, and addressing incidents of harassment, intimidation, or bullying in the school.
3. A School Safety Team shall be formed in each school in the district to develop, foster, and maintain a positive school climate by focusing on the on-going systemic operational procedures and educational practices in the school, and to address issues such as harassment, intimidation, or bullying that affect school climate and culture. Each School Safety Team shall meet, at a minimum, two times per school year. The School Safety Team shall consist of the Principal or the Principal's designee who, if possible, shall be a senior administrator in the school and the following appointees of the Principal: a teacher in the school; a school Anti-Bullying Specialist; a parent of a student in the school; and other members to be determined by the Principal. The school Anti-Bullying Specialist shall serve as the chair of the School Safety Team.

The School Safety Team shall:

- a. Receive records of all complaints of harassment, intimidation, or bullying of students that have been reported to the Principal;
- b. Receive copies of all reports prepared after an investigation of an incident of harassment, intimidation, or bullying;
- c. Identify and address patterns of harassment, intimidation, or bullying of students in the school;
- d. Review and strengthen school climate and the policies of the school in order to prevent and address harassment, intimidation, or bullying of students;
- e. Educate the community, including students, teachers, administrative staff, and parents, to prevent and address harassment, intimidation, or bullying of students;
- f. Participate in the training required pursuant to the provisions of N.J.S.A. 18A:37-13 et seq. and other training which the Principal or the district Anti-Bullying Coordinator may request. The School Safety Team shall be provided professional development opportunities that may address effective practices of successful school climate programs or approaches; and
- g. Execute such other duties related to harassment, intimidation, or bullying as requested by the Principal or district Anti-Bullying Coordinator.

## 5512. HARASSMENT, INTIMIDATION, AND BULLYING (M)

Date Created: June, 2017

Date Edited: August, 2018

Notwithstanding any provision of N.J.S.A. 18A:37-21 to the contrary, a parent who is a member of the School Safety Team shall not participate in the activities of the team set forth in 3. a., b., or c. above or any other activities of the team which may compromise the confidentiality of a student, consistent with, at a minimum, the requirements of the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232 and 34 CFR Part 99), N.J.A.C. 6A:32-7, Student Records and N.J.A.C. 6A:14-2.9, Student Records.

**G. Harassment, Intimidation, and Bullying Investigation**

The Board requires a thorough and complete investigation to be conducted for each report of violations and complaints which either identify harassment, intimidation, or bullying or describe behaviors that indicate harassment, intimidation, or bullying. The investigation shall be initiated by the Principal or the Principal's designee within one school day of the verbal report of the incident. The investigation shall be conducted by the school Anti-Bullying Specialist in coordination with the Principal. The Principal may appoint additional personnel who are not school Anti-Bullying Specialists to assist with the investigation.

The investigation shall be completed and the written findings submitted to the Principal as soon as possible, but not later than ten school days from the date of the written report of the incident. Should information regarding the reported incident and the investigation be received after the end of the ten-day period, the school Anti-Bullying Specialist shall amend the original report of the results of the investigation to ensure there is an accurate and current record of the facts and activities concerning the reported incident.

The Principal shall proceed in accordance with the Code of Student Conduct, as appropriate, based on the investigation findings. The Principal shall submit the report to the Superintendent within two school days of the completion of the investigation and in accordance with the Administrative Procedures Act (N.J.S.A. 52:14B-1 et seq.). As appropriate to the findings from the investigation, the Superintendent shall ensure the Code of Student Conduct has been implemented and may decide to provide intervention services, order counseling, establish training programs to reduce harassment, intimidation, or bullying and enhance school climate, impose discipline, or take or recommend other appropriate action, as necessary.

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

Parents of involved student offenders and targets/victims shall be provided with information about the investigation, in accordance with Federal and State law and regulation. The information to be provided to parents shall include the nature of the

**5512. HARASSMENT, INTIMIDATION, AND BULLYING (M)**

Date Created: June, 2017

Date Edited: August, 2018

investigation, whether the district found evidence of harassment, intimidation, or bullying, and whether consequences were imposed or services provided to address the incident of harassment, intimidation, or bullying. This information shall be provided in writing within five school days after the results of the investigation are reported to the Board of Education.

A parent may request a hearing before the Board of Education after receiving the information about the investigation. The hearing shall be held within ten school days of the request. The Board of Education shall conduct the hearing in executive session, pursuant to the Open Public Meetings Act (N.J.S.A. 10:4-1 et seq.), to protect the confidentiality of the students. At the hearing, the Board may hear testimony from and consider information provided by the school Anti-Bullying Specialist and others, as appropriate, regarding the incident, the findings from the investigation of the incident, recommendations for consequences or services, and any programs instituted to reduce such incidents, prior to rendering a determination.

At the regularly scheduled Board of Education meeting following its receipt of the Superintendent's report on the results of the investigations to the Board or following a hearing in executive session, the Board shall issue a decision, in writing, to affirm, reject, or modify the Superintendent's decision. The Board's decision may be appealed to the Commissioner of Education, in accordance with N.J.A.C. 6A:3, Controversies and Disputes, no later than ninety days after issuance of the Board of Education's decision.

A parent, student, or organization may file a complaint with the Division on Civil Rights within one hundred eighty days of the occurrence of any incident of harassment, intimidation, or bullying based on membership in a protected group as enumerated in the "Law Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.).

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

The Board shall establish a range of responses to harassment, intimidation, and bullying incidents and the Principal and the Anti-Bullying Specialist shall appropriately apply these responses once an incident of harassment, intimidation, or bullying is confirmed. The Superintendent shall respond to confirmed harassment, intimidation, and bullying, according to the parameters described in this Policy. The range of ways in which school staff will respond shall include an appropriate combination of counseling, support services, intervention services, and other programs. The Board recognizes that some acts of harassment, intimidation, or bullying may be isolated incidents requiring the school officials respond appropriately to the individual(s) committing the acts. Other acts may be so serious or parts of a larger pattern of harassment, intimidation, or bullying that they require a response either at the classroom, school building, or school district level or by law enforcement officials.

For every incident of harassment, intimidation, or bullying, the school officials must respond appropriately to the individual who committed the act. The range

**5512. HARASSMENT, INTIMIDATION, AND BULLYING (M)**

Date Created: June, 2017

Date Edited: August, 2018

of responses to confirmed harassment, intimidation, or bullying acts should include individual, classroom, school, or district responses, as appropriate to the findings from each incident. Examples of responses that apply to each of these categories are provided below:

1. Individual responses can include consistent and appropriate positive behavioral interventions (e.g., peer mentoring, short-term counseling, life skills groups) intended to remediate the problem behaviors.
2. Classroom responses can include class discussions about an incident of harassment, intimidation, or bullying, role plays (when implemented with sensitivity to a student's situation or involvement with harassment, intimidation, and bullying), research projects, observing and discussing audio-visual materials on these subjects, and skill-building lessons in courtesy, tolerance, assertiveness, and conflict management.
3. School responses can include theme days, learning station programs, "acts of kindness" programs or awards, use of student survey data to plan prevention and intervention programs and activities, social norms campaigns, posters, public service announcements, "natural helper" or peer leadership programs, "upstander" programs, parent programs, the dissemination of information to students and parents explaining acceptable uses of electronic and wireless communication devices, and harassment, intimidation, and bullying prevention curricula or campaigns.
4. District-wide responses can comprise of adoption of school-wide programs, including enhancing the school climate, involving the community in policy review and development, providing professional development coordinating with community-based organizations (e.g., mental health, health services, health facilities, law enforcement, faith-based organizations), launching harassment, intimidation, and bullying prevention campaigns.

**I. Reprisal or Retaliation Prohibited**

The Board prohibits a Board member, school employee, contracted service provider who has contact with students, school volunteer, or student from engaging in reprisal, retaliation, or false accusation against a victim, witness, or one with reliable information, or any other person who has reliable information about an act of harassment, intimidation, or bullying or who reports an act of harassment, intimidation, or bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the administrator after consideration of the nature, severity, and circumstances of the act, in accordance with case law, Federal and State statutes and regulations, and district policies and procedures. All suspected acts of reprisal or retaliation will be taken seriously and appropriate responses will be made in accordance with the totality of the circumstances.

**5512. HARASSMENT, INTIMIDATION, AND BULLYING (M)**

Date Created: June, 2017

Date Edited: August, 2018

Examples of consequences and remedial measures for students who engage in reprisal or retaliation are listed and described in the Consequences and Appropriate Remedial Actions section of this Policy.

Examples of consequences for a school employee or a contracted service provider who has contact with students who engage in reprisal or retaliation may include, but not be limited to: verbal or written reprimand, increment withholding, legal action, disciplinary action, termination, and/or bans from providing services, participating in school district-sponsored programs, or being in school buildings or on school grounds. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.

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

**J. Consequences and Appropriate Remedial Action for False Accusation**

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

1. Students - Consequences and appropriate remedial action for a student found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation may range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1 et seq., Discipline of Students and as set forth in N.J.A.C. 6A:16-7.2, Short-term Suspensions, N.J.A.C. 6A:16-7, Long-term Suspensions and N.J.A.C. 6A:16-7.5, Expulsions and those listed and described in the Consequences and Appropriate Remedial Actions section of this Policy.
2. School Employees - Consequences and appropriate remedial action for a school employee or contracted service provider who has contact with students found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation could entail discipline in accordance with district policies, procedures, and agreements which may include, but not be limited to: reprimand, suspension, increment withholding, termination, and/or bans from providing services, participating in school district-sponsored programs, or being in school buildings or on school grounds. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.
3. Visitors or Volunteers - Consequences and appropriate remedial action for a visitor or volunteer found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation could be determined by the school administrator after consideration of the nature, severity, and circumstances of the act, including law enforcement reports or other legal actions, removal of buildings or grounds privileges, or

## 5512. HARASSMENT, INTIMIDATION, AND BULLYING (M)

Date Created: June, 2017

Date Edited: August, 2018

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

**K. Harassment, Intimidation, and Bullying Policy Publication and Dissemination**

This Policy will be disseminated annually by the Superintendent to all school employees, contracted service providers who have contact with students, school volunteers, students, and parents who have children enrolled in a school in the district, along with a statement explaining the Policy applies to all acts of harassment, intimidation, or bullying, pursuant to N.J.S.A. 18A:37-14 that occur on school property, at school-sponsored functions, or on a school bus and, as appropriate, acts that occur off school grounds.

The Superintendent shall ensure that notice of this Policy appears in the student handbook and all other publications of the school district that set forth the comprehensive rules, procedures, and standards for schools within the school district.

The Superintendent shall post a link to the district's Harassment, Intimidation, and Bullying Policy that is prominently displayed on the homepage of the school district's website. The district will notify students and parents this Harassment, Intimidation, and Bullying Policy is available on the school district's website.

The Superintendent shall post the name, school phone number, school address, and school email address of the district Anti-Bullying Coordinator on the home page of the school district's website. Each Principal shall post the name, school phone number, address, and school email address of both the Anti-Bullying Specialist and the district Anti-Bullying Coordinator on the home page of each school's website.

**L. Harassment, Intimidation, and Bullying Training and Prevention Programs**

The Superintendent and Principal(s) shall provide training on the school district's Harassment, Intimidation, and Bullying Policy to current and new school employees; including administrators, instructors, student support services, administrative/office support, transportation, food service, facilities/maintenance; contracted service providers; and volunteers who have significant contact with students; and persons contracted by the district to provide services to students. The training shall include instruction on preventing bullying on the basis of the protected categories enumerated in N.J.S.A. 18A:37-14 and other distinguishing characteristics that may incite incidents of discrimination, harassment, intimidation, or bullying.

Each public school teacher and educational services professional shall be required to complete at least two hours of instruction in harassment, intimidation, and bullying prevention within each five year professional development period as part of the



**5512. HARASSMENT, INTIMIDATION, AND BULLYING (M)**

Date Created: June, 2017

Date Edited: August, 2018

professional development requirement pursuant to N.J.S.A. 18:37-22.d. The required two hours of suicide prevention instruction shall include information on the risk of suicide and incidents of harassment, intimidation, or bullying and information on reducing the risk of suicide in students who are members of communities identified as having members at high risk of suicide.

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

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

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

The school district shall annually observe a "Week of Respect" beginning with the first Monday in October. In order to recognize the importance of character education, the school district will observe the week by providing age-appropriate instruction focusing on the prevention of harassment, intimidation, and bullying as defined in N.J.S.A. 18A:37-14. Throughout the school year the district will provide ongoing age-appropriate instruction on preventing harassment, intimidation, or bullying, in accordance with the Core Curriculum Content Standards, pursuant to N.J.S.A. 18A:37-29.

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

**M. Harassment, Intimidation, and Bullying Policy Reevaluation, Reassessment and Review**

The Superintendent shall develop and implement a process for annually discussing the school district's Harassment, Intimidation, and Bullying Policy with students.

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

**5512. HARASSMENT, INTIMIDATION, AND BULLYING (M)**

Date Created: June, 2017

Date Edited: August, 2018

programs and approaches based on the findings from the evaluation, reassessment, and review.

**N. Reports to Board of Education and New Jersey Department of Education**

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

**O. School and District Grading Requirements**

Each school and each district shall receive a grade for the purpose of assessing their efforts to implement policies and programs consistent with the provisions of N.J.S.A. 18:37-13 et seq. The grade received by a school and the district shall be posted on the homepage of the school's website and the district's website in accordance with the provisions of N.J.S.A. 18A:17-46. A link to the report that was submitted by the Superintendent to the Department of Education shall also be available on the school district's website. This information shall be posted on the websites within ten days of receipt of the grade for each school and the district.

**P. Reports to Law Enforcement**

Some acts of harassment, intimidation, and bullying may be bias-related acts and potentially bias crimes and school officials must report to law enforcement officials either serious acts or those which may be part of a larger pattern in accordance with the provisions of the Memorandum of Agreement Between Education and Law Enforcement Officials.

**Q. Collective Bargaining Agreements and Individual Contracts**

Nothing in N.J.S.A. 18A:37-13.1 et seq. may be construed as affecting the provisions of any collective bargaining agreement or individual contract of employment in effect on the Anti-Bullying Bill of Rights Act's effective date (January 5, 2011). N.J.S.A. 18A:37-30.

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

**5512. HARASSMENT, INTIMIDATION, AND BULLYING (M)**

Date Created: June, 2017

Date Edited: August, 2018

**R. Students with Disabilities**

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

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

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

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

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

N.J.S.A. 18A:37-13 through 18A:37-32

N.J.A.C. 6A:16-7.1 et seq.; 6A:16-7.9 et seq.

Model Policy and Guidance for Prohibiting Harassment, Intimidation, and Bullying on School Property, at School-Sponsored Functions and on School Buses – April 2011 – New Jersey Department of Education

Memorandum – New Jersey Commissioner of Education – Guidance for Schools on Implementing the Anti-Bullying Bill of Rights Act – December 16, 2011

Adopted: 06 June 2017

Revised: 28 August 2018

**7433. HAZARDOUS SUBSTANCES**

The Board of Education will enforce the law governing hazardous substances in the school district. Employees of this district shall be informed of the hazards related to the handling of certain substances and trained to work with hazardous substances.

Hazardous substance means any substance or substance in a mixture included on the hazardous substance list developed by the New Jersey Department of Health and Senior Services. Hazardous substances shall not include:

1. Any article containing a hazardous substance if the hazardous substance is present in a solid form which does not pose any acute or chronic health hazard to any person exposed to it;
2. Any hazardous substance constituting less than one percent of a mixture unless the hazardous substance is present in an aggregate amount of five hundred pounds or more in a container in a public or private school or child care center building;
3. Any hazardous substance which is a special health hazardous substance constituting less than the threshold percentage established by the Department of Health and Senior Services pursuant to P.L.1983, c.315 (C.34:5A-1 et seq.), for that special health hazardous substance when present in a mixture;
4. Any hazardous substance present in the same form and concentration as a product packaged for distribution and use by consumers and which is not a product intended primarily for commercial use;
5. Any fuel in a motor vehicle;
6. Tobacco or tobacco products;
7. Wood or wood products;
8. Foods, drugs, or cosmetics;
9. Hazardous substances which are an integral part of a building's structure or furnishings;
10. Products which are personal property and are intended for personal use; and
11. Any substance used in the routine maintenance of a public or private school or child care center building or its grounds, any substance used in a classroom science laboratory, any substance used in a school occupational training facility, including laboratories and shops, and any substance used in the normal operation of the classrooms or

administrative offices of a public or private school or child care center, including any substance used in the heating or cooling of the school or child care center.

No person shall use or allow the use of any hazardous substance in or on any building or grounds used as a public school or child care center when children are expected to be present.

The Superintendent may delegate authority for the maintenance of hazardous substances and for the development of safety and training standards for the handling of such substances to a safety officer.

The Assistant Superintendent and/or Director of Buildings and Grounds shall conduct periodic audits of hazardous substances in use in the district, ascertain that such substances are being handled in accordance with appropriate safety requirements, and determine that the employees who are required to handle hazardous substances are properly equipped to do so.

The Assistant Superintendent and/or Director of Buildings and Grounds shall inform the Superintendent of all hazardous substances in use in the district, the purpose of each, and the precautions required for each. The Superintendent shall take such action as may be necessary and feasible to minimize the use of hazardous substances in the district.

The Superintendent shall report periodically to the Board on hazardous substances in district use and the purpose of each.

#### Soil Contamination on School Property

The Board shall ensure that notice of soil contamination on school property is provided. Notice will be provided to each parent or guardian of a student enrolled at the school, and to each staff member of the school. Notice will be provided within ten business days of the discovery of the soil contamination, when the contamination is found by the Department of Environmental Protection or a licensed site remediation professional to exceed the department's direct contact soil remediation standards for residential use.

The notice shall include:

1. A description of the soil contamination and the conditions under which a student or staff member may be exposed to the contamination;
2. A description and timetable of the steps that have been taken and will be taken to ensure that there is no contact by any student or staff member with the contamination;
3. A description and timetable of the steps that have been taken and will be taken to remediate the soil contamination.

The notice may be provided by:

1. Written notice sent home with the student and provided to the staff member;
2. Telephone call;
3. Direct contact;
4. Electronic mail.

The district shall also post a copy of the notice in a conspicuous location near the site of the contamination to notify any other users of the school grounds of the existence of the contamination.

#### Implementation

Rules and procedures implementing this policy shall be reviewed and adopted by the Board as required by law and shall be disseminated to staff and students annually, and whenever any changes are made.

N.J.S.A. 34:5A-1 et seq.; 34:5A-10.1 et seq.  
N.J.A.C. 6A:16-1.4; 6A:19-10.5  
N.J.A.C. 8:59-1 et seq.

Adopted: 06 June 2017

**4351. HEALTHY WORKPLACE ENVIRONMENT (SUPPORT STAFF)**

The Board of Education recognizes a healthy workplace environment enables school support staff members to fully contribute their expertise and skills to their school district responsibilities. A healthy workplace environment can improve productivity, reduce absenteeism, and reduce staff turnover while having a positive impact on the school district's programs provided to students in the school district.

A significant characteristic of a healthy workplace environment is that employees interact with each other with dignity and respect regardless of an employee's work assignment or position in the school district. Repeated malicious conduct of an employee or group of employees directed toward another employee or group of employees in the workplace that a reasonable person would find hostile or offensive is unacceptable and is not conducive to establishing or maintaining a healthy workplace environment. This unacceptable conduct may include, but is not limited to, repeated infliction of verbal abuse such as the use of derogatory remarks; insults; verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating; or the gratuitous sabotage or undermining of a person's work performance. A single act of such conduct shall not constitute the unacceptable conduct prohibited by this policy unless it is especially severe and egregious.

Unacceptable conduct, for the purposes of this policy, is not conduct toward an employee of a protected class or because of the employee's protected activity. These employees and activities are afforded the legal protections under various Federal and State anti-discrimination laws. In addition, unacceptable conduct for the purposes of this policy shall not be confused with conduct of management employees exercising management rights including, but not limited to, assigning tasks, reprimanding, assigning discipline, or directing.

Employees who believe the conduct prohibited by this policy has been directed toward them or to another employee of the school district shall submit a written report to the Superintendent of Schools. The written report shall provide specific details supporting the claim including, but not limited to, the specific conduct; the names of witnesses (if any) who may have observed such conduct; dates or times when such conduct occurred; and any other information the person(s) making the report believes will be informative and helpful to an investigation of the allegations. Upon receipt of a report, the Superintendent or designee will conduct an investigation and upon completion of the investigation will inform the person(s) who made the report such an investigation was completed. The amount of investigation information shared with the person(s) making the report will be at the discretion of the Superintendent or designee and may vary depending on whether the conduct reported was directed to the person(s) making the report, confidential personnel matters, and/or other issues as determined by the Superintendent or designee.

If the investigation determines conduct prohibited by this policy has taken place, the Superintendent or designee will meet with the offender(s) and the victim(s) to review the

investigation results and to implement remedial measures to ensure such conduct does not continue or reoccur. Appropriate disciplinary action may be taken depending on the severity of conduct.

There shall be no reprisals or retaliation against any person(s) who reports conduct prohibited by this policy.

Adopted: 06 June 2017



**3351. HEALTHY WORKPLACE ENVIRONMENT (TEACHING STAFF)**

The Board of Education recognizes a healthy workplace environment enables school district administrative and teaching staff members to fully contribute their expertise and skills to their school district responsibilities. A healthy workplace environment can improve productivity, reduce absenteeism, and reduce staff turnover while having a positive impact on the school district's programs provided to students in the school district.

A significant characteristic of a healthy workplace environment is that employees interact with each other with dignity and respect regardless of an employee's work assignment or position in the school district. Repeated malicious conduct of an employee or group of employees directed toward another employee or group of employees in the workplace that a reasonable person would find hostile or offensive is unacceptable and is not conducive to establishing or maintaining a healthy workplace environment. This unacceptable conduct may include, but is not limited to, repeated infliction of verbal abuse such as the use of derogatory remarks; insults; verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating; or the gratuitous sabotage or undermining of a person's work performance. A single act of such conduct shall not constitute the unacceptable conduct prohibited by this policy unless it is especially severe and egregious.

Unacceptable conduct, for the purposes of this policy, is not conduct toward an employee of a protected class or because of the employee's protected activity. These employees and activities are afforded the legal protections under various Federal and State anti-discrimination laws. In addition, unacceptable conduct for the purposes of this policy shall not be confused with conduct of management employees exercising management rights including, but not limited to, assigning tasks, reprimanding, assigning discipline, or directing.

Employees who believe the conduct prohibited by this policy has been directed toward them or to another employee of the school district shall submit a written report to the Superintendent of Schools. The written report shall provide specific details supporting the claim including, but not limited to, the specific conduct; the names of witnesses (if any) who may have observed such conduct; dates or times when such conduct occurred; and any other information the person(s) making the report believes will be informative and helpful to an investigation of the allegations. Upon receipt of a report, the Superintendent or designee will conduct an investigation and upon completion of the investigation will inform the person(s) who made the report such an investigation was completed. The amount of investigation information shared with the person(s) making the report will be at the discretion of the Superintendent or designee and may vary depending on whether the conduct reported was directed to the person(s) making the report, confidential personnel matters, and/or other issues as determined by the Superintendent or designee.

If the investigation determines conduct prohibited by this policy has taken place, the Superintendent or designee will meet with the offender(s) and the victim(s) to review the

investigation results and to implement remedial measures to ensure such conduct does not continue or reoccur. Appropriate disciplinary action may be taken depending on the severity of conduct.

There shall be no reprisals or retaliation against any person(s) who reports conduct prohibited by this policy.

Adopted: 06 June 2017

**3280. LIABILITY FOR STUDENT WELFARE (TEACHING STAFF)**

Teaching staff members are responsible for supervision of students and must discharge that responsibility with the highest levels of care and prudent conduct. All teaching staff members of this district shall be governed by the following rules in order to protect the well-being of students and to avoid any assignment of liability to this Board of Education or to a staff member personally in the event a student is injured.

The Superintendent shall prepare such regulations as may be required to enforce the following rules:

1. Each teaching staff member must maintain a standard of care for supervision, control, and protection of students commensurate with the member's assigned duties and responsibilities;
2. A teaching staff member should not voluntarily assume responsibility for duties he/she cannot reasonably perform. Such assumed responsibilities carry the same potential for liability as do assigned responsibilities;
3. A teaching staff member must provide proper instruction in safety wherever course guides so provide;
4. A teaching staff member must report immediately to the Building Principal any accident or safety hazard the member detects;
5. A teaching staff member must not send students on personal errands;
6. A teaching staff member must never transport students in a personal vehicle without the approval of the Building Principal;
7. A teaching staff member must not require a student to perform tasks that may be detrimental to the health or well-being of the student or other students;
8. A teaching staff member will refrain from the use of personal furnishings and equipment in the classroom without the express permission of the Principal;
9. A teaching staff member must immediately report any instance of substance abuse, violence, vandalism, accidents, or suspected child abuse in accordance with Policy Nos. 8442, 8461, and 8462.

N.J.S.A. 9:6-8.8 et seq.

N.J.S.A. 18A:25-2

N.J.S.A. 59:1-1 et seq.

Adopted: 06 June 2017

**R3280. LIABILITY FOR STUDENT WELFARE (TEACHING STAFF)**

- A. A teaching staff member must maintain a standard of care for supervision, control, and protection of students commensurate with the member's assigned duties and responsibilities.
1. A class or activity must never be left unattended while students are in the room, except that a teacher may stand immediately outside the door of the room as students are entering.
  2. A class or activity must never be left with an unqualified person in charge of students.
  3. Younger students should be accompanied to assigned places of instruction and monitored until supervision is assumed by another qualified, responsible person.
  4. Students shall not be allowed to inflict bodily harm on one another. Teaching staff members are responsible for preventing and stopping student fights and assaults, whatever the cause or intent; if necessary, responsible assistance must be quickly summoned. Teaching staff members may restrain a student only with the reasonable amount of force necessary to:
    - a. Quell a disturbance,
    - b. Obtain possession of weapons or dangerous objects,
    - c. Offer self-defense, or
    - d. Protect persons or property.
- B. 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.
- C. A teaching staff member must provide proper instruction in safety wherever course guides so provide.
- D. A teaching staff member must report immediately to the Building Principal any accident or safety hazard the member detects.
- E. A teaching staff member must not send students on personal errands.
- F. A teaching staff member must never transport students in a personal vehicle without the approval of the Building Principal. Any transportation of students by private vehicle is subject to Policy No. 8660.

- G. A teaching staff member must not require a student to perform tasks that may be detrimental to the student's health or well-being.
1. Students may be permitted to use only items of equipment that have been provided by the Board.
  2. Equipment shall not be used for purposes other than the instructional purposes for which the equipment was provided; equipment may never be operated in a hazardous manner.
  3. Power tools and other inherently hazardous equipment may be used only by students to whom the tools or equipment have been assigned for instructional purposes and who have received instruction for their safe use.
  4. Students will be permitted to work in a shop, kitchen, or laboratory only during the period scheduled for instruction and only in accordance with safety rules.
  5. Classroom materials and equipment should be organized so as to minimize the danger of injury to students.
  6. Teachers must exercise good judgment when assigning tasks to students to prevent bodily harm and damage to property.
  7. Safety equipment provided for use in potentially hazardous situations must be properly and promptly utilized when necessary.
- H. A teaching staff member must render prompt reports when so required by law and Board policy.
1. Instances of substance abuse will be reported in accordance with Policy No. 5530.
  2. Instances of violence and/or vandalism will be reported in accordance with Policy No. 8461.
  3. Accidents will be reported in accordance with Board Policy No. 8442.
  4. Instances of suspected child abuse will be reported in accordance with Policy Nos. 8461 and 8462.
  5. Missing children will be reported in accordance with Policy No. 8464.

**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 and School Business Administrator/Board Secretary are 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.A.C. 6A:23A-5.7

Adopted: 06 June 2017

**4160. PHYSICAL EXAMINATION (M) (SUPPORT STAFF)**

The Board of Education requires each candidate for employment who receives a conditional offer of employment to undergo a physical examination(s) to determine whether the candidate is able to perform with reasonable accommodation job-related functions pursuant to P.L. 101-336, Americans with Disabilities Act of 1990 (ADA).

If upon completing an examination(s) it is determined a candidate for employment who received a conditional offer of employment is unable to perform with reasonable accommodation job-related functions pursuant to the provisions of the ADA, the conditional offer of employment will be rescinded either by the Superintendent of Schools, if the Board has not yet approved the appointment, or by the Board, if the Board had approved the appointment at a Board meeting.

The physical examination shall include, but is not limited to, a health history to include past serious illnesses and injuries; current health problems; allergies; and a record of immunizations. The physical examination shall also include a health screening to include, but not limited to: height and weight; blood pressure; pulse and respiratory rate; vision screening; and hearing screening.

Pursuant to N.J.S.A. 18A:16-3, the Board shall bear the cost of physical examinations required by this Policy performed by a physician or institution designated by the Board. However, the candidate shall bear the cost if the examination is performed by a physician or institution designated by the candidate with approval of the Board. In the event the Board approves the physician or institution designated by the candidate to complete an examination required by this Policy, the candidate will be provided with the detailed requirements of the examination.

School employee physicals, examinations, and/or annual medical updates do not require screening or disclosure of HIV status.

A Mantoux tuberculosis test shall be given to all student teachers, school bus drivers on contract with the district, and contractors or volunteers who have contact with students.

All staff members' medical and health records, including computerized records, will be secured, stored, and maintained separately from other personnel files. The information contained in medical records will be kept confidential. Only the staff member, the Superintendent, and the school medical inspector shall have access to medical information regarding an individual employee. Health records may be shared only with authorized individuals in accordance with N.J.S.A. 18A:16-5. The staff member may provide health-status information, including medications that may be of value to medical personnel in the event of an emergency requiring treatment. In such instances, the staff member may also choose to share with the staff member's Building Principal and, if desired, with the certified school nurse, information regarding current health status to assure ready access in a medical emergency.



Support Staff Members

4160. PHYSICAL EXAMINATION (M)

Date Created: June, 2017

Date Edited: June, 2017

Additional individual psychiatric or physical examinations of any staff member may be required by the Board whenever, in the judgment of the Board, a staff member shows evidence of deviation from normal physical or mental health. Any additional individual examinations will be pursuant to the requirements of N.J.A.C. 6A:32-6.3. Additional examinations and/or certifications may be required to verify fitness in accordance with Policy 4161 or disability in accordance with Policies 4425 and 4435.

42 U.S.C.A. 12101

N.J.S.A. 18A:16-2

N.J.A.C. 6A:32-6.1; 6A:32-6.2; 6A:32-6.3

Adopted: 06 June 2017

**R4160. PHYSICAL EXAMINATION (M) (SUPPORT STAFF)****A. Definitions**

1. “Employee” or “staff member” means the holder of any full-time or part-time position of employment.
2. “Health history” means the record of a person’s past health events obtained in writing, completed by the individual or their physician.
3. “Health screening” means the use of one or more diagnostic tools to test a person for the presence or precursors of a particular disease.
4. “Physical examination” means the assessment of an individual’s health by a professional licensed to practice medicine or osteopathy, or by an advanced practice nurse or physician assistant.
5. “Physician assistant” means a health care professional licensed to practice medicine with physician supervision.

**B. Physical Examinations – Candidates for Employment Who Have Received a Conditional Offer of Employment**

1. Candidates for employment who have received a conditional offer of employment shall be required to undergo a physical examination. The physical examination shall include, but is not limited to, a health history and health screenings to determine whether the candidate is able to perform with reasonable accommodation job-related functions pursuant to P.L. 101-336, Americans with Disabilities Act of 1990 (ADA). The candidate for employment will be provided the Board’s requirements for the physical examination.
  - a. A health history shall include, but is not limited to, the candidate’s:
    - (1) Past serious illnesses and injuries;
    - (2) Current health problems;
    - (3) Allergies; and
    - (4) A record of immunizations.

b. A health screening shall include, but is not limited to:

- (1) Height;
- (2) Weight;
- (3) Pulse and respiratory rate;
- (4) Hearing screening;
- (5) Blood pressure;
- (6) Vision screening.

C. Medical Requirements Upon Employment

1. A Mantoux tuberculosis test shall be given upon employment of all newly hired staff members (full-time and part-time), and to all student teachers, school bus drivers on contract with the district, and to contractors or volunteers who have contact with students. Tuberculosis testing is not required for volunteers working with students less than twenty hours per month.

a. Tuberculosis testing is not required:

- (1) For new staff members, student teachers, and contractors of the school district with a documented negative tuberculosis test result in the last six months or a documented positive tuberculosis test, regardless of when this test was done; or
- (2) For a school district staff member transferring between school districts or from a non-public school within New Jersey with a documented tuberculosis test result upon his/her initial employment by a New Jersey school.

b. Staff members, student teachers, contractors or volunteers who have contact with students and claim a religious exemption cannot be compelled to submit to tuberculosis testing. In these instances, a symptom assessment must be done (TB-8 Form). If TB-like symptoms are reported, a physician must document that the staff member, student teacher, contractor, or volunteer does not have an active disease.

- (1) The school district shall determine the criteria essential to document a valid religious exemption.

c. Procedures for the administration of the Mantoux tuberculosis test, interpretation of reactions, follow-up procedures, and reporting shall be conducted in accordance with the guidelines and requirements of the New Jersey Department of Health.

2. An individual support staff member may provide health-status information, including medications, that may be of value to medical personnel in the event of an emergency requiring treatment. In such instances, the support staff member may also choose to share with the Principal and, if desired, with the certified school nurse, information regarding current health status to assure ready access in a medical emergency.

D. Health Records

1. All health records of candidates for employment who have received a conditional offer of employment and of current employees, including computerized records, shall be secured, stored, and maintained separately from other personnel files.

2. Health records may be shared only with authorized individuals in accordance with N.J.S.A. 18A:16-5.

E. Employees' Physical Examination and Medical Updates

1. School employee physicals, examinations, and/or annual medical updates shall not require disclosure of HIV status.

F. Review of Examinations and Assessments

1. The results of the physical examination of a candidate for employment who has received a conditional offer of employment will be reviewed by the school physician, who, in consultation with the Superintendent, will determine the candidate's physical and mental fitness to function with reasonable accommodation in the position for which he/she has made application. That determination will be made a part of the candidate's application.

G. Rescinding a Conditional Offer of Employment – Notice to Candidates for Employment Who Receive a Conditional Offer of Employment

1. All candidates for employment who receive a conditional offer of employment shall be informed by the district that:

a. An offer of employment by the Superintendent of Schools or designee is conditional upon completion of the Board's required physical examinations and assessments;

Support Staff Members

4160. PHYSICAL EXAMINATION (M)

Date Created: June, 2017

Date Edited: June, 2017

- b. The required examinations and assessments will be used to determine the candidate's ability to perform with reasonable accommodations job-related functions pursuant to ADA; and
  
- c. If it is determined upon completing the examination(s) or assessment(s) the candidate is unable to perform with reasonable accommodations job-related functions pursuant to the provisions of the ADA, the conditional offer of employment will be rescinded either by the Superintendent if the Board has not yet approved the appointment or by the Board, if the Board had approved the appointment at a Board meeting.

Adopted: 06 June 2017

**3160. PHYSICAL EXAMINATION (M) (TEACHING STAFF)**

The Board of Education requires each candidate for employment who receives a conditional offer of employment to undergo a physical examination(s) to determine whether the candidate is able to perform with reasonable accommodation job-related functions pursuant to P.L. 101-336, Americans with Disabilities Act of 1990 (ADA).

If upon completing an examination(s) it is determined a candidate for employment who received a conditional offer of employment is unable to perform with reasonable accommodation job-related functions pursuant to the provisions of the ADA, the conditional offer of employment will be rescinded either by the Superintendent of Schools, if the Board has not yet approved the appointment, or by the Board, if the Board had approved the appointment at a Board meeting.

The physical examination shall include, but is not limited to, a health history to include past serious illnesses and injuries; current health problems; allergies; and a record of immunizations. The physical examination shall also include a health screening to include, but not limited to: height and weight; blood pressure; pulse and respiratory rate; vision screening; and hearing screening.

Pursuant to N.J.S.A. 18A:16-3, the Board shall bear the cost of physical examinations required by this Policy performed by a physician or institution designated by the Board. However, the candidate shall bear the cost if the examination is performed by a physician or institution designated by the candidate with approval of the Board. In the event the Board approves the physician or institution designated by the candidate to complete an examination required by this Policy, the candidate will be provided with the detailed requirements of the examination.

School employee physicals, examinations, and/or annual medical updates do not require screening or disclosure of HIV status.

A Mantoux tuberculosis test shall be given to all student teachers, school bus drivers on contract with the district, and contractors or volunteers who have contact with students.

All staff members' medical and health records, including computerized records, will be secured, stored, and maintained separately from other personnel files. The information contained in medical records will be kept confidential. Only the staff member, the Superintendent, and the school medical inspector shall have access to medical information regarding an individual employee. Health records may be shared only with authorized individuals in accordance with N.J.S.A. 18A:16-5. The staff member may provide health-status information, including medications that may be of value to medical personnel in the event of an emergency requiring treatment. In such instances, the staff member may also choose to share with the staff member's Building Principal and, if desired, with the certified school nurse, information regarding current health status to assure ready access in a medical emergency.

Teaching Staff Members

3160. PHYSICAL EXAMINATION (M)

Date Created: June, 2017

Date Edited: June, 2017

Additional individual psychiatric or physical examinations of any staff member may be required by the Board whenever, in the judgment of the Board, a staff member shows evidence of deviation from normal physical or mental health. Any additional individual examinations will be pursuant to the requirements of N.J.A.C. 6A:32-6.3. Additional examinations and/or certifications may be required to verify fitness in accordance with Policy 3161 or disability in accordance with Policies 3425 and 3435.

42 U.S.C.A. 12101

N.J.S.A. 18A:16-2

N.J.A.C. 6A:32-6.1; 6A:32-6.2; 6A:32-6.3

Adopted: 06 June 2017

**R3160. PHYSICAL EXAMINATION (M) (TEACHING STAFF)****A. Definitions**

1. “Employee” or “staff member” means the holder of any full-time or part-time position of employment.
2. “Health history” means the record of a person’s past health events obtained in writing, completed by the individual or their physician.
3. “Health screening” means the use of one or more diagnostic tools to test a person for the presence or precursors of a particular disease.
4. “Physical examination” means the assessment of an individual’s health by a professional licensed to practice medicine or osteopathy, or by an advanced practice nurse or physician assistant.
5. “Physician assistant” means a health care professional licensed to practice medicine with physician supervision.

**B. Physical Examinations – Candidates for Employment Who Have Received a Conditional Offer of Employment**

1. Candidates for employment who have received a conditional offer of employment shall be required to undergo a physical examination. The physical examination shall include, but is not limited to, a health history and health screenings to determine whether the candidate is able to perform with reasonable accommodation job-related functions pursuant to P.L. 101-336, Americans with Disabilities Act of 1990 (ADA). The candidate for employment will be provided the Board’s requirements for the physical examination.
  - a. A health history shall include, but is not limited to, the candidate’s:
    - (1) Past serious illnesses and injuries;
    - (2) Current health problems;
    - (3) Allergies; and
    - (4) A record of immunizations.
  - b. A health screening shall include, but is not limited to:
    - (1) Height;



- (2) Weight;
- (3) Pulse and respiratory rate;
- (4) Hearing screening;
- (5) Blood pressure;
- (6) Vision screening.

C. Medical Requirements Upon Employment

1. A Mantoux tuberculosis test shall be given upon employment of all newly hired staff members (full-time and part-time), and to all student teachers, school bus drivers on contract with the district, and to contractors or volunteers who have contact with students. Tuberculosis testing is not required for volunteers working with students less than twenty hours per month.
  - a. Tuberculosis testing is not required:
    - (1) For new staff members, student teachers, and contractors of the school district with a documented negative tuberculosis test result in the last six months or a documented positive tuberculosis test, regardless of when this test was done; or
    - (2) For a school district staff member transferring between school districts or from a non-public school within New Jersey with a documented tuberculosis test result upon his/her initial employment by a New Jersey school.
  - b. Staff members, student teachers, contractors or volunteers who have contact with students and claim a religious exemption cannot be compelled to submit to tuberculosis testing. In these instances, a symptom assessment must be done (TB-8 Form). If TB-like symptoms are reported, a physician must document that the staff member, student teacher, contractor, or volunteer does not have an active disease.
    - (1) The school district shall determine the criteria essential to document a valid religious exemption.
  - c. Procedures for the administration of the Mantoux tuberculosis test, interpretation of reactions, follow-up procedures, and reporting shall be conducted in

accordance with the guidelines and requirements of the New Jersey Department of Health.

2. An individual teaching staff member may provide health-status information, including medications, that may be of value to medical personnel in the event of an emergency requiring treatment. In such instances, the teaching staff member may also choose to share with the Principal and, if desired, with the certified school nurse, information regarding current health status to assure ready access in a medical emergency.

D. Health Records

1. All health records of candidates for employment who have received a conditional offer of employment and of current employees, including computerized records, shall be secured, stored, and maintained separately from other personnel files.
2. Health records may be shared only with authorized individuals in accordance with N.J.S.A. 18A:16-5.

E. Employees' Physical Examination and Medical Updates

1. School employee physicals, examinations, and/or annual medical updates shall not require disclosure of HIV status.

F. Review of Examinations and Assessments

1. The results of the physical examination of a candidate for employment who has received a conditional offer of employment will be reviewed by the school physician, who, in consultation with the Superintendent, will determine the candidate's physical and mental fitness to function with reasonable accommodation in the position for which he/she has made application. That determination will be made a part of the candidate's application.

G. Rescinding a Conditional Offer of Employment – Notice to Candidates for Employment Who Receive a Conditional Offer of Employment

1. All candidates for employment who receive a conditional offer of employment shall be informed by the district that:
  - a. An offer of employment by the Superintendent of Schools or designee is conditional upon completion of the Board's required physical examinations and assessments;
  - b. The required examinations and assessments will be used to determine the candidate's ability to perform with reasonable accommodations job-related functions pursuant to ADA; and

Teaching Staff Members

3160. PHYSICAL EXAMINATION (M)

Date Created: June, 2017

Date Edited: June, 2017

- c. If it is determined upon completing the examination(s) or assessment(s) the candidate is unable to perform with reasonable accommodations job-related functions pursuant to the provisions of the ADA, the conditional offer of employment will be rescinded either by the Superintendent if the Board has not yet approved the appointment or by the Board, if the Board had approved the appointment at a Board meeting.

Adopted: 06 June 2017

Teaching Staff Members

3233. POLITICAL ACTIVITIES

Date Created: June, 2017

Date Edited: June, 2017

**3233. POLITICAL ACTIVITIES (TEACHING STAFF)**

The Board of Education recognizes and encourages the right of all citizens, including teaching staff members, to engage in political activity. The Board prohibits the use of school premises and school time, however, for partisan political purposes.

The Board establishes the following guidelines to govern teaching staff members in their political activities:

1. A teaching staff member shall not engage in political activity on school premises unless permitted in accordance with Board Policy No. 7510 - Use of School Facilities and/or applicable Federal and State laws;
2. A teaching staff member shall not post political circulars or petitions on school premises nor distribute such circulars or petitions to students nor solicit campaign funds or campaign workers on school premises;
3. A teaching staff member shall not display any material that would tend to promote any candidate for office on an election day in a school facility that is used as a polling place;
4. A teaching staff member shall not engage in any activity in the presence of students while on school property, which activity is intended and/or designed to promote, further or assert a position(s) on labor relations issues.

A certificated staff member employed by this district who is a member of the Senate or General Assembly of the State of New Jersey shall be entitled to time off from school district duties, without loss of pay, during the periods of his/her attendance at regular or special sessions of the legislature and hearings or meetings of any legislative committee or commission.

A certificated staff member employed by this district who is a member of the Board of Chosen Freeholders of any county of New Jersey shall be entitled to time off from his/her duties, without pay, during the periods of his/her attendance at regular or special meetings of the Board and of any committee thereof and at such other times as he/she shall be engaged in performing the necessary functions and duties of his/her office as a member of the Board.

No other teaching staff member who holds elective or appointive office is so entitled to time off, except as such time off may be provided for by Board policy or negotiated agreement.

The provisions of this policy do not apply to the discussion and study of politics and political issues appropriate to the curriculum, the conduct of student elections, or the conduct of employee representative elections.

Nothing in this Policy shall be interpreted to impose a burden on the constitutionally protected speech or conduct of a staff member or student.

N.J.S.A. 11:17-2

N.J.S.A. 18A:6-8.1; 18A:6-8.2; 18A:6-8.4; 18A:42-4

N.J.S.A. 19:34-42

Green Township v. Rowe, Superior Court of New Jersey - Appellate Division A-2528-98T5

Adopted: 06 June 2017

**R3233. POLITICAL ACTIVITIES (TEACHING STAFF)****A. Prohibited Activities**

The following political activities are prohibited on school district premises:

1. Posting of political circulars or petitions on bulletin boards that are not sponsored by the school and included as part of the school curriculum and/or program;
2. The distribution to employees, whether by placing in their school mailboxes or otherwise, of political circulars or petitions, except as delivered by the U.S. Postal Service;
3. Collection of and solicitation for campaign funds;
4. Solicitation for campaign workers;
5. Use of students for writing or addressing political materials or the distribution of such materials to or by students;
6. Display of any materials that promote the candidacy of any candidate for office by a person working on an election day in a district facility used as a polling place; and
7. Any activity in the presence of students while on school property, which activity is intended and/or designed to promote, further or assert a position(s) on labor relations issues.

**B. Permitted Activities**

The following political activities are permitted on school premises.

1. Conduct of student and employee elections and any campaigning connected with those elections.
2. Classroom discussion and study of politics and political issues, when such discussion and study are appropriate to studies such as history, current events, or political science.
3. Distribution of political materials when approved by the Superintendent and when relevant to the class, curriculum, and maturity of the students. Any such material shall be presented by the teacher without bias or discrimination.

- C. Nothing in this Regulation shall be interpreted to impose a burden on the constitutionally protected speech or conduct of a staff member or student.

3240. PROFESSIONAL DEVELOPMENT FOR TEACHERS AND SCHOOL LEADERS (M)

Teaching Staff Members

Date Created: June, 2017

Date Edited: June, 2017

**3240. PROFESSIONAL DEVELOPMENT FOR TEACHERS AND SCHOOL LEADERS**

The Board of Education encourages all teaching staff members to pursue a program of continuing professional development by course work or matriculation in institutions of higher learning, participation in workshops and conferences, membership in professional organizations, and/or independent scholarship.

Teaching staff members may be permitted to: visit other schools and classrooms; attend local, regional, or national conferences; participate in committees, workshops, and panels, both within and outside the district. Requests for participation in such professional development activities must be submitted in writing to the Superintendent or designee for approval. In addition, the Board of Education must approve all travel expenditures in accordance with N.J.S.A. 18A:11-12 and the State of New Jersey Department of the Treasury, Office of Management and Budget Circulars 08-19-OMB and 06-14-OMB (OMB Circulars) and any superseding circulars and any additional requirements set forth in N.J.A.C. 6A:23A-7 et seq.

A teaching staff member who has been granted time off and/or approved to be reimbursed for a professional development activity shall submit to the Superintendent or designee, with a copy to the School Business Administrator/Board Secretary, within ten working days, a brief written report that includes the primary purpose of the travel, the key issues addressed at the event, and their relevance to improving instruction or the operations of the school district.

All active teachers, defined as staff whose positions require possession of the instructional or educational services certificates in accordance with N.J.A.C. 6A:9B-8 through 11 and 13 and all active school leaders serving on a permanent or interim basis whose positions require possession of the Chief School Administrator, Principal, or Supervisor endorsement in accordance with N.J.A.C. 6A:9B-12 shall comply with the professional development requirements as outlined in N.J.A.C. 6A:9C-4.1 et seq.

To meet the professional development requirement, each teacher shall be guided by an individual Professional Development Plan (PDP), which shall include at least twenty hours per year of qualifying activities as outlined in N.J.A.C. 6A:9C-4.4. The PDP shall be developed by each teacher's supervisor in consultation with the teacher and shall align with the Professional Standards for Teachers in N.J.A.C. 6A:9-3.3 and the Standards for Professional Learning in N.J.A.C. 6A:9C-3.3. The PDP shall be updated annually in accordance with N.J.A.C. 9C-4.4(c) and modified during the year as outlined in N.J.A.C. 9C-4.4(d).

District-level and school-level professional development planning and implementation shall be in accordance with the requirements of N.J.A.C. 6A:9C-4.2.

**3240. PROFESSIONAL DEVELOPMENT FOR TEACHERS AND SCHOOL LEADERS (M)**

Date Created: June, 2017

Date Edited: June, 2017

Implementation of the professional development requirement for school leaders shall be in accordance with N.J.A.C. 6A:9C-4.3.

The Board of Education shall comply with the monitoring and assistance requirements as outlined in N.J.A.C. 6A:9C-4.4.

The Board shall monitor and enforce the professional development requirements for teachers and school leaders set forth in N.J.A.C. 6A:9C-4.1 et seq. and shall actively assist and support the provision of opportunities and resources, and the efforts by teachers and school leaders to meet the professional development requirements.

N.J.S.A. 18A:31-2; 18A:6-111

N.J.A.C. 6A:9-3.3; 6A:13-2.1; 6A:9B-8 through 13; 6A:9C-3.3;  
6A:9C-4.1 et seq.

Adopted: 06 June 2017

**R3240. PROFESSIONAL DEVELOPMENT FOR TEACHERS AND SCHOOL LEADERS**

- A. Definitions (N.J.A.C. 6A:9C-2.1)
1. The definitions set forth in N.J.A.C. 6A:9-2.1 shall apply to the words and terms used in N.J.A.C. 6A:9C-3 et seq. and 6A:9C-4 et seq. and Policy and Regulation 3240.
- B. Components of Professional Development – (N.J.A.C. 6A:9C-3.2)
1. Professional development shall align with the Professional Standards for Teachers and the Professional Standards for School Leaders in N.J.A.C. 6A:9-3, the standards for professional learning in N.J.A.C. 6A:9C-3.3, student learning and educator development needs, and school, school district, and/or State improvement goals.
  2. Professional development shall encompass a broad range of professional learning that contributes to improved practice, including, but not limited to, participation in the work of established collaborative teams of teachers, school leaders, and other administrative, instructional, and educational services staff members who commit to working together to accomplish common goals and who are engaged in a continuous cycle of professional improvement focused on:
    - a. Evaluating student learning needs through ongoing reviews of data on student performance; and
    - b. Defining a clear set of educator learning goals based on the rigorous analysis of data on student performance.
  3. Professional learning shall incorporate coherent, sustained, and evidenced-based strategies that improve educator effectiveness and student achievement, such as job-embedded coaching or other forms of assistance to support educators' transfer of new knowledge and skills to their work.
  4. Professional learning may be supported by external expert assistance or additional activities that:
    - a. Address defined student and educator learning goals;
    - b. Advance primarily ongoing school-based professional learning; and
    - c. Include, but are not limited to, courses, workshops, institutes, networks, and conferences provided by for-profit and nonprofit entities outside the school such as universities, educational service agencies, technical assistance providers,



networks of content specialists, and other education organizations and associations.

C. Standards for Professional Learning (N.J.A.C. 6A:9C-3.3)

1. Professional learning that increases educator effectiveness and improves results for all students shall be guided by the following standards:
  - a. Learning communities: Occurs within learning communities committed to continuous improvement, collective responsibility, and goal alignment;
  - b. Leadership: Requires skillful leaders who develop capacity, advocate, and create support systems for professional learning;
  - c. Resources: Requires prioritizing, monitoring, and coordinating resources for educator learning;
  - d. Data: Uses a variety of sources and types of student, educator, and system data to plan, assess, and evaluate professional learning;
  - e. Learning designs: Integrates theories, research, and models of human learning to achieve its intended outcomes;
  - f. Implementation: Applies research on change and sustains support for implementation of professional learning for long-term change; and
  - g. Outcomes: Aligns its outcomes with educator performance and student curriculum standards.

D. Requirements for and Implementation of Teachers' Individual Professional Development Plans (N.J.A.C. 6A:9C-4.4)

1. Each teacher shall be guided by an individualized Professional Development Plan (PDP), pursuant to N.J.S.A. 18A:6-128.a, which shall include at least twenty hours per year of qualifying experiences. The twenty-hour annual requirement shall be based on the length of full-time employment and reduced by a pro rata share reflecting part-time employment, or an absence, including the use of family or medical leave.
2. The content of each individual PDP shall be developed by each teacher's supervisor in consultation with the teacher and shall align with the Professional Standards for Teachers in N.J.A.C. 6A:9-3 and the Standards for Professional Learning in N.J.A.C. 6A:9C-3.3.
3. Each teacher's individual PDP shall be updated annually no later than October 31, except:

- a. If the teacher is hired after October 1, the PDP shall be developed within twenty-five working days of his or her hire.
4. The individual PDP shall be modified during the year, as necessary, and shall specify at least:
    - a. One area for development of professional practice derived from the results of observations and evidence accumulated through the teacher's annual performance evaluation; and
    - b. One area for development of professional practice derived from individual, collaborative team, school, or school district improvement goals.
  5. Progress on the individual PDP shall be discussed at the annual summary conference, pursuant to N.J.A.C. 6A:10-2.4, but may occur more frequently throughout the year.
  6. Evidence of progress toward meeting the requirements of the teacher's individual PDP may be provided by the teacher and/or his or her designated supervisor, and shall be reviewed as part of each annual summary conference.
  7. A teacher's individual PDP goals may necessitate more than the recommended minimum requirements outlined in N.J.A.C. 6A:9C-4.
  8. Additional hours of qualifying experiences may be required for teachers in low-performing schools, as determined by the Commissioner of Education.
  9. The teacher's designated supervisor shall:
    - a. Use the teacher performance evaluation process and the professional development planning process to monitor each teacher's progress in meeting the professional development requirements and shall take appropriate steps to assure such progress. If a teacher's progress is found to be inadequate, the teacher's designated supervisor shall take appropriate remedial action by applying sound and accepted principles of progressive supervision and other appropriate means; and
    - b. Maintain accurate records of each teacher's progress in meeting the individual professional development requirements, pursuant to N.J.A.C. 6A:9C-4.3 and N.J.A.C. 6A:9C-4.4. Such records shall include a copy of each teacher's current PDP and timeline, as well as any documentation and evidence showing the teacher's progress toward meeting the plan's requirements.

10. If a teacher leaves the employ of one New Jersey school district and is hired by another, the previous employing school district shall share with the new employing school district the teacher's individual PDP and all supporting documentation. If the current individual PDP is found to be unsuitable to the teacher's new assignment, the new employing school district shall ensure a revised individual PDP and timeline is created in accordance with N.J.A.C. 6A:9C-4.4.

E. School-Level Plans for Professional Development Implementation (N.J.A.C. 6A:9C-4.2)

1. The Principal shall oversee the development and implementation of a plan for school-level professional development and shall ensure:
  - a. The school-level professional development plan includes a description of school-level and team-based professional learning aligned with identified school goals, and includes teacher and student learning needs; and
  - b. All teachers receive the necessary opportunities, support, and resources to complete individual professional development requirements pursuant to N.J.A.C. 6A:9C-4.4(a).
2. The school-level plan shall become part of the school district plan for professional development overseen and reviewed by the Superintendent of Schools.

F. Requirements for District-Level Plans for Professional Development Implementation (N.J.A.C. 6A:9C-4.2)

1. The school district plan shall provide information on school-level and district-wide professional development learning opportunities, the resources being allocated toward their support, a justification for the expenditures, and include any professional development required by statute or regulation.
2. The Superintendent of Schools or designee shall oversee the development and implementation of the school district plan to address the school district's professional development needs and shall review on an annual basis the school district plan to assess its effectiveness and revise it, as necessary, to meet the school district's learning goals for students, teachers, and school leaders.
3. When overseeing and reviewing the school district plan, the Superintendent or designee shall:
  - a. Review school-level professional development plans;

- b. Assess the learning needs of students, teachers, and school leaders based on educator evaluation data, school-level plans, and data from school- and district-level performances;
  - c. Plan, support, and implement professional learning activities that address the New Jersey Student Learning Standards, and that align with the Standards for Professional Learning in N.J.A.C. 6A:9C-3.3 and the Professional Standards for Teachers and School Leaders in N.J.A.C. 6A:9-3;
  - d. Develop and update, as necessary, the district mentoring plan for non-tenured teachers including novice professional teachers who hold a CE or CEAS, in accordance with N.J.A.C. 6A:9C-5.3;
  - e. Present the plan to the Board of Education to review for fiscal impact; and
  - f. Certify annually to the Department of Education, through a statement of assurance, that the school district is meeting the requirements for the school district plan as set forth in N.J.A.C. 6A:9C-4.2 and that it includes requirements of the district mentoring plan pursuant to N.J.A.C. 6A:9C-5.3.
4. School districts sending to the same middle and/or high school may form a regional consortium to develop one district-wide plan based on the sending schools' plans.
- G. Requirements for and Implementation of School Leaders' Professional Development Plans (N.J.A.C. 6A:9C-4.3)
- 1. Each school leader shall create, implement, and complete an individual PDP that:
    - a. Aligns with the Professional Standards for School Leaders set forth in N.J.A.C. 6A:9-3.4 and the Standards for Professional Learning in N.J.A.C. 6A:9C-3.3;
    - b. Derives from the results of observations, evidence, and recommendations included in the annual performance evaluation of the school leader;
    - c. Identifies professional learning goals that address specific individual, school, or school district goals;
    - d. Grounds professional learning in objectives related to improving teaching, learning, and student achievement, and aligns to the school and/or school district plan for professional development; and

- e. Includes training on: school law, ethics, and governance pursuant to N.J.S.A. 18A:26-8.2 and other statutory requirements related to student safety, bullying and harassment, and well-being.
2. Each school leader's individual PDP shall be developed by October 31 except:
    - a. If the school leader is hired after October 1, the PDP shall be developed within twenty-five working days of his or her hire.
  3. The Superintendent of Schools shall develop an individual PDP for review by the Board of Education. In developing the individual PDP, the following process shall be followed:
    - a. The Board shall review the Superintendent's individual PDP, including the individual training needs pursuant to N.J.A.C. 6A:9C-4.3(a)5, and shall ensure the individual PDP aligns to school district goals and to the school district's plan for professional development.
    - b. The Superintendent shall submit annually to the Board evidence of progress toward completion of the individual PDP. The Superintendent also shall submit every three to five years, depending on the length of his or her contract with the Board, summative evidence of plan completion.
    - c. The Superintendent may appeal to the Executive County Superintendent if he or she disagrees with the Board regarding PDP contents or progress toward completion. The Executive County Superintendent shall have final decision-making authority on all such matters.
  4. Each leader whose position requires a Principal or supervisor endorsement, or whose position requires a Chief School Administrator endorsement but who does not serve as a Chief School Administrator or Superintendent of a school district, shall develop in collaboration with his or her designated supervisor an individual PDP and shall provide evidence to his or her designated supervisor of progress toward fulfillment of his or her plan. Each Superintendent or designee shall:
    - a. Review each Principal's, supervisor's, or other school leader's individual PDP, including the individual training needs pursuant to N.J.A.C. 6A:9C-4.3(a)5, and shall ensure it aligns to school and school district goals and the school district's plan for professional development;
    - b. Meet with the Principal, supervisor, or other school leader at mid-year to assess progress toward his or her PDP's completion or modification; and

- c. Review the individual PDP's status as part of the Principal's, supervisor's, or other school leader's annual performance evaluation.
  5. The school leader's designated supervisor, or the Board of Education in the case of the Superintendent, shall:
    - a. Use the performance evaluation process and professional development planning process to monitor the school leader's progress in meeting the professional development requirements. If a school leader's progress is found to be inadequate, the school leader's designated supervisor or the Board shall take appropriate remedial action by applying sound and accepted principles of progressive supervision and other appropriate means; and
    - b. Maintain accurate records of each school leader's progress in meeting the individual professional development requirements, pursuant to N.J.A.C. 6A:9C-4.3. Such records shall include a copy of each school leader's current PDP and timeline, as well as any documentation and evidence showing the school leader's progress toward meeting the plan's requirements.
  6. If a school leader leaves the employ of one New Jersey school district and is hired by another, the school leader's designated supervisor, or the Board of Education in the case of the Superintendent, shall ensure a revised individual PDP appropriate to the new assignment is developed in collaboration with the school leader.
- H. Assistance (N.J.A.C. 6A:9C-4.1)
  1. The Board of Education shall ensure all teachers and school leaders receive the necessary opportunities, support, and resources to engage in ongoing professional learning and to complete the requirements of their respective professional development plans.

Issued: 06 June 2017

**8462. REPORTING POTENTIALLY MISSING OR ABUSED CHILDREN (M)**

Date Created: June, 2017

Date Edited: June, 2017

**8462. REPORTING POTENTIALLY MISSING OR ABUSED CHILDREN**

The Board of Education recognizes early detection of missing, abused, or neglected children is important in protecting the health, safety, and welfare of all children. In recognition of the importance of early detection of missing, abused, or neglected children, the Board of Education adopts this Policy pursuant to the requirements of N.J.S.A. 18A:36-24 and 18A:36-25. The Board provides this Policy for its employees, volunteers, or interns 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:36-24 and 18A:36-25 et seq., N.J.A.C. 6A:16-11.1, and N.J.S.A. 9:6-8.10.

Employees, volunteers, or interns working in the school district shall immediately notify designated child welfare authorities of incidents of alleged missing, abused, and/or neglected children. Reports of incidents of alleged missing, abused, or neglected children shall be reported to the New Jersey State Central Registry (SCR) at 1-877 NJ ABUSE or to any other telephone number designated by the appropriate child welfare authorities. If the child is in immediate danger a call shall be placed to 911 as well as to the SCR.

The person having reason to believe that a child may be missing or may have been abused or neglected may inform the Principal or other designated school official(s) prior to notifying designated child welfare authorities if the action will not delay immediate notification. The person notifying designated child welfare authorities shall inform the Principal or other designated school official(s) of the notification, if such had not occurred prior to the notification. Notice to the Principal or other designated school official(s) need not be given when the person believes that such notice would likely endanger the reporter or student involved or when the person believes that such disclosure would likely result in retaliation against the student or in discrimination against the reporter with respect to his or her employment.

The Principal or other designated school official(s) upon being notified by a person having reason to believe that a child may be missing or may have been abused or neglected, must notify appropriate law enforcement authorities. Notification to appropriate law enforcement authorities shall be made for all reports by employees, volunteers, or interns working in the school district. Confirmation by another person is not required for a school district employee, volunteer, or intern to report the suspected missing, abused, or neglected child situation.

School district officials will cooperate with designated child welfare and law enforcement authorities in all investigations of potentially missing, abused, or neglected children in accordance with the provisions of N.J.A.C. 6A:16-11.1(a)5.

The district designates Director of Special Services 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

**8462. REPORTING POTENTIALLY MISSING OR ABUSED CHILDREN (M)**

Date Created: June, 2017

Date Edited: June, 2017

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, or interns on the district's policy and procedures for reporting allegations of missing, abused, or neglected child situations. All new school district employees, volunteers, or interns working in the district shall receive the required information and training as part of their orientation.

There shall be no reprisal or retaliation against any person who, in good faith, reports or causes a report to be made of a potentially missing-, abused-, or neglected-child situation pursuant to N.J.S.A. 9:6-8.13.

Any employee, volunteer, or intern with reasonable cause to suspect or believe that a student has attempted or completed suicide, shall report the information to the Department of Human Services, Division of Mental Health and Addiction Services, in a form and manner prescribed by the Division of Mental Health and Addiction Services pursuant to N.J.S.A. 30:9A-24.a.

N.J.S.A. 18A:36-24; 18A:36-25 et seq.  
N.J.A.C. 6A:16-11.1

Adopted: 06 June 2017



**R8462. REPORTING POTENTIALLY MISSING OR ABUSED CHILDREN**

## A. Definitions

1. An “abused child” as defined in N.J.S.A. 9:6-8.9, is a child under the age of eighteen years whose parent, guardian, or other person having his/her custody and control:
  - a. Inflicts or allows to be inflicted upon such child physical injury by other than accidental means which causes or creates a substantial risk of death, or serious or protracted disfigurement, or protracted impairment of physical or emotional health or protracted loss or impairment of the function of any bodily organ;
  - b. Creates or allows to be created a substantial or ongoing risk of physical injury to such child by other than accidental means which would be likely to cause death or serious protracted disfigurement, or protracted loss or impairment of the function of any bodily organ;
  - c. Commits or allows to be committed an act of sexual abuse against the child;
  - d. Or a child whose physical, mental, or emotional condition has been impaired or is in imminent danger of becoming impaired as the result of the failure of his/her parent, guardian, or other person having his/her custody and control, to exercise a minimum degree of care: (1) in supplying the child with adequate food, clothing, shelter, education, medical, or surgical care though financially able to do so or though offered financial or other reasonable means to do so; or (2) in providing the child the proper supervision or guardianship, by unreasonably inflicting or allowing to be inflicted harm, or substantial risk thereof, including the infliction of excessive corporal punishment or using excessive physical restraint under circumstances which do not indicate that the child’s behavior is harmful to himself/herself, others or property, or by any other act of similarly serious nature requiring the aid of the court;
  - e. Or a child who has been willfully abandoned by his/her parent, guardian, or other person having his/her custody and control; or
  - f. Or a child who is in an institution as defined under N.J.S.A. 9:6-8.21 and: (1) has been so placed inappropriately for a continued period of time with the knowledge that the placement has resulted and may continue to result in harm to the child’s mental or physical well-being; or (2) has been willfully isolated from ordinary social contact under circumstances which indicate emotional or social deprivation.

## 8462. REPORTING POTENTIALLY MISSING OR ABUSED CHILDREN (M)

Date Created: June, 2017

Date Edited: June, 2017

A child shall not be considered abused under N.J.S.A. 9:6-8.9 if the acts or omissions described therein occur in a day school as defined in N.J.S.A. 9:6-8.21.

2. An “intern” means a post-secondary student or graduate student in a professional field gaining supervised practical experience.

**B. Indications of Child Abuse and/or Neglect**

1. The suspicion of child abuse and/or neglect may be based on the complaints of the child or on the direct observations of the employee, volunteer, or intern. A person should suspect child abuse and/or neglect when certain conditions appear to be present. The conditions may be, but are not limited to, whenever:
  - a. There is evidence of physical injury to a student not likely to have been caused by an accident, regardless of the student’s explanation of the injury;
  - b. A student complains of having been injured or having been sexually molested, with or without external signs of physical injury;
  - c. A student appears to be malnourished;
  - d. A student’s general condition indicates a persistent want of care, such as clothing inadequate for the weather, inadequate hygiene, lack of sleep, decayed and broken teeth, and the like;
  - e. A student complains of or indicates by other means that he/she has been subjected to threats or emotional abuse;
  - f. A student is excessively apprehensive, fearful, withdrawn, or aggressive;
  - g. A student is afraid to go home after school or arrives to school unreasonably early;
  - h. A parent or the caretaker of a child admits having abused the child;
  - i. The removal from school by the parent, guardian, or other person having custody and control of the child that may be an indicator of additional grievous abuses; or
  - j. School district personnel have any other reason to believe that a child has been subject to child abuse and/or neglect, to include but not be limited to, physical abuse, sexual abuse, neglect, educational abuse, and educational neglect.

**8462. REPORTING POTENTIALLY MISSING OR ABUSED CHILDREN (M)**

Date Created: June, 2017

Date Edited: June, 2017

**C. Notification Requirements for School District Employees, Volunteers, or Interns**

1. Employees, volunteers, or interns working in the school district shall immediately notify designated child welfare authorities of incidents of alleged missing, abused, or neglected children.
  - a. The person having reason to believe that a child may be missing or may have been abused or neglected may inform the Principal or other designated school official(s) prior to notifying designated child welfare authorities if the action will not delay immediate notification.
  - b. The person notifying designated child welfare authorities shall inform the Principal or other designated school official(s) of the notification, if such had not occurred prior to the notification.
    - (1) Notice to the Principal or other designated school official(s) need not be given when the person believes the notice would likely endanger the reporter or student involved or when the person believes the disclosure would likely result in retaliation against the student or in discrimination against the reporter with respect to his or her employment.
2. Reports of incidents of alleged missing, abused, or neglected children shall be reported to the New Jersey State Central Registry (SCR) at 1-877 NJ ABUSE or to any other telephone number designated by the appropriate child welfare authorities. If the child is in immediate danger a call shall be placed to 911 as well as to the SCR.

**D. School District's Notification to Law Enforcement**

1. The Principal or other designated school official(s) upon being notified by a person having reason to believe that a child may be missing or may have been abused or neglected, must notify appropriate law enforcement authorities of incidents of potentially missing, abused, or neglected child situations.
  - a. Notification procedures to child welfare authorities and law enforcement authorities regarding alleged incidents of missing, abused, or neglected children shall be consistent with the Memorandum of Agreement between education and law enforcement authorities pursuant to N.J.A.C. 6A:16-6.2(b)13.
  - b. Notification to appropriate law enforcement authorities shall be made for all reports by employees, volunteers, or interns working in the school district.
    - (1) The notification to appropriate law enforcement authorities on behalf of a student attending a receiving school shall be made to the law enforcement authorities identified in the receiving school's Memorandum of Agreement as required by N.J.A.C. 6A:16-6.2(b)13.

**8462. REPORTING POTENTIALLY MISSING OR ABUSED CHILDREN (M)**

Date Created: June, 2017

Date Edited: June, 2017

2. 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.

**E. School District Cooperation with Designated Law Enforcement Authorities**

1. The school district will cooperate with designated child welfare and law enforcement authorities in all investigations of potentially missing, abused, or neglected children.
  - a. Accommodations shall be made permitting the child welfare and law enforcement investigators to interview the student in the presence of the Principal or other designated school official(s).
    - (1) If the student is intimidated by the presence of the school representative, the student shall be requested to name an employee, volunteer, or intern working in the school district whom he or she feels will be supportive, and who will be allowed to accompany the student during the interview.
  - b. District administrative and/or supervisory staff members will assist designated child welfare and law enforcement authorities in scheduling interviews with any employee, volunteer, or intern working in the school district who may have information relevant to the investigation.
  - c. In accordance with N.J.A.C. 6A:16-11.1(a)5.iii., the district will release all records of the student who is the subject of the investigation that are deemed to be relevant to the assessment or treatment of a potentially missing, abused, or neglected child pursuant to N.J.S.A. 18A:36-19, N.J.S.A. 9:8-8.40 and allowable under the Family Education Rights and Privacy Act (FERPA), 34 CFR Part 99.
  - d. In accordance with N.J.A.C. 6A:16-11.1(a)5.iv., the district will ensure the maintenance, security, and release of all confidential information about potential missing, abused, or neglected child situations is in accordance with N.J.S.A. 18A:36-19, N.J.S.A. 9:8-8.40, and N.J.A.C. 6A:32-7.
    - (1) All information regarding allegations of potentially missing, abused, or neglected children reported to authorities about an employee, volunteer, or intern working in the school district shall be considered confidential and may be disclosed only as required in order to cooperate in investigations pursuant to N.J.A.C. 6A:16-11.1(a)2. and 3. or by virtue of a Court Order. Records pertaining to such information shall be maintained in a secure location separate from other employee personnel records and accessible only to the Superintendent or designee.
  - e. In accordance with N.J.A.C. 6A:16-11.1(a)5.v., the district will release the student to child welfare authorities while school is in session when it is necessary to protect the student or take the student to a service provider.

**8462. REPORTING POTENTIALLY MISSING OR ABUSED CHILDREN (M)**

Date Created: June, 2017

Date Edited: June, 2017

(1) Such removal shall take place only after the Principal or other designated school official(s) has been provided, either in advance or at the time removal is sought, with appropriate documentation that the child welfare authority has already removed, or has appropriate authority to remove, the student from his or her home, as specified in N.J.S.A. 9:6-8.27 through 8.30.

f. The district will cooperate in the transfer of a student who has been removed from his or her home by designated child welfare authorities for proper care and protection pursuant to N.J.S.A. 9:6-8.28 and 8.29 to another school.

**F. Due Process Rights of a School Employee, Volunteer, or Intern Named As a Suspect**

1. 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.
2. Temporary reassignment or suspension of an employee, volunteer, or intern working in the school district named as a suspect pursuant to N.J.A.C. 6A:16-11.1(a)2 shall occur only if there is reason to believe that the life or health of the alleged victim or other student is in jeopardy due to continued contact between the employee, volunteer, or intern and the student.
3. All references to a notification to the designated child welfare authorities of a potential missing-, abused-, or neglected-child situation involving a school district employee, shall be removed from the employee's personnel records immediately following the receipt of an official notice from child welfare authorities that the allegation was unfounded pursuant to N.J.S.A. 18A:6-7a.

Adopted: 06 June 2017

**8461. REPORTING VIOLENCE, VANDALISM, HARASSMENT, INTIMIDATION,  
BULLYING, ALCOHOL, AND OTHER DRUG ABUSE (M)**

Date Created: June, 2017

Date Edited: June, 2017

**8461. REPORTING VIOLENCE, VANDALISM, HARASSMENT, INTIMIDATION,  
BULLYING, ALCOHOL, AND OTHER DRUG ABUSE**

The Board of Education shall observe “Week of Respect” 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 student discussion on conflict resolution, issues of student 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 student 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).

A report alleging an incident of harassment, intimidation, or bullying shall be made in accordance with the provisions of N.J.S.A. 18A:37-13.1 and Policy 5512.

The Building Principal, for each incident report of violence, vandalism, harassment, intimidation, bullying, 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 access monthly to the number and disposition of all reported acts of school violence, vandalism, harassment, intimidation, or bullying 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.

Two times each school year, between September 1 and January 1 and between January 1 and June 30, at a public hearing held pursuant to N.J.S.A. 18A:17-46, the Superintendent shall report to the Board all acts of violence, vandalism, harassment, intimidation, bullying, and incidents of alcohol and other drug abuse that occurred during the previous reporting period in accordance with the provisions of N.J.S.A. 18A:17-46 and N.J.A.C. 6A:16-5.3. The report shall include the number of reports of harassment, intimidation, or bullying, the status of all investigations, the nature of the bullying based on one of the protected categories identified in section 2 of

**8461. REPORTING VIOLENCE, VANDALISM, HARASSMENT, INTIMIDATION,  
BULLYING, ALCOHOL, AND OTHER DRUG ABUSE (M)**

Date Created: June, 2017

Date Edited: June, 2017

P.L.2002, c.83 (C.18A:37-14), the names of the investigators, the type and nature of any discipline imposed on any student engaged in harassment, intimidation, or bullying, and any other measures imposed, training conducted, or programs implemented, to reduce harassment, intimidation, or bullying. The information shall also be reported once during each reporting period to the Department of Education. The report must include data broken down by the enumerated categories as listed in section 2 of P.L.2002, c.83 (C.18A:37-14), and data broken down by each school in the district, in addition to district-wide data. It shall be a violation to improperly release any confidential information not authorized by Federal or State law for public release.

The report shall be used to grade each school for the purpose of assessing its effort to implement policies and programs consistent with the provisions of P.L. 2002, c.83 (C.18A:37-13 et seq.). The district shall receive a grade determined by averaging the grades of all the schools in the district. The Commissioner shall promulgate guidelines for a program to grade schools for the purposes of N.J.S.A. 18A:17-46. The grade received by a school and the district shall be posted on the homepage of the school's website. The grade for the district and each school of the district shall be posted on the homepage of the district's website. A link to the report shall be available on the district's website. The information shall be posted on the websites within ten days of the receipt of a grade by the school and district.

Whenever it is alleged a school employee has knowingly falsified the report on violence, vandalism, harassment, intimidation, or bullying 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 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 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.

The Board shall provide ongoing staff training, in cooperation with the Department of Education, in fulfilling the reporting requirements of N.J.S.A. 18A:17-46.

N.J.S.A. 18A:17-46; 18A:36-5.1

N.J.A.C. 6A:16-5.2; 6A:16-5.3

Adopted: 06 June 2017

**8461. REPORTING VIOLENCE, VANDALISM, HARASSMENT, INTIMIDATION,  
BULLYING, ALCOHOL, AND OTHER DRUG ABUSE (M)**

Date Created: June, 2017

Date Edited: June, 2017

**R8461. REPORTING VIOLENCE, VANDALISM, HARASSMENT, INTIMIDATION,  
BULLYING, ALCOHOL, AND OTHER DRUG ABUSE**

Any school employee who observes or has direct knowledge from a participant or victim of an act of violence or the possession or distribution of alcohol or other drugs on school grounds, and any school employee who reports a student 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 to include all of the incident detail and offender and victim information that are reported on the Electronic Violence and Vandalism Reporting System (EVVRS). A report alleging an incident of harassment, intimidation, or bullying shall be made in accordance with the provisions of N.J.S.A. 18A:37-13.1 and Policy 5512.

- A. Reporting Violence, Vandalism, Alcohol or Other Drug Use
1. For each incident report of violence, vandalism, or alcohol or other drug abuse, the Principal shall:
    - a. Review the incident report for accuracy in indicating the incident type, offender information, victim information, student demographics, and incident location;
    - b. Forward a copy of the incident report to the Superintendent; and
    - c. Notify the Superintendent of the action taken regarding the incident.
  2. 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.
  3. The majority representative of the school employees' bargaining units shall have access monthly to the number and disposition of all reported acts of school violence, vandalism, harassment, intimidation, or bullying pursuant to N.J.S.A. 18A:17-46.
    - a. 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.



**8461. REPORTING VIOLENCE, VANDALISM, HARASSMENT, INTIMIDATION,  
BULLYING, ALCOHOL, AND OTHER DRUG ABUSE (M)**

Date Created: June, 2017

Date Edited: June, 2017

**B. Reporting Requirements****1. The Superintendent shall:**

- a. Submit a report to the Department of Education in accordance with the provisions of N.J.S.A. 18A:17-46 of each incident of violence, vandalism and alcohol and other drug abuse in the school district utilizing the EVVRS;
  - (1) Prior to submission, the Superintendent shall review the report to verify that it is an accurate and final report of all incidences of violence and vandalism in all of the schools in the school district;
  - (2) Verify that the data entered onto the EVVRS are correct and in accordance with N.J.A.C. 6A:16-7.1(a)6; and
  - (3) Provide for the annual training of staff to prepare them to fulfill the reporting requirements set forth in N.J.A.C. 6A:16-5.3.

**C. Hearing Requirements**

The Superintendent shall report to the Board all acts of violence, vandalism, harassment, intimidation, bullying, and incidents of alcohol and other drug abuse that occurred during the previous reporting period in accordance with the provisions of N.J.S.A. 18A:17-46.

**D. Knowingly Falsifying The Annual Violence and Vandalism Report Required Under N.J.S.A. 18A:17-46**

1. Whenever it is alleged that a school employee has knowingly falsified the report, the Board shall make a determination regarding whether the employee committed the act.
2. Any employee alleged to have knowingly falsified the report shall be notified in writing of such allegation and shall be entitled to a hearing before the Board.
  - a. The hearing shall take place within thirty business days of the date on which the employee is notified of the allegation;
  - b. The employee shall be entitled to be represented by a person of his or her choosing and to present witnesses on his or her behalf; and
  - c. The Board shall notify the employee of its determination in writing within five school days of the hearing.

**8461. REPORTING VIOLENCE, VANDALISM, HARASSMENT, INTIMIDATION,  
BULLYING, ALCOHOL, AND OTHER DRUG ABUSE (M)**

Date Created: June, 2017

Date Edited: June, 2017

3. Upon determination by the Board that an employee has knowingly falsified the report, it shall take one or more of the following actions:
  - a. Impose minor discipline on a tenured or non-tenured employee notwithstanding any other law to the contrary and if negotiated with the majority representative of the employees in the appropriate collective bargaining unit;
  - b. Withhold a tenured or non-tenured employee's increment for predominantly disciplinary reasons, which shall be subject to the grievance procedures established pursuant to law and shall be subject to the grievance procedures of section 8 of N.J.S.A. 34:13A-29;
  - c. File tenure charges with the Secretary of the Board in writing and with a written statement of evidence under oath to support such charges;
  - d. Terminate employment for an employee:
    - (1) For tenured employees, the termination shall be in accordance with the outcome of the proceedings in D.3.c. above; or
    - (2) Impose such other disciplinary sanctions as may be authorized by law.
4. Any action taken by the Board pursuant to D.3. above 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.
5. Any employee having been found responsible for the falsification of the report by the Board shall have the right to:
  - a. File a grievance under their respective bargaining agreements;
  - b. Appeal the Board's determination to the Commissioner of Education in accordance with N.J.A.C. 6A:3-1.3 through 1.17 and subsequently to the State Board of Education; or
  - c. Appeal the decision to the Superior Court of New Jersey.
6. 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.

**7522. SCHOOL DISTRICT PROVIDED TECHNOLOGY DEVICES TO STAFF MEMBERS**

Date Created: June, 2017

Date Edited: June, 2017

**7522. SCHOOL DISTRICT PROVIDED TECHNOLOGY DEVICES TO STAFF MEMBERS**

The Board of Education may provide technology devices to staff members for the express purpose of enhancing productivity and improving operational efficiency. The purpose of this Policy is to establish general guidelines for the issuance and utilization of any school district technology device provided to staff members. For the purposes of this Policy, "technology device" or "device" shall include, but not be limited to, portable devices such as computers, laptops, tablets, cellular telephones, or any other computing or electronic devices the school district provides to staff members to be used in their school business related responsibilities.

A technology device provided by the school district to a staff member may include pre-loaded software. A staff member shall not download additional software onto the technology device or tamper with software included on the technology device. Only school district authorized staff members may load or download software onto a school district provided technology device. A staff member(s) will be designated to administer and implement the issuance of school district technology devices to staff members.

In the event the Board of Education provides a technology device to a staff member, the staff member shall be required to sign an agreement with the Board of Education requiring the staff member to comply with certain provisions. These provisions may include, but are not limited to:

1. A technology device provided to a staff member shall be used for the sole and express purpose of conducting official school district business;
2. Use of all such devices is subject to the school district's acceptable use of technology policies and any other Board policies regarding appropriate and acceptable conduct by a staff member;
3. All technology devices are considered the personal property of the Board of Education and shall be returned upon termination of employment with the school district or immediately upon request by the Superintendent of Schools or designee;
4. Technology devices provided by the school district to staff members may include the school district's software image and pre-loaded software for specific tasks. The installation of other software images or software on such technology devices may only be done by school district authorized staff members;
5. Staff members that are provided technology devices are expected to take all appropriate measures and precautions to prevent the loss, theft, damage, and/or unauthorized use of such technology devices. These appropriate measures and precautions for school district provided technology devices to staff members shall include, but are not limited to, the following:

**7522. SCHOOL DISTRICT PROVIDED TECHNOLOGY DEVICES TO STAFF MEMBERS**

Date Created: June, 2017

Date Edited: June, 2017

- a. Keep the technology device in a locked and secured environment when not being used. The Board of Education will provide a central storage place for the technology device in each building;
  - b. The technology device should not be left in a vehicle for prolonged periods of time, especially in extreme temperatures;
  - c. Food and drinks should be kept away from all technology devices and work areas;
  - d. Prohibit the use of any technology device by any other person except as authorized by the Superintendent or designee;
  - e. The technology device should not be left unattended at any time in an unsecured location (e.g., an unlocked empty classroom or office); and
  - f. The technology device should be kept in sight at all times while in public places, such as public transportation, airports, restaurants, etc.
6. Should the staff member have reason to believe the technology device may have been stolen, the staff member must:
- a. Immediately report the incident to his/her immediate supervisor;
  - b. File an official police report documenting the theft;
  - c. Provide a copy of the police report to his/her immediate supervisor;
  - d. The Board of Education shall provide a value sheet of the given device to the staff member.

If a staff member fails to adhere to these procedures, the staff member may be held legally and financially responsible for the replacement of such technology device after an investigation.

7. A staff member must contact the district designated staff member in the event the technology device is not functioning properly or for repairs and/or required maintenance;
8. The Board of Education is under no legal, financial, or other obligation to provide a replacement technology device to any employee whose device is lost, stolen, or damaged;
9. Any technology device provided to a staff member is the property of the Board of Education. As such, the staff member shall have no expectation of privacy in the use of such device. The technology device may have security settings, monitoring or auditing

**7522. SCHOOL DISTRICT PROVIDED TECHNOLOGY DEVICES TO STAFF MEMBERS**

Date Created: June, 2017

Date Edited: June, 2017

- software, tracking technology, and any other software that could monitor the use of the technology device;
10. The staff member(s) designated to administer and implement the issuance of technology devices to staff members shall:
    - a. Maintain direct oversight of the inventory of devices, service contracts, agreements, and internal controls for all school district provided technology devices provided to staff members; and
    - b. Ensure compliance with regulatory policies and procedures as applicable.
  11. Any violation of Board of Education policies or procedures including, but not limited to, school district provided technology devices to staff members; acceptable use of computer networks, computers, and resources; and/or inappropriate staff conduct may result in disciplinary action consistent with due process;
  12. A staff member can refuse to accept a technology device from the Board of Education without adverse consequences of employment.

A copy of this Policy shall be attached to the agreement that shall be signed by any staff member who accepts a technology device in accordance with the provisions of this Policy.

Adopted: 06 June 2017

7522. SCHOOL DISTRICT PROVIDED TECHNOLOGY DEVICES TO STAFF MEMBERS

Date Created: June, 2017

Date Edited: June, 2017

**R7522. SCHOOL DISTRICT PROVIDED TECHNOLOGY DEVICES TO STAFF MEMBERS**

The Hackensack School District shall offer teachers in select grades a device for use in their classroom instruction. Teachers who are issued a device will be required to agree to the terms of use as outlined in this document.

The terms of use are listed below:

1. The device is the property of the Hackensack School District and shall be issued to employees for the purpose of conducting classroom instruction. It is intended only for the use of the school district employee to whom it is assigned.
2. The device is expected to be at school during regularly scheduled workdays.
3. The employee may take the device home or to other locations after school hours. The Hackensack School District will provide the employee with technical advice for setup.
4. Hackensack School District has purchased a device case for staff. Devices must be transported within the Hackensack School District approved case at all times.
5. The employee is responsible, at all times, for the reasonable care, and appropriate use of the device. Damaged devices are required to be inspected by technology staff who will assess the damage(s) and process insurance claims. No monetary reimbursement shall be provided to employees for materials and related equipment used in the home operation of the device.
6. Loss or theft of the property must be reported to the Hackensack Police Department in the municipality where the loss/theft occurred and to the Technology Department upon discovery. If claim is denied due to a violation of the insurance policy, the Hackensack School District Technology Department will relay the cost of a replacement to the staff member.
7. The district employs tracking of the device, monitoring and management software that will report all activity on the device including but not limited to login, search, browsing and location history. This software may also be used to push and/or update applications installed on the device. The district will not use the device to track an employee's movement.
8. The device is configured for use on the school network. The Technology Department will not be able to assist a staff member at their home in order to connect the mobile device to other Internet providers. However, the Hackensack School District will provide the employee with basic technical advice for setup.

**7522. SCHOOL DISTRICT PROVIDED TECHNOLOGY DEVICES TO STAFF MEMBERS**

Date Created: June, 2017

Date Edited: June, 2017

9. The device is issued to staff members in their current teaching position. If a staff member changes positions or schools, the device must be returned to the Building Administrator or Department of Technology.
10. While most updates are pushed automatically, the device may need to be returned to the technology department from time to time for other maintenance and upgrades. Staff members will be notified if/when this becomes necessary.
11. All users of mobile devices must adhere to Hackensack School District Board Policies regarding appropriate use, data protection, computer misuse, health and safety. If the employee chooses to use his/her own device, the device must be protected by antivirus software.
12. If the employee leaves the district, the employee's responsibility is to return all district equipment to an administrator in their building prior to the employee's last day of employment.
13. Any staff member may decline to accept the device from the Hackensack School District without adverse consequences of employment.

Issued: 06 June 2017

**7440. SECURITY OF SCHOOL PREMISES**

The Board of Education believes the buildings and facilities of the school district represent a substantial community investment. The Board directs the development and implementation of a plan for school district security to protect the school community's investment in the school buildings and facilities.

The school district security program will include: maintenance of facilities that are secure against unwelcome intrusion; protection against fire hazards and faulty equipment; and compliance with safe practices in the use of electrical, plumbing, heating, and other school building equipment. The Board directs close cooperation of district officials with law enforcement, fire officials, and other emergency agencies.

The Superintendent of Schools shall designate a school administrator as a School Safety Specialist for the district in accordance with the provisions of N.J.S.A. 18A:17-43.3. The School Safety Specialist shall be required to acquire a New Jersey Department of Education School Safety Specialist certification in accordance with the provisions of N.J.S.A. 18A:17-43.2. The School Safety Specialist shall also serve as the school district's liaison with local law enforcement and national, State, and community agencies and organizations in matters of school safety and security.

Access to school buildings and grounds outside the hours school is in session shall be limited to personnel whose employment requires their presence in the facility. An adequate key control system will be established to limit building access to authorized personnel and guard against the potential of intrusion by unauthorized persons who have obtained access improperly.

Building records and funds shall be kept in a safe place and secured as appropriate and necessary.

Protective devices designed to be used as safeguards against illegal entry and vandalism may be installed when appropriate. The Board may approve the employment of school resource officers, school security officers, and/or law enforcement officers in situations in which special risks are involved.

N.J.S.A. 18A:17-43.1; 18A:17-43.2; 18A:17-43.3

Adopted: 06 June 2017  
Revised: 20 February 2018



**R7440. SECURITY OF SCHOOLS****A. Definitions**

“Access” means authorized access to a school building or school grounds through the use of a Board-approved key control system.

“Key control system” means the use of a key, card, code, or any other means to disengage a locking mechanism to provide entry to a school building or school grounds.

“School buildings” and “school grounds” means and includes land, portions of land, structures, buildings, and vehicles, when used for the provision of academic or extracurricular programs sponsored by the district or community provider and structures that support these buildings, such as school wastewater treatment facilities, generating facilities, and other central service facilities including, but not limited to, kitchens and maintenance shops. “School buildings” and “school grounds” also includes athletic stadiums; swimming pools; any associated structures or related equipment tied to such facilities including, but not limited to, grandstands; night field lights; greenhouses; garages; facilities used for non-instructional or non-educational purposes; and any structure, building, or facility used solely for school administration. “School buildings” and “school grounds” also includes other facilities such as playgrounds; and other recreational places owned by local municipalities, private entities, or other individuals during those times when the school district has exclusive use of a portion of such land in accordance with N.J.A.C. 6A:16-1.3 and 6A:26-1.2.

**B. Access to School Buildings and School Grounds**

1. Access to school buildings and grounds during the school day will be permitted to all students enrolled in the school, all authorized school staff members, and visitors pursuant to Policy and Regulation 9150.
2. Access to school buildings and grounds before and after the school day will be permitted to:
  - a. Members of the Board of Education;
  - b. Administrative and supervisory staff members, teaching staff members, and support staff members assigned to a school building or grounds in the performance of their duties;
  - c. Other school staff members in the performance of their professional responsibilities;

Property  
7440. SECURITY OF SCHOOLS  
Date Created: June, 2017  
Date Edited: February, 2018

- d. Students involved in interscholastic athletics, co-curricular or extra-curricular activities, and authorized spectators;
  - e. Members of organizations granted the use of school premises pursuant to Policy and Regulation 7510;
  - f. Police officers, fire fighters, health inspectors, and other agents of Federal, State, and local government in the performance of their official duties;
  - g. Members of the public present to attend a public Board of Education or public school-related function; and
  - h. Others authorized by the Superintendent or designee and/or by Board Policy.
3. All visitors to a school building during a school day will be required to register their presence in the school and comply with the provisions of Policy and Regulation 9150. The school's registration and sign-in procedures may include the use of a school visitor management system requiring the visitor to present acceptable identification to access the school building.
  4. Signs will be conspicuously posted to inform visitors of the requirement to register their presence into the building.
- C. Key Control System for Access to School Buildings and Facilities
1. School staff members will be provided access to a school building using the school's key control system as follows:
    - a. Teaching staff members and support staff members will be provided access using the school's key control system to the school building and to other facilities on school grounds to which they require access for the performance of their professional duties.
      - (1) The Building Principal will determine the school staff members who shall be provided access to facilities within the school building and on school grounds.
      - (2) The Superintendent or designee will determine the district administrators, supervisors, and other staff members who shall be provided access to facilities within the school building and on school grounds.

2. School staff members provided access to a school building or other facilities on school grounds shall be responsible for ensuring their key control system authorization is not shared with another individual without prior approval of the Principal or designee for school staff members, or the Superintendent or designee for district staff members. Staff members are prohibited from permitting their key control system authorization to be used by another person unless prior approval is obtained from the Principal or designee at the building level and Superintendent or designee at the district level or in the event of an emergency.
3. A staff member's loss of a key, card, or any other device authorizing the staff member access to a school building or a facility on school grounds must be immediately reported to the Principal or Superintendent or designee. The staff member who loses a key, card, or any such access device may be responsible for the replacement cost.

**D. Staff Member Responsibilities**

1. Staff members should not bring to school valuable personal items that cannot be in the staff member's personal possession at all times. The Board of Education is not responsible for a staff member's personal possession in the event the item is lost, stolen, misplaced, damaged, or destroyed.
2. In the event a staff member observes a student has a valuable item in school, the staff member will report it to the Principal or designee. A valuable item may include, but is not limited to, an unusually large amount of money, expensive jewelry or electronic equipment, or any item that is determined by the Principal or designee to be valuable to a student based on the student's age.
  - a. The Principal or designee may contact the student's parent and request the parent come to school to retrieve the valuable item;
  - b. The Principal or designee may secure the valuable item and return it to the student at the end of the school day and inform the student and the parent not to bring the valuable item to school in the future; or
  - c. The Principal or designee will permit the student to maintain the valuable item and inform the student and the parent not to bring the valuable item to school in the future.
  - d. The Board of Education is not responsible for a student's personal possession in the event the item is lost, stolen, misplaced, damaged, or destroyed when in the possession of the student.
3. Teaching staff members shall close classroom windows and shut and lock classroom doors when leaving at the end of the school day; shut and lock

classroom doors during the school day when the room is not going to be in use after their assignment, and report immediately to the Principal or designee any evidence of tampering or theft.

4. Custodians shall, at the end of the work day, conduct a security check of the building to make certain that all windows are closed and all office, classroom, and

building doors are shut and locked, except as such doors may be required to be open for persons with access.

5. Office personnel shall take all reasonable precautions to ensure the security of all school and district records and documents against unauthorized access, deterioration, and destruction.

E. School Safety Specialist

1. The Superintendent of Schools shall designate a school administrator as a School Safety Specialist for the district in accordance with the provisions of N.J.S.A. 18A:17-43.3.
2. The School Safety Specialist shall:
  - a. Be responsible for the supervision and oversight for all school safety and security personnel, policies, and procedures in the school district;
  - b. Ensure that these policies and procedures are in compliance with State law and regulations; and
  - c. Provide the necessary training and resources to school district staff in matters relating to school safety and security.
3. The School Safety Specialist shall also serve as the school district's liaison with law enforcement and national, State, and community agencies and organizations in matters of school safety and security.
4. The School Safety Specialist shall be required to acquire a New Jersey Department of Education School Safety Specialist Certification in accordance with the provisions of N.J.S.A. 18A:17-43.2.

F. Summoning Law Enforcement Authorities

1. Law enforcement authorities will be summoned promptly whenever evidence is discovered that indicates: a crime has been committed on school premises or in the course of staff or student transportation to or from school; a break and entry

Property  
7440. SECURITY OF SCHOOLS  
Date Created: June, 2017  
Date Edited: February, 2018

may have occurred on school grounds; a deadly weapon is on school premises; a breach of the peace has occurred on school premises; for any reason required in the Memorandum of Understanding between the Board of Education and Law Enforcement and in accordance with Policy and Regulation 9320; or for any other reason there is concern about the health, safety, and welfare of persons on school grounds or school property.

2. A call to law enforcement agents will be reported to the Superintendent as soon as possible, along with the reason(s) for which the call was made and the outcome of the incident.

Issued: 06 June 2017

Revised: 20 February 2018

**5751. SEXUAL HARASSMENT**

The Board of Education will not tolerate sexual harassment of students by school employees, other students, or third parties. Sexual harassment of students is a form of prohibited sex discrimination. School district staff will investigate and resolve allegations of sexual harassment of students engaged in by school employees, other students (peers), or third parties.

The Board shall establish a grievance procedure through which school district staff and/or students can report alleged sexual discrimination, including sexual harassment which may include quid pro quo harassment and hostile environment.

**Definitions:**

1. Quid pro quo harassment occurs when a school employee explicitly or implicitly conditions a student's participation in an educational program or activity or bases an educational decision on the student'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 student 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 student, or by a third party that is sufficiently severe, persistent, or pervasive to limit a student's ability to participate in or benefit from an educational program or activity, or to create a hostile or abusive educational environment.

This Policy protects any "person" from sex discrimination; accordingly both male and female students are protected from sexual harassment engaged in by school district employees, other students, or third parties. Sexual harassment, regardless of the gender of the harasser, even if the harasser and the student being harassed are members of the same gender is prohibited. Harassing conduct of a sexual nature directed toward any student, regardless of the student'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 student who made the complaint, was the subject of the harassment, or against those who provided the information or were witnesses. The school district staff can learn of sexual harassment through notice and any other means such as from a witness to an incident, an anonymous letter or telephone call.

This policy and regulation on sexual harassment of students shall be published and distributed to students and employees to ensure all students and employees understand the nature of sexual harassment and that the Board will not tolerate it. The Board shall provide training for all staff and age-appropriate classroom information for students to ensure the staff and the students understand what type of conduct can cause sexual harassment and that the staff know the school district policy and regulation on how to respond.

In cases of alleged harassment, the protections of the First Amendment must be considered if issues of speech or expression are involved. Free speech rights apply in the classroom and in all other programs in the public schools. The Superintendent, or designee, will formulate, interpret, and apply the policy so as to protect free speech rights of staff, students and third parties.

In addition, if the Board accepts Federal funds, the Board shall be bound by Title IX of the Education Amendments of 1972 prohibiting sexual harassment of students. Title IX applies to all public school districts that receive Federal funds and protects students in connection with all the academic, educational, extra-curricular, athletic, and other programs of the school district, whether they take place in the school facilities, on the school bus, at a class or training program sponsored by the school in a school building or at another location.

United States Department of Education - Office of Civil Rights Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties (1997)

Adopted: 06 June 2017

**R5751. SEXUAL HARASSMENT**

Sexual harassment of students is prohibited by the Board of Education. The Superintendent and school district staff will use the following methods to investigate and resolve allegations of sexual harassment of students engaged in by school employees, other students (peers), or third parties.

**A. Definitions**

1. **Quid Pro Quo Harassment** - When a school employee explicitly or implicitly conditions a student's participation in an educational program or activity or bases an educational decision on the student'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 student resists and suffers the threatened harm or submits and thus avoids the threatened harm.
2. **Hostile Environment Sexual Harassment** - Sexual harassing conduct (which can include unwelcomed sexual advances, requests for sexual favors, or other favors, or other verbal, nonverbal, or physical conduct of a sexual nature) by an employee, by another student, or by a third party that is sufficiently severe, persistent, or pervasive to limit a student's ability to participate in or benefit from an educational program or activity, or to create a hostile or abusive educational environment.
3. **Notice** - The school district has notice if it actually "knew, or in the exercise of reasonable care, should have known" about the harassment. If an agent or responsible employee of the school district received notice, the school district is deemed to have notice. The school district may receive notice in many different ways:
  - a. A student may have filed a grievance or complained to a teacher about fellow students harassing him/her.
  - b. A student, parent, or other student may have contacted other appropriate school personnel.
  - c. An agent or a responsible employee of the school district may have witnessed the harassment.
  - d. The school district may obtain information in an indirect manner such as staff, community members, newspapers, etc.
4. **Constructive Notice** - A school district will be in violation if the school district has "constructive notice" of a sexually hostile environment and fails to take immediate and appropriate corrective action. Constructive notice exists if the school district "should have" known about the harassment and if the school district would have found out about the harassment through a "reasonable diligent inquiry."



5. Gender-based Harassment - Gender-based harassment that includes acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on gender, but not involving conduct of a sexual nature, may be a form of sex discrimination if it is sufficiently severe, persistent, or pervasive and directed at individuals because of their gender.
6. Title IX of the Education Amendments of 1972 - Title IX applies to all public school districts that receive federal funds and protects students in connection with all the academic, educational, extra-curricular, athletic, and other programs of the school district, whether they take place in the school facilities, on the school bus, at a class or training program sponsored by the school at another location, or elsewhere. Title IX protects any “person” from sex discrimination; accordingly both male and female students are protected from sexual harassment engaged in by school district employees, other students, or third parties. Title IX prohibits sexual harassment regardless of the gender of the harasser even if the harasser and the student being harassed are members of the same gender. Although Title IX does not specifically prohibit discrimination on the basis of sexual orientation, sexual harassment directed at gay or lesbian students may constitute sexual harassment as prohibited by Title IX. Harassing conduct of a sexual nature directed toward gay or lesbian students may create a sexually hostile environment and therefore be prohibited under Title IX.
7. Grievance Procedure - The grievance procedure provides for prompt and equitable resolution of discrimination complaints, including complaints of sexual harassment. The grievance procedure provides the school district with a mechanism for discovering sexual harassment as early as possible and for effectively correcting problems.
8. Office Of Civil Rights (OCR) - The OCR of the United States Department of Education has federal government’s enforcement authority of Title IX.
9. Unwelcomeness - In order to be actionable as harassment, sexual conduct must be unwelcomed. Conduct is unwelcomed if the student did not request or invite it and “regarded the conduct as undesirable or offensive.” The school district will be concerned about the issue of welcomeness if the harasser is in a position of authority.
10. Acquiescence - Acquiescence in the conduct or the failure to complain does not always mean the conduct was welcome. The fact that a student may have accepted the conduct does not mean that he/she welcomed it. The fact that a student willingly participated in conduct on one occasion does not prevent him/her from indicating that the same conduct has become unwelcome on a subsequent occasion. On the other hand, if a student actively participates in sexual banter and discussions and gives no indication he/she objects, then the evidence generally will not support a conclusion that the conduct was unwelcomed.
11. Sufficiently Severe, Persistent, or Pervasive Conduct - In determining whether conduct is sufficiently severe, persistent, or pervasive, the conduct should be considered from a

subjective and objective perspective. In making this determination, all relevant circumstances should be considered:

- a. The degree to which the conduct affected one or more students' behavior. The conduct must have limited a student's ability to participate in or benefit from his/her education or altered the conditions of the students' educational environment.
- b. The type, frequency, and duration of the conduct.
- c. The identity of and relationship between the alleged harasser and the subject or subjects of the harassment.
- d. The number of individuals involved.
- e. The age and gender of the alleged harasser and the subject or subjects of the harassment.
- f. The size of the school, location of the incidents, and context in which they occurred.
- g. Other incidents at the school.
- h. Incidents of gender-based, but non-sexual harassment.

## B. Grievance Procedure

The following Grievance Procedure shall be used for an allegation(s) of Harassment of Students by School Employees, Other Students, or Third Parties:

### 1. Reporting of Sexual Harassment Conduct

- a. Any person with any information regarding actual and/or potential sexual harassment of a student by any school employee, other students, or third parties must report the information to the school Building Principal, their immediate supervisor or the Affirmative Action Officer.
  - (1) If the Building Principal deems it appropriate, he/she may immediately notify the parent(s) or legal guardian(s) of the alleged harasser(s) or alleged victim(s) upon receipt of any information prior to notifying the Affirmative Action Officer.
  - (2) The Building Principal will not disclose the name(s) of the alleged harasser(s) or alleged victim(s) to the other party.

b. The school district can learn of sexual harassment through other means such as from a witness to an incident, an anonymous letter or telephone call.

c. Nothing in the Policy and Regulation on Student Sexual Harassment shall preclude the Building Principal, or designee, from complying with the provisions of Policy No. 5600 - Student Discipline in order to maintain the health, safety and welfare of staff and/or students.

d. A report from the school Building Principal or an immediate supervisor will be forwarded to the school district Affirmative Action Officer within one working day, even if the school Building Principal or immediate supervisor feels sexual harassment conduct was not present.

e. Upon receipt of an allegation and/or report, the Affirmative Action Officer shall immediately notify the parent(s) or legal guardian(s) of any alleged harasser(s) and victim(s) for which a report has been filed even if the Building Principal has previously notified the parent(s) or legal guardian(s).

f. The Affirmative Action Officer shall notify the parent(s) or legal guardian(s) of all involved students and any other involved individuals of the process to be followed in investigating a report or complaint.

## 2. Affirmative Action Officer's Investigation

a. Upon receipt of any report of potential sexual harassment conduct, the Affirmative Action Officer will begin an immediate investigation. The Affirmative Action Officer will promptly investigate all alleged complaints of sexual harassment, whether or not a formal grievance is filed and steps will be taken to resolve the situation, if needed. This investigation will be prompt, thorough, and impartial. The investigation will be completed no more than ten working days after receiving notice.

b. When a student or the parent(s) or legal guardian(s) of a student provides information or complains about sexual harassment of the student, the Affirmative Action Officer will initially discuss what actions the student or parent(s) or legal guardian(s) is seeking in response to the harassment.

c. The Affirmative Action Officer's investigation may include, but is not limited to, interviews with all persons with potential knowledge of the alleged conduct, interviews with any students who may have been sexually harassed by any school employee, other students, or third parties and any other reasonable methods to determine if sexual harassment conduct existed.

- d. The Affirmative Action Officer will request, if relevant to an investigation, the parent(s) or legal guardian(s) of any student involved in the investigation to assist in the investigation to determine if sexual harassment conduct exist(ed).
- e. The Affirmative Action Officer will provide a copy of the Board Policy and Regulation to all persons who are interviewed with potential knowledge and to any other person the Affirmative Action Officer feels would be served by a copy of such documents.
- f. The Affirmative Action Officer will explain the avenues for formal and informal action, including a description of the grievance procedure that is available for sexual harassment complaints and an explanation on how the procedure works.
- g. Any person interviewed by the Affirmative Action Officer may be provided an opportunity to present witnesses and other evidence.
- h. The Affirmative Action Officer and/or Superintendent may contact law enforcement agencies if there is potential criminal conduct by any party.
- i. The school district administrators may take interim measures during an Affirmative Action Officer's investigation of a complaint in order to alleviate any conditions which prohibits the student from assisting in the investigation.
- j. If elementary or middle school students are involved, it may become necessary to determine the degree to which they are able to recognize that certain sexual conduct is conduct to which they can or should reasonably object and the degree to which they can articulate an objection. The Affirmative Action Officer will consider the age of the student, the nature of the conduct involved, and other relevant factors in determining whether a student had the capacity to welcome sexual conduct.
- k. The Affirmative Action Officer will consider particular issues of welcomeness if the alleged harassment relates to alleged "consensual" sexual relationships between a school employee and a student.
  - (1) If elementary or middle school (grades K-8) students are involved, welcomeness will not be an issue. Sexual conduct between a school employee and an elementary student will not be viewed as consensual.
  - (2) If secondary (grades 9-12) students are involved, there is a strong presumption that sexual conduct between a school employee and a secondary student is not consensual.
  - (3) In cases involving older secondary and post-secondary students and older secondary and post-secondary special education students, the Affirmative

Action Officer will consider the following to determine whether a school employee's sexual advances or other sexual conduct could be considered welcome:

- (a) The nature of the conduct and the relationship of the school employee to the student, including the degree of influence, authority, or control the employee has over the student.
  - (b) Whether the student was legally or practically unable to consent to the sexual conduct in question.
- l. If there is a dispute about whether harassment occurred or whether it was welcome (in a case which it is appropriate to consider whether the conduct could be welcome) determinations should be based on the totality of the circumstances. The following types of information may be helpful in resolving the dispute:
- (1) Statements made by any witnesses to the alleged incident.
  - (2) Evidence about the relative credibility of the alleged harassed student and the alleged harasser.
  - (3) Evidence that the alleged harasser has been found to have harassed others may support the credibility of the student claiming harassment.
  - (4) Evidence of the allegedly harassed student's reaction or behavior after the alleged harassment.
  - (5) Evidence about whether the student claiming harassment filed a complaint or took other action to protest the conduct soon after the alleged incident occurred.
  - (6) Other contemporaneous evidence such as did the student write about the conduct and his/her reaction to it soon after it happened in diary or letter and/or tell friends or relatives.
- m. The scope of a reasonable response also may depend upon whether a student, or parent(s) or legal guardian(s) reporting harassment asks that the student's name not be disclosed to the harasser or that nothing be done about the harassment. The Affirmative Action Officer:
- (1) Will provide an overview of harassment policy [and Title IX if applicable] to the student, parent(s) or legal guardian(s) guardian which shall include the prohibition of retaliation. In the event the student,

parent(s) or legal guardian(s) request the student's name remain confidential, the Affirmative Action Officer will inform the student parent(s) or legal guardian(s) that the request may limit the school district's ability to respond.

- (2) Will evaluate the confidentiality request in the context of its responsibility to provide a safe and nondiscriminatory environment for all students. The factors to be considered shall be the seriousness of the alleged harassment, the age of the student harassed, whether there have been any other complaints or reports against the alleged harasser. And the rights of the accused individual to receive information about the accuser and the allegations if a formal proceeding with sanctions may result.
- (3) May use other means available to address the harassment. Steps that may be taken to limit the effects of the alleged harassment and prevent its reoccurrence without initiating a formal complaint and revealing the identity of the complainant. These steps may require sexual harassment training at the site where the problem occurred, taking a student survey concerning any harassment problems that may exist, or other systematic measures where the alleged harassment occurred.
- (4) By conducting a limited investigation without revealing the name of the student sexually harassed, may be able to learn about or confirm a pattern of harassment based on claims of different students that were harassed by the same individual. The Affirmative Action Officer may place an individual on notice of allegation of harassing behavior and counsel appropriately without revealing, even indirectly, the identity of the student who notified the school district.

### 3. Investigation Results

- a. Upon the conclusion of the investigation, but not later than ten working days after reported, the Affirmative Action Officer will prepare a summary of findings to the parties. At the least this shall include the person(s) providing notice to the school district and the student(s) who were alleged to be sexually harassed.
- b. The Affirmative Action Officer shall make a determination whether sexual harassment conduct was present.
- c. If the Affirmative Action Officer concludes sexual harassment conduct was not, or is not present, the investigation is concluded.
- d. If the Affirmative Action Officer determines that sexual harassment has occurred, the school district administrators and staff shall take reasonable, age-appropriate, and effective corrective action, including steps tailored to the specific

situation. Appropriate steps will be taken to end the harassment such as counseling, warning, and/or disciplinary action, as specified in student and/or staff discipline policies and regulations. The steps will be based on the severity of the harassment or any record of prior incidents or both. A series of escalating consequences may be necessary if the initial steps are ineffective in stopping the harassment.

- e. In the event the Affirmative Action Officer determines a hostile environment exists, the school district administrators and staff shall take steps to eliminate the hostile environment. The school district administrators may need to deliver special training or other interventions to repair the educational environment. Other measures may include directing the harasser to apologize to the harassed student, dissemination of information, distribution of new policy statements or other steps to communicate the message that the Board does not tolerate harassment and will be responsive to any student that reports such conduct.
  - f. In some situations, the school district administrators may need to provide other services to the student that was harassed if necessary to address the effects of the harassment on that student. Depending on the type of harassment found, these additional services may include an independent re-assessment of the harassed student's work, re-taking a course with a different instructor, tutoring and/or other measures that are appropriate to the situation.
  - g. The school district administrators will take steps to avoid any further sexual harassment and to prevent any retaliation against the student who made the complaint, was the subject of the harassment, or against those who provided the information or were witnesses. The Affirmative Action Officer will inform the sexually harassed student and his/her parent how to report any subsequent problems and make follow-up inquiries to see if there has been any new incidents or retaliation.
  - h. All sexual harassment grievances and accompanied investigation notes will be maintained in a confidential file by the Affirmative Action Officer.
4. Affirmative Action Officer's Investigation Appeal Process
- a. Any person found by the Affirmative Action Officer's investigation to be guilty of sexual harassment conduct, or any student who believes they were sexually harassed but not supported by the Affirmative Action Officer's investigation, may appeal to the Superintendent. The Superintendent will make his/her determination within ten working days of receiving the appeal.

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

C. Office Of Civil Rights (OCR) Case Resolution

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

1. Any alleged victim of sexual harassment may appeal a decision of the Affirmative Action Officer, Superintendent, or the Board to the Office of Civil Rights (OCR).
2. Any person may report an allegation of sexual harassment to the OCR at any time. If the OCR is asked to investigate or otherwise resolve incidents of sexual harassment of students, including incidents caused by employees, other students, or third parties, OCR will consider whether:
  - a. The school district has a policy prohibiting sex discrimination under Title IX and an effective Title IX grievance procedure;
  - b. The school district appropriately investigated or otherwise responded to allegations of sexual harassment; and
  - c. The school district has taken immediate and appropriate corrective action responsive to Quid Pro Quo or Hostile Environment Harassment.
3. If the school district officials have taken the steps described in 2 above, the OCR will consider the case against the school district resolved and take no further action other than monitoring compliance with any agreement between the school district and the OCR. This shall apply in cases in which the school district was in violation of Title IX, as well as those in which there has been no violation of Title IX.

Issued: 06 June 2017



**4352. SEXUAL HARASSMENT (M) (SUPPORT STAFF)**

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: 06 June 2017

**R4352. SEXUAL HARASSMENT (M) (SUPPORT STAFF)**

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

**A. Definitions**

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

**B. Grievance Procedure**

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

1. **Reporting of Sexual Harassment Conduct**
  - a. Any person with any information regarding actual and/or potential sexual harassment of a staff member must report the information to the school Building Principal, their immediate supervisor or the Affirmative Action Officer.
  - b. The school district can learn of sexual harassment through other means such as from a witness to an incident, an anonymous letter, or telephone call.
  - c. A report to the school Building Principal or an immediate supervisor will be forwarded to the school district Affirmative Action Officer within one working

day, even if the school Building Principal or immediate supervisor feels sexual harassment conduct was not present.

- d. In the event the report alleges conduct by the Building Principal or the Affirmative Action Officer, the Superintendent will designate a school official to assume the Building Principal's or Affirmative Action Officer's responsibilities, as outlined in Policy No. 4352 and this Regulation.

## 2. Affirmative Action Officer's Investigation

- a. Upon receipt of any report of potential sexual harassment conduct, the Affirmative Action Officer will begin an immediate investigation. The Affirmative Action Officer will promptly investigate all alleged complaints of sexual harassment, whether or not a formal grievance is filed and steps will be taken to resolve the situation, if needed. This investigation will be prompt, thorough, and impartial. The investigation will be completed no more than ten working days after receiving notice.
- b. When a school staff member provides information or complains about sexual harassment, the Affirmative Action Officer will initially discuss what actions the staff member is seeking in response to the harassment.
- c. The Affirmative Action Officer's investigation may include, but is not limited to, interviews with all persons with potential knowledge of the alleged conduct, interviews with any staff member(s) who may have been sexually harassed in the past by the school staff member and any other reasonable methods to determine if sexual harassment conduct existed.
- d. The Affirmative Action Officer may request a staff member involved in the investigation to assist in the investigation.
- e. The Affirmative Action Officer will provide a copy of Board Policy and Regulation No. 4352 to all persons who are interviewed with potential knowledge, upon request, and to any other person the Affirmative Action Officer feels would be served by a copy of such documents.
- f. Any person interviewed by the Affirmative Action Officer may be provided an opportunity to present witnesses and other evidence.
- g. The Affirmative Action Officer and/or Superintendent will contact law enforcement agencies if there is potential criminal conduct by any party.
- h. The school district administration may take interim measures during an Affirmative Action Officer's investigation of a complaint.

- i. The Affirmative Action Officer will consider particular issues of welcomeness based on the allegations.
3. Investigation Results
  - a. Upon the conclusion of the investigation, but not later than ten working days after reported to the Affirmative Action Officer, the Affirmative Action Officer will prepare a summary of findings to the parties. At a minimum, this summary shall include the person(s) providing notice to the school district and the staff member(s) who was alleged to be sexually harassed.
  - b. The Affirmative Action Officer shall make a determination whether sexual harassment conduct was present.
  - c. If the Affirmative Action Officer concludes sexual harassment conduct was not, or is not present, the investigation is concluded.
  - d. If the Affirmative Action Officer determines that sexual harassment has occurred, the school district administration shall take reasonable and effective corrective action, including steps tailored to the specific situation. Appropriate steps will be taken to end the harassment such as counseling, warning, and/or disciplinary action. The steps will be based on the severity of the harassment or any record of prior incidents or both. A series of escalating consequences may be necessary if the initial steps are ineffective in stopping the harassment.
  - e. In the event the Affirmative Action Officer determines a hostile environment exists, the Superintendent shall take steps to eliminate the hostile environment. The school district may need to deliver special training or other interventions to repair the educational environment. Other measures may include directing the harasser to apologize to the harassed staff member, dissemination of information, distribution of new policy statements or other steps to communicate the message that the Board does not tolerate harassment and will be responsive to any school staff member that reports such conduct.
  - f. In some situations, the school district may need to provide other services to the staff member that was harassed, if necessary, to address the effects of the harassment on that staff member. Depending on the type of harassment found, these additional services may include an independent re-assessment of the harassed staff member's work performance, counseling and/or other measures that are appropriate to the situation.
  - g. The Superintendent will take steps to avoid any further sexual harassment and to prevent any retaliation against the staff member who made the complaint, was the subject of the harassment, or against those who provided the information or were witnesses. The Affirmative Action Officer will inform the sexually harassed staff

member to report any subsequent problems and will make follow-up inquiries to see if there has been any new incidents or retaliation.

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

4. Affirmative Action Officer's Investigation Appeal Process

- a. Any person found by the Affirmative Action Officer's investigation to be guilty of sexual harassment conduct, or any person who believes they were sexually harassed but not supported by the Affirmative Action Officer's investigation, may appeal to the Superintendent. The Superintendent will make his/her determination within ten working days of receiving the appeal.
- b. Any person who is not satisfied with the Superintendent's determination may appeal to the Board. The Board will make its determination within forty-five calendar days of receiving an appeal from the Superintendent's determination.

C. Office Of Civil Rights (OCR) Case Resolution

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

- 1. Any alleged victim of sexual harassment may appeal a decision of the Affirmative Action Officer, Superintendent, or the Board to the Office of Civil Rights (OCR).
- 2. Any person may report an allegation of sexual harassment to the OCR at any time. If the OCR is asked to investigate or otherwise resolve incidents of sexual harassment of school staff members, OCR will consider whether:
  - a. The school district has a policy prohibiting sexual harassment and a grievance procedure;
  - b. The school district appropriately investigated or otherwise responded to allegations of sexual harassment; and
  - c. The school district has taken immediate and appropriate corrective action responsive to Quid Pro Quo or Hostile Environment Harassment.

**3362. SEXUAL HARASSMENT (M) (TEACHING STAFF)**

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: 06 June 2017

**R3362. SEXUAL HARASSMENT (M) (TEACHING STAFF)**

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

**A. Definitions**

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

**B. Grievance Procedure**

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

1. **Reporting of Sexual Harassment Conduct**
  - a. Any person with any information regarding actual and/or potential sexual harassment of a staff member must report the information to the school Building Principal, their immediate supervisor or the Affirmative Action Officer.
  - b. The school district can learn of sexual harassment through other means such as from a witness to an incident, an anonymous letter, or telephone call.

- c. A report to the school Building Principal or an immediate supervisor will be forwarded to the school district Affirmative Action Officer within one working day, even if the school Building Principal or immediate supervisor feels sexual harassment conduct was not present.
  - d. In the event the report alleges conduct by the Building Principal or the Affirmative Action Officer, the Superintendent will designate a school official to assume the Building Principal's or Affirmative Action Officer's responsibilities as outlined in Policy No. 3362 and this Regulation.
2. Affirmative Action Officer's Investigation
- a. Upon receipt of any report of potential sexual harassment conduct, the Affirmative Action Officer will begin an immediate investigation. The Affirmative Action Officer will promptly investigate all alleged complaints of sexual harassment, whether or not a formal grievance is filed and steps will be taken to resolve the situation, if needed. This investigation will be prompt, thorough, and impartial. The investigation will be completed no more than ten working days after receiving notice.
  - b. When a school staff member provides information or complains about sexual harassment, the Affirmative Action Officer will initially discuss what actions the staff member is seeking in response to the harassment.
  - c. The Affirmative Action Officer's investigation may include, but is not limited to, interviews with all persons with potential knowledge of the alleged conduct, interviews with any staff member(s) who may have been sexually harassed in the past by the school staff member and any other reasonable methods to determine if sexual harassment conduct existed.
  - d. The Affirmative Action Officer may request a staff member involved in the investigation to assist in the investigation.
  - e. The Affirmative Action Officer will provide a copy of Board Policy and Regulation No. 3362 to all persons who are interviewed with potential knowledge, upon request, and to any other person the Affirmative Action Officer feels would be served by a copy of such documents.
  - f. Any person interviewed by the Affirmative Action Officer may be provided an opportunity to present witnesses and other evidence.
  - g. The Affirmative Action Officer and/or Superintendent will contact law enforcement agencies if there is potential criminal conduct by any party.



- h. The school district administration may take interim measures during an Affirmative Action Officer's investigation of a complaint.
  - i. The Affirmative Action Officer will consider particular issues of welcomeness based on the allegations.
3. Investigation Results
- a. Upon the conclusion of the investigation, but not later than ten working days after reported to the Affirmative Action Officer, the Affirmative Action Officer will prepare a summary of findings to the parties. At a minimum, this summary shall include the person(s) providing notice to the school district and the staff member(s) who was alleged to be sexually harassed.
  - b. The Affirmative Action Officer shall make a determination whether sexual harassment conduct was present.
  - c. If the Affirmative Action Officer concludes sexual harassment conduct was not, or is not present, the investigation is concluded.
  - d. If the Affirmative Action Officer determines that sexual harassment has occurred, the school district administration shall take reasonable and effective corrective action, including steps tailored to the specific situation. Appropriate steps will be taken to end the harassment such as counseling, warning, and/or disciplinary action. The steps will be based on the severity of the harassment or any record of prior incidents or both. A series of escalating consequences may be necessary if the initial steps are ineffective in stopping the harassment.
  - e. In the event the Affirmative Action Officer determines a hostile environment exists, the Superintendent shall take steps to eliminate the hostile environment. The school district may need to deliver special training or other interventions to repair the educational environment. Other measures may include directing the harasser to apologize to the harassed staff member, dissemination of information, distribution of new policy statements or other steps to communicate the message that the Board does not tolerate harassment and will be responsive to any school staff member that reports such conduct.
  - f. In some situations, the school district may need to provide other services to the staff member that was harassed, if necessary, to address the effects of the harassment on that staff member. Depending on the type of harassment found, these additional services may include an independent re-assessment of the harassed staff member's work performance, counseling and/or other measures that are appropriate to the situation.

- g. The Superintendent will take steps to avoid any further sexual harassment and to prevent any retaliation against the staff member who made the complaint, was the subject of the harassment, or against those who provided the information or were witnesses. The Affirmative Action Officer will inform the sexually harassed staff member to report any subsequent problems and will make follow-up inquiries to see if there has been any new incidents or retaliation.
- h. All sexual harassment grievances and accompanied investigation notes will be maintained in a confidential file by the Affirmative Action Officer.

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

- a. Any person found by the Affirmative Action Officer's investigation to be guilty of sexual harassment conduct, or any person who believes they were sexually harassed but not supported by the Affirmative Action Officer's investigation, may appeal to the Superintendent. The Superintendent will make his/her determination within ten working days of receiving the appeal.
- b. Any person who is not satisfied with the Superintendent's determination may appeal to the Board. The Board will make its determination within forty-five calendar days of receiving an appeal from the Superintendent's determination.

#### C. Office of Civil Rights (OCR) Case Resolution

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

- 1. Any alleged victim of sexual harassment may appeal a decision of the Affirmative Action Officer, Superintendent, or the Board to the Office of Civil Rights (OCR).
- 2. Any person may report an allegation of sexual harassment to the OCR at any time. If the OCR is asked to investigate or otherwise resolve incidents of sexual harassment of school staff members, OCR will consider whether:
  - a. The school district has a policy prohibiting sexual harassment and a grievance procedure;
  - b. The school district appropriately investigated or otherwise responded to allegations of sexual harassment; and
  - c. The school district has taken immediate and appropriate corrective action responsive to Quid Pro Quo or Hostile Environment Harassment.

**3322. STAFF MEMBER'S USE OF PERSONAL CELLULAR TELEPHONES/OTHER  
COMMUNICATION DEVICES**

Date Created: June, 2017

Date Edited: June, 2017

**3322. STAFF MEMBER'S USE OF PERSONAL CELLULAR TELEPHONES/OTHER  
COMMUNICATION DEVICES (TEACHING STAFF)**

The Board of Education recognizes a teaching staff member may need to electronically communicate on a non-school related, personal matter using a personal cellular telephone or other personal communication device during their workday. Electronic communications include, but are not limited to: voice conversations, text-messaging, accessing social networking or other internet sites, or any other type of electronic communication.

In the event the teaching staff member needs to electronically communicate on a non-school related, personal matter using a personal cellular telephone or other personal communication device during their workday, the teaching staff member may do so provided the communication is made during the teaching staff member's duty free lunch or break periods and is made outside the presence of students in an area inside the school building designated by the Principal or teaching staff member's immediate supervisor.

A teaching staff member's personal cellular telephone or other personal communication device shall be secured by the teaching staff member and outside the view of others when the teaching staff member is performing assigned school district responsibilities.

An electronic communication by a teaching staff member on a non-school related, personal matter using a personal cellular telephone or other personal communication device shall not be made while the teaching staff member is performing assigned school district responsibilities.

In the event the teaching staff member has an emergency requiring immediate attention that requires such a communication while performing assigned school district responsibilities, the teaching staff member shall inform their Principal or immediate supervisor before or immediately after the communication, depending on the nature of the emergency. The Board of Education is not responsible if a teaching staff member's personal cellular telephone or other communication device is lost, stolen, or missing.

Adopted: 06 June 2017

Support Staff Members  
4322. STAFF MEMBER'S USE OF PERSONAL CELLULAR TELEPHONES/OTHER  
COMMUNICATION DEVICES  
Date Created: June, 2017  
Date Edited: June, 2017

**4322. STAFF MEMBER'S USE OF PERSONAL CELLULAR TELEPHONES/OTHER  
COMMUNICATION DEVICES (SUPPORT STAFF)**

The Board of Education recognizes a support staff member may need to electronically communicate on a non-school related, personal matter using a personal cellular telephone or other personal communication device during their workday. Electronic communications include, but are not limited to: voice conversations, text-messaging, accessing social networking or other internet sites, or any other type of electronic communication.

In the event the support staff member needs to electronically communicate on a non-school related, personal matter using a personal cellular telephone or other personal communication device during their workday, the support staff member may do so provided the communication is made during the support staff member's free lunch or break periods and is made outside the presence of students in an area inside the school building designated by the support staff member's Principal or immediate supervisor.

A support staff member's personal cellular telephone or other personal communication device shall be secured by the support staff member and outside the view of others when the support staff member is performing assigned school district responsibilities.

An electronic communication by a support staff member on a non-school related, personal matter using a personal cellular telephone or other personal communication device shall not be made while the support staff member is performing assigned school district responsibilities.

In the event the support staff member has an emergency requiring immediate attention that requires such a communication while performing assigned school district responsibilities, the support staff member shall inform their Principal or immediate supervisor before or immediately after the communication, depending on the nature of the emergency. The Board of Education is not responsible if a support staff member's personal cellular telephone or other communication device is lost, stolen, or missing.

Adopted: 06 June 2017

**5530. SUBSTANCE ABUSE**

The Board of Education recognizes that a student's abuse of harmful substances seriously impedes that student's education and threatens the welfare of the entire school community. The Board is committed to the prevention of substance abuse and the rehabilitation of substance abusers by educational means, but will take the necessary and appropriate steps to protect the school community from harm and from exposure to harmful substances. Accordingly, the Board will establish policies and procedures in operating programs to support the social, emotional, and physical development of students in accordance with the provisions of N.J.S.A. 18A:40A-1 et seq. and N.J.A.C. 6A:16-4.1 et seq. The Board of Education will maintain a comprehensive substance abuse intervention, prevention, and treatment referral program in the schools of this district.

**A. Definitions**

N.J.S.A. 18A:40A-9

N.J.A.C. 6A:16-1.3; 6A:16-4.1 et seq.

The definitions as outlined in N.J.S.A. 18A:40A et seq., N.J.A.C. 6A:16 et seq., and those terms defined in Regulation 5530 shall be used for the purposes of this Policy and Regulation.

**B. Discipline**

N.J.S.A. 18A:40A-10; 18A:40A-11

N.J.A.C. 6A:16-4.1(c)2.; 6A:16-6.3(a)

The Board prohibits the use, possession, and/or distribution of alcohol or other drugs on school grounds according to N.J.S.A. 18A:40A-9, 10, and 11.

A student who uses, possesses, or distributes alcohol or other drugs will be subject to discipline in accordance with the district's Code of Student Conduct. School authorities also have the authority to impose a consequence on a student for conduct away from school grounds in accordance with the provisions of N.J.A.C. 6A:16-7.5. Discipline may include suspension or expulsion. The Board will establish consequences for a student not following through on the recommendations of an evaluation for alcohol or other drug abuse and related behaviors.

**C. Instruction**

N.J.S.A. 18A:40A-1 et seq.

N.J.A.C. 6A:16-3.1

The Board shall provide an instructional program on the nature of drugs, alcohol, anabolic steroids, tobacco, and controlled dangerous substances in accordance with the provisions of N.J.S.A. 18A:40A-1 et seq. and N.J.A.C. 6A:16-3.1.

D. Reporting, Notification, and Examination

N.J.S.A. 18A:40A-11 through 18A:40A-17  
N.J.A.C. 6A:16-3.1; 6A:16-4.1; 6A:16-4.2; 6A:16-4.3

1. Alcohol or Other Drugs

- a. Any educational staff member or other professional to whom it appears that a student may be currently under the influence of alcohol or other drugs as identified in N.J.S.A. 18A:40A-9 and N.J.A.C. 6A:16-4.1(a), on school grounds shall report the matter in accordance with N.J.A.C. 6A:16-4.3(a)1.
- b. An immediate medical examination shall be conducted and a written report of the medical evaluation shall be furnished to the parent of the student, the Principal, and the Superintendent in accordance with N.J.A.C. 6A:16-4.3(a)2 through 4.3(a)8.
- c. If the written report of the medical examination is not provided within twenty-four hours of the referral of the student, the student shall be allowed to return to school until such time as a positive determination of alcohol or other drug use is received from the examining physician, unless the student was also removed for violating the Code of Student Conduct.
- d. If the written report of the medical evaluation verifies that alcohol or other drugs do not interfere with the student's physical or mental ability to perform in school, the student shall be immediately returned to school. If there is a positive determination from the medical examination indicating the student's alcohol or other drug use interferes with his or her physical or mental ability to perform in school, the student shall be returned to the care of the parent as soon as possible. Attendance at school shall not resume until a written report has been submitted to the parent, Principal, and Superintendent from a physician licensed to practice medicine or osteopathy who has examined the student that verifies the student's alcohol or other drug use no longer interferes with his or her physical and mental ability to perform in school.
- e. Removal of a student with a disability shall be in accordance with N.J.A.C. 6A:14.

- f. While a student is at home because of the medical evaluation or after the student returns to school, an appropriately certified school staff member(s) will conduct an alcohol and other drug assessment of the student and a reasonable investigation of the situation and may initiate referral alcohol or other drug abuse treatment in accordance with N.J.A.C. 6A:16-4.3(a)12, 4.3(a)13, and 4.3(a)14.
  - g. Disclosure to law enforcement authorities of the identity of a student in instances of alcohol and other drugs shall be in accordance with the requirements of N.J.A.C. 6A:16-4.3(a)3.
  - h. The Board may provide additional intervention and referral services for the student according to the requirements of N.J.S.A. 18A:40A-10 and N.J.A.C. 6A:16-8.
2. Anabolic Steroids
- a. Whenever any teaching staff member, certified or non-certified school nurse, or other educational personnel has reason to believe a student has used or may be using anabolic steroids, the person shall report the matter in accordance with N.J.A.C. 6A:16-4.3(b)1.
  - b. The Principal or designee upon receiving such report shall immediately notify the parent and Superintendent and shall arrange for an examination of the student as soon as possible to determine whether the student has been using anabolic steroids in accordance with N.J.A.C. 6A:16-4.3(b)2.
  - c. Disclosure to law enforcement authorities of the identity of students in instances of anabolic steroids shall be in accordance with the requirements of N.J.A.C. 6A:16-4.3(b)3.
  - d. A written report of the examination shall be provided by the examining physician to the parent, Principal, and Superintendent.
  - e. If it is determined the student has used anabolic steroids, an appropriately certified school staff member(s) shall interview the student and others to determine the extent of the student's involvement with and use of anabolic steroids and the possible need for referral for treatment in accordance with N.J.A.C. 6A:16-4.3(b)5.
  - f. If the results of a referral for evaluation have positively determined the student's involvement with and use of anabolic steroids represents a danger to the student's health and well-being, an appropriately certified

Students

5530. SUBSTANCE ABUSE (M)

Date Created: June, 2017

Date Edited: June, 2017

school staff member(s) shall initiate a referral for treatment to agencies and/or private practitioners as outlined in N.J.A.C. 6A:16-4.3(b)6.

3. A school employee who seizes or discovers alcohol or other drugs, or an item believed to be a controlled dangerous substance, including anabolic steroids, or drug paraphernalia, shall comply with the provisions of N.J.A.C. 6A:16-6.4.
4. The Board will provide intervention, referral for evaluation, and referral for treatment services to those students that are affected by alcohol or other drug use in accordance with the provisions of N.J.A.C. 6A:16-4.1(c)7.
5. Refusal or failure by a parent to comply with the provisions of N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3 shall be treated as a policy violation of the Compulsory Education Act, pursuant to N.J.S.A. 18A:38-25 and 31, and child neglect laws, pursuant to N.J.S.A. 9:6-1 et seq. and N.J.A.C. 6A:16-11.
6. Refusal or failure of a student to comply with the provisions of N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3 shall be treated by the school district as a policy violation and handled in accordance with N.J.A.C. 6A:16-4.1(c)2.

E. In-Service Training

N.J.S.A. 18A:40A-15

The Board directs the Superintendent to develop a program of in-service training for all teaching staff members involved in the instruction of students in accordance with the provisions of N.J.S.A. 18A:40A-15. The Board will provide time for the conduct of the program during the usual school schedule. The in-service training program required in N.J.S.A. 18A:40A-15 shall be updated at regular intervals in order to ensure teaching staff members have the most current information available on this subject.

F. Parent Training Program/Outreach Program

N.J.S.A. 18A:40A-16; 18A:40A-17  
N.J.A.C. 6A:16-4.1(c)8

The Board will provide a parent training program/outreach program in accordance with the provisions of N.J.S.A. 18A:40A-16 and 17.

G. Records and Confidentiality of Records

42 CFR Part 2  
N.J.S.A. 18A:40A-7.1; 18A:40A-7.2  
N.J.A.C. 6A:16-3.2; 6A:32-7.1 et seq.



Notations concerning a student's involvement with substances may be entered on his/her records, subject to N.J.A.C. 6A:32-7.1 et seq. and Policy 8330 regarding confidentiality. Information concerning a student's involvement in a school intervention or treatment program for alcohol or other drug abuse shall be kept strictly confidential according to 42 CFR Part 2, N.J.S.A. 18A:40A-7.1 and 7.2, N.J.A.C. 6A:16-3.2, and N.J.A.C. 6A:16-6.5.

If an elementary or secondary student who is participating in a school-based drug or alcohol abuse counseling program provides information during the course of a counseling session in that program which indicates that the student's parent or other person residing in the student's household is dependent upon or illegally using a substance as that term is defined in N.J.S.A. 18A:40A-9, that information shall be kept confidential and may be disclosed only in accordance with N.J.S.A. 18A:40A-7.1 and N.J.A.C. 6A:16-3.2.

#### H. Nonpublic School Students

N.J.S.A. 18A:40A-5; 18A:40A-17(c)

The Board has the power and duty to loan to students attending nonpublic schools located in this district and to the parents of such students all educational materials on the nature and effects of drugs, alcohol, anabolic steroids, tobacco, and controlled dangerous substances developed and made available by the Commissioner of Education. The Board shall not be required to expend funds for the loan of these materials.

#### I. Civil Immunity

N.J.S.A. 18A:40A-13; 18A:40A-14  
N.J.A.C. 6A:16-4.3(c)

No action of any kind in any court of competent jurisdiction shall lie against any employee, officer, or agent of the Board because of actions taken under the education statutes on substance abuse, N.J.S.A. 18A:40A-1 et seq., provided the skill and care given is that ordinarily required and exercised by other such employees, officers, and agents of the Board in accordance with the provisions of N.J.S.A. 18A:40A-13.

Any educational or non-educational Board employee who in good faith reports a student to the Principal or designee in compliance with N.J.A.C. 6A:16-4.3 shall not be liable in civil damages as a result of making such a report, as specified in N.J.S.A. 18A:40A-13 and 14.

#### J. Reporting Students to Law Enforcement Authorities

N.J.A.C. 6A:16-4.1; 6A:16-6.3

The Superintendent or designee shall disclose to law enforcement authorities the identity of a student reasonably believed to be in possession of a controlled dangerous substance, including anabolic steroids, or related paraphernalia or involved or implicated in distribution activities regarding controlled dangerous substances, including anabolic steroids pursuant to N.J.A.C. 6A:16-4.1(c)9. The Superintendent or designee shall not disclose the identity of the student who has voluntarily sought and participated in an appropriate treatment or counseling program for an alcohol or other drug abuse problem provided the student is not reasonably believed to be involved or implicated in drug-distribution activities.

The Superintendent or designee may disclose to law enforcement authorities the identity of a student suspected to be under the influence of alcohol and/or other drugs, pursuant to N.J.A.C. 6A:16-4.1(c)9.i. Law enforcement authorities shall not be notified of the findings if a student's alcohol or other drug test was obtained as a result of a district's voluntary random drug testing program pursuant to N.J.S.A. 18A:40A-22 et seq. and N.J.A.C. 6A:16-4.4.

**K. Policy Review and Accessibility**

N.J.S.A. 18A:40A-10; 18A:40A-11  
N.J.A.C. 6A:16-4.2(a) and (b)

The Board will annually review the effectiveness of Policy and Regulation 5530 on student alcohol and drug abuse. The Board may solicit parent, student, and community input, as well as consult in the review process with local alcohol or other drug abuse prevention, intervention, and treatment agencies licensed by the New Jersey Department of Human Services.

This Policy and Regulation shall be annually disseminated to all school staff, students, and parents through the district website or other means.

N.J.S.A. 18A:40A-1 et seq.; 18A:40A-7.1 et seq.  
N.J.A.C. 6A:16-1.1 et seq.; 6A:16-4.1 et seq.; 6A:16-6.1 et seq.

Adopted: 06 June 2017

**R5530. SUBSTANCE ABUSE**

The following procedures are established in implementation of Policy 5530, Substance Abuse.

**A. Definitions**

1. “Evaluation” means procedures used by a certified or licensed professional to make a positive determination of a student’s need for programs and services which extend beyond the general school program by virtue of learning, behavior, or health difficulties of the student or the student’s family.
2. “Other drugs” mean substances as defined in N.J.S.A. 18A:40A-9 and substances as defined in N.J.A.C. 6A:16-4.1(a).
3. “Parent” means the natural parent(s) or adoptive parent(s), legal guardian(s), foster parent(s) or parent surrogate(s) of a student. When parents are separated or divorced, “parent” means the person or agency who has legal custody of the student, as well as the natural or adoptive parent(s) of the student, provided such parental rights have not been terminated by a court of appropriate jurisdiction.
4. “Referral for evaluation” means programs and services suggested to a student or his or her family in order to make a positive determination regarding a student’s need for services that extend beyond the general school program.
5. “Referral for treatment” means programs and services suggested to a student or to his or her family to help implement the recommendations resulting from an evaluation, pursuant to N.J.A.C. 6A:16-1.3 and 4.1(c)5 and 6; in response to a positive alcohol or other drug test result, pursuant to N.J.A.C. 6A:16-4.4; or in response to the family’s request for assistance with a learning, behavior, or health difficulty, pursuant to N.J.A.C. 6A:16-4.1(c)7 and 8.
6. “School grounds” means and includes land, portions of land, structures, buildings, and vehicles, owned, operated or used for the provision of academic or extracurricular programs sponsored by the district or community provider and structures that support these buildings, such as school wastewater treatment facilities, generating facilities, and other central facilities including, but not limited to, kitchens and maintenance shops. “School grounds” also include other facilities as defined in N.J.A.C. 6A:26-1.2, playgrounds; and other recreational places owned by local municipalities, private entities, or other individuals during those times when the school district has exclusive use of a portion of such land. “School grounds” also includes athletic stadiums; swimming pools; any associated structures or related equipment tied to such facilities including, but not limited to, grandstands; greenhouses; garages; facilities used for non-instructional or non-educational purposes; and any structure, building, or facility used solely for school administration as defined in N.J.A.C. 6A:26-1.2.

7. “Substance” as defined in N.J.S.A. 18A:40A-9 and N.J.A.C. 6A:16-4.1(a) means alcoholic beverages, controlled dangerous substances, including anabolic steroids as defined at N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2, any chemical or chemical compound which releases vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes as defined at N.J.S.A. 2C:35-10.4, and over-the-counter and prescription medications that are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system.
8. “Substance abuse” means the consumption or use of any substance for purposes other than for the treatment of sickness or injury as prescribed or administered by a person duly authorized by law to treat sick and injured human beings.
9. “Under the influence” of substances means that the student is observed in the use of a substance or exhibits physical and/or behavioral characteristics that indicate the immediate use of a substance.

## B. Discipline

1. Any violation of Board rules prohibiting the use, possession, and/or distribution of a substance is a serious offense, and the student who violates a substance abuse rule will be disciplined accordingly. Repeated violations are more severe offenses and warrant stricter disciplinary measures. Students who violate the substance abuse rules will be disciplined as follows:

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense
Possession of Controlled Dangerous Substance (CDS)	Mandatory Drug Screen, Out of School Suspension 4 days Pending Assessment and Referral to SAC, Parent Conference with grade level AP, Possible SAP/HASS Placement	Mandatory Drug Screen, Out of School Suspension 4-10 days Pending Assessment and Referral to SAC, Parent Conference with grade level AP, Possible SAP/HASS Placement
Sale and Distribution of Controlled Dangerous Substance (CDS)	Criminal Offense and Suspended Pending Hearing, Mandatory Drug Screen, Mandatory HASS Placement	Expulsion Proceedings
Use of Controlled Dangerous Substance (CDS)	Mandatory Drug Screen, Out of School Suspension 4 days Pending Assessment and Referral to SAC, Parent Meeting, Possible SAP/HASS Placement	Mandatory Drug Screen, Out of School Suspension 4-10 days Pending Assessment and Referral to SAC, Parent Contact, Mandatory HASS Placement

**C. Intervention, Referral for Evaluation, and Referral for Treatment Services**

1. The provision of intervention, referral for evaluation, and referral for treatment services for students who are affected by alcohol or other drug use.
  - a. The intervention, referral for evaluation, and referral for treatment services shall be provided by an individual who holds the educational services certificate with the student assistance coordinator endorsement issued by the New Jersey State Board of Examiners, or by an individual who holds one of the following educational services certificate endorsements: school nurse; school nurse/non-instructional; school psychologist; school counselor; school social worker; or student personnel services and is trained in alcohol and other drug abuse intervention, assessment, referral for evaluation, and referral for treatment skills.
  - b. The intervention, referral for evaluation, and referral for treatment services shall include one or more of the following:
    - (1) Provisions for a program of instruction, counseling, and related services provided by the district Board of Education while a student receives medical treatment for a diagnosed alcohol or other drug dependency problem;
    - (2) Referral to a community agency, as defined in N.J.A.C. 6A:16-4.1(b), out-of-State agencies licensed by the appropriate State regulatory agency for alcohol and other drug services, or private practitioners authorized by the appropriate drug and alcohol licensing board;
    - (3) Provisions for support services for students who are in, or returning from, medical treatment for alcohol and other drug dependency; or
    - (4) A special class, course or educational program designed to meet the needs of students with alcohol or other drug use problems.

**D. Reporting, Notification, and Examination Procedures**

1. Students Suspected of Using Anabolic Steroids – N.J.A.C. 6A:16-4.3(b)
  - a. Whenever a teaching staff member, certified or non-certified school nurse, or other educational personnel has reason to believe that a student has used or may be using anabolic steroids, the person shall report the matter as soon as possible to the Principal or, in the Principal's absence, to a person designated by the Principal and either the certified or non-certified school nurse, the school physician, or the student assistance coordinator.

- b. In response to a report of suspected anabolic steroid use, including instances when a report is made to law enforcement, the Principal or designee shall immediately notify the student's parent and the Superintendent. The Principal or designee shall arrange for an examination of the student by a physician licensed to practice medicine or osteopathy selected by the parent.
  - (1) If the physician chosen by the parent is not available to perform the examination, the examination shall be conducted by the school physician or other physician identified by the Principal.
  - (2) The student shall be examined as soon as possible for the purpose of determining whether the student has been using anabolic steroids.
- c. The Superintendent or designee may disclose to law enforcement authorities the identity of a student suspected to have used or to be using anabolic steroids.
  - (1) The Superintendent or designee shall disclose to law enforcement authorities the identity of a student reasonably believed to be in possession of anabolic steroids or related paraphernalia or a student reasonably believed to be involved or implicated in distribution activities involving anabolic steroids.
- d. The examining physician shall provide to the parent, Principal, and Superintendent a written report of the examination.
- e. If it is determined the student has used anabolic steroids, an individual who holds the Educational Services Certificate with the student assistance coordinator endorsement issued by the New Jersey State Board of Examiners or an individual who holds one of the following educational services certificate endorsements: school nurse, school nurse/non-instructional, school psychologist, school counselor, school social worker, or student personnel services and is trained to assess alcohol and other drug abuse shall interview the student and others, as necessary, for the purpose of determining the extent of the student's involvement with and use of anabolic steroids and the possible need for referral for treatment.
  - (1) To make this determination, the school staff member(s) identified above may conduct a reasonable investigation, which may include interviews with the student's teachers and parents and consultation with experts in student alcohol or other drug abuse.
- f. If results of a referral for evaluation positively determine the student's involvement with and use of anabolic steroids represents a danger to the student's health and well-being, the school staff member(s) identified in D.1.e. above who is trained to assess alcohol and other drug abuse shall initiate a referral for treatment to

Students

5530. SUBSTANCE ABUSE (M)

Date Created: June, 2017

Date Edited: June, 2017

treatment to appropriate community agencies as defined in N.J.A.C. 6A:16-4.1(b), to out-of-State agencies licensed by the appropriate State regulatory agency for alcohol and other drug services, or to private practitioners certified by the appropriate drug and alcohol licensing board.

2. Students Suspected of Being Under the Influence of Alcohol or Other Drugs Other Than Anabolic Steroids – N.J.A.C. 6A:16-4.3(a)
  - a. Any educational staff member or other professional to whom it appears that a student may be currently under the influence of alcohol or other drugs on school grounds shall report the matter as soon as possible to the Principal or, in his or her absence, to his or her designee and either the certified school nurse, non-certified school nurse, school physician, or student assistance coordinator, pursuant to N.J.S.A. 18A:40A-12.
    - (1) In instances where the Principal and either the certified school nurse, non-certified school nurse, school physician or the student assistance coordinator are not in attendance, the staff member responsible for the school function shall be immediately notified.
    - (2) The referring staff member shall file with the Principal a report describing the incident. The form shall include all information necessary for a complete, accurate reporting on the Electronic Violence and Vandalism Reporting System (EVVRS) according to N.J.S.A. 18A:17-46 and N.J.A.C. 6A:16-5.3.
  - b. In response to every report by an educational staff member or other professional of suspected student alcohol or other drug use, including instances when a report is made to law enforcement, the Principal or designee shall:
    - (1) Immediately notify the student's parent and the Superintendent or designee;
    - (2) Arrange for an immediate medical examination of the student for the purposes of providing appropriate health care and for determining whether the student is under the influence of alcohol or other drugs, other than anabolic steroids; and
    - (3) Any substance screening conducted by the school nurse and/or other staff is not a substitute for the required medical examination required in N.J.S.A. 18A:40A-12.
  - c. The Superintendent or designee may disclose to law enforcement authorities the identity of a student suspected to be under the influence of alcohol or other drugs.

- (1) The Superintendent or designee shall disclose to law enforcement authorities the identity of a student reasonably believed to be in possession of a controlled dangerous substance or related paraphernalia or a student reasonably believed to be involved or implicated in distribution activities regarding controlled dangerous substances.
- d. The medical examination shall be performed by a physician licensed to practice medicine or osteopathy who is selected by the parent.
  - (1) The parent will be provided, in writing, the minimum requirements for the immediate medical examination, which will include, but not be limited to, the substances to be tested by the physician, the cut-off levels of each substance to be tested, the time period the immediate medical examination must be conducted, and any other requirements of the examination.
  - (2) The examination shall be at the expense of the parent and not the district Board of Education.
- e. If the physician chosen by the parent is not immediately available, the medical examination shall be conducted by the school physician.
  - (1) If the school physician is not available, the student shall be accompanied by a member of the school staff designated by the Principal to the emergency room of the nearest hospital for examination.
  - (2) The student's parent, if available, shall also accompany the student.
  - (3) When the medical examination is conducted by the school physician or a physician at the emergency room of the nearest hospital, the examination shall be at the expense of the district Board of Education.
- f. The Board of Education will have a plan in place for the appropriate supervision of the student:
  - (1) While waiting for a parent to take the student to the physician selected by the parent, or while the student is waiting for and receiving the medical examination by the school physician or the physician in an emergency room; and
  - (2) Provisions will be made for the appropriate care of the student while awaiting the results of the medical examination.
- g. A written report of the medical examination of the student shall be furnished to the student's parent, the Principal, and the Superintendent by the examining



physician within twenty-four hours of the referral of the student for suspected alcohol or other drug use.

- (1) The school district, in cooperation with the school physician or medical professionals licensed to practice medicine or osteopathy, shall establish minimum requirements for the medical report. The minimum requirements for the examination will be periodically reviewed and updated as needed.
  - (2) The report's findings shall verify whether the student's alcohol or other drug use interferes with his or her physical and mental ability to perform in school.
- h. When the medical examination is performed by a physician other than the school physician or at the emergency room of the nearest hospital, the school district will require the parent to verify within twenty-four hours of the notification that the student is suspected of alcohol or other drug use that a medical examination was performed in compliance with this Policy.
- (1) 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 required in this Policy will be provided.
  - (2) Refusal or failure by a parent to comply with this requirement shall be treated as a policy violation and handled in accordance with N.J.A.C. 6A:16-4.3(d).
- i. If the written report of the medical examination is not submitted to the parent, Principal, and Superintendent within twenty-four hours of the referral of the student for suspected alcohol or other drug use, the student shall be allowed to return to school until such time as a positive determination of alcohol or other drug use is received from the examining physician, unless the student was also removed for violating the Code of Student Conduct.
- j. If the written report of the medical examination verifies that alcohol or other drugs do not interfere with the student's physical and mental ability to perform in school, the student will be immediately returned to school.
- k. If there is a positive determination from the medical examination, indicating the student's alcohol or other drug use interferes with his or her physical or mental ability to perform in school:

- (1) The student will be returned as soon as possible to the care of the parent;
  - (2) Attendance at school shall not resume until a written report has been submitted to the parent, the Principal, and Superintendent from a physician licensed to practice medicine or osteopathy who has examined the student to determine whether alcohol or other drug use interferes with his or her physical or mental ability to perform in school.
    - (a) The report shall verify that the student's alcohol or other drug use no longer interferes with the student's physical and mental ability to perform in school.
  - (3) Removal of a student with a disability shall be made in accordance with N.J.A.C. 6A:14.
- l. While the student is home because of the medical examination or after the student returns to school, an individual who holds the Educational Services Certificate with the student assistance coordinator endorsement issued by the New Jersey State Board of Examiners or an individual who holds one of the following Educational Services Certificate endorsements: school nurse, school nurse/non-instructional, school psychologist, school counselor, school social worker, or student personnel services and is trained to assess alcohol and other drug abuse shall:
- (1) Conduct an alcohol and other drug assessment of the student and a reasonable investigation of the situation, which may include interviews with the student's teachers and parents and consultation with experts in student alcohol or other drug abuse, for the purpose of making a preliminary determination of the student's need for educational programs, supportive services, or treatment that extend beyond the general school program by virtue of the student's use of alcohol or other drugs.
    - (a) The findings of the assessment alone shall not prevent a student from attending school; and
  - (2) Cooperate with community agencies as defined in N.J.A.C. 6A:16-4.1(b) and juvenile justice officials in providing evaluation, referral, and continuity of care for alcohol or other drug abuse treatment.
- m. While the student is at home because of the medical examination or after his or her return to school, the Principal or Superintendent may recommend or require alcohol and other drug assessment of the student or evaluation by appropriately certified or licensed professionals to make a positive determination of a student's

need for programs and services that extend beyond the general school program, as necessary.

(1) The findings of these additional evaluations alone shall not be used to prevent a student from attending school.

- n. If at any time it is determined that the student's use of alcohol or other drugs presents a danger to the student's health and well-being, an individual who holds the Educational Services Certificate with the student assistance coordinator endorsement issued by the New Jersey State Board of Examiners or an individual who holds one of the following Educational Services Certificate endorsements: school nurse, school nurse/non-instructional, school psychologist, school counselor, school social worker, or student personnel services and is trained in alcohol and other drug abuse treatment referral shall initiate a referral for alcohol or other drug abuse treatment.

**E. Handling of Alcohol or Other Drugs**

1. A student's person, effects, or school storage places may be searched for substances in accordance with Board Policy and applicable laws regarding searches in schools.
2. A school employee who seizes or discovers a substance, or an item believed to be a substance or drug paraphernalia, shall immediately notify and turn it over to the Principal or designee.
  - a. The Principal or designee shall immediately notify the Superintendent or designee who in turn shall notify the County Prosecutor or other law enforcement official designated by the County Prosecutor to receive such information.
  - b. In accordance with the provisions of N.J.A.C. 6A:16-6.4(a), the school employee, Principal or designee shall safeguard the alcohol, other drug, or paraphernalia against further destruction and shall secure the alcohol, other drug, or paraphernalia until it can be turned over to the County Prosecutor or designee.
  - c. The Principal or designee shall provide to the County Prosecutor or designee all information concerning the manner in which the alcohol, other drug, or paraphernalia was discovered or seized, including:
    - (1) The identity of all persons who had custody of the substance or paraphernalia following its discovery or seizure; and
    - (2) The identity of the student believed to have been in possession of the substance or paraphernalia.

d. The Principal or designee shall not disclose the identity of a student who voluntarily and on his or her own initiative turned over the alcohol, other drug, or paraphernalia to a school employee, provided there is reason to believe the student was involved with the alcohol, other drug, or paraphernalia for the purpose of personal use and not distribution activities, and further provided the student agrees to participate in an appropriate treatment or counseling program.

(1) For the purposes of N.J.A.C. 6A:16-6.4, an admission by a student in response to questioning initiated by the Principal or teaching staff member, or following the discovery by the Principal or teaching staff member of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia shall not constitute a voluntary, self-initiated request for counseling and treatment.

F. Reporting Students to Law Enforcement Agencies

1. Subject to N.J.A.C. 6A:16-6.5, any staff member who, in the course of his or her employment, has reason to believe that a student has unlawfully possessed or in any way been involved in the distribution of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia shall report the matter as soon as possible to the Principal or, in the absence of the Principal, to the staff member responsible at the time of the alleged violation.
2. Either the Principal or the responsible staff member shall notify the Superintendent, who in turn shall notify as soon as possible the County Prosecutor or other law enforcement official designated by the County Prosecutor to receive such information.
3. The Superintendent or designee shall provide to the County Prosecutor or designee all known information concerning the matter, including the identity of the student involved.
4. The Superintendent or designee; however, shall not disclose the identity of a student who has voluntarily sought and participated in an appropriate treatment or counseling program for an alcohol or other drug abuse problem, provided the student is not reasonably believed to be involved or implicated in drug-distribution activities.
5. For the purpose of N.J.A.C. 6A:16-6.3, an admission by a student in response to questioning initiated by the Principal or teaching staff member, or following the discovery by the Principal or teaching staff member of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia, shall not constitute a voluntary, self-initiated request for counseling and treatment.
6. The Superintendent or designee may disclose to law enforcement authorities the identity of a student suspected to be under the influence of alcohol and/or controlled dangerous substances, pursuant to N.J.A.C. 6A:16-4.3(a), or a student suspected to have used or who may be using anabolic steroids, pursuant to N.J.A.C. 6A:16-4.3(b), and who is

referred for a medical examination, pursuant to N.J.A.C. 6A:16-4.3(a) or (b), as appropriate, for the purposes of providing appropriate health care for the student and for determining whether the student is under the influence of alcohol or other drugs or has been using anabolic steroids. The Superintendent or designee shall disclose to law enforcement authorities the identity of a student reasonably believed to be in possession of a controlled dangerous substance or related paraphernalia or a student reasonably believed to be involved or implicated in distribution activities regarding controlled dangerous substances.

7. Law enforcement authorities shall not be notified of the findings if a student's alcohol or other drug test, pursuant to N.J.A.C. 6A:16-4.3(a)3i and N.J.A.C. 6A:16-4.3(b)3i and N.J.A.C. 6A:16-4.3(a)4, was obtained as a result of the district Board of Education's voluntary random drug testing policy, pursuant to N.J.S.A. 18A:40A-22 et seq. and N.J.A.C. 6A:16-4.4.

**G. Parent Training Program/Outreach Programs**

1. A substance abuse training program will be offered to the parents of students enrolled in the district. The program will be offered at times and places convenient to parents and on school premises or in other suitable facilities.
2. The program shall, at a minimum, provide:
  - a. A thorough and comprehensive review of the substance abuse instruction curriculum to be taught to the children of the parents during the school year, with recommendations as to the ways in which the parent may enhance, reinforce, and supplement that program;
  - b. Information on the pharmacology, physiology, psychosocial, and legal aspects of substance abuse;
  - c. Instruction to assist the parent in the identification of the symptoms and behavioral patterns that might indicate a child may be involved in substance abuse;
  - d. Information on the State, local, and community organizations which are available for the prevention, early intervention, treatment, and rehabilitation of individuals who show symptoms of substance abuse; and
  - e. A review of the Board Policy and Regulation on substance abuse with attention to the role of parents.
1. The Board will establish an outreach program to provide substance abuse education for the parents of students in the district. In establishing the program, the Board shall consult with such local organizations and agencies as are recommended by the Commissioner.

The Board shall insure the program is offered at times and places convenient to the parents of the district on school premises, or at other suitable facilities.

- a. In addition to the substance abuse education program required pursuant to N.J.S.A. 18A:40A-17, the Board shall provide assistance to parents who believe that their child may be involved in substance abuse.

#### H. Records and Confidentiality of Records

1. Notations concerning a student's involvement with substances may be entered on his/her records, subject to N.J.A.C. 6A:32-7.1 et seq. and Policy 8330.
2. Information concerning a student's involvement in a school intervention or treatment program for alcohol or other drug abuse shall be kept strictly confidential according to 42 CFR Part 2, N.J.S.A. 18A:40A-7.1 and 7.2, and N.J.A.C. 6A:16-3.2.
3. If a student involved in a school-based drug and alcohol counseling program provides information during the course of a counseling session which indicates the student's parent or other person residing in the student's household is dependent upon or illegally using substances pursuant to N.J.S.A. 18A:40A-7.1 and 7.2, that information shall be kept confidential and may be disclosed only under the circumstances expressly authorized as follows:
  - a. Subject to the student's written consent, to another person or entity whom the student specifies in writing in the case of a secondary student, or to a member of the student's immediate family or the appropriate school personnel in the case of an elementary student;
  - b. Pursuant to a court order;
  - c. To a person engaged in a bona fide research purpose; except that no names or other information identifying the student or the person with respect to whose substance abuse the information was provided, shall be made available to the researcher; or
  - d. To the Division of Child Protection and Permanency (DCP&P) or to a law enforcement agency, if the information would cause a person to reasonably suspect that the student or another child may be an abused or neglected child in accordance with statute or administrative code.

Any disclosure made pursuant to H.3.a. and b. above shall be limited to that information which is necessary to carry out the purpose of the disclosure, and the person or entity to whom the information is disclosed shall be prohibited from making any further disclosure of that information without the student's written consent. The disclosure must be accompanied by a written statement from the

Superintendent or designee advising the recipient that the information is being disclosed from the records the confidentiality of which is protected by N.J.S.A. 18A:40A-7.1 et seq. and that this law prohibits any further disclosure of this information without the written consent of the person from whom the information originated.

Nothing in this Policy or Regulation prevents the DCP&P or a law enforcement agency from using or disclosing the information in the course of conducting an investigation or prosecution. Nothing in this Policy or Regulation shall be construed as authorizing the violation of any Federal law.

The prohibition on the disclosure of information provided by a student shall apply whether the person to whom the information was provided believes that the person seeking the information already has it, has other means of obtaining it, is a law enforcement or other public official, has obtained a subpoena, or asserts any other justification for the disclosure of this information.

A person who discloses or willfully permits the disclosure of information provided by a student in violation of this Policy is subject to fines in accordance with N.J.S.A. 18A:40A-7.2.

4. Each incident of substance abuse shall be reported to the Commissioner on the Student Safety Data System (SSDS).

Issued: 06 June 2017

**4218. SUBSTANCE ABUSE (M) (SUPPORT STAFF)**

The Board of Education recognizes a support staff member who reports to work under the influence of drugs or alcohol poses a significant threat to their health, safety, and welfare and the health, safety, and welfare of others, including students and other staff members. The Board strongly advises any support staff member that has a dependency on a substance as defined in this Policy to seek appropriate treatment. The Board has an obligation and the right to maintain a safe and healthy work environment and adopts this Policy as an important component toward maintaining a safe environment in the school district. A support staff member is prohibited from possession, use, distribution, or being under the influence of any substance during work hours.

For the purposes of this Policy, “substance” or “substances” means alcoholic beverages, any controlled dangerous substances, including anabolic steroids as defined in N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2, or any chemical or chemical compound which releases vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes as defined in N.J.S.A. 2C:35-10.4, and over-the-counter and prescription medications that are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system.

Any support staff member who reports to work under the influence of or in possession of any substance will be subject to appropriate discipline, which may include termination or the filing of tenure charges for a tenured support staff member in accordance with law.

A support staff member shall be required to submit to an immediate medical examination to include a substance test if the support staff member’s supervisor has reasonable suspicion to believe a support staff member is under the influence of a substance during work hours. Refusal of a support staff member to consent to the medical examination and substance test will be determined to be a positive result.

In the event a support staff member’s medical examination and substance test results are negative for a substance, any documents or records pertaining to the requirement for the examination and test and results will not be maintained by the school district. Any required examination and testing shall be paid for by the Board. The support staff member will be afforded the opportunity to have any test results confirmed using acceptable test confirmation practices. This confirming test shall be paid for by the support staff member.

In accordance with the requirements of N.J.A.C. 6A:16-6.3(a), any support staff member who, in the course of their employment, has reason to believe a school staff member has unlawfully possessed or in any way been involved in the distribution of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia shall report the matter as soon as possible to the Principal, or in the absence of the Principal, to the staff member responsible at the time of the alleged violation. Either the Principal or the staff member shall notify the Superintendent of Schools who shall notify, as soon as possible, the County Prosecutor or other law enforcement



official designated by the County Prosecutor to receive such information. The Superintendent or designee shall provide to the County Prosecutor or designee all known information concerning the matter, including the identity of the staff member involved.

In accordance with the provisions of N.J.A.C. 6A:16-6.3(a)3, the Superintendent or designee shall not disclose the identity of a support staff member who has voluntarily sought and participated in an appropriate treatment or counseling program for an alcohol or drug abuse problem, provided the support staff member is not reasonably believed to be involved or implicated in drug-distribution activities. An admission by a support staff member in response to questioning initiated by the Principal or designee or following the discovery by the Principal or designee of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia, shall not constitute a voluntary, self-initiated request for counseling and treatment.

42 CFR Part 2  
N.J.A.C. 6A:16-6.3; 6A:32-6.3

Adopted: 06 June 2017

**R4218. SUBSTANCE ABUSE (M) (SUPPORT STAFF)****A. Definition**

1. “Substance” or “substances” means alcoholic beverages, any controlled dangerous substances, including anabolic steroids as defined in N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2, or any chemical or chemical compound which releases vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes as defined in N.J.S.A. 2C:35-10.4, and over-the-counter and prescription medications that are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system.
2. “Substance test” means a test conducted by a State-licensed clinical laboratory using accepted substance use practices, accepted chain of custody procedures, and testing methodology recommended by the laboratory instrument’s manufacturer.
3. “Support staff member’s supervisor” or “supervisor” means the building or district administrative staff member who is responsible for supervising the support staff member. For the purposes of this Policy and Regulation, the support staff member’s supervisor shall be the support staff member’s Principal, School Business Administrator/Board Secretary, district Director or Supervisor, or any other administrative staff member designated by the Superintendent.
4. “Under the influence” means the presence of a substance as defined in Policy 4218 and this Regulation as confirmed in a medical examination and substance test.

**B. Procedures to be Followed When a Support Staff Member is Suspected to be Under the Influence of a Substance**

1. The following procedures shall be used when a support staff member is suspected of being under the influence of a substance during work hours.
  - a. The support staff member’s supervisor, upon receiving a report or information a support staff member may be under the influence of a substance during work hours will:
    - (1) Immediately notify the Superintendent;
    - (2) Immediately meet with the support staff member;
      - (a) The support staff member’s supervisor may include another staff member in this meeting; and

- (b) The support staff member suspected of being under the influence may include another staff member or a representative of their choice in this meeting.
  - b. The support staff member's supervisor shall present to the support staff member the report or information supporting the suspicion the support staff member may be under the influence of a substance.
  - c. The support staff member shall be provided an opportunity to respond to the report or information presented by the supervisor.
  - d. In the event the supervisor or designee believes the support staff member may be under the influence of a substance after meeting with the support staff member, the supervisor will arrange for an immediate medical examination to include a substance test.
  - e. The support staff member shall be transported to the examination and testing location by means of transportation approved by the Superintendent or designee and shall be accompanied by the support staff member's supervisor or designee.
  - f. The support staff member, prior to the medical examination and substance test, will be informed by the physician or the physician's designee on the type of testing to be completed and the substances that will be tested.
  - g. The support staff member may, prior to being examined and tested, disclose to the physician any prescription medicine, over-the-counter medicine or supplements, or any other reason why the support staff member's test results may be positive.
  - h. A support staff member's refusal to be examined or tested in accordance with the provisions of Policy 4218 and this Regulation will be deemed as a positive test for substances.
2. The medical examination and substance test shall be used by the physician to determine if the support staff member is under the influence of any substance as defined in Policy 4218 and this Regulation. The substance test procedures will provide for a confirming test using acceptable confirmation test procedures.
  3. The physician shall receive the results of the substance test within twenty-four hours of the test being administered. If the results of the substance test are not available within twenty-four hours, the physician shall report the results to the Superintendent and the support staff member as soon as the test results are available.
  4. If the physician determines, based upon the medical examination and the results of the substance test, that the support staff member was not under the influence of a substance

during work hours, the physician will notify the Superintendent of such results and the support staff member shall return to their position in the school district. Any records or documentation related to the incident shall not be included in the support staff member's personnel file.

5. If the physician determines, based upon the medical examination and the results of the substance test, that the support staff member was under the influence of a substance during work hours, the physician will:
  - a. Discuss the results of the examination and substance test with the support staff member and provide the support staff member an opportunity to present any medical or other reasons for the physician's determination.
  - b. Provide the support staff member an opportunity to have the substance test results confirmed by a State-licensed clinical laboratory selected by the staff member and approved by the physician.
    - (1) The physician will schedule and coordinate the confirming test procedures, including the acceptable time period for the confirming test to be conducted based on the existing test results, and the time in which a confirming test result would be valid.
    - (2) The confirming substance test results must be provided to the physician within the time period required by the physician.
    - (3) Any confirming test results provided to the physician not within the time period required by the physician shall not be accepted and the support staff member shall be determined to have waived their right to have a confirming substance test considered by the physician.
  - c. After completing the requirements in a. and b. above the physician shall make a final determination whether the support staff member was under the influence of a substance during the work hours.
    - (1) If the physician makes a final determination the support staff member was not under the influence during work hours, the physician will report these results to the Superintendent and the support staff member shall return to their position in the school district and any records or documentation related to the incident shall not be included in the support staff member's personnel file.
    - (1) If the physician makes a final determination the support staff member was under the influence during work hours, the physician will report these

results to the Superintendent and the support staff member will be required to meet with the Superintendent.

- C. Procedures to be Followed When a Support Staff Member is Determined to be Under the Influence of a Substance
1. Any support staff member who has been determined by the physician to be under the influence of a substance during work hours shall be required to meet with the Superintendent.
    - a. The support staff member may include a staff member or a representative of their choice in this meeting.
  2. The Superintendent will provide the support staff member an opportunity to respond to the physician's determination.
  3. A support staff member who has been determined to have been under the influence of a substance during work hours will be subject to appropriate discipline which may include termination of or the filing of tenure charges for a tenured support staff member.

Issued: 06 June 2017

**3218. SUBSTANCE ABUSE (M) (TEACHING STAFF)**

The Board of Education recognizes a teaching staff member who reports to work under the influence of drugs or alcohol poses a significant threat to their health, safety, and welfare and the health, safety, and welfare of others, including students and other staff members. The Board strongly advises any teaching staff member that has a dependency on a substance as defined in this Policy to seek appropriate treatment. The Board has an obligation and the right to maintain a safe and healthy work environment and adopts this Policy as an important component toward maintaining a safe environment in the school district. A teaching staff member is prohibited from possession, use, distribution, or being under the influence of any substance during work hours or at a school-sponsored function where the teaching staff member has been assigned job responsibilities.

For the purposes of this Policy, “substance” or “substances” means alcoholic beverages, any controlled dangerous substances, including anabolic steroids as defined in N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2, or any chemical or chemical compound which releases vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes as defined in N.J.S.A. 2C:35-10.4, and over-the-counter and prescription medications that are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system.

Any teaching staff member who reports to work or attends a school-sponsored function where the teaching staff member has assigned job responsibilities under the influence of or in possession of any substance will be subject to appropriate discipline, which may include termination of a non-tenured teaching staff member or the filing of tenure charges for a tenured teaching staff member in accordance with law.

A teaching staff member shall be required to submit to an immediate medical examination to include a substance test if the Principal or designee has reasonable suspicion to believe a teaching staff member is under the influence of a substance during work hours or at a school-sponsored function where the teaching staff member has been assigned job responsibilities. Refusal of a teaching staff member to consent to the medical examination and substance test will be determined to be a positive result.

In the event a teaching staff member’s medical examination and substance test results are negative for a substance, any documents or records pertaining to the requirement for the examination and test and results will not be maintained by the school district. Any required examination and testing shall be paid for by the Board. The teaching staff member will be afforded the opportunity to have any test results confirmed using acceptable test confirmation practices. This confirming test shall be paid for by the teaching staff member.

In accordance with the requirements of N.J.A.C. 6A:16-6.3(a), any teaching staff member who, in the course of their employment, has reason to believe a school staff member has unlawfully

possessed or in any way been involved in the distribution of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia shall report the matter as soon as possible to the Principal, or in the absence of the Principal, to the staff member responsible at the time of the alleged violation. Either the Principal or the staff member shall notify the Superintendent of Schools who shall notify, as soon as possible, the County Prosecutor or other law enforcement official designated by the County Prosecutor to receive such information. The Superintendent or designee shall provide to the County Prosecutor or designee all known information concerning the matter, including the identity of the staff member involved.

In accordance with the provisions of N.J.A.C. 6A:16-6.3(a)3, the Superintendent or designee shall not disclose the identity of a teaching staff member who has voluntarily sought and participated in an appropriate treatment or counseling program for an alcohol or drug abuse problem, provided the teaching staff member is not reasonably believed to be involved or implicated in drug-distribution activities. An admission by a teaching staff member in response to questioning initiated by the Principal or designee or following the discovery by the Principal or designee of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia, shall not constitute a voluntary, self-initiated request for counseling and treatment.

42 CFR Part 2

N.J.A.C. 6A:16-6.3; 6A:32-6.3

Adopted: 06 June 2017

**R3218. SUBSTANCE ABUSE (M) (TEACHING STAFF)****A. Definition**

1. “Principal or designee” means the teaching staff member’s Principal or a staff member designated by the Principal to be responsible at the time of the alleged violation or the teaching staff member’s supervisor or a staff member designated by the teaching staff member’s supervisor to be responsible at the time of the alleged violation.
2. “Substance” or “substances” means alcoholic beverages, any controlled dangerous substances, including anabolic steroids as defined in N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2, or any chemical or chemical compound which releases vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes as defined in N.J.S.A. 2C:35-10.4, and over-the-counter and prescription medications that are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system.
3. “Substance test” means a test conducted by a State-licensed clinical laboratory using accepted substance use practices, accepted chain of custody procedures, and testing methodology recommended by the laboratory instrument’s manufacturer.
4. “Under the influence” means the presence of a substance as defined in Policy 3218 and this Regulation as confirmed in a medical examination and substance test.

**B. Procedures to be Followed When a Teaching Staff Member is Suspected to be Under the Influence of a Substance**

1. The following procedures shall be used when a teaching staff member is suspected of being under the influence of a substance during work hours or at a school-sponsored function where the teaching staff member has been assigned job responsibilities.
  - a. The Principal or designee, upon receiving a report or information a teaching staff member may be under the influence of a substance during work hours or at a school-sponsored function where the teaching staff member has been assigned job responsibilities will:
    - (1) Immediately notify the Superintendent;
    - (2) Immediately meet with the teaching staff member;
      - (a) The Principal or designee may include another staff member in this meeting; and



- (b) The teaching staff member suspected of being under the influence may include another staff member or a representative of their choice in this meeting.
  - b. The Principal or designee shall present to the teaching staff member the report or information supporting the suspicion the teaching staff member may be under the influence of a substance.
  - c. The teaching staff member shall be provided an opportunity to respond to the report or information presented by the Principal or designee.
  - d. In the event the Principal or designee believes the teaching staff member may be under the influence of a substance after meeting with the teaching staff member, the Principal or designee will arrange for an immediate medical examination to include a substance test.
  - e. The teaching staff member shall be transported to the examination and testing location by means of transportation approved by the Superintendent or designee and shall be accompanied by the Principal or designee.
  - f. The teaching staff member, prior to the medical examination and substance test, will be informed by the physician or the physician's designee on the type of testing to be completed and the substances that will be tested.
  - g. The teaching staff member may, prior to being examined and tested, disclose to the physician any prescription medicine, over-the-counter medicine or supplements, or any other reason why the teaching staff member's test results may be positive.
  - h. A teaching staff member's refusal to be examined or tested in accordance with the provisions of Policy 3218 and this Regulation will be deemed as a positive test for substances.
2. The medical examination and substance test shall be used by the physician to determine if the teaching staff member is under the influence of any substance as defined in Policy 3218 and this Regulation. The substance test procedures will provide for a confirming test using acceptable confirmation test procedures.
3. The physician shall receive the results of the substance test within twenty-four hours of the test being administered. If the results of the substance test are not available within twenty-four hours, the physician shall report the results to the Superintendent and the teaching staff member as soon as the test results are available.

4. If the physician determines, based upon the medical examination and the results of the substance test, that the teaching staff member was not under the influence of a substance during work hours or at a school-sponsored function where the teaching staff member was assigned job responsibilities, the physician will notify the Superintendent of such results and the teaching staff member shall return to their position in the school district. Any records or documentation related to the incident shall not be included in the teaching staff member's personnel file.
5. If the physician determines, based upon the medical examination and the results of the substance test, that the teaching staff member was under the influence of a substance during work hours or at a school-sponsored function where the teaching staff member was assigned job responsibilities, the physician will:
  - a. Discuss the results of the examination and substance test with the teaching staff member and provide the teaching staff member an opportunity to present any medical or other reasons for the physician's determination.
  - b. Provide the teaching staff member an opportunity to have the substance test results confirmed by a State-licensed clinical laboratory selected by the staff member and approved by the physician.
    - (1) The physician will schedule and coordinate the confirming test procedures, including the acceptable time period for the confirming test to be conducted based on the existing test results, and the time in which a confirming test result would be valid.
    - (2) The confirming substance test results must be provided to the physician within the time period required by the physician.
    - (3) Any confirming test results provided to the physician not within the time period required by the physician shall not be accepted and the teaching staff member shall be determined to have waived their right to a have a confirming substance test considered by the physician.
  - c. After completing the requirements in a. and b. above the physician shall make a final determination whether the teaching staff member was under the influence of a substance during the work hours or at a school-sponsored function where the teaching staff member was assigned job responsibilities.
    - (1) If the physician makes a final determination the teaching staff member was not under the influence during work hours or at a school-sponsored function where the teaching staff member was assigned job responsibilities, the physician will report these results to the Superintendent and the teaching staff

member shall return to their position in the school district and any records or documentation related to the incident shall not be included in the teaching staff member's personnel file.

- (2) If the physician makes a final determination the teaching staff member was under the influence during work hours or at a school-sponsored function where the teaching staff member was assigned job responsibilities, the physician will report these results to the Superintendent and the teaching staff member will be required to meet with the Superintendent.

C. Procedures to be Followed When a Teaching Staff Member is Determined to be Under the Influence of a Substance

1. Any teaching staff member who has been determined by the physician to be under the influence of a substance during work hours or at a school-sponsored function where the teaching staff member was assigned job responsibilities shall be required to meet with the Superintendent.
  - a. The teaching staff member may include a staff member or a representative of their choice in this meeting.
2. The Superintendent will provide the teaching staff member an opportunity to respond to the physician's determination.
3. A teaching staff member who has been determined to have been under the influence of a substance during work hours or at a school-sponsored function where the teaching staff member was assigned job responsibilities will be subject to appropriate discipline which may include termination of a non-tenured teaching staff member or the filing of tenure charges for a tenured teaching staff member.

Issued: 06 June 2017

**2531. USE OF COPYRIGHTED MATERIALS**

The Board of Education encourages teaching staff members to make judicious use of appropriate printed materials, sound recording, televised programs, and computer software in the curriculum but recognizes that Federal law, applicable to public school districts, protects the originators of those materials from the unauthorized use of their copyrighted works. The Board expressly forbids the use of school equipment for the illegal reproduction of copyrighted materials.

In order to define the fair and reasonable use that teaching staff members may make of copyrighted works for educational purposes without the permission of the copyright owner and to reduce the risk of copyright infringement, the Board directs the Superintendent to promulgate regulations regarding the copying and distribution of copyrighted materials for instructional purposes.

Computer software may be reproduced only for archival purposes or when copying is an essential step in the utilization of the program. Computer software should be purchased in sufficient quantity to permit its classroom use without simultaneous loading. Where appropriate, the Superintendent shall seek a licensing agreement with the software publisher that permits the reproduction of software, the simultaneous use of software, and the purchase of multiple copies of software at discount prices.

Students and staff members shall be instructed that copyright infringement is a form of theft. A student 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: 06 June 2017

**R2531. USE OF COPYRIGHTED MATERIALS**

## Literary Material

1. A single copy may be made of any of the following by or for a teacher at his/her individual request for scholarly research or for use in teaching or in preparation for teaching a class:
  - a. A chapter from a book;
  - b. An article from a periodical or newspaper;
  - c. A short story, short essay or short poem; whether or not from a collective work; or
  - d. A chart, graph, diagram, drawing, cartoon or picture from a book, periodical, or newspaper.
  
2. Multiple copies (not to exceed in any event more than one copy per student in a course) may be made by or for the teacher giving the course for classroom use or discussion provided that:
  - a. Each copy includes a notice of copyright; and
  - b. The material copied is brief and the copying is spontaneous and noncumulative as measured by the following definitions of brevity, spontaneity, and noncumulative effect.
    - (1) Brevity: A reproduced work is brief if it consists of the following:
      - (a) Poetry: Not more than a complete poem if fewer than 250 words and if printed on not more than two pages or an excerpt from a longer poem if the excerpt is not more than 250 words. These numerical limits may be expanded to permit completion of an unfinished line of poetry.
      - (b) Prose: Not more than a complete article, story, or essay of fewer than 2,500 words; or an excerpt from any prose work of not more than 1,000 words or ten percent of the work, whichever is less, but in any event a minimum of 500 words. These numerical limits may be expanded to permit completion of an unfinished prose paragraph.
      - (c) Illustration: Not more than one chart, graph, diagram, drawing, cartoon, or picture per book or per periodical issue.

- (d) Special Works: Certain works in poetry, prose or in poetic prose which often combine language with illustrations and which are intended sometimes for children and at other times for a more general audience often fall short of 2,500 words in their entirety. Paragraph 2b(1)(b) above notwithstanding, such special works may not be reproduced in their entirety; however, an excerpt comprising not more than two of the published pages of such special work and containing not more than ten percent of the words found in the text thereof may be reproduced.
  - (2) Spontaneity: Reproduction of a copyrighted work is spontaneous if:
    - (a) The copying is at the instance and inspiration of the individual teacher; and
    - (b) The inspiration and decision to use the work and the moment of its use of maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission to use the work.
  - (3) Noncumulative Effect: Reproduction of a copyrighted work is noncumulative if:
    - (a) The copying of the material is for only one course in the school in which the copies are made;
    - (b) Not more than one short poem, article, story, essay or two excerpts has been copied from the same author or more than three from the same collective work or periodical volume during one class term. This section does not apply to current news periodicals and newspapers and current news sections of other periodicals;
    - (c) There have been no more than nine instances of such multiple copying for one course during one class term. This section does not apply to current news periodicals and newspapers and current news sections of other periodicals.
3. Notwithstanding any of the above, the following prohibitions shall be in effect:
- a. Copying shall not be used to create or to replace or substitute for anthologies, compilations, or collective works. Such replacement or substitution may occur whether copies of various works or excerpts therefrom are accumulated or reproduced and used separately;

- b. There shall be no copying of or from works intended to be consumable in the course of study or of teaching. Consumable works include workbooks, exercises, standardized tests, test booklets, answer sheets, and like material;
- c. Copying shall not substitute for the purchase of books, publishers' reprints, or periodicals; or be directed by higher authority; or be repeated with respect to the same item by the same teacher from term to term;
- d. No charge shall be made to the student for the copied material.

**B. Televised Material**

- 1. A broadcast program may be recorded off-air simultaneously with broadcast transmission (including simultaneous cable retransmission) and retained for a retention period of forty-five calendar days after the date of the recording; at the expiration of the retention period the recording must be erased or destroyed.
- 2. An off-air recording may be used once by individual teachers in the course of relevant teaching activities and may be repeated once only when instructional reinforcement is necessary, in the classroom or similar place of instruction or the home of a student receiving home instruction, during the first ten school days in the retention period. After the first ten school days, an off-air recording may be used during the remainder of the retention period only to permit teachers to evaluate its effectiveness in the instructional period.
- 3. Off-air recordings may be made only at the request of and used by individual teachers and may not be regularly recorded in anticipation of requests. No broadcast program may be recorded off-air more than once at the request of the same teacher, regardless of the number of times the program may be broadcast.
- 4. A limited number of copies may be reproduced from each off-air recording to meet the legitimate needs of teachers under these guidelines. Each such additional copy shall be subject to all provisions governing the original recording. All copies of off-air recordings must include the copyright notice on the broadcast program as recorded.
- 5. Off-air recordings need not be used in their entirety, but the recorded programs may not be altered from their original content. Off-air recordings may not be physically or electronically combined or merged to constitute teaching anthologies or compilations.

**C. Pre-recorded Video**

The use of commercially pre-recorded video (such as video cassettes and DVD disks rented by commercial enterprises) may be used for instructional purposes without the purchase of a public performance license. Such tapes shall not be used in school situations in violation of the copyright laws which prohibit use for reward or entertainment or in other school

activities. The use of such materials for these purposes in the school shall be considered a public performance and require:

1. A blanket license for showing the pre-recorded video obtained from the Motion Picture Licensing Corporation (MPLC) or other group authorized to license the pre-recorded material.
2. A specific license for the showing of a pre-recorded video not covered by a blanket license.

The use of non-commercially pre-recorded video shall require the written permission of the producer of the video prior to its use for other than instructional purposes.

If the requested license or permission has not been obtained, the material shall not be shown in the school.

D. Music

1. The following uses of copies of copyrighted music are permissible.
  - a. Emergency copies of printed music may be made to replace purchased copies which for any reason are not available for an imminent performance provided purchased replacement copies are substituted in due course.
  - b. For academic purposes other than performance:
    - (1) Multiple copies of excerpts of works may be made, provided that the excerpts do not comprise a part of the whole which would constitute a performable unit such as a section, movement, or aria, but in no case more than ten percent of the work. The number of copies shall not exceed one copy per student.
    - (2) A single copy of an entire performable unit (section, movement, aria, etc.) that is
      - (a) Confirmed by the copyright proprietor to be out of print, or
      - (b) Unavailable except in a larger work, may be made by or for a teacher solely for the purpose of scholarly research or in preparation to teach a class.
  - c. Printed copies that have been purchased may be edited or simplified provided that the fundamental character of the work is not distorted or the lyrics, if any, altered or lyrics added if none exist.



- d. A single copy of recordings of performances by students may be made for evaluation or rehearsal purposes and may be retained by the educational institution or individual teacher.
  - e. A single copy of a sound recording (such as a tape, disc, or cassette) of copyrighted music may be made from sound recordings owned by the school district or by an individual teacher for the purpose of constructing aural exercises or examinations and may be retained by the district or the teacher. (This pertains only to the copyright of the music itself and not to any copyright that may exist in the sound recording.)
2. The following uses of copies of copyrighted music are prohibited.
- a. Copying to create or replace or substitute for anthologies, compilations, or collective works;
  - b. Copying of or from works intended to be consumable in the course of study or of teaching such as workbooks, exercises, standardized tests, answer sheets, and like material;
  - c. Copying for the purpose of performance, except as permitted in paragraph C1a;
  - d. Copying for the purpose of substituting for the purchase of music, except as permitted in paragraph C1a and paragraph C1b; and
  - e. Copying without inclusion of the copyright notice that appears on the printed copy.
- E. Computer Software and the Internet
- 1. A software program shall not be copied onto a blank disk except as expressly permitted by the program itself.
  - 2. An archival disk may be made as a back-up program disk. The archival disk shall be used only when the original software disk has been mistakenly damaged or destroyed and may not be used for any other purpose.
  - 3. Software shall not be loaded into more than one computer at any one time, unless a site license has been purchased to permit loading multiple computers.
  - 4. Copyrighted materials shall not be downloaded from the Internet without the express permission of the author and the payment of any required fees.

**F. Obtaining Permission for Copying**

1. A teacher may request and obtain permission to copy material from a copyrighted work; the teacher may then use the work as expressly permitted and will not be bound by the limitations and prohibitions set forth above.
2. Request for permission must be in writing and should be sent, together with an envelope addressed to the sender, to the permissions department of the publisher of the work. The request should include:
  - a. The title, author or editor, and edition of materials for which permission is sought;
  - b. The exact material to be used, with specification of amount, page numbers, chapters, including, if possible, a photocopy of the material;
  - c. The number of copies the requestor proposes to make;
  - d. The use to be made of the duplicated materials;
  - e. The form of distribution;
  - f. Whether or not the copies will be sold; and
  - g. The process by which the material will be reproduced.
3. A copy of the written permission granted by the publisher or copyright owner shall be preserved by the teacher who may be required to present the written permission to the Principal or designee.
4. Teachers shall inform students on the limitations of the use of copyrighted material.

Issued: 06 June 2017

**5516. USE OF ELECTRONIC COMMUNICATION AND RECORDING DEVICES (ECRD)  
(M)**

Date Created: June, 2017

Date Edited: June, 2017

**5516. USE OF ELECTRONIC COMMUNICATION AND RECORDING DEVICES  
(ECRD) (M)**

The Board of Education believes students and/or school staff members should not be subject to having a video or audio recording taken of any student(s) or school staff member(s) for any purpose without the consent of the student, the student's parent, and/or the school staff member. In addition to protecting the privacy rights of students and school staff members, the Board recognizes such recordings can be disruptive to the educational program. In addition, inappropriate recordings of educational material, student assessment instruments, and/or student assessment reviews can be used to compromise the integrity of the district's educational program or lead to academic dishonesty in the event such recordings are stored and/or transmitted to other students. Therefore, the Board of Education adopts this Policy regarding student use of electronic communication and recording devices.

“Electronic communication and recording device (ECRD)” includes any device with the capability to audio or video record or is capable of receiving or transmitting any type of communication between persons. An ECRD includes, but is not limited to, cameras, cellular and wireless telephones, pagers/beepers, laptop computers, electronic readers, personal digital assistants (PDAs), two-way radios, portable fax machines, video broadcasting devices, and any other device that allows a person to record and/or transmit, on either a real time or delayed basis, sound, video, or still images, text, or other information.

A student is not permitted to have turned on or use an ECRD on school grounds during the school day or when the student is participating in a curricular or school-sponsored co-curricular activity. A student's personal ECRD may only be used on school grounds in an emergency situation or before and after the school day or with the permission of a school staff member supervising the student in a curricular or school-sponsored co-curricular activity. Any audio and/or video recording by a student using their personal ECRD with permission of a school staff member while participating in a curricular or school-sponsored activity where other students or staff members are present shall require the permission for such recording from any other student and their parent and/or staff members whose voice or image is to be recorded. This Policy is not intended to prohibit appropriate use of electronic devices for authorized or approved official curricular or school-sponsored co-curricular activities such as yearbook photographs, staff member/teacher-directed and approved activities, classroom presentations, athletic events, and drama production filming. A student authorized or approved to use an ECRD may not use an ECRD to access internet sites or view information or internet-based material that is inappropriate or would be blocked from student access by the school district's acceptable use of computers and networks policy. Nothing in this Policy is intended to prevent a student from using their personal ECRD and recording school-sponsored co-curricular activities as a non-participant when the activity is open to the general public.

For the purposes of this policy, “school grounds” means and includes land, portions of land, structures, buildings, and structures that support these buildings, including, but not limited to,

**5516. USE OF ELECTRONIC COMMUNICATION AND RECORDING DEVICES (ECRD)  
(M)**

Date Created: June, 2017

Date Edited: June, 2017

administrative buildings, kitchens, maintenance shops, and garages. "School grounds" also includes other facilities as defined in N.J.A.C. 6A:26-1.2, playgrounds, and other recreational places owned by the local municipalities, private entities, or other individuals during those times when the school district has exclusive use of a portion of such land.

An ECRD used in violation of this Policy will be confiscated by a school staff member or Principal or designee and the student will be subject to appropriate disciplinary action.

A student shall not knowingly bring or possess any remotely activated paging device on any school grounds, including on a school bus or at a school-sponsored function, at any time and regardless of whether school is in session or other persons are present without the express written permission of the Principal. The student must submit a written request and establish to the satisfaction of the Principal a reasonable basis for the possession of the device. The written request must include the purpose for the student possessing and/or bringing the device on school property and the date or dates in which the student requests to possess and/or bring the device on school property. The written request must also include the date in which the student will no longer need to bring and/or possess the device on school property.

The Principal, upon reviewing the request from the student, will make a determination. The determination will be in writing and if approved, written permission for the student to bring and/or possess a remotely activating paging device will be provided to the student. Permission will only be provided for six weeks.

The student must submit a new request if the time in which permission is given to bring and/or possess a device expires. The student that is granted permission to possess and/or bring the device must be in the possession of the device at all times. The Principal or designee shall immediately notify the Superintendent of Schools and the appropriate criminal justice or juvenile justice agency if a student brings or possesses a remotely activated paging device in violation of N.J.S.A. 2C:33-19 and this Policy.

A student who is an active member in good standing of a volunteer fire company, first aid, ambulance or rescue squad may bring or possess a remotely activated paging device on school property only if the student is required to respond to an emergency and the student provides a statement to the Principal from the chief executive officer of the volunteer fire company, first aid, ambulance or rescue squad authorizing the possession of the device by the student at all times and that the student is required to respond to an emergency.

The Principal or designee will confiscate the remotely activated paging device, take appropriate disciplinary action and shall immediately notify the Superintendent of Schools and the appropriate criminal justice or juvenile justice agency if a student brings or possesses a remotely activated paging device in violation of N.J.S.A. 2C:33-19 and this Policy.

N.J.S.A. 2C:33-19

Adopted: 06 June 2017

**3217. USE OF CORPORAL PUNISHMENT (TEACHING STAFF)**

The Board of Education cannot condone an employee's resort to force or fear in the treatment of students, even those students whose conduct appears to be open defiance of authority. Each student is protected by law from bodily harm and from offensive bodily touching.

Teaching staff members shall not use physical force or the threat of physical force to maintain discipline or compel obedience except as permitted by law, but may remove students from the classroom or school by the lawful procedures established for the suspension and expulsion of students.

A teaching staff member who:

1. Uses force or fear to discipline a student except as such force or fear may be necessary to quell a disturbance threatening physical injury to others, to obtain possession of weapons or other dangerous objects upon the person or within the control of a student, to act in self-defense, or to protect persons or property;
2. Touches a student in an offensive way even though no physical harm is intended;
3. Permits students to harm one another by fighting; or
4. Punishes students by means that are cruel or unusual;

will be subject to discipline by this Board and may be dismissed.

N.J.S.A. 18A:6-1; 18A:37-1

Adopted: 06 June 2017

**5561. USE OF PHYSICAL RESTRAINT AND SECLUSION TECHNIQUES FOR  
STUDENTS WITH DISABILITIES**

Date Created: June, 2017

Date Edited: July, 2018

**5561. USE OF PHYSICAL RESTRAINT AND SECLUSION TECHNIQUES FOR  
STUDENTS WITH DISABILITIES**

The Board of Education strives to provide a safe, caring atmosphere that supports all students in the least restrictive environment. On occasion, during an emergency, a situation may arise making it necessary to temporarily restrain or seclude a student with a disability in accordance with N.J.S.A. 18A:46-13.4 through 13.7.

A school district, an educational services commission, or an approved private school for students with disabilities (APSSD) that utilizes physical restraint on students with disabilities shall ensure that:

1. Physical restraint is used only in an emergency in which the student is exhibiting behavior that places the student or others in immediate physical danger;
2. A student is not restrained in the prone position, unless the student's primary care physician authorizes, in writing, the use of this restraint technique;
3. Staff members who are involved in the restraint of a student receive training in safe techniques for physical restraint from an entity determined by the Board of Education to be qualified to provide such training, and that the training is updated at least annually;
4. The parent of a student is immediately notified when physical restraint is used on the student. This notification may be by telephone or electronic communication. A full written report of the incident of physical restraint shall be provided to the parent within forty-eight hours of the occurrence of the incident;
5. Each incident in which physical restraint is used is carefully and continuously visually monitored to ensure it was used in accordance with established procedures set forth in Policy and Regulation 5561 – Use of Physical Restraint and Seclusion Techniques for Students with Disabilities, developed in conjunction with the entity that trains staff in safe techniques for physical restraint, in order to protect the safety of the child and others; and
6. Each incident in which physical restraint is used is documented in writing in sufficient detail to enable staff to use this information to develop or improve the behavior intervention plan at the next individualized education plan meeting.

A school district, an educational services commission, and an APSSD shall attempt to minimize the use of physical restraints through inclusion of positive behavior supports in the student's behavior intervention plans developed by the individualized education plan team.

**5561. USE OF PHYSICAL RESTRAINT AND SECLUSION TECHNIQUES FOR  
STUDENTS WITH DISABILITIES**

Date Created: June, 2017

Date Edited: July, 2018

A school district, an educational services commission, or an APSSD that utilizes seclusion techniques on students with disabilities shall ensure that:

1. A seclusion technique is used on a student with disabilities only in an emergency in which the student is exhibiting behavior that places the student or others in immediate physical danger;
2. Each incident in which a seclusion technique is used is carefully and continuously visually monitored to ensure it was used in accordance with established procedures set forth in Policy and Regulation 5561 – Use of Physical Restraint and Seclusion Techniques for Students with Disabilities, developed in conjunction with the entity that trains staff in safe techniques for physical restraint, in order to protect the safety of the child and others; and
3. Each incident in which a seclusion technique is used is documented in writing in sufficient detail to enable the staff to use this information to develop or improve the behavior intervention plan at the next individualized education plan meeting.

A school district, an educational services commission, and an APSSD shall attempt to minimize the use of seclusion techniques through inclusion of positive behavior supports in the student's behavior intervention plans developed by the individualized education plan team.

The New Jersey Department of Education shall establish guidelines for school districts, educational services commissions, and APSSDs to ensure a review process is in place to examine the use of physical restraints or seclusion techniques in emergency situations, and for the repeated use of these methods for an individual child, within the same classroom, or by a single individual. The review process shall include educational, clinical, and administrative personnel. Pursuant to the review process the student's individualized education plan team may, as deemed appropriate, determine to revise the behavior intervention plan or classroom supports, and a school district, educational services commission, or APSSD may determine to revise a staff member's professional development plan pursuant to N.J.S.A. 18A:46-13.7.

N.J.S.A. 18A:46-13.4; 18A:46-13.5; 18A:46-13.6;  
18A:46-13.7

Adopted: 06 June 2017

Revised: 24 July 2018

**5561. USE OF PHYSICAL RESTRAINT AND SECLUSION TECHNIQUES FOR  
STUDENTS WITH DISABILITIES**

Date Created: June, 2017

Date Edited: July, 2018

**R5561. USE OF PHYSICAL RESTRAINT AND SECLUSION TECHNIQUES FOR  
STUDENTS WITH DISABILITIES****A. Definitions**

“Physical restraint” means the use of a personal restriction that immobilizes or reduces the ability of a student to move all or a portion of his or her body.

“Seclusion technique” means the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving, but does not include a timeout.

“Timeout” means a behavior management technique that involves the monitored separation of a student in a non-locked setting, and is implemented for the purpose of calming.

**B. Physical Restraint**

A school district, an educational services commission, or an approved private school for students with disabilities (APSSD) that utilizes physical restraint on students with disabilities shall ensure that:

1. Physical restraint is used only in an emergency in which the student is exhibiting behavior that places the student or others in immediate physical danger;
2. A student is not restrained in the prone position, unless the student’s primary care physician authorizes, in writing, the use of this restraint technique;
3. Staff members who are involved in the restraint of a student receive training in safe techniques for physical restraint from an entity determined by the Board of Education to be qualified to provide such training, and that the training is updated at least annually;
4. The parent of a student is immediately notified when physical restraint is used on the student. This notification may be by telephone or electronic communication. A full written report of the incident of physical restraint shall be provided to the parent within forty-eight hours of the occurrence of the incident;
5. Each incident in which physical restraint is used is carefully and continuously visually monitored to ensure it was used in accordance with established procedures set forth in Policy and Regulation 5561 – Use of Physical Restraint and Seclusion Techniques for Students with Disabilities, developed in conjunction



**5561. USE OF PHYSICAL RESTRAINT AND SECLUSION TECHNIQUES FOR  
STUDENTS WITH DISABILITIES**

Date Created: June, 2017

Date Edited: July, 2018

with the entity that trains staff in safe techniques for physical restraint, in order to protect the safety of the child and others; and

6. Each incident in which physical restraint is used is documented in writing in sufficient detail to enable staff to use this information to develop or improve the behavior intervention plan at the next individualized education plan meeting.

A school district, an educational services commission, and an APSSD shall attempt to minimize the use of physical restraints through inclusion of positive behavior supports in the student's behavior intervention plans developed by the individualized education plan team.

**C. Physical Restraint Training Requirements**

The training requirements on the use of physical restraint shall be as follows:

1. Building level administrators and school staff members who are involved in the restraint of a student shall receive training in safe techniques for physical restraint from an entity determined by the Board to be qualified to provide such training.
  - a. The Principal or designee shall determine the school staff members that shall receive training in safe techniques for physical restraint of a student.
  - b. Training may include techniques of prevention and de-escalation, as well as alternatives to physical restraint.
  - c. Training may include current professionally accepted practices and standards regarding behavior management.
  - d. The training program in safe techniques for physical restraint shall be updated at least annually.

**D. Interventions**

1. Classroom interventions may include, but not be limited to, the following strategies:
  - a. The staff member may ignore the behavior;
  - b. The staff member may redirect the student to a task with verbal or non-verbal prompts or gestures. Proximity and the use of gentle humor may help, when appropriate;

**5561. USE OF PHYSICAL RESTRAINT AND SECLUSION TECHNIQUES FOR  
STUDENTS WITH DISABILITIES**

Date Created: June, 2017

Date Edited: July, 2018

- c. The staff member shall be clear, polite, and respectful when redirecting the student's behavior. The staff member should make eye contact and tell the student what to do such as "I can't teach when you are talking, throwing things, ..." or "Please stop and listen, read, write, ..." The staff member should remind the student of consequences for non-compliance and rewards if they comply with the staff member's request;
  - d. The staff member shall be polite at all times. The staff member may repeat steps a. through c. above and quietly give the student adequate wait time. If the staff member moves on, the student may comply after the initial confrontation if attention goes back to the lesson;
  - e. The staff member may advise the student to proceed to a time out area in the classroom for a limited time (elementary and middle school); and
  - f. If classroom removal is required, the staff member shall follow school discipline procedures for notification and request for assistance if necessary.
2. Security interventions may include, but are not limited to, the staff member:
- a. Standing quietly in the doorway and asking the student to accompany the staff member; and
  - b. Informing the student of the violation of the school discipline code and procedure and assure the student they have the choice to leave the classroom quietly.
- E. Use of Physical Restraint
- 1. If necessary, the staff member shall restrain the student until the emergency no longer exists (i.e. the student stops punching, kicking, spitting, damaging property, etc.).
  - 2. The school staff member shall immediately contact the appropriate administrator and school nurse and complete a written report on the physical restraint the staff member used during the emergency situation.
  - 3. The Principal's or designee's or any school staff member's report regarding the incident shall be documented in writing in sufficient detail to enable staff to use this information to develop or improve the behavior intervention plan at the next individualized education plan meeting. The documentation of physical restraint shall be placed in the student's school file.

**5561. USE OF PHYSICAL RESTRAINT AND SECLUSION TECHNIQUES FOR  
STUDENTS WITH DISABILITIES**

Date Created: June, 2017

Date Edited: July, 2018

4. The use of physical restraint is subject to the following additional requirements:
  - a. Physical restraint techniques shall consider the student's medical conditions and shall be modified as necessary;
  - b. Students shall not be subjected to physical restraint for using profanity, other verbal displays or disrespect, or for non-compliance. A verbal threat will not be considered as constituting a physical danger unless a student also demonstrates a means of or intent to carry out the threat;
  - c. In determining whether a student who is being physically restrained should be removed from the area where the restraint was initiated, the supervising staff should consider the potential for injury to the student, the student's need for privacy, and the educational and emotional well-being of the other students in the vicinity;
  - d. A student shall be released from physical restraint immediately upon a determination by the staff member administering the restraint that the student is no longer in imminent danger of causing harm to himself/herself, others, or imminent property destruction; and
  - e. The student shall be examined by the school nurse after any restraint.

**F. Seclusion Techniques**

A school district, an educational services commission, or an APSSD that utilizes seclusion techniques on students with disabilities shall ensure that:

1. A seclusion technique is used on a student with disabilities only in an emergency in which the student is exhibiting behavior that places the student or others in immediate physical danger;
2. Each incident in which a seclusion technique is used is carefully and continuously visually monitored to ensure that it was used in accordance with established procedures set forth in Policy and Regulation 5561 – Use of Physical Restraint and Seclusion Techniques for Students with Disabilities, developed in conjunction with the entity that trains staff in safe techniques for physical restraint, in order to protect the safety of the child and others; and
3. Each incident in which a seclusion technique is used is documented in writing in sufficient detail to enable staff to use this information to develop or improve the behavior intervention plan at the next individualized education plan meeting.

Students

**5561. USE OF PHYSICAL RESTRAINT AND SECLUSION TECHNIQUES FOR  
STUDENTS WITH DISABILITIES**

Date Created: June, 2017

Date Edited: July, 2018

A school district, an educational services commission, and an APSSD shall attempt to minimize the use of seclusion techniques through inclusion of positive behavior supports in the student's behavior intervention plans developed by the individualized education plan team.

Issued: 06 June 2017

Revised: 24 July 2018

**7510. USE OF SCHOOL FACILITIES**

The Hackensack School District facilities belong to the community, which paid for them for the primary purpose of offering a full educational program for its children. Prudent use and management of school facilities outside of the regular operating schedules, providing that such use does not interfere with the orderly conduct of a thorough and efficient system of education, allows the community to benefit more broadly from the use of its own property.

The Board will permit the use of school facilities when such permission has been requested in writing and has been approved as follows:

1. Uses and groups directly related to the schools and the operations of the schools, including pupil and teacher groups, by the building principal.
2. Uses and organizations indirectly related to the schools, including the Parent/Teacher Association, by the building principal.
3. Departments or agencies of the municipal government, by the School Business Administrator/Board Secretary.
4. Governmental agencies generally, by the Superintendent, School Business Administrator/Board Secretary or Designee.
5. Community organizations formed for charitable, civic, social or educational purposes, by the School Business Administrator/Board Secretary.

The use of school facilities shall not be granted for any purpose which is prohibited by law.

In the event the Business Administrator deems it advisable, any application may be submitted to the Board of Education for action.

The Superintendent or Board of Education may refuse to grant the use of a school building whenever in their judgment there is good reason why permission should be refused.

Smoking is prohibited at all times in any district building or on school grounds. No one may bring alcoholic beverages onto any school property. All facility use shall comply with State and local fire, health, safety and police regulations.

The buildings shall not be available for community use during holidays, vacation periods, or during the time school is not in session over the summer when the programs interfere with cleaning and maintenance schedules.

Use of school equipment in conjunction with the use of school facilities must be specifically requested in writing and may be granted by the procedure by which permission to use facilities is

granted. The user of school equipment must accept liability for any damage to or loss of such equipment that occurs while it is in use. Where rules so specify, no item of equipment may be used except by a qualified operator.

Use of district equipment on the premises by non-school personnel is limited to the equipment that is an integral part of the facility being used, i.e., the stage lights and piano in the auditorium, the basketball baskets in the gym. No district equipment shall be removed from the premises for use by non-district personnel.

The Board shall require that all users of school facilities comply with policies of this Board and the rules and regulations of this district. Each user shall present evidence of the purchase of organizational liability insurance to the limit prescribed by such rules.

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

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

Authorization for use of school facilities shall not be considered as endorsement of or approval of the activity, person, group or organization nor the purposes they represent.

A monthly report of the requests granted by the School Business Administrator/Board Secretary shall be submitted to the Superintendent and the Board through the Buildings and Grounds Committee.

N.J.S.A. 18A:20-20; 18A:20-34

Adopted: May, 2018

**R7510. USE OF SCHOOL FACILITIES****A. Classification of Users**

Organizations and individuals using school facilities will be classified as Tier I, II, III or IV users as follows:

1. Tier I– Use of school facilities by school classes, school clubs, groups of pupils and teachers, PTA, PTO, meetings of that particular school, and Scouts shall be classed as Tier I. The following conditions apply to this use:
  - i. Grant free use of the facilities.
2. Tier II – Use of facilities by divisions of the local municipal governments, local public school districts, local non-public schools and regular meetings of the local community groups, and other approved community groups shall be classed as Priority II. The following conditions apply to this use:
  - i. No admission may be charged and the function is in behalf of general educations, youth welfare or of public interest and given or sponsored by a responsible or accredited organization.
  - ii. All custodial service expenses, whether regular or overtime, must be borne by the requesting organization.
  - iii. The organization shall bear all expenses connected with stage supervision and operations.
  - iv. Upon the recommendation of the Superintendent, the Board of Education reserves the right to waive fees for the rental of facilities to another public school or non-public high school for emergency situations or special circumstances by the Superintendent, provided that no personnel overtime costs are incurred due solely to that event.
3. Tier III – Use of school facilities for fund raising or other events sponsored by local community groups and educationally oriented associations shall be classed as Tier III and will be conducted under the following conditions:
  - i. All custodial service expenses, whether regular or overtime, must be borne by the requesting organization.
  - ii. A service charge for use of the building will be made according to Board regulations.

- iii. The organization shall bear all expenses connected with stage supervision and operations.
- 4. Tier IV – Use of school facilities for activities which are of benefit to the community and sponsored by responsible groups or individuals for their own profit or responsible groups from outside the community shall be classed as Tier IV and may be conducted under the following conditions:
  - a. A rental charge shall be made in accordance with Board regulations.
  - b. Rental charges for rehearsals shall be made in accordance with Board regulations.
  - c. All custodial service expenses, whether regular or overtime, must be borne by the requesting organization.
  - d. The organization shall bear all expenses connected with stage supervision and operation.
- B. Application and Approval

The School Business Administrator/Board Secretary is authorized to approve and schedule the use of school facilities in accordance with the rules "Community Use of School Facilities".
- C. Insurance and Indemnification
  - 1. The representative of an organization granted permission to use a school facility must assume responsibility for the orderly and careful use of the facility and must agree to assume liability for any damage or loss of property caused by the use or in the course of the use.
  - 2. The organization and/or its representative will hold the Board of Education harmless from claims arising out of the permitted use of the school facility or during the user's occupancy. In addition, the user shall agree to save the Board harmless from liability for injury or damage to any person or property of any person who may be attending or participating in the function or activity for which permission has been granted.
  - 3. Any youth sports team organization that is granted permission to use school facilities must provide the school district proof of an insurance policy against liability for any bodily injury in the amount of not less than \$50,000 per person per occurrence, insuring the youth sports team organization against liability for any bodily injury suffered by a person. The youth sports team organization must also provide a statement of compliance with the school district's Policy and



Regulation 2431.4 - Prevention and Treatment of Sports-Related Concussions and Head Injuries, which will be provided to the adult representative of the requesting organization with the application to use school facilities.

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

**D. Supervision by School Personnel**

1. In all cases at least one employee of the Board shall be present during the use of any school facility and be responsible for the proper care of buildings and equipment, opening and closing the buildings, controlling lights, etc. the number of school employees on hand will be determined by the scope of the activity.
2. Such employees shall, at the close of the function, conduct a complete inspection of the building and facilities used, fill out form, "Application for Use of Public School Facilities", and report all pertinent data in connection with the function. The form "Application for Use of Public School Facilities", and report all pertinent data in connection with the function. The "Application for Use of Public School Facilities" shall be forwarded to the School Business Administrator/Board Secretary.

**E. Regulations**

Users of school buildings shall adhere to the following regulations:

1. Smoking shall not be permitted in school buildings or on school premises. Alcoholic liquors or beverages shall not be brought or consumed neither in the school buildings nor on the grounds.
2. No nails or tacks may be driven into walls or woodwork, nor any electrical changes made.
3. Pianos shall not be moved, tuned, or repaired by anyone without written approval of the School Business Administrator/Board Secretary.
4. Any damage to buildings or equipment incurred in the use of the school facilities by outside parties shall be paid for by the signer of the "Application for Use of Public School Facilities".
5. Putting up decorations or scenery, or moving furniture is prohibited unless otherwise specified on the "Application for Use of Public School Facilities".

6. Nothing shall be sold, exhibited or displayed unless so specified on "Application for Use of Public School Facilities".
7. All electrical equipment and arrangements shall be in the charge and control of Board representatives.
8. All properties belonging to the applicant shall be removed no later than the morning following the use of school facilities. The Board assumes no responsibility for properties left on the premises by the applicant.
9. The applicant is to understand that tipping of custodians or other school personnel is inappropriate and prohibited. Only the Board shall pay employees for services involving the use of school facilities.
10. No other portions of the buildings or grounds shall be used except those indicated on the "Application for Use of Public School Facilities".
11. No school property, including supplies, equipment, or tools shall be used by anyone unless listed on the "Application for Use of Public School Facilities".
12. No parking facilities shall be assumed as being part of the application. Parking facilities and attendants may be secured at the rates designated on the "Application for Use of Public School Facilities".
13. Serving food and drinks shall generally be confined to school cafeterias and kitchens. No refreshments shall be serviced unless stated on the "Application for Use of Public School Facilities" and unless a staff member from the Food Service Management Company is present at an additional cost.
14. Rental of the athletic field and gymnasiums does not include the use of any school equipment such as bags, plates, markers, nets, hurdles, or any of the field hours, locker rooms, shower rooms, etc. toilet facilities and drinking fountains may be used.
15. The Applicant shall be held responsible for the preservation of order.
16. For certain events or activities police security may be deemed necessary by the School Business Administrator/Board Secretary, arrangements and payment for these services will be made directly to the Hackensack Police Department by the applicant.
17. Police security must be arranged when attendance exceeds 300 persons.

18. Any complaint involving the use of schools by outside organizations shall be made to the School Business Administrator/Board Secretary who will refer it to the appropriate administrative officer.

E. General Notice

1. No fee will be charged for Boy Scout meetings, Girl Scout meetings, PTA or other educational clubs having as their purpose the training of boys and girls, provided the meetings are held in such schools as have a night man in attendance. All evening and weekend meetings by these organizations in other schools shall be charged the prevailing rates.
2. Custodians shall not open a building except when presented with a properly authorized and approved application.
3. The School Business Administrator/Board Secretary shall appoint a site manager whenever, in his/her judgment, the nature or magnitude of the event requires one. In such instances the associated cost shall be levied in addition to other charges listed herein.

F. Fees

1. Payment for the use of school facilities shall be made to the Hackensack Board of Education through the School Business Administrator/Board Secretary on or before the date of use.
2. Rental fees for the use of Hackensack Public Schools are for a minimum period of four hours.
3. Requests to have fees waived must be submitted in writing to the School Business Administrator/Board Secretary for final disposition by the Board of Education.

4. The following shall be the rate per hour:

**HOURLY RATES**

FACILITY	Tier			
	I	II ELEMENTARY	III	IV
Gym	NC	NC	\$ 30.00	\$ 60.00
Cafeteria	NC	NC	\$ 35.00	\$ 70.00
Classroom/Library	NC	NC	\$ 25.00	\$ 60.00
Auditorium	NC	NC	\$ 50.00	\$ 90.00
Kitchen	NC	NC	\$ 40.00	\$ 70.00
Custodian	NC	\$ 60.00	\$ 60.00	\$ 60.00
Custodian - Sundays & Holidays	NC	\$ 90.00	\$ 90.00	\$ 90.00

**MIDDLE SCHOOL**

Gym	NC	NC	\$ 40.00	\$ 70.00
Cafeteria	NC	NC	\$ 40.00	\$ 80.00
Classroom/Library	NC	NC	\$ 20.00	\$ 60.00
Auditorium	NC	NC	\$ 50.00	\$ 90.00
Kitchen	NC	NC	\$ 40.00	\$ 70.00
Fields	NC	NC	\$ 40.00	\$ 75.00
Custodian	NC	\$ 60.00	\$ 60.00	\$ 60.00
Custodian - Sundays & Holidays	NC	\$ 90.00	\$ 90.00	\$ 90.00

### HIGH SCHOOL

Gym	NC	NC	\$ 50.00	\$ 80.00
Cafeteria	NC	NC	\$ 50.00	\$ 90.00
Classroom/Library	NC	NC	\$ 20.00	\$ 60.00
Auditorium	NC	NC	\$ 50.00	\$ 90.00
Kitchen	NC	NC	\$ 40.00	\$ 70.00
Fields other than Football	NC	NC	\$ 40.00	\$ 75.00
Football Field	NC	NC	\$ 70.00	\$ 125.00
Football Field with Lights	NC	\$ 60.00	\$ 150.00	\$ 250.00
Weight Room with Supervision	NC	\$ 50.00	\$ 75.00	\$ 125.00
Tennis Courts	NC	NC	\$ 25.00	\$ 75.00
Pool	NC	\$ 35.00	\$ 75.00	\$ 150.00
Custodian	NC	\$ 60.00	\$ 60.00	\$ 60.00
Custodian - Sundays & Holidays	NC	\$ 90.00	\$ 90.00	\$ 90.00

**Tier I** - Uses and groups directly related to the schools and the operations of the schools All school sponsored activities including school clubs, school department meetings and school sponsored events. PTA, PTO, District employee organizations, Booster Clubs, Scouts.

**Tier II** - Departments and agencies of municipal government - City Recreation Department, City Council, Parent Outreach.

**III** - Uses and groups for fundraising by local community groups, county groups.

**Tier IV** - Private Interest Groups - Any group that is not directly or indirectly related to Hackensack Schools or outside the community.

**G. Kitchens**

Because of health department regulations, school cafeteria kitchens are not available for use by any other than school and licensed personnel. Organizations using school cafeterias are to have caterers approved by the Board of Education, and if kitchen facilities are to be made available, two members of the kitchen staff shall be on duty; the overtime rate shall prevail.

Adopted: May, 2018

**3282. USE OF SOCIAL NETWORKING SITES (TEACHING STAFF)**

The Board of Education has a strong commitment to quality education and the well-being of all students, as well as the preservation of the school district's reputation. The Board believes staff members must establish and maintain public trust and confidence and be committed to protecting all students attending the school district. In support of the Board's strong commitment to the public's trust and confidence, the Board holds all staff members to the highest level of professional responsibility.

The Commissioner of Education has determined inappropriate conduct outside a staff member's professional responsibilities may determine them as unfit to discharge the duties and functions of their position. Staff members should be advised communications, publications, photographs, and other information appearing on social networking sites deemed inappropriate by the Board could be cause for dismissal of a non-tenured staff member or to certify tenure charges against a tenured staff member to the Commissioner of Education.

Staff members are advised to be concerned and aware such conduct deemed inappropriate may include, but is not limited to, communications and/or publications using e-mails, text-messaging, social networking sites, or any other form of electronic communication that is directed and/or available to students or for public display or publication.

While the Board respects the right of staff members to use social networking sites, staff members should recognize they are held to a higher standard than the general public with regard to standards of conduct and ethics. It is important that a staff member's use of these sites does not damage the reputation of the school district, employees, students, or their families. Staff members who utilize, post or publish images, photographs, or comments on social networking sites, blogs, or other forms of electronic communication outside their professional responsibilities shall ensure their use, postings, or publications are done with an appropriate level of professionalism and are appropriate conduct for a school staff member. Staff members should exercise care in setting appropriate boundaries between their personal and public online behavior, understanding that what is private in the digital world often has the possibility of becoming public even without their knowledge or consent.

The school district strongly encourages all staff members to carefully review the privacy settings on social networking sites they use and exercise care and good judgment when posting content and information on such sites. Staff members should adhere to the following guidelines, which are consistent with the district's workplace standards on harassment, student relationships, conduct, professional communication, and confidentiality.

When using personal social networking sites, school staff members:

1. Should not make statements that would violate any of the district's policies, including its policies concerning discrimination or harassment;

2. Must uphold the district's value of respect for the individual and avoid making defamatory statements about the school district, employees, students, or their families;
3. May not disclose any confidential information about the school district or confidential information obtained during the course of his/her employment, about any individual(s) or organization, including students and/or their families;
4. Shall not use social networking sites to post any materials of a sexually graphic nature;
5. Shall not use social networking sites to post any materials which promote violence;
6. Shall not use social networking sites which would be detrimental to the mission and function of the district;
7. Are prohibited from using their school district title as well as adding references to the district in any correspondence including, but not limited to, e-mails, postings, blogs, and social networking sites unless the communication is of an official nature and is serving the mission of the district. This prohibition also includes signature lines and personal e-mail accounts;
8. Shall not post updates to their status on any social networking sites during normal working hours including posting of statements or comments on the social networking sites of others during school time unless it involves a school project. Employees must seek approval from the Superintendent of Schools for such use; and
9. Shall not post or publish any information the Commissioner of Education would deem to be inappropriate conduct by a school staff member.

The Policy of this district is to maintain a level of professionalism both during and after the school day. Any publication through any means of electronic communication which is potentially adverse to the operation, morale, or efficiency of the district, will be deemed a violation of this Policy. If the Board or Superintendent believes that a staff member's activity on any social networking site violates the district's policies, the Board or Superintendent may request that the employee cease such activity. Depending on the severity of the incident, the staff member may be subject to disciplinary action.

This Policy has been developed and adopted by this Board to provide guidance and direction to staff members on how to avoid actual and/or the appearance of inappropriate conduct toward students and/or the community while using social networking sites.

Adopted: 06 June 2017



**4282. USE OF SOCIAL NETWORKING SITES (SUPPORT STAFF)**

The Board of Education has a strong commitment to quality education and the well-being of all students, as well as the preservation of the school district's reputation. The Board believes staff members must establish and maintain public trust and confidence and be committed to protecting all students attending the school district. In support of the Board's strong commitment to the public's trust and confidence, the Board holds all staff members to the highest level of professional responsibility.

The Commissioner of Education has determined inappropriate conduct outside a staff member's professional responsibilities may determine them as unfit to discharge the duties and functions of their position. Staff members should be advised communications, publications, photographs, and other information appearing on social networking sites deemed inappropriate by the Board could be cause for dismissal of a non-tenured staff member or to certify tenure charges against a tenured staff member to the Commissioner of Education.

Staff members are advised to be concerned and aware such conduct deemed inappropriate may include, but is not limited to, communications and/or publications using e-mails, text-messaging, social networking sites, or any other form of electronic communication that is directed and/or available to students or for public display or publication.

While the Board respects the right of staff members to use social networking sites, staff members should recognize they are held to a higher standard than the general public with regard to standards of conduct and ethics. It is important that a staff member's use of these sites does not damage the reputation of the school district, employees, students, or their families. Staff members who utilize, post or publish images, photographs, or comments on social networking sites, blogs, or other forms of electronic communication outside their professional responsibilities shall ensure their use, postings, or publications are done with an appropriate level of professionalism and are appropriate conduct for a school staff member. Staff members should exercise care in setting appropriate boundaries between their personal and public online behavior, understanding that what is private in the digital world often has the possibility of becoming public even without their knowledge or consent.

The school district strongly encourages all staff members to carefully review the privacy settings on social networking sites they use and exercise care and good judgment when posting content and information on such sites. Staff members should adhere to the following guidelines, which are consistent with the district's workplace standards on harassment, student relationships, conduct, professional communication, and confidentiality.

When using personal social networking sites, school staff members:

1. Should not make statements that would violate any of the district's policies, including its policies concerning discrimination or harassment;

2. Must uphold the district's value of respect for the individual and avoid making defamatory statements about the school district, employees, students, or their families;
3. May not disclose any confidential information about the school district or confidential information obtained during the course of his/her employment, about any individual(s) or organization, including students and/or their families;
4. Shall not use social networking sites to post any materials of a sexually graphic nature;
5. Shall not use social networking sites to post any materials which promote violence;
6. Shall not use social networking sites which would be detrimental to the mission and function of the district;
7. Are prohibited from using their school district title as well as adding references to the district in any correspondence including, but not limited to, e-mails, postings, blogs, and social networking sites unless the communication is of an official nature and is serving the mission of the district. This prohibition also includes signature lines and personal e-mail accounts;
8. Shall not post updates to their status on any social networking sites during normal working hours including posting of statements or comments on the social networking sites of others during school time unless it involves a school project. Employees must seek approval from the Superintendent of Schools for such use; and
9. Shall not post or publish any information the Commissioner of Education would deem to be inappropriate conduct by a school staff member.

The Policy of this district is to maintain a level of professionalism both during and after the school day. Any publication through any means of electronic communication which is potentially adverse to the operation, morale, or efficiency of the district, will be deemed a violation of this Policy. If the Board or Superintendent believes that a staff member's activity on any social networking site violates the district's policies, the Board or Superintendent may request that the employee cease such activity. Depending on the severity of the incident, the staff member may be subject to disciplinary action.

This Policy has been developed and adopted by this Board to provide guidance and direction to staff members on how to avoid actual and/or the appearance of inappropriate conduct toward students and/or the community while using social networking sites.

Adopted: 06 June 2017

**5410. PROMOTION AND RETENTION (M)**

The Hackensack Board of Education recognizes that personal, social, physical and educational growth of children will vary and that they should be placed in the educational setting most appropriate to their needs at the various stages of their growth.

The Superintendent shall direct development of and the Board shall adopt detailed regulations to govern progress of students through levels Kindergarten through twelve. The regulations shall include:

1. Standards of proficiency related to district goals and objectives;
2. Standards of attendance, and provision for review of mastery;
3. Timely efforts to help all students achieve acceptable levels of proficiency;
4. Timely notification of parents when there is a possibility of failure and immediate consultation with the parent if the student's progress is not sufficient to meet promotion and remediation standards;
5. Procedures for parents and adult students to appeal promotion/retention decisions;
6. Procedures for involving parents in the design of the remedial program.

Parents will be notified whenever exceptions are contemplated in a student's normal progression from level to level. The final decision in all cases will rest with school authorities.

N.J.S.A. 18A:35-4.9

Adopted: 06 June 2017

**R5410. PROMOTION AND RETENTION (M)**

The following rules are promulgated in accordance with the policy of the Board of Education dealing with the promotion and retention of students.

**A. Standards for Student Promotion**

Elementary and Intermediate Grades (PreK-8) - A student will be promoted to the next succeeding grade level when he/she demonstrates the proficiencies required for movement into the next grade.

High School (9-12) - A student will be promoted to the next grade when he/she has completed, in the current school year, the number of credits required for that grade as indicated in the current High School Student Handbook.

**B. Procedures for Student Promotion**

1. A written copy of promotion standards will be given to all parent(s) or legal guardian(s) and students at the beginning of each year.
2. Parent(s) or legal guardian(s) and students will be provided a minimum of four reports each year as to a student's progress towards meeting promotion standards.
3. Teachers who determine that a student's progress may not be sufficient to meet promotion standards shall notify the parent(s) or legal guardian(s) of the student and offer consultation with the parents or legal guardians.
4. In grades PreK-8, the parent(s) or legal guardian(s) and where appropriate the student will be notified no later than three weeks prior to the end of the year when the possibility of a student not being promoted is determined.
5. A student with fewer than 150 days attendance in grades PreK-8 will not be promoted to the next grade level. In grades 9-12 the attendance policy in effect and published in the High School Handbook will be followed.
6. Extenuating circumstances as determined by the Building Principal can waive the 150-day attendance requirements for grades PreK-8. In the high school, an attendance appeal route is available for students whose attendance is in excess of the regulations specified in the attendance policy.
7. Classroom teachers shall provide input to the Principal who makes the final decision concerning the promotion or retention of each student.

**C. Procedure for Retention or Social Promotion**

1. Grades PreK-8 - Classroom teachers must initiate the process by providing to the Building Principal complete forms in accordance with the specified timelines.
2. The Principal will review each case and in consultation with the teacher render a final decision.
3. Parent(s) or legal guardian(s) and adult students may appeal a promotion/retention decision to the Superintendent whose decision is final.

Adopted: 06 June 2017

**5111. ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)**

Date Created: June, 2017

Date Edited: March, 2019

**5111. ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)**

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

**Eligibility to Attend School**

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

A child who is domiciled within the school district and resides with a parent or guardian who is a member of the New Jersey National Guard or a member of the reserve component of the armed forces of the United States who is ordered into active military service in a time of war or national emergency shall be permitted to remain enrolled in the school district in which the child is domiciled at the time of the parent or guardian being ordered into active military service, regardless of where the child resides during the period of active duty. Following the return of the child's parent or guardian from active military service, the child's eligibility to remain enrolled in the school district pursuant to N.J.S.A. 38-3.1 shall cease at the end of the current school year unless the child is domiciled in the school district.

The Board shall also admit any student that is kept in the home of a person other than the student's parent or guardian, where the person is domiciled in the school district and is supporting the student without remuneration as if the student were his or her own child in accordance with N.J.A.C. 6A:22-3.2. A student is only eligible to attend school in the district pursuant to N.J.A.C. 6A:22-3.2 if the student's parent or guardian files, together with documentation to support its validity, a sworn statement that he or she is not capable of supporting or providing care for the student due to family or economic hardship and the student is not residing with the other person solely for the purpose of receiving a free public education. In addition, the person keeping the student must file, if so required by the Board of Education, a sworn statement that he or she: is domiciled within the school district; is supporting the child without remuneration and intends to do so for a time longer than the school term; will assume all personal obligations for the student relative to school requirements; and provides a copy of his or her lease if a tenant, a sworn landlord's statement if residing as a tenant without a written lease, or a mortgage or tax bill if an owner. Pursuant to N.J.S.A. 18A:38-1.c, any person who fraudulently allows a child of another person to use his or her residence and is not the primary financial supporter of that child and any person who fraudulently claims to have given up custody of his or her child to a person in another district commits a disorderly persons offense.

A student is eligible to attend school in this school district free of charge pursuant to N.J.S.A. 18A:38-1.b if the student is kept in the home of a person domiciled in the school district, who is not the parent or guardian and the parent or guardian is a member of the New Jersey National Guard or the reserve component of the United States armed forces and has been ordered into active military service in the United States armed forces in time of war or national emergency. Eligibility under this provision shall cease at the end of the current school year during which the parent or

guardian returns from active military duty.

A student is eligible to attend school in this school district free of charge pursuant to N.J.S.A. 18A:38-1.d if the student's parent or guardian temporarily resides within the school district and elects to have the student attend the school district of temporary residence, notwithstanding the existence of a domicile elsewhere. When required by the Board of Education, the parent or guardian shall demonstrate the temporary residence is not solely for purposes of a student attending the school district of temporary residence. When one of a student's parents or guardians temporarily resides in the school district while the other is domiciled or temporarily resides elsewhere, eligibility to attend school shall be determined in accordance with the criteria of N.J.A.C. 6A:22-3.1(a)1.i.

A student is eligible to attend this school district free of charge:

1. If the student's parent or guardian moves to another school district as the result of being homeless, subject to the provisions of N.J.A.C. 6A:17-2 - Education of Homeless Children;
2. If the student is placed by court order or by a society, agency, or institution in the home of a school district resident pursuant to N.J.S.A. 18A:38-2;
3. If the student previously resided in the school district and if the parent or guardian is a member of the New Jersey National Guard or the United States reserves and has been ordered to active service in time of war or national emergency, resulting in the relocation of the student out of the school district, pursuant to N.J.S.A. 18A:38-3.b. The school district shall not be obligated for transportation costs; and
4. If the student resides on Federal property within the State pursuant to N.J.S.A. 18A:38-7.7 et seq.

Notwithstanding the provisions of N.J.S.A. 18A:38-1 or any other law, rule, or regulation to the contrary, a student who moves out of the school district as a result of domestic violence, sexual abuse, or other family crises shall be permitted to remain enrolled in the school district for the remainder of the school year in pursuant to N.J.S.A. 18A:38-1.1 and in accordance with the provisions of N.J.A.C. 6A:22-3.2(h). If the student remains enrolled in the school district for the remainder of the school year, the school district shall provide transportation services to the student, provided the student lives remote from school, and the State shall reimburse the school district for the cost of the transportation services. Nothing in N.J.S.A. 18A:38-1.1 shall be construed to affect the rights of homeless students pursuant to N.J.S.A. 18A:7B-12, N.J.S.A. 18A:7B-12.1, or any other applicable State or Federal law.

A student's eligibility to attend this school shall not be affected by the physical condition of an applicant's housing or his or her compliance with local housing ordinances or terms of lease.

Except as set forth in N.J.A.C. 6A:22-3.3(b)1, immigration/visa status shall not affect eligibility to attend school and the school district shall not condition enrollment in the school district on immigration status. A student's immigration/visa status and their eligibility to attend school shall be in accordance with N.J.A.C. 6A:22-3.3(b) and Regulation 5111.

### Proof of Eligibility

The Board of Education shall accept a combination of forms of documentation from persons attempting to demonstrate a student's eligibility for enrollment in the school district in accordance with the provisions of N.J.A.C. 6A:22-3.4. The Board of Education shall consider the totality of information and documentation offered by an applicant, and shall not deny enrollment based on failure to provide a particular form or subset of documents without regard to other evidence presented.

The Board of Education shall not condition enrollment on the receipt of information or documents protected from disclosure by law, or pertaining to criteria that are not a legitimate basis for determining eligibility to attend school as outlined in N.J.A.C. 6A:22-3.4(d). The Board of Education may consider, in a manner consistent with Federal law, documents or information referenced in N.J.A.C. 6A:22-3.4(d) or pertinent parts thereof if voluntarily disclosed by the applicant. The Board of Education may not, directly or indirectly, require or request such disclosure as an actual or implied condition of enrollment. However, in the case of a dispute between the school district and the parent or guardian of a student in regard to the student's eligibility to enroll in the school district or to remain enrolled in the school district pursuant to the provisions of N.J.S.A. 18A:38-1, the school district may request from the New Jersey Motor Vehicle Commission the parent or guardian's name and address for use in verifying a student's eligibility for enrollment in the school district.

### Registration Forms and Procedures for Initial Assessment

Registration and initial determinations of eligibility will be in accordance with N.J.A.C. 6A:22-4.1. The Board of Education shall use Commissioner-provided registration forms or locally developed forms that are consistent with the forms provided by the Commissioner. A district-level administrator designated by the Superintendent shall be clearly identified to applicants and available to assist persons who experience difficulties with the enrollment process.

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

When a student appears ineligible based on the information provided in the initial application, the school district shall issue a preliminary written notice of ineligibility, including an explanation of the right to appeal to the Commissioner of Education. Enrollment shall take place immediately if the applicant clearly indicates disagreement with the district's determination and an intent to appeal to the Commissioner of Education. An applicant whose student is enrolled pursuant to this provision shall be notified that the student will be removed, without a hearing before the Board, if no appeal is filed within the twenty-one day period established by N.J.S.A. 18A:38-1.

When enrollment is denied and no intent to appeal is indicated, applicants shall be advised they shall comply with compulsory education laws. When the student is between the ages of six and sixteen, applicants also shall be asked to complete a written statement indicating the student will be attending school in another school district or nonpublic school, or receiving instruction



elsewhere than at a school pursuant to N.J.S.A. 18A:38-25. In the absence of this written statement, designated staff shall report to the school district of actual domicile or residence, or the Department of Children and Families, a potential instance of “neglect” for the purposes of ensuring compliance with compulsory education law, N.J.S.A. 9:6-1. Staff shall provide the school district or the Department of Children and Families with the student’s name, the name(s) of the parent/guardian/resident, and the student’s address to the extent known. Staff shall also indicate admission to the school district has been denied based on residency or domicile, and there is no evidence of intent to arrange for the child to attend school or receive instruction elsewhere.

Enrollment or attendance at the school shall not be conditioned on advance payment of tuition when enrollment is denied and an intent to appeal is indicated, or when enrollment is provisional and subject to further review or information. The Board of Education shall ensure the registration process identifies information suggesting an applicant may be homeless so procedures may be implemented in accordance with N.J.A.C. 6A:17-2, Education of Homeless Children. Enrollment or attendance in the school district shall not be denied based upon the absence of the certified copy of the student’s birth certificate or other proof of a student’s identity as required within thirty days of initial enrollment, pursuant to N.J.S.A. 18A:36-25.1.

Enrollment in the school district shall not be denied based upon absence of student medical information. However, actual attendance at school may be deferred until the student complies with student immunization rules set forth in N.J.A.C. 8:57-4.

When enrollment in the school district, attendance at school, or the receipt of educational services in the regular education program appears inappropriate, the student shall not be denied based upon the absence of a student’s prior educational record. However, the applicant shall be advised the student’s initial educational placement may be subject to revision upon the school district’s receipt of records or further assessment of the student.

#### Notice of Ineligibility

When a student is found ineligible to attend the school district pursuant to N.J.A.C. 6A:22 or the student’s initial application is found to be deficient upon subsequent review or investigation, the school district immediately shall provide to the applicant notice that is consistent with Commissioner-provided sample form(s) and meets requirements of N.J.A.C. 6A:22-4 et seq. Notices shall be in writing; in English and in the native language of the applicant; issued by the Superintendent; and directed to the address at which the applicant claims to reside. Notices of ineligibility shall include information as outlined in N.J.A.C. 6A:22-4.2.

#### Removal of Currently Enrolled Students

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

When a student who is enrolled and attending school based on an initial eligibility determination is later determined to be ineligible for continued attendance, the Superintendent may apply to the Board of Education for the student’s removal in accordance with the provisions of N.J.A.C. 6A:22-4.3. No student shall be removed from school unless the parent, guardian, adult student, or

resident keeping an "affidavit student" (as defined in N.J.A.C. 6A:22-1.2) has been informed of his or her entitlement to a hearing before the Board of Education. Once the hearing is held, or if the parent, guardian, adult student or resident keeping an "affidavit student", does not respond within the designated time frame to the Superintendent's notice or appear for the hearing, the Board of Education shall make a prompt determination of the student's eligibility and shall immediately provide notice in accordance with N.J.A.C. 6A:22-4.2. Hearings required pursuant to N.J.A.C. 6A:22-4.3 may be conducted by the full Board or a Board Committee, at the discretion of the full Board. If the hearing(s) is conducted by a Board Committee, the Committee shall make a recommendation to the full Board for action. No student may be removed except by vote of the Board taken at a meeting duly convened and conducted pursuant to N.J.S.A. 10:4-6 et seq., the Open Public Meetings Act.

#### Appeal to the Commissioner

An applicant may appeal to the Commissioner of Education the school district's determination that a student is ineligible to attend its schools. Appeals shall be initiated by petition which shall be filed in accordance with N.J.S.A. 18A:38-1 and N.J.A.C. 6A:3-8.1 and shall proceed as a contested case pursuant to N.J.A.C. 6A:3. Pursuant to N.J.S.A. 18A:38-1.b(1), appeals of "affidavit student" eligibility determinations shall be filed by the resident keeping the student.

#### Assessment and Calculation of Tuition

If no appeal to the Commissioner is filed following notice of an ineligibility determination, the Board of Education may assess tuition, for up to one year of a student's ineligible attendance, including the twenty-one day period provided by N.J.S.A. 18A:38-1 for appeal to the Commissioner. Tuition will be assessed and calculated in accordance with N.J.A.C. 6A:22-6.3 et seq. If the responsible party does not pay the tuition assessment, the Board of Education may petition the Commissioner pursuant to N.J.A.C. 6A:3 for an order assessing tuition, enforceable in accordance with N.J.S.A. 2A:58-10 through recording, upon request of the Board of Education pursuant to N.J.A.C. 6A:3-12, on the judgment docket of the Superior Court, Law Division.

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

#### Nonresident Students

The admission of a nonresident student to school free of charge must be approved by the Board. No student otherwise eligible shall be denied admission on the basis of the student's race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability. The continued enrollment of any nonresident student shall be contingent upon the student's maintenance of good standards of citizenship and discipline.

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

A nonresident child otherwise eligible for attendance whose parent or guardian anticipates district residency and has entered a contract to buy, build, or rent a residence in this district may be enrolled without payment of tuition for a period of time not greater than eight weeks prior to the anticipated date of residency. If any such student does not become a resident of the district within eight weeks after admission to school, tuition will be charged for attendance commencing the beginning of the ninth week and until such time as the student becomes a resident or withdraws from school.

Students whose parents or guardian have moved away from the school district on or after May 1 and twelfth grade students whose parent or guardian have moved away from the school district on or after November 1 will be permitted to finish the school year in this school district without payment of tuition.

### Children of District Employees

Children of Board of Education employees who do not reside in this school district may be admitted to school in the district with payment of tuition provided that the educational program of such children can be provided within school district facilities.

### Other Nonresident Students

Other nonresident students, otherwise eligible for attendance may be admitted to this school district with payment of tuition and Board approval.

### F-1 Visa Students

The school district will permit the attendance of F-1 Visa students into the school district only with the payment of full tuition and a signed tuition contract. The district may require advance payment of full tuition before providing the requested I-20 form, in accordance with the provisions of Federal regulation 8CFR 214.3. An F-1 Visa is granted to a foreign student through an application process that must include, but is not limited to, signed approval by the receiving school district exhibiting the receiving school district will accept the foreign student for enrollment and the foreign student proof of financial means to pay the full tuition to the receiving school district for the academic year.

N.J.S.A. 18A:38-1 et seq.; 18A:38-3; 18A:38-3.1

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

Adopted: 06 June 2017

Revised: 26 March 2019

**5111. ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)**

Date Created: June, 2017

Date Edited: March, 2019

**R5111. ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)****A. Definitions**

1. "Affidavit student" means a student attending, or seeking to attend, school in a district pursuant to N.J.S.A. 18A:38-1.b and N.J.A.C 6A:22-3.2(a).
2. "Appeal" means contested case proceedings before the Commissioner of Education pursuant to N.J.A.C. 6A:3, Controversies and Disputes.
3. "Applicant" means a parent, guardian, or a resident supporting an affidavit student who seeks to enroll a student in a school district; or an unaccompanied homeless youth or adult student who seeks to enroll in a school district.
4. "Commissioner" means the Commissioner of Education or his/her designee.
5. "Guardian" means a person to whom a court of competent jurisdiction has awarded guardianship or custody of a child, provided that a residential custody order shall entitle a child to attend school in the residential custodian's school district unless it can be proven that the child does not actually live with the custodian. "Guardian" also means the Department of Children and Families for purposes of N.J.S.A. 18A:38-1.e.

**B. Eligibility to Attend School – Students Domiciled in the District**

1. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district if the student is domiciled within the district:
  - a. A student is domiciled in the school district when he or she is living with a parent or guardian whose domicile is located within the school district.
    - (1) When a student's parents or guardians are domiciled within different school districts and there is no court order or written agreement between the parents designating the school district of attendance, the student's domicile is the school district of the parent or guardian with whom the student lives for the majority of the school year. This provision shall apply regardless of which parent has legal custody.
    - (2) When a student's physical custody is shared on an equal-time, alternating week/month or other similar basis so the student is not living with one parent or guardian for a majority of the school year and there is no court order or written agreement between the parents designating the school district of attendance, the student's domicile is the present domicile of the

**5111. ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)**

Date Created: June, 2017

Date Edited: March, 2019

parent or guardian with whom the student resided on the last school day prior to October 16 preceding the application date.

- (a) When a student resided with both parents or guardians, or with neither parent or guardian, on the last school day prior to the preceding October 16, the student's domicile is the domicile of the parent or guardian with whom the parents or guardians indicate the student will be residing on the last school day prior to the ensuing October 16. When the parents or guardians do not designate or cannot agree upon the student's likely residence as of that date, or if on that date the student is not residing with the parent or guardian previously indicated, the student shall attend school in the school district of domicile of the parent or guardian with whom the student actually lives as of the last school day prior to October 16.
  - (b) When the domicile of the student with disabilities as defined in N.J.A.C. 6A:14 cannot be determined pursuant to N.J.A.C. 6A:22-3.1, nothing shall preclude an equitable determination of shared responsibility for the cost of such student's out-of-district placement.
  - (3) When a student is living with a person other than a parent or guardian, nothing in N.J.A.C. 6A:22-3.1 is intended to limit the student's right to attend school in the parent or guardian's school district of domicile pursuant to the provisions of N.J.A.C. 6A:22.
  - (4) No school district shall be required to provide transportation for a student residing outside the school district for all or part of the school year unless transportation is based upon the home of the parent or guardian domiciled within the school district or otherwise required by law.
- b. A student is domiciled in the school district when he or she has reached the age of eighteen or is emancipated from the care and custody of a parent or guardian and has established a domicile within the school district.
  - c. A student is domiciled in the school district when the student has come from outside the State and is living with a person domiciled in the school district who will be applying for guardianship of the student upon expiration of the six-month "waiting period" of State residency required pursuant to N.J.S.A. 2A:34-54 ("home state" definition) and 2A:34-65.a(1). However, a student may later be subject to removal proceedings if application for guardianship is not made within a reasonable period of time following expiration of the mandatory waiting period or if guardianship is applied for and denied.

## 5111. ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)

Date Created: June, 2017

Date Edited: March, 2019

- d. A student is domiciled in the school district when his or her parent or guardian resides within the school district on an all-year-round basis for one year or more, notwithstanding the existence of a domicile elsewhere.
  - e. A student is domiciled in the school district if the Department of Children and Families is acting as the student's guardian and has placed the student in the school district.
2. When a student's dwelling is located within two or more school districts, or bears a mailing address that does not reflect the dwelling's physical location within a municipality, the school district of domicile for school attendance purposes shall be the municipality to which the majority of the dwelling's property tax is paid, or to which the majority of the dwelling's or unit's property tax is paid.
- a. When property tax is paid in equal amounts to two or more municipalities, and there is no established assignment for students residing in the affected dwellings, the school district of domicile for school attendance purposes shall be determined through assessment of individual proofs as provided pursuant to N.J.A.C. 6A:22-3.4.
  - b. This provision shall not preclude the attendance of currently enrolled students who were permitted to attend the school district prior to December 17, 2001.
  - c. When a student's parent or guardian elects to exercise such entitlement, nothing in N.J.A.C. 6A:22-3.1 shall exclude a student's right to attend the school district of domicile although the student is qualified to attend a different school district pursuant to N.J.S.A. 18A:38-1.b or the temporary residency (less than one year) provision of N.J.S.A. 18A:38-1.d.
3. Notwithstanding the provisions of N.J.S.A. 18A:38-1 or any other section of law to the contrary, a child who is domiciled within the school district and resides with a parent or guardian who is a member of the New Jersey National Guard or a member of the reserve component of the armed forces of the United States who is ordered into active military service in any of the armed forces of the United States in a time of war or national emergency, shall be permitted to remain enrolled in the school district in which the child is domiciled at the time of the parent or guardian being ordered into active military service, regardless of where the child resides during the period of active duty. The school district shall not be responsible for providing transportation for the child if the child lives outside of the district. Following the return of the child's parent or guardian from active military service, the child's eligibility to remain enrolled in the school district pursuant to N.J.S.A. 38-3.1 shall cease at the end of the current school year unless the child is domiciled in the school district.

**5111. ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)**

Date Created: June, 2017

Date Edited: March, 2019

**C. Eligibility to Attend School – Other Students Eligible to Attend School**

1. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-1.b if that student is kept in the home of a person other than the student's parent or guardian, and the person is domiciled in the school district and is supporting the student without remuneration as if the student were his or her own child.
  - a. A student is not eligible to attend this school district pursuant to this provision unless:
    - (1) The student's parent or guardian has filed, together with documentation to support its validity, a sworn statement that he or she is not capable of supporting or providing care for the student due to family or economic hardship and that the student is not residing with the other person solely for the purpose of receiving a free public education; and
    - (2) The person keeping the student has filed, if so required by the Board of Education:
      - (a) A sworn statement that he or she is domiciled within the school district, is supporting the child without remuneration and intends to do so for a longer time than the school term, and will assume all personal obligations for the student pertaining to school requirements; and
      - (b) A copy of his or her lease if a tenant, a sworn landlord's statement if residing as a tenant without a written lease, or a mortgage or tax bill if an owner.
  - b. A student shall not be deemed ineligible under this provision because required sworn statement(s) cannot be obtained when evidence is presented that the underlying requirements of the law are being met, notwithstanding the inability of the resident or student to obtain the sworn statement(s).
  - c. A student shall not be deemed ineligible under this provision when evidence is presented that the student has no home or possibility of school attendance other than with a school district resident who is not the student's parent or guardian, but is acting as the sole caretaker and supporter of the student.
  - d. A student shall not be deemed ineligible under this provision solely because a parent or guardian gives occasional gifts or makes limited contributions, financial or otherwise, toward the student's welfare provided the resident keeping the student

**5111. ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)**

Date Created: June, 2017

Date Edited: March, 2019

receives from the parent or guardian no payment or other remuneration for regular maintenance of the student.

- e. Pursuant to N.J.S.A. 18A:38-1.c, any person who fraudulently allows a child of another person to use his or her residence and is not the primary financial supporter of that child and any person who fraudulently claims to have given up custody of his or her child to a person in another school district commits a disorderly persons offense.
2. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-1.b if the student is kept in the home of a person domiciled in the school district, who is not the parent or guardian and the parent or guardian is a member of the New Jersey National Guard or the reserve component of the United States armed forces and has been ordered into active military service in the United States armed forces in time of war or national emergency.
    - a. Eligibility under this provision shall cease at the end of the school year during which the parent or guardian returns from active military duty.
  3. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-1.d if the student's parent or guardian temporarily resides within the school district and elects to have the student attend the school district of temporary residence, notwithstanding the existence of a domicile elsewhere.
    - a. When required by the Board of Education, the parent or guardian shall demonstrate the temporary residence is not solely for purposes of the student attending the school district of temporary residence;
    - b. When one of a student's parents or guardians temporarily resides in a school district while the other is domiciled or temporarily resides elsewhere, eligibility to attend school shall be determined in accordance with N.J.A.C. 6A:22-3.1(a)1i. However, no student shall be eligible to attend school based upon a parent or guardian's temporary residence in a school district unless the parent or guardian demonstrates, if required by the Board of Education, the temporary residence is not solely for purposes of a student's attending the school district.
  4. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-1.f if the student's parent or guardian moves to another school district as the result of being homeless, subject to the provisions of N.J.A.C. 6A:17-2, Education of Homeless Children.



**5111. ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)**

Date Created: June, 2017

Date Edited: March, 2019

5. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-2 if the student is placed by court order or by a society, agency, or institution in the home of a school district resident pursuant to N.J.S.A. 18A:38-2. As used in this section, "court order" shall not encompass orders of residential custody under which claims of entitlement to attend a school district are governed by provisions of N.J.S.A. 18A:38-1 and the applicable standards set forth in N.J.A.C. 6A:22.
6. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-3.b if the student previously resided in the school district and if the parent or guardian is a member of the New Jersey National Guard or the United States reserves and has been ordered to active service in time of war or national emergency, resulting in the relocation of the student out of the school district. A school district admitting a student pursuant to N.J.S.A. 18A:38-3.b shall not be obligated for transportation costs.
7. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend the school district pursuant to N.J.S.A. 18A:38-7.7 et seq. if the student resides on Federal property within the State.
8. In accordance with N.J.S.A. 18A:38-1.1, a student who is not considered homeless under N.J.S.A. 18A:7B-12 and who moves to a new school district during the academic year as a result of a family crisis shall be permitted to remain enrolled in the original school district of residence for the remainder of the school year without the payment of tuition. A student attending an academic program during the summer, who is otherwise eligible except for the timing of the move, shall be permitted to remain in the school district for the remainder of the summer program if it is considered an extension of the preceding academic year.
  - a. For purposes of N.J.A.C. 6A:22-3.2(h) and Policy and Regulation 5111, "family crisis" shall include, but not be limited to:
    - (1) An instance of abuse such as domestic violence or sexual abuse;
    - (2) A disruption to the family unit caused by death of a parent or guardian; or
    - (3) An unplanned displacement from the original residence such as fire, flood, hurricane, or other circumstances that render the residence uninhabitable.
  - b. Upon notification of the move by the parent or guardian, the original school district of residence shall allow the student to continue attendance and shall provide transportation services to and from the student's new domicile in accordance with

**5111. ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)**

Date Created: June, 2017

Date Edited: March, 2019

N.J.S.A. 18A:39-1. The original school district of residence may request from the parent or guardian and may review supporting documentation about the reason(s) for the move; however, any such review shall not interrupt the student's continued enrollment in the school district and in the current school of attendance with the provision of transportation.

- (1) Examples of documentation include, but are not limited to, newspaper articles, insurance claims, police or fire reports, notes from health professionals, custody agreements, or any other legal document.
- c. If the parent or guardian or the relevant documentation indicates the child is homeless pursuant to N.J.S.A. 18A:7B-12, the school district liaison shall assume the coordination of enrollment procedures pursuant to N.J.A.C. 6A:17-2.5 and the student shall not be eligible for enrollment under N.J.S.A. 18A:38-1.1.
- d. If the original school district of residence determines the situation does not meet the family crisis criteria outlined in 8.a. above, the Superintendent or designee shall notify the parent or guardian in writing. The notification shall inform the parent or guardian of his or her right to appeal the decision within twenty-one calendar days of his or her receipt of the notification, and shall state that if such appeal is denied, he or she may be assessed the costs for transportation provided to the new residence during the period of ineligible attendance. It shall also state whether the parent or guardian is required to withdraw the student by the end of the twenty-one day appeal period in the absence of an appeal.
- (1) The parent or guardian may appeal by submitting the request in writing with supporting documentation to the Executive County Superintendent of the county in which the original school district of residence is situated.
  - (2) Within thirty calendar days of receiving the request and documentation, the Executive County Superintendent shall issue a determination whether the situation meets the family crisis criteria set forth at 8.a. above. The original school district of residence shall continue to enroll the student and provide transportation to the current school of attendance in accordance with N.J.S.A. 18A:39-1 until the determination is issued.
  - (3) If the Executive County Superintendent determines the situation does not constitute a family crisis, the school district may submit to the Executive County Superintendent for approval the cost of transportation to the ineligible student's new domicile. The Executive County Superintendent shall certify the transportation costs to be assessed to the parent or guardian for the period of ineligible attendance.

**5111. ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)**

Date Created: June, 2017

Date Edited: March, 2019

- e. When the original school district of residence determines the situation constitutes a family crisis pursuant to N.J.S.A. 18A:38-1.1, the Superintendent or designee shall immediately notify the parent or guardian in writing.
  - (1) When the original school district of residence anticipates the need to apply for reimbursement of transportation costs, it shall send to the Executive County Superintendent a request and documentation of the family crisis for confirmation the situation meets the criteria set forth at 8.a. above.
  - (2) Within thirty days of receiving the school district's request and documentation, the Executive County Superintendent shall issue a determination of whether the situation meets the criteria for a family crisis. The original school district of residence shall continue to enroll the student and provide transportation to the current school of attendance in accordance with N.J.S.A. 18A:39-1 until the determination is issued, and shall not be reimbursed for additional transportation costs unless the Executive County Superintendent determines the situation is a family crisis or as directed by the Commissioner upon appeal.
- f. In providing transportation to students under N.J.S.A. 18A:38-1.1, the Board shall use the most efficient and cost-effective means available and in conformance with all laws governing student transportation.
- g. At the conclusion of the fiscal year in which the Executive County Superintendent has determined the situation constitutes a family crisis, the original school district of residence may apply to the Executive County Superintendent for a reimbursement of eligible costs for transportation services.
  - (1) Eligible costs shall include transportation for students who are required to be transported pursuant to N.J.S.A. 18A:39-1.
  - (2) The school district shall provide documentation of the transportation costs for the eligible student(s) to the Executive County Superintendent who shall review and forward the information to the Department's Office of School Facilities and Finance for reimbursement payment(s) to the school district.
  - (3) Payment to the school district shall be made in the subsequent fiscal year and shall equal the approved cost less the amount of transportation aid received for the student(s).
- h. Nothing in N.J.A.C. 6A:22-3.2 shall prevent the Board of Education from allowing a student to enroll without the payment of tuition pursuant to N.J.S.A. 18A:38-3.a.
- i. Nothing in N.J.A.C. 6A:22-3.2 shall prevent a parent or school district from appealing the Executive County Superintendent's decision(s) to the Commissioner

**5111. ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)**

Date Created: June, 2017

Date Edited: March, 2019

in accordance with N.J.A.C. 6A:3-1.3. If the Commissioner of Education determines the situation is not a family crisis, his or her decision shall state which of the following shall pay the transportation costs incurred during the appeal process: the State, school district, or parent.

**D. Housing and Immigration Status**

1. A student's eligibility to attend school shall not be affected by the physical condition of an applicant's housing or his or her compliance with local housing ordinances or terms of lease.
2. Except as set forth in a. below, immigration/visa status shall not affect eligibility to attend school. Any student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, who is domiciled in the school district or otherwise eligible to attend school in the district pursuant to N.J.A.C. 6A:22-3.2 shall be enrolled without regard to, or inquiry concerning, immigration status.
  - a. However, the provisions of N.J.S.A. 18A:38-1 and N.J.A.C. 6A:22 shall not apply to students who have obtained, or are seeking to obtain, a Certificate of Eligibility for Nonimmigrant Student Status (INS Form I-20) from the school district in order to apply to the INS for issuance of a visa for the purpose of limited study on a tuition basis in a United States public secondary school ("F-1" Visa).

**3. F-1 Visa Students**

The school district will permit the attendance of F-1 Visa students into the school district with the payment of tuition with a signed tuition contract that may require advance payment of tuition before providing the requested I-20 form.

- E.** Nothing in Policy and Regulation 5111 or N.J.A.C. 6A:22 shall be construed to limit the discretion of the Board to admit nonresident students, or the ability of a nonresident student to attend school with or without payment of tuition, with the consent of the district Board pursuant to N.J.S.A. 18A:38-3.a.

**F. Proof of Eligibility**

1. The Board of Education shall accept a combination of any of the following or similar forms of documentation from persons attempting to demonstrate a student's eligibility for enrollment in the school district:
  - a. Property tax bills; deeds; contracts of sale; leases; mortgages; signed letters from landlords; and other evidence of property ownership, tenancy, or residency;

## 5111. ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)

Date Created: June, 2017

Date Edited: March, 2019

- b. Voter registrations; licenses; permits; financial account information; utility bills; delivery receipts; and other evidence of personal attachment to a particular location;
  - c. Court orders; State agency agreements; and other evidence of court or agency placements or directives;
  - d. Receipts; bills; cancelled checks; insurance claims or payments; and other evidence of expenditures demonstrating personal attachment to a particular location, or to support the student;
  - e. Medical reports; counselor or social worker assessments; employment documents; unemployment claims; benefit statements; and other evidence of circumstances demonstrating family or economic hardship, or temporary residency;
  - f. Affidavits, certifications and sworn attestations pertaining to statutory criteria for school attendance, from the parent, guardian, person keeping an "affidavit student," adult student, person(s) with whom a family is living, or others, as appropriate;
  - g. Documents pertaining to military status and assignment; and
  - h. Any other business record or document issued by a governmental entity.
2. The Board of Education may accept forms of documentation not listed above, and shall not exclude from consideration any documentation or information presented by an applicant.
  3. The Board of Education shall consider the totality of information and documentation offered by an applicant, and shall not deny enrollment based on failure to provide a particular form or subset of documents without regard to other evidence presented.
  4. The Board of Education shall not condition enrollment on the receipt of information or documents protected from disclosure by law, or pertaining to criteria that are not a legitimate basis for determining eligibility to attend school. They include, but are not limited to:
    - a. Income tax returns;
    - b. Documentation or information relating to citizenship or immigration/visa status, except as set forth in N.J.A.C. 6A:22-3.3(b);
    - c. Documentation or information relating to compliance with local housing ordinances or conditions of tenancy; and
    - d. Social security numbers.

**5111. ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)**

Date Created: June, 2017

Date Edited: March, 2019

5. The Board of Education may consider, in a manner consistent with Federal law, documents or information referenced in 4. above, or pertinent parts thereof if voluntarily disclosed by the applicant. However, the Board of Education may not, directly or indirectly, require or request such disclosure as an actual or implied condition of enrollment.
6. In the case of a dispute between the school district and the parents or guardians of a student in regard to a student's eligibility to enroll in the school district or to remain enrolled in the school district pursuant to the provisions of N.J.S.A. 18A:38-1, the school district may request from the New Jersey Motor Vehicle Commission the parent or guardian's name and address for use in verifying a student's eligibility for enrollment in the school district.

**G. Registration Forms and Procedures for Initial Assessment**

1. The Board of Education shall use Commissioner-provided registration forms, or locally developed forms that:
  - a. Are consistent with the forms provided by the Commissioner;
  - b. Do not seek information prohibited by N.J.A.C. 6A:22 or any other provision of statute or rule;
  - c. Summarize, for the applicant's reference, the criteria for attendance set forth in N.J.S.A. 18A:38-1, and specify the nature and form of any sworn statement(s) to be filed;
  - d. Clearly state the purpose for which the requested information is being sought in relation to the criteria; and
  - e. Notify applicants that an initial eligibility determination is subject to a more thorough review and evaluation, and that an assessment of tuition is possible if an initially admitted applicant is later found ineligible.
2. The Board of Education shall make available sufficient numbers of registration forms and trained registration staff to ensure prompt eligibility determinations and enrollment. Enrollment applications may be taken by appointment, but appointments shall be promptly scheduled and shall not unduly defer a student's attendance at school.
  - a. If the school district uses separate forms for affidavit student applications rather than a single form for all types of enrollment, affidavit student forms shall comply in all respects with the provisions of G.1. above. When affidavit student forms are used, the school district shall provide them to any person attempting to register a student of whom he or she is not the parent or guardian, even if not specifically requested.

**5111. ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)**

Date Created: June, 2017

Date Edited: March, 2019

- (1) The Board of Education or its agents shall not demand or suggest that guardianship or custody must be obtained before enrollment will be considered for a student living with a person other than the parent or guardian since such student may qualify as an affidavit student.
    - (2) The Board of Education or its agents shall not demand or suggest that an applicant seeking to enroll a student of whom the applicant has guardianship or custody produce affidavit student proofs.
  - b. A district-level administrator designated by the Superintendent shall be clearly identified to applicants and available to assist persons who experience difficulties with the enrollment process.
3. Initial eligibility determinations shall be made upon presentation of an enrollment application, and enrollment shall take place immediately except in cases of clear, uncontested denials.
  - a. Enrollment shall take place immediately when an applicant has provided incomplete, unclear, or questionable information, but the applicant shall be notified that the student will be removed from the school district if defects in the application are not corrected, or an appeal is not filed, in accordance with subsequent notice to be provided pursuant to N.J.A.C. 6A:22-4.2.
  - b. When a student appears ineligible based on information provided in the initial application, the school district shall issue a preliminary written notice of ineligibility, including an explanation of the right to appeal to the Commissioner of Education. Enrollment shall take place immediately if the applicant clearly indicates disagreement with the school district's determination and intent to appeal to the Commissioner.
    - (1) An applicant whose student is enrolled pursuant to this provision shall be notified that the student will be removed without a hearing before the Board if no appeal is filed within the twenty-one day period established by N.J.S.A. 18A:38-1.
4. When enrollment is denied and no intent to appeal is indicated, applicants shall be advised they shall comply with compulsory education laws. When the student is between the ages of six and sixteen, applicants also shall be asked to complete a written statement indicating the student will be attending school in another school district or nonpublic school, or receiving instruction elsewhere than at a school pursuant to N.J.S.A. 18A:38-25. In the absence of this written statement that the student will be attending school in another school district or nonpublic school, or receiving instruction elsewhere than at a school, designated staff shall report to the school district of actual domicile or residence, or the Department of Children and Families, a potential instance of "neglect" for purposes of ensuring

**5111. ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)**

Date Created: June, 2017

Date Edited: March, 2019

compliance with compulsory education laws, N.J.S.A. 9:6-1. Staff shall provide the school district or the Department of Children and Families with the student's name, the name(s) of the parent/guardian/resident, and the student's address to the extent known. Staff shall also indicate admission to the school district has been denied based on residency or domicile, and there is no evidence of intent to arrange for the child to attend school or receive instruction elsewhere.

5. Enrollment or attendance in the school district shall not be conditioned on advance payment of tuition in whole or part when enrollment is denied and an intent to appeal is indicated, or when enrollment is provisional and subject to further review or information.
6. The Board of Education shall ensure the registration process identifies information suggesting an applicant may be homeless so procedures may be implemented in accordance with N.J.A.C. 6A:17-2 - Education of Homeless Children.
7. Enrollment or attendance in the school district shall not be denied based upon absence of a certified copy of the student's birth certificate or other proof of his or her identity as required within thirty days of initial enrollment, pursuant to N.J.S.A. 18A:36-25.1.
8. Enrollment in the school district shall not be denied based upon absence of student medical information. However, actual attendance at school may be deferred until the student complies with student immunization rules set forth in N.J.A.C. 8:57-4.
9. When enrollment in the school district, attendance at school, or the receipt of educational services in the regular education program appears inappropriate, the student shall not be denied based upon the absence of a student's prior educational record. However, the applicant shall be advised the student's initial educational placement may be subject to revision upon the school district's receipt of records or further assessment of the student.

**H. Notice of Ineligibility**

1. When a student is found ineligible to attend the school district pursuant to N.J.A.C. 6A:22 or the student's initial application is found to be deficient upon subsequent review or investigation, the school district shall immediately provide notice to the applicant that is consistent with Commissioner-provided sample form(s) and meets the requirements of N.J.A.C. 6A:22-4 et seq.
  - a. Notices shall be in writing; in English and in the native language of the applicant; issued by the Superintendent; and directed to the address at which the applicant claims to reside.
2. Notices of ineligibility shall include:
  - a. In cases of denial, a clear description of the specific basis on which the determination of ineligibility was made:



**5111. ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)**

Date Created: June, 2017

Date Edited: March, 2019

- (1) The description shall be sufficient to allow the applicant to understand the basis for the decision and determine whether to appeal; and
  - (2) The description shall identify the specific subsection of N.J.S.A. 18A:38-1 under which the application was decided.
- b. In cases of provisional eligibility, a clear description of the missing documents or information that still must be provided before a final eligibility status can be attained under the applicable provision of N.J.S.A. 18A:38-1;
  - c. A clear statement of the applicant's right to appeal to the Commissioner of Education within twenty-one days of the notice date, along with an informational document provided by the Commissioner describing how to file an appeal;
  - d. A clear statement of the student's right to attend school for the twenty-one day period during which an appeal can be made to the Commissioner. It also shall state the student will not be permitted to attend school beyond the twenty-first day following the notice date if missing information is not provided or an appeal is not filed;
  - e. A clear statement of the student's right to continue attending school while an appeal to the Commissioner is pending;
  - f. A clear statement that, if an appeal is filed with the Commissioner and the applicant does not sustain the burden of demonstrating the student's right to attend the school district, or the applicant withdraws the appeal, fails to prosecute or abandons the appeal by any means other than settlement, the applicant may be assessed, by order of the Commissioner enforceable in Superior Court, tuition for any period of ineligible attendance, including the initial twenty-one day period and the period during which the appeal was pending before the Commissioner;
  - g. A clear statement of the approximate rate of tuition, pursuant to N.J.A.C. 6A:22-6.3, that an applicant may be assessed for the year at issue if the applicant does not prevail on appeal, or elects not to appeal:
    - (1) If removal is based on the student's move from the school district, the notice of ineligibility shall also provide information as to whether district Policy permits continued attendance, with or without tuition, for students who move from the school district during the school year.
  - h. The name of a contact person in the school district who can assist in explaining the notice's contents; and

**5111. ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)**

Date Created: June, 2017

Date Edited: March, 2019

- i. When no appeal is filed, notice that the parent or guardian shall still comply with compulsory education laws. In the absence of a written statement from the parent or guardian that the student will be attending school in another school district or non-public school, or receiving instruction elsewhere than at a school, school district staff shall notify the school district of actual domicile/residence, or the Department of Children and Families, of a potential instance of “neglect” pursuant to N.J.S.A. 9:6-1. For purposes of facilitating enforcement of the State compulsory education requirement (N.J.S.A. 18A:38-25), staff shall provide the student’s name, the name(s) of the parent/guardian/resident, address to the extent known, denial of admission based on residency or domicile, and absence of evidence of intent to attend school or receive instruction elsewhere.

**I. Removal of Currently Enrolled Students**

1. Nothing in N.J.A.C. 6A:22 and this Regulation shall preclude the Board of Education from identifying through further investigation or periodic requests for revalidation of eligibility, students enrolled in the school district who may be ineligible for continued attendance due to error in initial assessment, changed circumstances, or newly discovered information.
2. When a student who is enrolled and attending school based on an initial eligibility determination is later determined to be ineligible for continued attendance, the Superintendent may apply to the Board of Education for the student’s removal.
  - a. The Superintendent shall issue a preliminary notice of ineligibility meeting the requirements of N.J.A.C. 6A:22-4.2. However, the notice shall also provide for a hearing before the Board of Education prior to a final decision on removal.
3. No student shall be removed from school unless the parent, guardian, adult student, or resident keeping an "affidavit student," has been informed of his or her entitlement to a hearing before the Board of Education.
4. Once the hearing is held, or if the parent, guardian, adult student, or resident keeping an "affidavit student," does not respond within the designated time frame to the Superintendent’s notice or appear for the hearing, the Board of Education shall make a prompt determination of the student’s eligibility and shall immediately provide notice in accordance with N.J.A.C. 6A:22-4.2.
5. Hearings required pursuant to N.J.A.C. 6A:22-4.3 may be conducted by the full Board of Education or a Board committee, at the discretion of the full Board. If the hearing is conducted by a Board Committee, the Committee shall make a recommendation to the full Board for action. However, no student shall be removed except by vote of the Board of Education taken at a meeting duly convened and conducted pursuant to N.J.S.A. 10:4-6 et seq., the Open Public Meetings Act.

**5111. ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)**

Date Created: June, 2017

Date Edited: March, 2019

**J. Appeal to the Commissioner**

1. An applicant may appeal to the Commissioner of Education a school district determination that a student is ineligible to attend its schools. Appeals shall be initiated by petition, which shall be filed in accordance with N.J.S.A. 18A:38-1 and N.J.A.C. 6A:3-8.1 and shall proceed as a contested case pursuant to N.J.A.C. 6A:3.
  - a. Pursuant to N.J.S.A. 18A:38-1.b(1), appeals of "affidavit student" ineligibility determinations shall be filed by the resident keeping the student.

**K. Assessment and Calculation of Tuition**

1. If no appeal to the Commissioner is filed by the parent, guardian, adult student, or school district resident keeping an "affidavit" student following notice of an ineligibility determination, the Board of Education may assess tuition for up to one year of a student's ineligible attendance, including the twenty-one day period provided by N.J.S.A. 18A:38-1 for appeal to the Commissioner.
  - a. If the responsible party does not pay the tuition assessment, the Board of Education may petition the Commissioner pursuant to N.J.A.C. 6A:3 for an order assessing tuition, enforceable in accordance with N.J.S.A. 2A:58-10 through recording, upon request of the Board of Education pursuant to N.J.A.C. 6A:3-12, on the judgment docket of the Superior Court, Law Division.
2. If an appeal to the Commissioner is filed by the parent, guardian, adult student, or school district resident keeping an "affidavit" student and the petitioner does not sustain the burden of demonstrating the student's right to attend the school district, or the petitioner withdraws the appeal, fails to prosecute, or abandons the appeal by any means other than settlement agreeing to waive or reduce tuition, the Commissioner may assess tuition for the period during which the hearing and decision on appeal were pending, and for up to one year of a student's ineligible attendance in a school district prior to the appeal's filing and including the twenty-one day period to file an appeal.
  - a. Upon the Commissioner's finding that an appeal has been abandoned, the Board of Education may remove the student from school and seek tuition for up to one year of ineligible attendance pursuant to N.J.A.C. 6A:22-6.1(a) plus the period of ineligible attendance after the appeal was filed. If the record of the appeal includes a calculation reflecting the tuition rate(s) for the year(s) at issue, the per diem tuition rate for the current year and the date on which the student's ineligible attendance began, the Commissioner may order payment of tuition as part of his or her decision. In doing so, the Commissioner shall consider whether the ineligible attendance was due to the school district's error. If the record does not include such a calculation and the Board of Education has filed a counterclaim for tuition, the counterclaim shall proceed to a hearing notwithstanding that the petition has been abandoned.

**5111. ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)**

Date Created: June, 2017

Date Edited: March, 2019

- b. An order of the Commissioner assessing tuition is enforceable through recording, upon request of the Board of Education pursuant to N.J.A.C. 6A:3-12, on the judgment docket of the Superior Court, Law Division, in accordance with N.J.S.A. 2A:58-10.
3. Tuition assessed pursuant to the provisions of N.J.A.C. 6A:22-6 shall be calculated on a per-student basis for the period of a student's ineligible enrollment, up to one year, by applicable grade/program category and consistent with the provisions of N.J.A.C. 6A:23A-17.1. The individual student's record of daily attendance shall not affect the calculation.
4. Nothing in N.J.A.C. 6A:22 shall preclude an equitable determination by the Board of Education or the Commissioner that tuition shall not be assessed for all or part of any period of a student's ineligible attendance in the school district when the particular circumstances of a matter so warrant. In making the determination, the Board of Education or Commissioner shall consider whether the ineligible attendance was due to the school district's error.

Issued: 06 June 2017

Revised: 26 March 2019

**HACKENSACK PUBLIC SCHOOLS**

**REQUEST FOR FIELD TRIP APPROVAL**

Lead Teacher: \_\_\_\_\_ Date of field trip: \_\_\_\_\_

Destination/Trip to \_\_\_\_\_  
Place Town State

Educational Purpose of Trip: \_\_\_\_\_

Standards addressed: \_\_\_\_\_

Grade or Class \_\_\_\_\_ Number of Students \_\_\_\_\_ Number of Adults \_\_\_\_\_

Other teacher(s)/staff participating:  
\_\_\_\_\_

Number of Substitutes needed \_\_\_\_\_

Cost per Student \_\_\_\_\_ District Cost \_\_\_\_\_ (Paid by Hackensack Schools)

Distance one way \_\_\_\_\_ Estimated time one way \_\_\_\_\_

Leave school at \_\_\_\_\_ Arrive back at school at \_\_\_\_\_

Method of transportation \_\_\_\_\_ Company or Line \_\_\_\_\_

APPROVED: \_\_\_\_\_  
Supervisor

APPROVED: \_\_\_\_\_  
Principal/Director of Student Activities

DATE: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
Asst. Superintendent

***The date of the field trip should be cleared with the Principal or the Director of Student Activities before finalizing arrangements.***

This is a request for approval of a field trip. A field trip absence request must be submitted for attendance purposes.

**NOTE:** This absence is recorded on your "Teacher Absence Record" sheet as a "field trip." It is not recorded under "Illness-Days allowed for Sick Leave."

Transportation Arranged \_\_\_\_\_

**HACKENSACK PUBLIC SCHOOLS**  
**REQUEST FOR FIELD TRIP APPROVAL – PART 2**

Please **scan and email** this form to Nina Larko, in the Personnel Office a minimum of **30 days prior to trip date.**

School \_\_\_\_\_ Submission Date \_\_\_\_\_  
Today's date

Name of classroom teacher requesting field trip: \_\_\_\_\_

Day and Date of trip: \_\_\_\_\_ Destination: \_\_\_\_\_

Time Nurse needs to be at school \_\_\_\_\_ Est. Time returning \_\_\_\_\_

Medical Condition requiring a nurse on trip \_\_\_\_\_

Approximate number of students on trip with a medical requiring nurse \_\_\_\_\_

Name of student/s \_\_\_\_\_ Parent # \_\_\_\_\_  
\_\_\_\_\_ Parent # \_\_\_\_\_  
\_\_\_\_\_ Parent# \_\_\_\_\_

Requesting School Nurse signature \_\_\_\_\_ Date: \_\_\_\_\_

School Principal Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
(Signature of the Principal indicates approval of this request).

For office use only

**Name of Nurse Assigned to Trip**

**Agency providing nurse coverage:** \_\_\_\_\_ **OR HPS Nurse:** \_\_\_\_\_

**Nurse cell contact info if agency:** \_\_\_\_\_ **Confirmed one week prior** yes no

**Additional information/comments:**



## JOB DESCRIPTION

**TITLE:** Classroom Teacher PreK-4  
**REPORTS TO:** Principal and assigned Supervisor  
**DATE APPROVED:** Readopted – August, 2019   **BY:** Board of Education

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### NATURE AND SCOPE OF JOB:

Assumes professional responsibility for providing learning experiences and supervision of assigned students in a supportive and positive classroom climate that develops in each student the skills, attitudes, and knowledge to meet and exceed the New Jersey Student Learning Standards, following the approved curricula and directives of the school. In addition, elementary teachers will strive to meet the highly effective criteria for the preparation of lesson plans, the use of data to drive instruction, the delivering of quality instruction, addressing the needs of diverse learners through differentiation, classroom environment, leadership, and professionalism. Achieving academic excellence requires that the Elementary Teacher work collaboratively with other members of the school staff and with parents of each child.

### QUALIFICATIONS:

1. Hold a New Jersey instructional certificate in accordance with the elementary education endorsement, and other appropriate endorsement(s) (N.J.C.A. 6:11-6.1, 6,2, or 8.1 et seq.), in accordance with the requirements of N.J.S.A. 18A:27.1 et seq., and N.J.A.C. Title 6 Chapter 11.
2. Have experience in teaching and working with children.
3. Have integrity and demonstrate good moral character and initiative.
4. Demonstrate knowledge and understanding of child growth and development, effective instructional strategies, classroom management, learning assessment and diagnosis, and research related to learning.
5. Demonstrate a comprehensive knowledge of the content field when holding a content specific teaching responsibility on the elementary level.
6. Exhibit a personality that demonstrates enthusiasm and interpersonal skills to relate well with students, staff, administration, parents, and the community.
7. Demonstrate the ability to communicate effectively in English, both orally and in writing, using proper grammar and vocabulary.
8. Demonstrate the ability to use electronic equipment for word processing, data management, information retrieval, visual and audio presentations, and telecommunications.
9. Demonstrate aptitude and competence for assigned responsibilities.
10. Provide proof of U.S. citizenship or legal resident alien status and required criminal background check.
11. Provide evidence that health is adequate to fulfill the job functions and responsibilities with reasonable accommodation pursuant to 42 U.S.C. 12101 and in accordance with N.J.A.C. 6:3-4A.4.

### TERMS OF EMPLOYMENT:

Ten (10) month work year; salary and benefits as per the Collective Bargaining Agreement; and all conditions established by the laws of the State of New Jersey, and policies and regulations established by the Board of Education (N.J.S.A. 18A:27-4 et seq.).



## JOB DESCRIPTION

**TITLE:** Classroom Teacher PreK-4  
**REPORTS TO:** Principal and assigned Supervisor  
**DATE APPROVED:** Readopted – August, 2019      **BY:** Board of Education

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### PERFORMANCE RESPONSIBILITIES:

1. Establishes high standards and expectations for all students for academic performance and responsibility for behavior.
2. Displays ethical and professional behavior and standards when working with students, parents, School personnel and other agencies associated with the school.
3. Plans and implements sequential learning experiences, based on the use of data, for students in the content area for which the teacher is certified, using a variety of instructional strategies that are consistent with the district and school's philosophy, mission statement, instructional goals, school level objectives, and the New Jersey Student Learning Standards. The learning experiences shall follow and use approved curricula and instructional materials.
4. Plans and implements instruction to ensure that all students meet and exceed the New Jersey Student Learning Standards (NJSLS) in the seven content areas as appropriate:
  - Language Arts Literacy;
  - Mathematics;
  - Science;
  - Social Studies;
  - World Languages;
  - Comprehensive Health and Physical Education; and
  - Visual and Performing Arts.
5. In those areas in which a teacher specialist takes the primary responsibility for the content and skills of the Standard, the elementary teacher will coordinate classroom instruction with the teacher specialist in order to reinforce learning and student achievement.
6. Plans and implements instruction to ensure that all students meet and exceed the five broad areas of the Cross-Content Workplace Readiness Standard:
  - Develop career planning and workplace readiness skills;
  - Use technology, information, and other tools;
  - Use critical thinking, decision-making, and problem solving skills;
  - Demonstrate self-management skills; and
  - Apply safety standards.
7. Engages the learners in highly effective, differentiated learning experiences for the range of skill levels and developmental needs found in the classroom, managing, when appropriate, multiple instructional activities simultaneously.
8. Provides and effectively organizes a variety of materials, equipment, media, and community resources to support the instructional program, using school approved procedures. Maintains a classroom environment that supports learning and encourages student growth. Organizes and supervises approved field trips to enhance classroom learning.
9. Monitors the pacing of instruction and budgets class time efficiently by providing clear directions, outlining expectations, and effectively bringing to closure instructional experiences.
10. Submits highly effective lesson plans that are reflective of quality instruction, in the approved format to the Principal or Supervisor as required and requested.
11. Provides a nurturing, supportive, and positive classroom climate that encourages student responsibility, using positive motivation, clear classroom routines, challenging instructional strategies, and effective classroom management techniques. Disciplines students in a fair and consistent manner, using school approved procedures. Seeks assistance of the parents and the Principal when needed.





### JOB DESCRIPTION

**TITLE:** Classroom Teacher PreK-4  
**REPORTS TO:** Principal and assigned Supervisor  
**DATE APPROVED:** Readopted – August, 2019      **BY:** Board of Education

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12. Establishes a professional rapport with students that earns their respect.
13. Communicates regularly with parents, seeking their support and advice, so as to create a cooperative relationship to support the child in the school.
14. Assesses and diagnoses the learning, social, and emotional needs and styles of students, using a variety of assessment techniques and data. Plan and adjust the learning experiences accordingly, requesting advice and assistance from specialist when appropriate.
15. Assists with the preparation, monitoring, and following of Individualized Education Plans for selected students assigned to the class.
16. Employs a variety of methods for students to demonstrate learning and accomplishments. Evaluates and grade homework, assignments, and tests in a timely fashion, providing feedback to the student on performance. Maintains records and provides evidence of growth and progress to parents and to students.
17. Assumes responsibility for all students within the school, beyond those specifically assigned, supervising in a fair and constructive manner to ensure the safety and well-being of all students.
18. Ensures the safety and health of all students, notifying the administration of any unsafe conditions, following established procedures.
19. Creates a stimulating, attractive, organized, functional, healthy, and safe classroom, with proper attention to the visual, acoustic, and thermal environments.
20. Completes in a timely fashion all records and reports as required by law and regulation or requested by the Principal. Maintains accurate attendance records. Account for all funds collected from students.
21. Works cooperatively with adults assigned to the classroom (e.g., paraprofessionals, student teachers, parents, and volunteers), establishing clear expectations for roles and responsibilities.
22. Serves as a role model for students, dressing and grooming professionally, demonstrating the importance and relevance of learning, accepting responsibility, and demonstrating pride in the honorable profession of teaching.
23. Maintains positive, cooperative, and mutually supportive relationships with the administration, instructional staff, students, parents, and representatives of resource agencies within the community.
24. Attends required staff meetings and serves, as appropriate, on staff committees. Participate in curriculum and program development, and in the selection of materials and equipment to support instruction.
25. Notifies immediately appropriate personnel of evidence of substance abuse, child abuse, child neglect, severe medical or social conditions, potential suicide or individuals appearing to be under the influence of alcohol, controlled substances, or anabolic steroids.
26. Completes the required 100 clock hours of State-approved continuing professional development every five years in accordance with State and district procedures as specified in the Professional Improvement Plan (N.J.A.C. 6:11-13).
27. Recommends to the Principal the supplies and equipment needed to support instruction and assists with ordering, following established procedures.
28. Maintains in safe working condition and safely operate electronic and other equipment needed to carry out job functions and responsibilities.
29. Protects confidentiality of records and information gained as part of exercising professional duties and uses discretion in sharing such information within legal confines.



**HACKENSACK PUBLIC SCHOOLS**  
191 Second Street, Hackensack, NJ 07601

**JOB DESCRIPTION**

**TITLE:** Classroom Teacher PreK-4  
**REPORTS TO:** Principal and assigned Supervisor  
**DATE APPROVED:** Readopted – August, 2019 **BY:** Board of Education

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30. Perform any duties that are within the scope of employment and certifications, as assigned by the Principal and assigned supervisor, and not otherwise prohibited by law or regulations.
31. Adhere to New Jersey school law, State Board of Education rules and regulations, Board of Education policies and regulations, school regulations and procedures, and contractual obligations.
32. All other duties as assigned by Superintendent.

**PHYSICAL DEMANDS:**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential responsibilities and functions of this position. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential responsibilities and functions of this position.

Unless reasonable accommodations can be made while performing this job, the staff member shall:

1. Sitting, standing and walking for required periods of time.
2. Speaking, listening and visual acuity.
3. Use close vision, color vision, peripheral vision and depth perception along with the ability to adjust focus.
4. Able to communicate effectively in English, verbally and in writing, using proper grammar and vocabulary. American Sign Language or Braille may also be considered as acceptable forms of communication.
5. Use strength to lift and/or move up to a maximum of 20 pounds to perform the functions of the job.
6. Reaching, lifting, bending, kneeling, stooping, pushing, pulling, finger dexterity, and repetitive motions, to handle objects and operate tools, computers, and/or controls.

**ENVIRONMENTAL DEMANDS:**

The environmental demands described here are representative of those that must be met by an employee to successfully perform the essential responsibilities and functions of the job and are not meant to be all inclusive.

1. Exposure to a variety of childhood and adult diseases and illnesses.
2. Occasional exposure to a variety of weather conditions.
3. Exposure to heated/air conditioned and ventilated facilities.
4. Exposure to a building in which a variety of chemical substances are used for cleaning, instruction, and/or operation of equipment.
5. Function in a workplace that is usually moderately quiet but that can be noisy at times.

**EVALUATION:**

Performance of this job will be evaluated annually in accordance with New Jersey State Law and the provisions of Board policy on evaluations.



## JOB DESCRIPTION

**TITLE:** Classroom Teacher 5-12  
**REPORTS TO:** Building Principal and assigned Supervisor or Designee  
**DATE APPROVED:** Readopted – August, 2019      **BY:** Board of Education

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### NATURE AND SCOPE OF JOB:

Supporting the implementation of the district’s mission, vision and core values by promoting a positive and safe learning environment that meets the needs of all students by establishing collaborative relationships with colleagues, students, families and the community. Provides for rigorous learning experiences and effective supervision of assigned students with a supportive and positive classroom environment that develops in each student the attitudes, knowledge, critical thinking and problem solving skills to meet and exceed the New Jersey Student Learning Standards (NJSLS) following the district’s approved curriculum and directives of the school’s administration.

### QUALIFICATIONS:

1. Hold a New Jersey instructional certificate in accordance with the requirements of N.J.S.A. 18A:27.1 et seq., and N.J.C.A. Title 6 Chapter 11 with appropriate subject area endorsement(s) for the position held (N.J.A.C. 6:11-6.1, 6,2, or 8,1 et seq).
2. Have experience in teaching and working with adolescents.
3. Demonstrate a comprehensive knowledge of the content field.
4. Demonstrate aptitude and competence for assigned responsibilities.
5. Demonstrate knowledge and understanding of child growth and development, effective instructional strategies, classroom management, learning assessment and diagnosis, and research related to learning.
6. Exhibit a personality that demonstrates enthusiasm and interpersonal skills to relate well with students, staff, administrators, parents, and the community.
7. Provide proof of U.S. citizenship or legal resident alien status and required criminal background check.
8. Provide evidence that health is adequate to fulfill the job functions and responsibilities with reasonable accommodation pursuant to 42 U.S.C. 12101 and in accordance with N.J.A.C. 6:3-4A.4.

### TERMS OF EMPLOYMENT:

Ten (10) month work year; salary and benefits as per the Collective Bargaining Agreement; and all conditions established by the laws of the State of New Jersey, and policies and regulations established by the Board of Education (N.J.S.A. 18A:27-4 et seq.).

### PERFORMANCE RESPONSIBILITIES:

1. Establishes high standards and expectations for all students for academic performance and responsibility for behavior.
2. Displays ethical and professional behavior and standards when working with students, parents, school personnel and other agencies associated with the school.
3. Plans and implements sequential learning experiences, based on the use of data, for students in the content area for which the teacher is certified, using a variety of instructional strategies that are consistent with the district and school’s philosophy, mission statement, instructional goals, school level objectives, and the New Jersey State Learning Standards (NJSLS); Lesson Plans shall follow and use approved curricula and instructional materials.



## JOB DESCRIPTION

**TITLE:** Classroom Teacher 5-12  
**REPORTS TO:** Building Principal and assigned Supervisor or Designee  
**DATE APPROVED:** Readopted – August, 2019      **BY:** Board of Education

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4. Plans and implements instruction to ensure that all students meet and exceed the five broad areas of the Cross-Content Workplace Readiness Standard:
  - Develop career planning and workplace readiness skills;
  - Use technology, information and other tools;
  - Use critical thinking, decision-making, and problem solving skills;
  - Demonstrate self-management skills; and
  - Apply safety standards.
5. Engages the learners in highly effective, differentiated learning experiences for the range of skill levels and developmental needs found in the classroom, managing, when appropriate, multiple instructional activities simultaneously.
6. Provides and effectively organize a variety of materials, equipment, media, and community resources to support the instructional program, using school approved procedures.
7. Maintains a classroom environment that supports learning and encourages student growth.
8. Organizes and supervises approved field trips to enhance classroom learning.
9. Monitors the pacing of instruction and budget class time efficiently by providing clear directions, outlining expectations, and effectively bringing to closure instructional experiences.
10. Develops and submits lesson plans that are reflective of quality instruction, in the approved format to the Principal or Supervisor as required and requested.
11. Provides a nurturing, supportive, and positive classroom climate that encourages student responsibility, using positive motivation, clear classroom routines, challenging instructional strategies, and effective classroom management techniques; Implements the Student Code of Conduct in a fair and consistent manner, using school approved procedures; Seeks assistance of the parents, Principal or Supervisor when needed.
12. Establishes a professional rapport with students that earns their respect.
13. Communicates regularly with parents, seeking their support and advice, so as to create a cooperative relationship to support the student in the school.
14. Assesses and diagnoses the learning, social, and emotional needs and styles of students, using a variety of assessment techniques and data; Plans and adjusts the learning experiences accordingly, requesting advice and assistance from specialists when appropriate.
15. Assists with the preparation, monitoring, and following of Individualized Education Plans for selected students assigned to the class.
16. Employs a variety of methods for students to demonstrate learning and accomplishments. Evaluates and grades homework, assignments, and tests in a timely fashion, providing feedback to the student on performance. Uses data organization systems (i.e. Genesis) to document academic, social/emotional progress, collegial and parental communication.
17. Assumes responsibility for all students within the school, beyond those specifically assigned, supervising in a fair and constructive manner to ensure the safety and well-being of all students.
18. Attends student events to demonstrate genuine interest in the life of the students.
19. Ensures the safety and health of all students, notifying the administration of any unsafe conditions, following established procedures.
20. Creates a stimulating, and aesthetically welcoming, organized, functional, healthy, and safe classroom.
21. Completes in a timely fashion all records and reports as required by law and regulation or requested by the Principal or Supervisor. Maintains accurate attendance records.



### JOB DESCRIPTION

**TITLE:** Classroom Teacher 5-12  
**REPORTS TO:** Building Principal and assigned Supervisor or Designee  
**DATE APPROVED:** Readopted – August, 2019      **BY:** Board of Education

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22. Provides teacher leadership and works cooperatively, to direct paraprofessionals in meeting their para-educator responsibilities, establishing clear expectations and guidance for roles and responsibilities.
23. Serves as a role model for students, dressing and grooming professionally, demonstrating the importance and relevance of learning, accepting responsibility, and demonstrating pride in the honorable profession of teaching.
24. Attends required staff meetings and serves, as appropriate, on staff committees; Participates in curriculum and program development, and in the selection of materials and equipment to support instruction.
25. Notifies immediately appropriate personnel of evidence of substance abuse, child abuse, child neglect, serves medical or social conditions, potential suicide or individuals appearing to be under the influence of alcohol, controlled substances, or anabolic steroids.
26. Continues to grow professionally through collaboration with colleagues and professional growth experiences.
27. Completes the required hours of State-approved continuing professional development every year, in accordance with State and district procedures as specified in the Professional Development Plan (N.J.A.C. 6:11-13).
28. Recommends to the Principal or Supervisor the supplies and equipment needed to support instruction and assist with ordering, following established procedures.
29. Maintains safe working conditions and safely operate electronics and other equipment needed to carry out job functions and responsibilities.
30. Protects the confidentiality of student data, and all records and information gained as part of exercising professional duties, and use discretion in sharing such information, within legal confines.
31. Performs such other tasks and assumes such other responsibilities as may from time to time be assigned by the Superintendent.
32. Observes strictly to avoid the appearance of conflict, all requirement of the School Ethics Act (N.J.S.A. 18A:12-21 et seq.) regarding conflicts of interest in employment, purchasing, and other decisions, including solicitation and acceptance of gifts and favors, and submit in a timely fashion the required annual disclosure statement regarding employment and financial interests.
33. Adheres to New Jersey School Law, State Board of Education Rules and Regulations, Board of Education Policies, Regulations and Procedures, and contractual obligations.

#### PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential responsibilities and functions of this position. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential responsibilities and functions of this position.

Unless reasonable accommodations can be made while performing this job, the staff member shall:

1. Sitting, standing and walking for required periods of time.
2. Speaking, listening and visual acuity.
3. Use close vision, color vision, peripheral vision and depth perception along with the ability to adjust focus.



**HACKENSACK PUBLIC SCHOOLS**  
191 Second Street, Hackensack, NJ 07601

**JOB DESCRIPTION**

**TITLE:** Classroom Teacher 5-12  
**REPORTS TO:** Building Principal and assigned Supervisor or Designee  
**DATE APPROVED:** Readopted – August, 2019      **BY:** Board of Education

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4. Able to communicate effectively in English, verbally and in writing, using proper grammar and vocabulary. American Sign Language or Braille may also be considered as acceptable forms of communication.
5. Use strength to lift and/or move up to a maximum of 20 pounds to perform the functions of the job.
6. Reaching, lifting, bending, kneeling, stooping, pushing, pulling, finger dexterity, and repetitive motions, to handle objects and operate tools, computers, and/or controls.

**ENVIRONMENTAL DEMANDS:**

The environmental demands described here are representative of those that must be met by an employee to successfully perform the essential responsibilities and functions of the job and are not meant to be all inclusive.

1. Exposure to a variety of childhood and adult diseases and illnesses.
2. Occasional exposure to a variety of weather conditions.
3. Exposure to heated/air conditioned and ventilated facilities.
4. Exposure to a building in which a variety of chemical substances are used for cleaning, instruction, and/or operation of equipment.
5. Function in a workplace that is usually moderately quiet but that can be noisy at times.

**EVALUATION:**

Performance of this job will be evaluated annually in accordance with New Jersey State Law and the provisions of Board policy on evaluations.



### JOB DESCRIPTION

**TITLE:** General Education Para-Educator  
**REPORTS TO:** Principal or Designee and assigned Teacher (Regular Ed)  
**DATE APPROVED:** Readopted – August, 2019   **BY:** Board of Education

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#### NATURE AND SCOPE OF JOB:

The General Instructional Aide provides assistance to the teacher in any and all tasks regarded as necessary in the conduct of a class both in and outside of the classroom and school building.

#### QUALIFICATIONS:

1. Have a high school diploma, a minimum of sixty (60) undergraduate college credits or pass Praxis Para Pro test.
2. Have integrity and demonstrate good moral character and initiative.
3. Exhibit a personality that demonstrates enthusiasm and excellent interpersonal skills to relate well with students, staff, administration, parents, and the community.
4. Have excellent organizational skills.
5. Demonstrate the ability to communicate effectively in English, both orally and in writing, using proper grammar and vocabulary.
6. Demonstrate aptitude and competence for assigned responsibilities.
7. Provide proof of U.S. citizenship or legal resident alien status and required criminal background check.
8. Provide evidence that health is adequate to fulfill the job functions and responsibilities with reasonable accommodation pursuant to 42 U.S.C. 12101 and in accordance with N.J.A.C. 6:3-4A.4.

#### TERMS OF EMPLOYMENT:

Ten (10) month work year or as per BOE appointment and all conditions established by the laws of the State of New Jersey, and policies and regulations established by the Board of Education (N.J.S.A. 18A:27-4 et seq.).

#### PERFORMANCE RESPONSIBILITIES:

1. Assists the teacher with all the general daily classroom activities.
2. Assists the teacher in preparation of materials for class and pupil use.
3. Assists the teacher with the operation and care of classroom equipment.
4. Assists the teacher in supervision of children in all aspects requested by administration.
5. Performs other duties as approved by the Board of Education.
6. Serves as a role model for students and staff in demonstrating positive attitudes, appropriate attire and grooming, and effective work ethic.
7. Participates in appropriate in-service and workshop programs and attends any required meetings.
8. Displays ethical behavior in working with students, parents, school personnel, and outside agencies associated with the school.
9. Protects confidentiality of records and information gained as part of exercising professional duties and uses discretion in sharing such information within legal confines.
10. Adheres to New Jersey school law, State Board of Education rules and regulations, Board of Education policies and regulations, school regulations and procedures.
11. Performs any duties that are within the scope of employment and certifications, as assigned by the Principal and assigned supervisor, and not otherwise prohibited by law or regulations.
12. All other duties as assigned by Superintendent.



**JOB DESCRIPTION**

**TITLE:** General Education Para-Educator  
**REPORTS TO:** Principal or Designee and assigned Teacher (Regular Ed)  
**DATE APPROVED:** Readopted – August, 2019     **BY:** Board of Education

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**PHYSICAL DEMANDS:**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential responsibilities and functions of this position. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential responsibilities and functions of this position.

Unless reasonable accommodations can be made while performing this job, the staff member shall:

1. Sitting, standing and walking for required periods of time.
2. Speaking, listening and visual acuity.
3. Use close vision, color vision, peripheral vision and depth perception along with the ability to adjust focus.
4. Able to communicate effectively in English, verbally and in writing, using proper grammar and vocabulary. American Sign Language or Braille may also be considered as acceptable forms of communication.
5. Use strength to lift and/or move up to a maximum of 20 pounds to perform the functions of the job.
6. Reaching, lifting, bending, kneeling, stooping, pushing, pulling, finger dexterity, and repetitive motions, to handle objects and operate tools, computers, and/or controls.

**ENVIRONMENTAL DEMANDS:**

The environmental demands described here are representative of those that must be met by an employee to successfully perform the essential responsibilities and functions of the job and are not meant to be all inclusive.

1. Exposure to a variety of childhood and adult diseases and illnesses.
2. Occasional exposure to a variety of weather conditions.
3. Exposure to heated/air conditioned and ventilated facilities.
4. Exposure to a building in which a variety of chemical substances are used for cleaning, instruction, and/or operation of equipment.
5. Function in a workplace that is usually moderately quiet but that can be noisy at times.

**EVALUATION:**

Performance of this job will be evaluated annually in accordance with New Jersey State Law and the provisions of Board policy on evaluations.





### JOB DESCRIPTION

**TITLE:** Special Education Para-Educator  
**REPORTS TO:** Principal or Designee and assigned SE Teacher  
**DATE APPROVED:** Readopted – August, 2019 **BY:** Board of Education

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#### NATURE AND SCOPE OF JOB:

The General Instructional Aide provides assistance to the teacher in any and all tasks regarded as necessary in the conduct of a class both in and outside of the classroom and school building.

#### QUALIFICATIONS:

1. Have a high school diploma, a minimum of sixty (60) undergraduate college credits or pass Praxis Para Pro test.
2. Have integrity and demonstrate good moral character and initiative.
3. Exhibit a personality that demonstrates enthusiasm and excellent interpersonal skills to relate well with students, staff, administration, parents, and the community.
4. Have excellent organizational skills.
5. Demonstrate the ability to communicate effectively in English, both orally and in writing, using proper grammar and vocabulary.
6. Demonstrate aptitude and competence for assigned responsibilities.
7. Provide proof of U.S. citizenship or legal resident alien status and required criminal background check.
8. Provide evidence that health is adequate to fulfill the job functions and responsibilities with reasonable accommodation pursuant to 42 U.S.C. 12101 and in accordance with N.J.A.C. 6:3-4A.4.

#### TERMS OF EMPLOYMENT:

Ten (10) month work year or as per BOE appointment and all conditions established by the laws of the State of New Jersey, and policies and regulations established by the Board of Education (N.J.S.A. 18A:27-4 et seq.).

#### PERFORMANCE RESPONSIBILITIES:

1. Assists the teacher with general daily classroom activities, help special needs students, and cares for their physical, emotional health and safety, affirming their abilities, and striving to promote dignity in all relationships.
2. Assists the teacher in preparation of materials for class and pupil use.
3. Assists the teacher with the operation and care of classroom equipment.
4. Assists the teacher in supervision of children in all aspects requested by administration.
5. Performs other duties as approved by the Board of Education.
6. Serves as a role model for students and staff in demonstrating positive attitudes, appropriate attire and grooming, and effective work ethic.
7. Participates in appropriate in-service and workshop programs and attends any required meetings.
8. Displays ethical behavior in working with students, parents, school personnel, and outside agencies associated with the school.
9. Protects confidentiality of records and information gained as part of exercising professional duties and uses discretion in sharing such information within legal confines.
10. Adheres to New Jersey school law, State Board of Education rules and regulations, Board of Education policies and regulations, school regulations and procedures.
11. Performs any duties that are within the scope of employment and certifications, as assigned by the Principal and assigned supervisor, and not otherwise prohibited by law or regulations.
12. All other duties as assigned by Superintendent.



**JOB DESCRIPTION**

**TITLE:** Special Education Para-Educator  
**REPORTS TO:** Principal or Designee and assigned SE Teacher  
**DATE APPROVED:** Readopted – August, 2019      **BY:** Board of Education

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**PHYSICAL DEMANDS:**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential responsibilities and functions of this position. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential responsibilities and functions of this position.

Unless reasonable accommodations can be made while performing this job, the staff member shall:

1. Sitting, standing and walking for required periods of time.
2. Speaking, listening and visual acuity.
3. Use close vision, color vision, peripheral vision and depth perception along with the ability to adjust focus.
4. Able to communicate effectively in English, verbally and in writing, using proper grammar and vocabulary. American Sign Language or Braille may also be considered as acceptable forms of communication.
5. Use strength to lift and/or move up to a maximum of 20 pounds to perform the functions of the job.
6. Reaching, lifting, bending, kneeling, stooping, pushing, pulling, finger dexterity, and repetitive motions, to handle objects and operate tools, computers, and/or controls.

**ENVIRONMENTAL DEMANDS:**

The environmental demands described here are representative of those that must be met by an employee to successfully perform the essential responsibilities and functions of the job and are not meant to be all inclusive.

1. Exposure to a variety of childhood and adult diseases and illnesses.
2. Occasional exposure to a variety of weather conditions.
3. Exposure to heated/air conditioned and ventilated facilities.
4. Exposure to a building in which a variety of chemical substances are used for cleaning, instruction, and/or operation of equipment.
5. Function in a workplace that is usually moderately quiet but that can be noisy at times.

**EVALUATION:**

Performance of this job will be evaluated annually in accordance with New Jersey State Law and the provisions of Board policy on evaluations.



### **JOB DESCRIPTION**

**TITLE:** Personal Aide (1-1 Aide)  
**REPORTS TO:** Principal or Designee and assigned SE Teacher  
**DATE APPROVED:** Readopted – August, 2019      **BY:** Board of Education

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#### **NATURE AND SCOPE OF JOB:**

The Personal Aide assists the student one on one in the classroom with all instructional materials and helps the student with needs outside of the classroom but related to achieving needed skills and requirements for succeeding in school.

#### **QUALIFICATIONS:**

1. Have a high school diploma, a minimum of sixty (60) undergraduate college credits or pass Praxis Para Pro test.
2. Have ability to relate to and work with disabled children.
3. Have integrity and demonstrate good moral character and initiative.
4. Exhibit a personality that demonstrates enthusiasm and interpersonal skills to relate well with students, staff, administration, parents, and the community.
5. Demonstrate the ability to communicate effectively in English, both orally and in writing, using proper grammar and vocabulary.
6. Demonstrate aptitude and competence for assigned responsibilities.
7. Provide proof of U.S. citizenship or legal resident alien status and required criminal background check.
8. Provide evidence that health is adequate to fulfill the job functions and responsibilities with reasonable accommodation pursuant to 42 U.S.C. 12101 and in accordance with N.J.A.C. 6:3 4A.4.

#### **TERMS OF EMPLOYMENT:**

Ten (10) month work year or as per BOE appointment; and all conditions established by the laws of the State of New Jersey, and policies and regulations established by the Board of Education (N.J.S.A. 18A:27-4 et seq.).

#### **PERFORMANCE RESPONSIBILITIES:**

1. Assists the student one on one with all instructional and non-instructional tasks as assigned by the teacher.
2. Assists the student one on one with the preparation of all materials and books.
3. Operates and cares for equipment for the disabled.
4. Assists the teacher in the supervision of assigned student.
5. Participates in in-service programs for the disabled.
6. Uses computers and/or electronic equipment to fulfill job functions.
7. Serves as a role model for students and staff in demonstrating positive attitudes, appropriate attire and grooming, and effective work ethic.
8. Participates in appropriate in-service and workshop programs and attend any required meetings.
9. Displays ethical behavior in working with students, parents, school personnel, and outside agencies associated with the school.
10. Protects confidentiality of records and information gained as part of exercising professional duties and uses discretion in sharing such information within legal confines.
11. Adheres to New Jersey school law, State Board of Education rules and regulations, Board of Education policies and regulations, school regulations and procedures.
12. Performs any duties that are within the scope of employment and certifications, as assigned by the Principal and assigned supervisor, and not otherwise prohibited by law or regulations.

13. All other duties as assigned by Superintendent.

**PHYSICAL DEMANDS:**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential responsibilities and functions of this position. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential responsibilities and functions of this position.

Unless reasonable accommodations can be made while performing this job, the staff member shall:

1. Sitting, standing and walking for required periods of time.
2. Speaking, listening and visual acuity.
3. Use close vision, color vision, peripheral vision and depth perception along with the ability to adjust focus.
4. Able to communicate effectively in English, verbally and in writing, using proper grammar and vocabulary. American Sign Language or Braille may also be considered as acceptable forms of communication.
5. Use strength to lift and/or move up to a maximum of 20 pounds to perform the functions of the job.
6. Reaching, lifting, bending, kneeling, stooping, pushing, pulling, finger dexterity, and repetitive motions, to handle objects and operate tools, computers, and/or controls.

**ENVIRONMENTAL DEMANDS:**

The environmental demands described here are representative of those that must be met by an employee

to successfully perform the essential responsibilities and functions of the job and are not meant to be all inclusive.

1. Exposure to a variety of childhood and adult diseases and illnesses.
2. Occasional exposure to a variety of weather conditions.
3. Exposure to heated/air conditioned and ventilated facilities.
4. Exposure to a building in which a variety of chemical substances are used for cleaning, instruction, and/or operation of equipment.
5. Function in a workplace that is usually moderately quiet but that can be noisy at times.

**EVALUATION:**

Performance of this job will be evaluated annually in accordance with New Jersey State Law and the provisions of Board policy on evaluations.



**JOB DESCRIPTION**

**TITLE:** Lunch Aide/Cafeteria Monitor  
**REPORTS TO:** Building Principal  
**DATE APPROVED:** Readopted – August, 2019      **BY:** Board of Education

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**NATURE AND SCOPE OF JOB:**

Assists the professional staff with establishing and maintaining a calm and pleasant atmosphere with the supervision of students in the cafeteria and on the playground at lunch time.

**QUALIFICATIONS:**

1. Meet the requirements established by the Board of Education and approved by the County Superintendent for Schools (N.J.A.C. 6:11-4.6).
2. Have earned a high school diploma or equivalent.
3. Hold and maintain CPR certification, preferred.
4. Have integrity and demonstrate good moral character and initiative.
5. Exhibit a personality that displays interpersonal skills to relate well with students, staff, administration, parents, and the community.
6. Demonstrate the ability to communicate effectively in English, both orally and in writing, using proper grammar and vocabulary.
7. Demonstrate aptitude and competence for assigned responsibilities.
8. Provide proof of U.S. citizenship or legal resident alien status and required criminal background check.
9. Provide evidence that health is adequate to fulfill the job functions and responsibilities with reasonable accommodation pursuant to 42 U.S.C. 12101 and in accordance with N.J.A.C. 6:3-4A.4.

**TERMS OF EMPLOYMENT:**

As per BOE appointment and all conditions established by the laws of the State of New Jersey, and policies and regulations established by the Board of Education (N.J.S.A. 18A:27-4 et seq.).

**PERFORMANCE RESPONSIBILITIES:**

1. Assists the professional staff with supervision of students to and from the cafeteria, in the cafeteria, and on the playground, ensuring orderly, appropriate, and safe behavior. Follow established guidelines for cafeteria behavior and for discipline of students, using positive motivation techniques. Never leave a class or students unattended or unsupervised.
2. Assists students with proper eating habits and social graces at meal time, and assist in developing and maintaining a friendly and relaxed atmosphere. Assists younger students with the use of eating utensils as needed.
3. Circulates among students to assist with any problems that may arise.
4. Assists with organizing students for movement into and out of the cafeteria and playground, and on serving lines.
5. Assists students with the cleanup of tables. Maintain a clean and attractive cafeteria.
6. Informs professional staff immediately of any discipline problems beyond the control of the Monitor.
7. Notifies and assists the certificated staff, building administration and appropriate emergency personnel of any emergency, and potentially dangerous or unusual situations, following Care of Ill and Injured Pupils.
8. Serves as a role model for students and staff in demonstrating positive attitudes, appropriate attire and grooming, and effective work ethic.
9. Participates in appropriate in-service and workshop programs and attend any required meetings.



### JOB DESCRIPTION

**TITLE:** Lunch Aide/Cafeteria Monitor  
**REPORTS TO:** Building Principal  
**DATE APPROVED:** Readopted – August, 2019      **BY:** Board of Education

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10. Protects confidentiality of records and information gained as part of exercising professional duties and uses discretion in sharing such information within legal confines.
11. Displays ethical behavior in working with students, parents, school personnel, and outside agencies associated with the school.
12. Adheres to New Jersey school law, State Board of Education rules and regulations, Board of Education policies and regulations, school regulations and procedures.
13. Performs any duties that are within the scope of employment, as assigned by the Principal, and not otherwise prohibited by law or regulations.
14. All other duties as assigned by Superintendent.

#### PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential responsibilities and functions of this position. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential responsibilities and functions of this position.

Unless reasonable accommodations can be made while performing this job, the staff member shall:

1. Sitting, standing and walking for required periods of time.
2. Speaking, listening and visual acuity.
3. Use close vision, color vision, peripheral vision and depth perception along with the ability to adjust focus.
4. Able to communicate effectively in English, verbally and in writing, using proper grammar and vocabulary. American Sign Language or Braille may also be considered as acceptable forms of communication.
5. Use strength to lift and/or move up to a maximum of 20 pounds to perform the functions of the job.
6. Reaching, lifting, bending, kneeling, stooping, pushing, pulling, finger dexterity, and repetitive motions, to handle objects and operate tools, computers, and/or controls.

#### ENVIRONMENTAL DEMANDS:

The environmental demands described here are representative of those that must be met by an employee to successfully perform the essential responsibilities and functions of the job and are not meant to be all inclusive.

1. Exposure to a variety of childhood and adult diseases and illnesses.
2. Occasional exposure to a variety of weather conditions.
3. Exposure to heated/air conditioned and ventilated facilities.
4. Exposure to a building in which a variety of chemical substances are used for cleaning, instruction, and/or operation of equipment.
5. Function in a workplace that is usually moderately quiet but that can be noisy at times.

#### EVALUATION:

Performance of this job will be evaluated annually in accordance with New Jersey State Law and the provisions of Board policy on evaluations.

## INDEX

<b>Policy Number</b>	<b>Policy/Regulation</b>
2340 R2340	<u>Field Trips</u> Regulation for above
2361 R2361	<u>Acceptable Use of Computer Network(s), Computers and Resources</u> Regulation for above
2531 R2531	<u>Use of Copyright Materials</u> Regulation for above
3160 R3160	<u>Physical Examination (Teaching Staff)</u> Regulation for above
3211	<u>Code of Ethics (Teaching Staff)</u>
3211.3 R3211.3	<u>Consulting Outside the District (Teaching Staff)</u> Regulation for above
3212 R3212	<u>Attendance (Teaching Staff)</u> Regulation for above
3214	<u>Conflict of Interest (Teaching Staff)</u>
3216	<u>Dress and Grooming (Teaching Staff)</u>
3217	<u>Use of Corporal Punishment (Teaching Staff)</u>
3218 R3218	<u>Substance Abuse (Teaching Staff)</u> Regulation for above
3221 R3221	<u>Evaluation of Teachers</u> Regulation for above
3222 R3222	<u>Evaluation of Teaching Staff Members excluding Teachers and Administrators</u> Regulation for above
3233 R3233	<u>Political Activities (Teaching Staff)</u> Regulation for above
3240 R3240	<u>Professional Development for Teachers and School Leaders (Teaching Staff)</u> Regulation for above
3280 R3280	<u>Liability for Pupil Welfare (Teaching Staff)</u> Regulation for above
3282	<u>Use of Social Network Sites (Teaching Staff)</u>

<b>Policy Number</b>	<b>Policy/Regulation</b>
3322	<u>Staff Member's Use of Personal Cellular Telephones/Other Communication Devices (Teaching Staff)</u>
3351	<u>Healthy Workplace Environment (Teaching Staff)</u>
3362 R3362	<u>Sexual Harassment (Teaching Staff)</u> Regulation for above
4160 R4160	<u>Physical Examination (Support Staff)</u> Regulation for above
4211.3 R4211.3	<u>Consulting Outside the District (Support Staff)</u> Regulation for above
4212 R4212	<u>Attendance (Support Staff)</u> Regulation for above
4214	<u>Conflict of Interest (Support Staff)</u>
4215	<u>Code of Ethics (Support Staff)</u>
4218 R4218	<u>Substance Abuse (Support Staff)</u> Regulation for above
4240 R4240	<u>Employee Training (Support Staff)</u> Regulation for above
4282	<u>Use of Social Network Sites (Support Staff)</u>
4283	<u>Electronic Communications between Support Staff Members and Students</u>
4321 R4321	<u>Acceptable Use of Computer Network(s), Computers and Resources by Support Staff</u> Regulation for above
4322	<u>Staff Member's Use of Personal Cellular Telephones/Other Communication Devices (Support Staff)</u>
4351	<u>Healthy Workplace Environment (Support Staff)</u>
4352 R4352	<u>Sexual Harassment (Support Staff)</u> Regulation for above
5410 R5410	<u>Promotion and Retention</u> Regulation for above
5411 R5411	<u>Eligibility or Resident/Nonresident Students</u> Regulation for above
5512	<u>Harassment, Intimidation and Bullying (Students)</u>
5516	<u>Use of Electronic Communication and Recording Devices (ECRD)</u>
5530 R5530	<u>Substance Abuse (Students)</u> Regulation for above



<b>Policy Number</b>	<b>Policy/Regulation</b>
5561 R5561	<u>Use of Physical Restraint and Seclusion Techniques for Students with Disabilities</u> Regulation for above
5751 R5751	<u>Sexual Harassment (Students)</u> Regulation for above
6510	<u>Payroll Authorization</u>
7432 R7432	<u>Eye Protection</u> Regulation for above
7433	<u>Hazardous Substances</u>
7436	<u>Drug Free Workplace</u>
7440 R7440	<u>Security of School Premises</u> Regulation for above
7510 R7510	<u>Use of School Facilities</u> Regulation for above
7522 R7522	<u>School District Provided Technology Devices to Staff Members</u> Regulation for above
8420 R8420	<u>Emergency and Crisis Situations</u> Regulation for above
8461 R8461	<u>Reporting Violence, Vandalism, Harassment, Intimidation, Bullying, Alcohol and other Drug Abuse</u> Regulation for above
8462 R8462	<u>Reporting Potentially Missing or Abused Children</u> Regulation for above
9320 R9320	<u>Cooperation with Law Enforcement Agencies (formerly Drug Free School Zone)</u> Regulation for above