

POLICY GUIDE

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School Employee Vaccination Requirements

Aug 21

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[See POLICY ALERT No. 225]

1648.13 SCHOOL EMPLOYEE VACCINATION REQUIREMENTS

In accordance with Executive Order No. 253 signed by the Governor of New Jersey on August 23, 2021, the Board shall adopt and maintain a policy that requires all covered workers to either provide adequate proof that they have been fully vaccinated or submit to COVID-19 testing at a minimum of one to two times each week.

This requirement shall take effect on October 18, 2021, at which time any covered workers that have not provided adequate proof to the school district that they are fully vaccinated must submit to COVID-19 testing at a minimum of one to two times each week on an ongoing basis until fully vaccinated.

For purposes of Executive Order 253 and this Policy, "covered workers" shall include all individuals employed by the Board of Education, both full and part-time, including, but not limited to, administrators; teachers; educational support professionals; individuals providing food, custodial, and administrative support services; substitute teachers, whether employed directly by the Board of Education or otherwise contracted; contractors; providers; and any other individuals performing work in the school district whose job duties require them to make regular visits to the school district, including volunteers. Covered workers do not include individuals who visit the school district only to provide one-time or limited duration repairs, services, or construction.

A covered worker shall be considered "fully vaccinated" for COVID-19 two weeks or more after they have received the second dose in a two-dose series or two weeks or more after they have received a single-dose vaccine. Individuals will only be considered fully vaccinated after they have received a COVID-19 vaccine that is currently authorized for Emergency Use Authorization (EUA) by the United States Food and Drug Administration (FDA) or the World Health Organization (WHO), or that are approved for use by the same.

Workers who are not fully vaccinated, or for whom vaccination status is unknown, or who have not provided sufficient proof of documentation, shall be considered unvaccinated in accordance with the provisions of Executive Order 253.



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Covered workers shall demonstrate proof of full vaccination status by presenting any of the following documents if they list COVID-19 vaccines currently authorized for EUA by the FDA or the WHO, or that are approved for use by the same, along with an administration date for each dose:

1. The Centers for Disease Control and Prevention (CDC) COVID-19 Vaccination Card issued to the vaccine recipient by the vaccination site, or an electronic or physical copy of the same;
2. Official record from the New Jersey Immunization Information System (NJIS) or other State immunization registry;
3. A record from a health care provider's portal/medical record system on official letterhead signed by a licensed physician, nurse practitioner, physician's assistant, registered nurse, or pharmacist;
4. A military immunization or health record from the United States Armed Forces; or
5. Docket mobile phone application record or any State specific application that produces a digital health record.

The Board of Education's collection of vaccination information from covered workers shall comport with all Federal and State laws, including, but not limited to, the Americans with Disabilities Act, that regulate the collection and storage of that information.

To satisfy the testing requirement of Executive Order 253 and this Policy, an unvaccinated covered worker must undergo screening testing at a minimum of one to two times each week, to be determined by the Superintendent of Schools.

An unvaccinated covered worker is required to submit proof of a COVID-19 test. The unvaccinated covered worker may choose either antigen or molecular tests that have EUA by the FDA or are operating per the Laboratory Developed Test requirements by the U.S. Centers for Medicare and Medicaid Services.

Where a Board of Education provides the unvaccinated covered worker with on-site COVID-19 test(s), the school district may similarly elect to administer or provide access to either an antigen or molecular test.



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If the covered worker is not working on-site in the school district during a week when testing would otherwise be required, the Superintendent or designee may not require the worker to submit to testing for that week. This requirement shall not supplant any requirement imposed by the Board of Education regarding diagnostic testing of symptomatic workers or screening testing of vaccinated workers.

The Board of Education shall track test results required by Executive Order 253 and must report those results to the local public health department.

Nothing in Executive Order 253 and this Policy shall prevent a Board of Education from revising this Policy to include additional or stricter requirements, as long as such revisions comport with the minimum requirements of Executive Order 253.

Executive Order 253 authorizes the Commissioner of the Department of Health (DOH) to issue a directive supplementing the requirements outlined in Executive Order 253, which may include, but not be limited to, any requirements for reporting vaccination and testing data to the DOH. Actions taken by the Commissioner of the DOH pursuant to Executive Order 253 shall not be subject to the requirements of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.

This Policy shall be supplemented by Policy 1648.11 – Appendix A, which shall include the school district's protocols implementing the provisions of this Policy.

The Superintendent is authorized to implement revisions to provisions in this Policy based on any subsequent Executive Orders or any additional mandates that affect any provisions of this Policy. Any such revisions in this Policy shall be submitted by the Superintendent to the Board of Education for ratification if the Board cannot approve such revisions before the effective date.

Executive Order 253 – August 23, 2021

Adopted:

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[See POLICY ALERT No. 225]

2425 EMERGENCY VIRTUAL OR REMOTE INSTRUCTION PROGRAM

The Board of Education is committed to providing a high quality educational program, virtually or remotely, in the event a school or the schools of the district are required to close for more than three consecutive school days due to a declared state of emergency, declared public health emergency, or a directive by the appropriate health agency or officer to institute a public health-related closure. The district's virtual or remote program of instruction shall be in accordance with N.J.S.A. 18A:7F-9.

In the event the school district is required to close a school or the schools of the district for more than three consecutive school days due to a declared state of emergency, declared public health emergency, or a directive by the appropriate health agency or officer to institute a public health-related closure, the Commissioner of Education shall allow the district to apply to the 180-day requirement established pursuant to N.J.S.A. 18A:7F-9, one or more days of virtual or remote instruction provided to students on the day or days the schools of the district were closed if the program of virtual or remote instruction meets such criteria as may be established by the Commissioner Education.

The Superintendent of Schools shall submit, with Board approval, the school district's program of virtual or remote instruction to the Commissioner of Education by no later than October 29, 2021 and annually thereafter.

A day of virtual or remote instruction, if instituted under the district's Commissioner of Education's approved program of virtual or remote instruction, shall be considered the equivalent of a full day of school attendance for the purposes of meeting State and local graduation requirements, the awarding of course credit, and other such matters as determined by the Commissioner of Education.

Any district program of virtual or remote instruction implemented for the general education students shall provide the same educational opportunities to students with disabilities. Special education and related services, including speech language services, counseling services, physical therapy, occupational therapy,



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and behavioral services, may be delivered to students with disabilities through the use of electronic communication or a virtual or online platform and as required by the student's Individualized Education Program (IEP), to the greatest extent practicable.

In the event the State or local health department determines it is advisable to close or mandates closure of the schools of the district due to a declared state of emergency, declared public health emergency, or a directive by the appropriate health agency or officer to institute a public health-related closure, the Superintendent shall have the authority to implement the school district's program of virtual or remote instruction. The Superintendent shall consult with the Board prior to such decision, if practicable. The Superintendent shall ensure that students, parents, staff, and the Board are informed promptly of the Superintendent's decision.

Nothing in N.J.S.A. 18A:7F-9 and this Policy shall be construed to limit, supersede or preempt rights, privileges, compensation, remedies, and procedures afforded to public employees or a collective bargaining unit under Federal or State law or any provision of a collective bargaining agreement entered into by the school district.

In the event of the closure of a school or the schools of the district due to a declared state of emergency, declared public health emergency, or a directive by the appropriate health agency or officer to institute a public health-related closure for a period longer than three consecutive school days:

1. District employees shall be entitled to compensation, benefits, and emoluments pursuant to the provisions of N.J.S.A. 18A:7F-9.e.(1) and (2).
2. The district shall continue to make payments of benefits, compensation, and emoluments pursuant to the terms of a contract with a contracted service provider in effect on the date of the closure as if the services for such benefits, compensation, and emoluments had been provided, and as if the school facilities had remained open pursuant to the provisions of N.J.S.A. 18A:7F-9.e.(3).



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3. The district shall be obligated to make payments for benefits, compensation, and emoluments and all payments required pursuant to N.J.S.A. 18A:6-51 et seq., to an educational services commission, county special services school district, and a jointure commission, and under any shared services agreement and cooperative contract entered into with any other public entity pursuant to the provisions of N.J.S.A. 18A:7F-9.e.(4).
4. An educational services commission, county special services school district, and a jointure commission shall continue to make payments of benefits, compensation, and emoluments pursuant to the terms of a contract with a contracted service provider or a shared services agreement in effect on the date of the closure as if the services for such benefits, compensation, and emoluments had been provided, and as if the school facilities had remained open pursuant to the provisions of N.J.S.A. 18A:7F-9.e.(4).

The provisions of N.J.S.A. 18A:7F-9.e.(1) through (4) shall not apply to any employee whose weekly hours of work are reduced, and to whom unemployment benefits are provided, pursuant to a shared work program approved pursuant to the provisions of N.J.S.A. 43:21-20.3 et seq. A contracted service provider, educational services commission, county special services school district, or jointure commission shall notify the district with which it has entered into a contract to provide services of its intent to reduce the hours of work of its employees pursuant to a shared work program approved pursuant to the provisions of N.J.S.A. 43:21-20.3 et seq.

1. Notwithstanding the provisions of N.J.S.A. 18A:7F-9.e.(3), if a contracted service provider reduces the amount that it pays to its employees providing services to a school district, and that reduction is the result of a reduction of workhours of those employees made pursuant to a shared work program approved pursuant to the provisions of N.J.S.A. 43:21-20.3 et seq., then the amount paid by the district to the contracted service provider shall be reduced by the same amount.



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2. Notwithstanding the provisions of N.J.S.A. 18A:7F-9.c.(4), if an educational services commission, county special services school district, or jointure commission reduces the amount that it pays to its employees providing services to a school district, and that reduction is the result of a reduction of workhours of those employees made pursuant to a shared work program approved pursuant to the provisions of N.J.S.A. 43:21-20.3 et seq., then the amount paid by the district to the educational services commission, county special services school district, or jointure commission shall be reduced by the same amount.

This Policy may be revised as necessary by the Superintendent in accordance with N.J.S.A. 18A:7F-9. The school district's emergency virtual or remote instruction program shall be available on the school district's website.

N.J.S.A. 18A:7F-9

Adopted:



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[See POLICY ALERT No. 225]

5751 SEXUAL HARASSMENT OF STUDENTS

The Board of Education will not tolerate sexual harassment of students by school employees, other students, or third parties. Sexual harassment of students is a form of prohibited sex discrimination. In accordance with Title IX of the Education Amendments of 1972 and the Code of Federal Regulations (CFR), 34 CFR §106, the school district adopts this Policy and implement practices to investigate and resolve allegations of sexual harassment of students engaged in by school employees, other students, or third parties pursuant to 34 CFR §106.3(c). In addition, reports of sexual harassment shall also be investigated in accordance with the requirements of New Jersey's Anti-Bullying Bill of Rights Act and Policy 5512.

For the purposes of Policy 5751 and in accordance with 34 CFR §106:

1. "Sexual harassment" (34 CFR §106.30(a)) means conduct on the basis of sex that satisfies one or more of the following:
 - a. An employee of the school district conditioning the provision of an aid, benefit, or service of the school district on a student's participation in unwelcome sexual conduct;
 - b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to the school district's education program or activity; or
 - c. "Sexual assault" as defined in 20 U.S.C. §1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. §12291(a)(10), "domestic violence" as defined in 34 U.S.C. §12291(a)(8), or "stalking" as defined in 34 U.S.C. §12291(a)(30).

Sexual harassment may take place electronically or on an online platform used by the school, including, but not limited to, computer and internet networks; digital platforms; and computer hardware or software owned or operated by, or used in the operations of the school.



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In accordance with 34 CFR §106.8(a), any person may report sex discrimination, including sexual harassment using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

A school district with "actual knowledge" of sexual harassment in the educational program or activity of the school district against a student, must respond promptly in a manner that is not "deliberately indifferent".

Any school employee who receives a complaint of sexual harassment or is aware of behavior that could constitute sexual harassment is required to report that information to the Title IX Coordinator in accordance with the provisions of 34 CFR §106.8(a) and B.1. of Regulation 5751. The district must report any potential child abuse in accordance with N.J.S.A. 18A:36-24; N.J.S.A. 18A:36-25; N.J.A.C. 6A:16-11.1; and Policy and Regulation 8462.

The Title IX Coordinator shall notify persons entitled to a notification pursuant to 34 CFR §106.8(a)(1) that the school district does not discriminate on the basis of sex in the education program or activity that it operates, and that it is required by Title IX and Policy and Regulation 5751 not to discriminate in such a manner in accordance with 34 CFR §106.8(b)(1).

The Title IX Coordinator shall prominently display the contact information required to be listed for the Title IX Coordinator pursuant to 34 CFR §106.8(b)(2)(i) on the school district's website and in each handbook or catalog the school district makes available to persons entitled to a notification in accordance with 34 CFR §106.8(a). Policy and Regulation 5751 shall be prominently displayed on the district's website and accessible to anyone.

Supportive measures shall be available to the Complainant, Respondent, and as appropriate, witnesses or other impacted individuals.

The school district shall use the grievance process outlined in 34 CFR §106.45 and Regulation 5751 to address formal complaints of sexual harassment. The school district shall offer both parties an appeal process as outlined in 34 CFR §106.45 and Regulation 5751 from a determination regarding responsibility for sexual harassment and from the Title IX Coordinator's dismissal of a formal complaint or any allegations of sexual harassment.



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The Title IX Coordinator shall be responsible for effective implementation of any remedies in accordance with 34 CFR §106.45(b)(7)(iv). The appropriate school official designated by the Superintendent, after consultation with the Title IX Coordinator, will determine sanctions imposed and remedies provided, if any.

Consistent with the laws of New Jersey a student's parent must be permitted to exercise the rights granted to their child under this Policy, whether such rights involve requesting supportive measures, filing a formal complaint, or participating in a grievance process.

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

The school district or any employee of the school district shall not intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or Policy 5751, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy, in accordance with 34 CFR §106.71(a).

For each school district response to sexual harassment required under 34 CFR §106.44, the school district shall create and maintain for a period of seven years, records in accordance with 34 CFR §106.45(b)(10).

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

Any time a report is made to the Title IX Coordinator or formal complaint is filed pursuant to this Policy and in accordance with 34 CFR §106, the Title IX Coordinator shall forward the report or complaint to the Principal of the school building attended by the alleged victim for the Principal to follow the requirements of New Jersey's Anti-Bullying Bill of Rights Act and Policy 5512.

34 CFR §106

United States Department of Education, Office for Civil Rights – Questions and Answers on the Title IX Regulations on Sexual Harassment (July 20, 2021)

Adopted:



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[See **POLICY ALERT No. 225**]

R 5751 SEXUAL HARASSMENT OF STUDENTS

The Board of Education will not tolerate sexual harassment of students by school employees, other students, or third parties. The school district shall investigate and resolve allegations of sexual harassment of students engaged in by school employees, other students, or third parties pursuant to 34 CFR §106.3(c) and Policy and Regulation 5751. In addition, reports of sexual harassment shall also be investigated in accordance with the requirements of New Jersey's Anti-Bullying Bill of Rights Act and Policy 5512.

A. Definitions

1. For the purpose of Policy and Regulation 5751 and in accordance with 34 CFR §106:
 - a. "Sexual harassment" (34 CFR §106.30(a)) means conduct on the basis of sex that satisfies one or more of the following:
 - (1) An employee of the school district conditioning the provision of an aid, benefit, or service of the school district on a student's participation in unwelcome sexual conduct;
 - (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to the school district's education program or activity; or
 - (3) "Sexual assault" as defined in 20 U.S.C. §1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. §12291(a)(10), "domestic violence" as defined in 34 U.S.C. §12291(a)(8), or "stalking" as defined in 34 U.S.C. §12291(a)(30).



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- b. “Complainant” (34 CFR §106.30(a)) means a student currently enrolled who is alleged to be the Complainant of conduct that could constitute sexual harassment.
 - (1) A parent may act on behalf of the Complainant in accordance with State law, court orders, child custody arrangements, or other sources granting legal rights to parents.
 - (2) A parent has a legal right to act on a Complainant’s behalf, this right applies throughout all aspects of the Title IX matter, including throughout the grievance process.
- c. “Decision-maker” (34 CFR §106.45(b)(7)) means a staff member(s) who is not the Title IX Coordinator or the school staff member who conducted the investigation, designated by the Superintendent of Schools, to objectively evaluate the relative evidence and reach conclusions about whether the Respondent is responsible for the alleged sexual harassment in accordance with the provisions of 34 CFR. §106.
- d. “Education program or activity” (34 CFR §106.44(a)) includes locations, events, or circumstances over which the school district exercises substantial control over both the Respondent and the context in which the sexual harassment occurs.
- e. “Formal complaint” (34 CFR §106.30(a)) means a document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that the school district investigate the allegation of sexual harassment. As used in this definition paragraph, the phrase “document filed by a Complainant” means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the school district) that contains the Complainant’s physical or digital signature, or otherwise indicates that the Complainant is the person filing the formal complaint.



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- f. “Investigator” (34 CFR §106.45(b)(5)) means a staff member or staff members who may be the Title IX Coordinator and who is not a decision-maker, designated by the Superintendent of Schools, to investigate alleged sexual harassment in accordance with 34 CFR §106. The investigator may be the school district’s Affirmative Action Officer only if the Affirmative Action Officer is not the decision-maker.
- g. “Program or activity” and “program” (34 CFR §106.2(h)(2)(ii)) means all of the operations of a local educational agency (as defined in 20 U.S.C. §8801), system of vocational education, or other school system.
- h. “Respondent” (34 CFR §106.30(a)) means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.
 - (1) A parent may act on behalf of the Respondent in accordance with State law, court orders, child custody arrangements, or other sources granting legal rights to parents.
 - (2) If a parent has a legal right to act on a Respondent’s behalf, this right applies throughout all aspects of the Title IX matter, including throughout the grievance process.
- i. “Title IX Coordinator” (34 CFR §106.8(a)) means an individual designated and approved by the Board to coordinate its efforts to comply with its responsibilities under 34 CFR §106 and this Policy. The individual must be referred to as the “Title IX Coordinator” and may also be the investigator but cannot be the decision-maker.

B. Reporting and Notification Requirements

- 1. Sexual harassment may take place electronically or on an online platform used by the school, including, but not limited to, computer and internet networks; digital platforms; and computer hardware or software owned or operated by, or used in the operations of the school.



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2. In accordance with 34 CFR §106.8(a), any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.
 - a. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address listed for the Title IX Coordinator.
3. A school district with "actual knowledge" of sexual harassment in the educational program or activity of the school district against a student, must respond promptly in a manner that is not "deliberately indifferent".
 - a. The school district has "actual knowledge" when an employee receives a complaint of sexual harassment or an employee is aware of behavior that could constitute sexual harassment.
 - (1) Any school employee who receives a complaint of sexual harassment or is aware of behavior that could constitute sexual harassment is required to report that information to the Title IX Coordinator in accordance with the provisions of B.1. above.
 - (2) In addition to the district's response in accordance with this Regulation, the district must report any potential child abuse to appropriate law enforcement and child welfare authorities in accordance with N.J.S.A. 18A:36-24; N.J.S.A. 18A:36-25; N.J.A.C. 6A:16-11.1; and Policy and Regulation 8462.
 - b. A school district is "deliberately indifferent" only if the response to sexual harassment is clearly unreasonable in light of the known circumstances, pursuant to 34 CFR §106.44(a).



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4. The district is required to offer supportive measures to the Complainant even if the Respondent ceased being enrolled or employed by the district prior to the filing of a formal complaint.
 - a. If the Respondent ceases to be enrolled in or employed by the district after a formal complaint is filed, the district may dismiss the complaint, but must still offer supportive measures to the Complainant pursuant to 34 CFR §106.45(b)(3)(ii).
5. The Title IX Coordinator shall notify persons entitled to a notification pursuant to 34 CFR §106.8(a) that the school district does not discriminate on the basis of sex in the education program or activity it operates and it is required by Title IX and Policy and Regulation 5751 not to discriminate in such a manner in accordance with 34 CFR §106.8(b)(1).
6. The Title IX Coordinator shall prominently display the contact information required to be listed for the Title IX Coordinator pursuant to 34 CFR §106.8(b)(2)(i) on the school district's website and in each handbook or catalog the school district makes available to persons entitled to a notification in accordance with 34 CFR §106.8(a).
 - a. Policy 5751 and this Regulation shall be prominently displayed on the district's website and accessible to anyone.

C. Supportive Measures

1. "Supportive measures" mean non-disciplinary, non-punitive, individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a formal complaint or where no formal complaint has been filed pursuant to 34 CFR §106.30(a).
2. Supportive measures shall be available to the Complainant, Respondent, and as appropriate, witnesses or other impacted individuals.



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3. The Title IX Coordinator shall maintain consistent contact with the parties to ensure that safety, emotional and physical well-being are being addressed.
4. Generally, supportive measures are meant to be short-term in nature and will be re-evaluated on a periodic basis.
 - a. To the extent there is a continuing need for supportive measures after the conclusion of the resolution process, the Title IX Coordinator will work with appropriate school district resources to provide continued assistance to the parties.

D. Grievance Process

1. The school district will use the grievance process outlined in 34 CFR §106.45 and this Regulation to address formal complaints of sexual harassment.
2. Parents, students, unions and associations, and staff members shall receive notice of the grievance procedures and the Title IX Coordinator's name or title, office, address, email address, and telephone number in accordance with 34 CFR §106.8(a).
3. The school district's grievance process may, but need not, provide for a hearing pursuant to 34 CFR §106.45(b)(6)(ii).
4. The school district may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent with 34 CFR §106.45(b)(9).
5. The school district may not require the parties to participate in an informal resolution process regarding a Title IX claim and may not offer an informal resolution process unless a formal complaint is filed pursuant to 34 CFR §106.45(b)(9).



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6. The Title IX Coordinator must promptly contact the Complainant in accordance with 34 CFR §106.44(a).
7. In response to a formal complaint, the school district will follow a grievance process that complies with 34 CFR §106.45.
 - a. Upon receipt of a formal complaint, the Title IX Coordinator shall provide written notice to the parties who are known in accordance with 34 CFR §106.45(b)(2)(i).
 - b. The Title IX Coordinator shall provide the investigator with a copy of the formal complaint if the Title IX Coordinator is not the investigator.
 - c. The investigator shall investigate the allegations contained in a formal complaint pursuant to 34 CFR §106.45(b).
8. The investigator shall create an investigative report in accordance with the provisions of 34 CFR §106.45(b)(5)(vii).
 - a. The investigator will attempt to collect all relevant information and evidence.
 - b. While the investigator will have the burden of gathering evidence, it is crucial that the parties present evidence and identify witnesses to the investigator so that they may be considered during the investigation.
 - c. While all evidence gathered during the investigative process and obtained through the exchange of written questions will be considered, the decision-maker may in their discretion grant lesser weight to last minute information or evidence introduced through the exchange of written questions that was not previously presented for investigation by the investigator.
 - d. To the greatest extent possible, and subject to Title IX, the school will make reasonable accommodations in an investigation to avoid potential re-traumatization of a student.



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- e. The investigative report shall be provided to the decision-maker in accordance with the provisions of 34 CFR §106.45(b)(6)(ii).
- 9. The decision-maker, who cannot be the same person as the Title IX Coordinator or the investigator, shall issue a written determination regarding responsibility pursuant to 34 CFR §106.45(b)(7).
 - a. To reach this determination, the decision-maker will apply

[Select One Option Below

- ☒ the preponderance of the evidence standard,
- ☐ clear and convincing evidence standard,]

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

- b. The decision-maker will facilitate a written question and answer period between the parties.
 - (1) Each party may submit their written questions for the other party and witnesses to the decision-maker for review.
 - (2) The questions must be relevant to the case and the decision-maker will determine if the questions submitted are relevant and will then forward the relevant questions to the other party or witnesses for a response.
 - (3) The decision-maker shall then review all the responses, determine what is relevant or not relevant, and issue a decision as to whether the Respondent is responsible for the alleged sexual harassment.



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- (4) The decision-maker will issue a written determination following the review of evidence. The written determination will include:
 - (a) Identification of allegations potentially constituting sexual harassment as defined in Policy and Regulation 5751 and 34 CFR §106.30;
 - (b) A description of the procedural steps taken from the receipt of the complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather evidence;
 - (c) Findings of fact supporting the determination, conclusions regarding the application of this formal grievance process to the facts; and
 - (d) A statement of and rationale for the result as to each allegation, including any determination regarding responsibility, any disciplinary sanctions the decision-maker imposed on the Respondent that directly relate to the Complainant, and whether remedies designed to restore or preserve equal access to the school's education program or activity will be provided to the Complainant; and procedures and permissible bases for the parties to appeal the determination.
- (5) The written determination will be provided to the parties simultaneously.



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- (6) Notwithstanding a temporary delay of the grievance procedure or the limited extension of the grievance procedure time frames with good cause, the written determination shall be provided within sixty calendar days from receipt of the Complaint.
 - (a) The sixty calendar day time frame does not include the appeal process.
- (7) Remedies and supportive measures that do not impact the Respondent should not be disclosed in the written determination; rather the determination should simply state that remedies will be provided to the Complainant.

E. Appeals

- 1. The school district will offer both parties an appeal from a determination regarding responsibility, and from the Title IX Coordinator's dismissal of a formal complaint or any allegations therein in accordance with 34 CFR §106.45(b)(8)(i).
- 2. As to all appeals, the school district will comply with the requirements of 34 CFR §106.45(b)(8).
- 3. The Superintendent shall designate an appeal officer for each appeal filed.
 - a. The appeal officer shall not be the same person as the decision-maker that reached the determination regarding responsibility or dismissal, the investigator, or the Title IX Coordinator in accordance with 34 CFR §106.45(b)(8)(iii)(B).
- 4. The Complainant and Respondent shall have an equal opportunity to appeal the policy violation determination and any sanctions.
- 5. The school district shall administer the appeal process, but is not a party and will not advocate for or against any appeal.



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6. A party may appeal only on the following grounds and the appeal shall identify the reason(s) why the party is appealing:
 - a. There was a procedural error in the hearing process that materially affected the outcome;
 - (1) Procedural error refers to alleged deviations from school district policy, and not challenges to policies or procedures themselves;
 - b. There is new evidence that was not reasonably available at the time of the hearing and that could have affected the outcome;
 - c. The decision-maker had a conflict of interest or bias that affected the outcome;
 - d. The determination regarding the policy violation was unreasonable based on the evidence before the decision-maker;
 - (1) Appealing on this basis is available only to a party who participated in the hearing; and
 - e. The sanctions were disproportionate to the hearing officer's findings.
7. The appeal must be submitted in writing to the Title IX Coordinator within ten calendar days following the issuance of the notice of determination.
8. The appeal must identify the ground(s) for appeal and contain specific arguments supporting each ground for appeal.
9. The Title IX Coordinator shall notify the other party of the appeal, and that other party shall have an opportunity to submit a written statement in response to the appeal, within ten calendar days.



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10. The Title IX Coordinator shall inform the parties that they have an opportunity to meet with the appeal officer separately to discuss the proportionality of the sanction.
11. The appeal officer shall decide the appeal considering the evidence presented at the hearing, the investigation file, and the appeal statements of both parties.
12. In disproportionate sanction appeals, input the parties provided during the meeting may also be considered.
13. The appeal officer shall summarize their decision in a written report that will be sent to the Complainant and Respondent within twenty calendar days of receiving the appeal.

F. Remedies

1. The Title IX Coordinator shall be responsible for effective implementation of any remedies in accordance with 34 CFR §106.45(b)(7)(iv).
2. Following receipt of the written determination from the decision-maker, the Title IX Coordinator will facilitate the imposition of sanctions, if any, the provision of remedies, if any, and to otherwise complete the formal resolution process.
3. The appropriate school official designated by the Superintendent, after consultation with the Title IX Coordinator, will determine the sanctions imposed and remedies provided, if any.
 - a. The imposition of sanctions or provisions of remedies will be revisited by the Title IX Coordinator following the appeal officer's decision, as appropriate.
4. The Title IX Coordinator must provide written notice to the parties simultaneously.
5. The school district must disclose to the Complainant the sanctions imposed on the Respondent that directly relate to the Complainant when such disclosure is necessary to ensure equal access to the school district's education program or activity.



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6. It is important to note that conduct that does not meet the criteria under Title IX may violate other Federal or State laws or school district policies regarding student misconduct or may be inappropriate and require an immediate response in the form of supportive measures and remedies to prevent its recurrence and address its effects.

G. Parent Rights

1. Consistent with the laws of New Jersey, a student's parent must be permitted to exercise the rights granted to their child under Policy and Regulation 5751, whether such rights involve requesting supportive measures, filing a formal complaint, or participating in a grievance process.
2. A student's parent must also be permitted to accompany the student to meetings, interviews, and hearings, if applicable, during a grievance process in order to exercise rights on behalf of the student.
3. The student may have an advisor in addition to the parent.

H. Training

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

I. Compliance

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



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J. Requirements of New Jersey's Anti-Bullying Bill of Rights Act

Any time a report is made to the Title IX Coordinator or formal complaint is filed pursuant to Policy and Regulation 5751 and in accordance with 34 CFR §106, the Title IX Coordinator shall forward the report or complaint to the Principal of the school building attended by the alleged victim for the Principal to follow the requirements of New Jersey's Anti-Bullying Bill of Rights Act and Policy 5512.

Adopted:



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[See POLICY ALERT Nos. 222 and 226]

2415.05 STUDENT SURVEYS, ANALYSIS, AND/OR EVALUATIONS, EXAMINATIONS, TESTING, OR TREATMENT

The Protection of Pupil Rights Amendment (PPRA) (20 USC §1232h; 34 CFR Part 98) applies to school districts that receive funding from the United States Department of Education (USDOE). The PPRA requires written consent from parents or the emancipated student the opportunity to opt out of participation in a survey, analysis, evaluation, examination, testing, or treatment funded in whole or in part by a program of the United States Department of Education that concerns one or more of the areas outlined in this Policy.

A. Definitions

“Instructional material” means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audiovisual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments. 20 USC §1232h(c)(6)(A).

“Invasive physical examination” means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening. 20 USC §1232h(c)(6)(B).

“Prior consent” means prior consent of the student, if the student is an adult or emancipated minor or prior written consent of the parent, if the student is an unemancipated minor. 34 CFR §98.4(b).

“Psychiatric or psychological examination or test” means a method of obtaining information, including a group activity, that is not directly related to academic instruction and that is designed to elicit information about attitudes, habits, traits, opinions, beliefs, or feelings. 34 CFR §98.4(c)(1).



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"Psychiatric or psychological treatment" means an activity involving the planned, systematic use of methods or techniques that are not directly related to academic instruction and that is designed to affect behavioral, emotional, or attitudinal characteristics of an individual or group. 34 CFR §98.4(c)(2).

"Research or experimentation program or project" means any program or project in any program that is funded in whole or in part by the Federal Government and is designed to explore or develop new or unproven teaching methods or techniques. 34 CFR §98.3(b).

- B. Parents' or Emancipated Students' Right to Inspection of Materials - 34 CFR §98.3 and 20 USC §1232(c)
1. All instructional material, including teachers' manuals, films, tapes, or other supplementary instructional material which will be used in connection with any survey, analysis, or evaluation as part of any applicable program or any research or experimentation program or project shall be available for inspection by the parents of the children engaged in such program or project in accordance with 20 USC §1232h(a) and 34 CFR §98.3(a).
 - a. The district shall provide reasonable access to instructional material within a reasonable period of time after the request is received in accordance with 20 USC §1232h(c)(1)(C)(ii).
 2. The parent shall have the right, upon request, to inspect a survey created by a third party before the survey is administered or distributed to their student pursuant to 20 USC §1232h(c)(1)(A)(i).
 - a. The district shall provide reasonable access to such survey within a reasonable period of time after the request is received in accordance with 20 USC §1232h(c)(1)(A)(ii).



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3. The parent shall have the right, upon request, to inspect any instrument used in the collection of personal information from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose), before the instrument is administered or distributed to their student pursuant to 20 USC §1232h(c)(1)(F)(i).

- a. The district shall provide reasonable access to such instrument within a reasonable period of time after the request is received in accordance with 20 USC §1232h(c)(1)(F)(ii).

C. Protection of Students' Privacy in Examination, Testing, or Treatment with Prior Consent - 34 CFR §98.4

1. In accordance with 34 CFR §98.4(a) no student shall be required, as part of any program funded in whole or in part by a program of the USDOE, to submit without prior consent to psychiatric examination, testing, or treatment, or psychological examination, testing, or treatment, in which the primary purpose is to reveal information concerning one or more of the following:

- a. Political affiliations;
 - b. Mental and psychological problems potentially embarrassing to the student or the student's family;
 - c. Sex behavior and attitudes;
 - d. Illegal, anti-social, self-incriminating, and demeaning behavior;
 - e. Critical appraisals of other individuals with whom the student has close family relationships;
 - f. Legally recognized privileged and analogous relationships, such as those of lawyers, physicians, and ministers; or



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- g. Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under a program.

D. Protections of Students' Rights for Surveys, Analysis, or Evaluation -
20 USC §1232h

- 1. In accordance with 20 USC §1232h(b) no student shall be required, as part of any applicable program, to submit to a survey, analysis, or evaluation, without prior consent, that reveals information concerning:
 - a. Political affiliations or beliefs of the student or the student's parent;
 - b. Mental and psychological problems of the student or the student's family;
 - c. Sex behavior or attitudes;
 - d. Illegal, anti-social, self-incriminating, or demeaning behavior;
 - e. Critical appraisals of other individuals with whom the student has close family relationships;
 - f. Legally recognized privileged and analogous relationships, such as those of lawyers, physicians, and ministers;
 - g. Religious practices, affiliations, or beliefs of the student or student's parent; or
 - h. Income, (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under a program).
- 2. Parents' or Emancipated Students' Right to Opt Out -
20 USC §1232h(c)(2)



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a. The district shall provide notice and offer an opportunity for parents to opt their student out or for emancipated students to opt out of participation in the following activities:

- (1) Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose).
- (2) The administration of any survey containing one or more of the items listed in D.1. above.
- (3) Any nonemergency, invasive physical examination or screening that is:
 - (a) Required as a condition of attendance;
 - (b) Administered by the school and scheduled by the school in advance; and
 - (c) Not necessary to protect the immediate health and safety of the student, or of other students.

b. The district shall directly notify parents at least annually at the beginning of the school year of the specific or approximate dates during the school year when activities described in D.2.a. above are scheduled or expected to be scheduled in accordance with 20 USC §1232h(c)(2)(B).

3. Exceptions – 20 USC §1232h(c)(4)

a. The provisions of 20 USC §1232h do not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

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- (1) College or other postsecondary education recruitment, or military recruitment in accordance with Policy 9713;
 - (2) Book clubs, magazines, and programs providing access to low-cost literary products;
 - (3) Curriculum and instructional materials used by schools in the district;
 - (4) Tests and assessments used by schools in the district to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
 - (5) The sale by students of products or services to raise funds for school-related or education-related activities; and
 - (6) Student recognition programs.
- b. The provisions of this Policy:
- (1) Shall not be construed to preempt applicable provisions of New Jersey law that require parental notification; and
 - (2) Do not apply to any physical examination or screening that is permitted or required by an applicable New Jersey law, including physical examinations or screenings permitted without parental notification.



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4. Policy Adoption or Revision – 20 USC §1232h(c)(2)(A)(i)

The district shall provide this Policy to parents and students at least annually at the beginning of the school year, and provide notice within a reasonable period of time after any substantive change is made to this Policy.

E. Student Privacy – 20 USC §1232h and 34 CFR §98

The district shall ensure a student's privacy is protected regarding any information collected in accordance with this Policy.

F. Violations of the PPRA – 20 USC §1232h and 34 CFR §98

Parents or students who believe their rights under PPRA may have been violated may file a complaint with the USDOE.

In addition to the provisions of 20 USC §1232h, 34 CFR §98, and this Policy, the Superintendent or designee shall ensure compliance with the provisions of N.J.S.A. 18A:36-34 and Policy 9560 – Administration of School Surveys before students are required to participate in any academic or nonacademic survey, assessment, analysis, or evaluation.

The Protection of Pupil Rights Amendment (PPRA)

20 USC §1232h

34 CFR Part 98

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

N.J.S.A 18A:36-34

Adopted:



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Prevention and Treatment of Sports-Related
Concussions and Head Injuries
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[See POLICY ALERT Nos. 190, 194, 197, and 226]

2431.4 PREVENTION AND TREATMENT OF SPORTS-RELATED CONCUSSIONS AND HEAD INJURIES

A concussion is a traumatic brain injury caused by a blow or motion to the head or body that disrupts the normal functioning of the brain and can cause significant and sustained neuropsychological impairments including, but not limited to, problem solving, planning, memory, and behavioral problems. In order to ensure safety, it is imperative that students participating in athletic competition, coaches, and parents are educated about the nature and treatment of sports-related concussions and other head injuries. Allowing a student to return to athletic competition before recovering from a concussion increases the chance of a more serious brain injury.

For the purpose of this Policy and Regulation 2431.4, programs of athletic competition shall include high school interscholastic athletic programs, middle school interscholastic athletic programs where school teams or squads play teams or squads from other school districts, intramural athletic programs within a school or among schools in the district, and any cheerleading program or activity in the school district.

The school district shall adopt an athletic head injury safety training program. The program shall be completed by the school physician, any individual who coaches in an athletic competition, an athletic trainer involved in any athletic competition, and the school nurse. The training program shall be in accordance with guidance provided by the New Jersey Department of Education (NJDOE) and the requirements of N.J.S.A. 18A:40-41.2.

The school district shall annually distribute the NJDOE-developed educational fact sheet regarding sports-related concussions and other head injuries to all parents of students participating in any athletic competition or practice and shall obtain a signed acknowledgement of the receipt of the fact sheet by the student and their parent in accordance with N.J.S.A. 18A:40-41.2(c).



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A student who participates in an athletic competition or practice and who sustains or is suspected of sustaining a concussion or other head injury shall be immediately removed from athletic competition or practice. A student removed from athletic competition or practice shall not participate in further athletic competition or practice until they are evaluated by a physician or other licensed healthcare provider trained in the evaluation and management of concussions and receives written clearance from a physician trained in the evaluation and management of concussions to return to athletic competition or practice; and the student returns to regular school activities and is no longer experiencing symptoms of the injury when conducting those activities in accordance with N.J.S.A. 18A:40-41.4.

The return of a student to athletic competition or practice shall also be in accordance with the graduated, six-step "Return to Play Progression" recommendations and any subsequent changes or other updates to these recommendations as developed by the Centers for Disease Control and Prevention (CDC). The Board shall revise this Policy and Regulation 2431.4 whenever the CDC changes or otherwise updates the "Return to Play Progression" recommendations.

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

Pursuant to N.J.S.A. 18A:40-41.5 and for the purpose of this Policy, a "youth sports team organization" means one or more sports teams organized pursuant to a nonprofit or similar charter or which are member teams in a league organized by or affiliated with a county or municipal recreation department.



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Prevention and Treatment of Sports-Related Concussions and Head Injuries

This Policy and Regulation 2431.4 shall be reviewed and approved by the school physician annually and updated as necessary to ensure it reflects the most current information available on the prevention, risk, and treatment of sports-related concussions and other head injuries in accordance with N.J.S.A. 18A:40-41.3.

N.J.S.A. 18A:40-41.1; 18A:40-41.2; 18A:40-41.3; 18A:40-41.4; 18A:40-41.5

Adopted:



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[See POLICY ALERT Nos. 221 and 226]

2451 ADULT HIGH SCHOOL

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

The Board of Education may open and operate an adult high school, which shall offer ~~students~~ adults opportunity, accessibility, and flexibility while maintaining high standards inherent in the awarding of a high school diploma pursuant to N.J.S.A. ~~18A:49-1 et seq., 18A:50-1 et seq., and N.J.A.C. 6A:20-2.1 18A:50A-1 et seq.~~ Courses shall be sufficiently varied to ~~for meet~~ meeting the educational needs of ~~students~~ adults and shall be designed to challenge ~~students~~ participants to achieve their highest level of educational ability.

An educational plan shall be developed for each student in the district's adult high school program reflecting the student's past academic record, an analysis of past experiences for which credit may be awarded **pursuant to N.J.A.C. 6A:20-2.6**, graduation requirements, and a proposed schedule of courses for the current school year leading to completion of graduation requirements.

A. Eligibility for Enrollment – N.J.A.C. 6A:20-2.2

1. To qualify for enrollment in the adult high school, a person shall:
 - a. Be a New Jersey resident **at least sixteen years of age;**
2. ~~Meet the age and out-of-school requirement at N.J.A.C. 6A:20-1.3;~~



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

b3. Have not earned a ~~locally-issued~~ State-endorsed or State-issued high school diploma::

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

c4. Complete and sign a **locally created** an application for enrollment, including a statement of responsibilities.

B. **English Language Learners** ~~Adults with Special Needs~~ – N.J.A.C. 6A:20-2.3

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



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- a. ELLs shall be referred to appropriate classes in the adult high school to attain English language proficiency.

- (1) If the language improvement needs of the individual cannot be met by the adult high school, then the Principal shall refer the person to a New Jersey Department of Labor and Workforce Development Career Connections website.

C. Individuals with Disabilities – N.J.A.C. 6A:20-2.4

- 1. For an ~~individual adult~~ with a previous Individualized Education Program (IEP) ~~experience in a special education program now~~ seeking similar services at an adult high school, the Principal of the adult high school shall request, with **the written consent of the individual** ~~the concurrence of the adult~~, the most recent evaluation and ~~individualized educational plan (IEP)~~ for the **individual adult** from the high school of last attendance, provided the evaluation was made within the last three years ~~pursuant to N.J.A.C. 6A:20-2.3(b)~~.

- a+. The Principal shall review the IEP to determine the services required by the plan and ~~also~~ the availability of such services at the adult high school.

- (1)a-. If the IEP can be carried out, it shall serve as the instructional guide for the **individual adult**.

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



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- b2. If the evaluation was made more than three years prior to application to the adult high school, the IEP may not serve as a guide for the individual's adult's instructional program at the adult high school. The individual shall be referred to the IEP team for a reevaluation in accordance with N.J.A.C. 6A:14 - Special Education.
2. For an individual who previously had a 504 Plan, the Principal of the adult high school shall request, with the written consent of the individual, the most recent 504 Plan for the individual from the high school of last attendance, provided the evaluation was made within the last year. The school district shall determine if the 504 Plan needs to continue, be discontinued, and/or updated. The Principal of an adult high school may request a doctor's note with a rationale and treatment plan to verify the continued need for the 504 Plan.
3. An individual with a disability who does not qualify for special education and related services, pursuant to N.J.A.C. 6A:14, N.J.A.C. 6A:20-2.4(a), and C.1. above, and who does not have a previous 504 Plan shall be counseled regarding educational options that would lead to a high school diploma.

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

D. Graduation Requirements – N.J.A.C. 6A:20-2.54

1. Adult high school students must pass the Statewide assessment test for graduation pursuant to N.J.A.C. 6A:8-5.1.



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- a. Students who are enrolled in the adult high school and ~~are When an adult is~~ unable to pass the Statewide assessment for graduation test, pursuant to N.J.A.C. 6A:8-5.1, ~~there shall receive be~~ further evaluation through the ~~portfolio appeal process, Alternative High School Assessment~~ pursuant to N.J.A.C. 6A:8-5.1, ~~Standards and Assessments.~~
 - b. ELLs who are enrolled in the adult high school and ~~When limited English proficient adults~~ are unable to pass the Statewide assessment for graduation test, ~~required at~~ N.J.A.C. 6A:8-5.1, ~~they shall receive be~~ further evaluation ~~evaluated through the Alternative High School Assessment~~ pursuant to N.J.A.C. 6A:8-5.1(h), and shall demonstrate English language fluency on a New Jersey Department of Education State-approved English proficiency assessment ~~as a requirement for graduation.~~ The portfolio appeals process shall be undertaken in the ELL's native language, when available.
2. When operating an adult high school, the Board shall **ensure that students** meet the requirements for high school graduation pursuant to N.J.A.C. 6A:8-5 and ~~Policy 5460.~~
 3. The staff of the adult high school shall distribute to each entering ~~student adult~~ a copy of all State and local adult high school graduation requirements. At the beginning of each course, all ~~students adults~~ shall receive a list of proficiencies required for the successful completion of the course.
 4. Successful completion of the requirements ~~set forth as outlined in~~ N.J.A.C. 6A:20-2.54(a) and (b), **D.1. and D.2. above,** and ~~the requirements these~~ established by the Board, ~~of Education~~ shall be required as conditions for awarding a locally issued, State-endorsed diploma.
 5. The Board shall not issue a **State-endorsed** ~~an adult~~ high school diploma without State approval of the adult high school program ~~and without signed verifications for all credit awarded for experience and an official transcript(s) being on file.~~



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6. The Board shall not issue a State-endorsed high school diploma without signed verifications for all credit awarded for experience and an official transcript(s) being on file.

E. Award of Credit – N.J.A.C. 6A:20-2.65

A Board of Education operating an adult high school shall annually adopt, at a public meeting, policies that provide for the awarding of credit, subject to the provisions outlined in N.J.A.C. 6A:20-2.65(a)1. through 6A:20-2.65(a)12.

F. Awarding of Credit for Foreign Studies ~~Students~~ – N.J.A.C. 6A:20-2.76

Credit for the equivalent of American secondary school studies experienced in a foreign country shall be reviewed by the school district operating the adult high school. If the school district cannot review the secondary studies experienced in a foreign country, the secondary studies shall be reviewed by a recognized foreign credential evaluation expert or service following an evaluation of transcript(s) presented by the adult. The cost of the foreign credential evaluation expert or service ~~such review~~ shall be borne by the adult student.

G. Maintaining Student Records – N.J.A.C. 6A:20-2.87

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

~~Attendance records will be compiled and maintained in accordance with Board Policy No. 9330 and State Board of Education rules governing student records and with law and State Board of Education rules governing financial records.~~

H. Staffing – N.J.A.C. 6A:20-2.98

1. Pursuant to N.J.A.C. 6A:20-2.8, ~~T~~the adult high school shall have an adequate number of professional staff, properly certified for their respective assignments; however, persons involved in adult advisement shall be certified as either a Principal, supervisor, counselor, or teacher.



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2. The Board of Education shall assign to professional staff members only position titles recognized in N.J.A.C. 6A:9B —, State Board of Examiners and Certification.

I. Special Conditions – N.J.A.C. 6A:20-2.109

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

~~Monitoring – N.J.A.C. 6A:20-2.10~~

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

N.J.S.A. 18A:7C-8; 18A:38-16; 18A:48-1; 18A:50-1 et seq.
N.J.A.C. 6A:20-2.1 et seq.

Adopted:



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[See POLICY ALERT Nos. 197, 205, 209, 211, 220, and 226]

2622 STUDENT ASSESSMENT

State assessments provide parents with important information about their child's progress; detailed diagnostic information about each individual student's performance that educators, parents, and students can utilize to enhance foundational knowledge and student achievement; and include item analysis which will clarify a student's level of knowledge and understanding of a particular subject or area of a subject. The data derived from State assessments are utilized by teachers and administrators to pinpoint areas of difficulty and customize instruction accordingly. Such data can be accessed and utilized as a student progresses to successive school levels.

The Commissioner of Education, in accordance with N.J.S.A. 18A:7C-1 et seq. and 18A:7E-2 and 3, may implement assessments of student achievement in any grade(s) and by such assessments as the Commissioner deems appropriate. The system and related schedule of Statewide assessments shall be approved by the New Jersey State Board of Education. The school district shall, according to a schedule prescribed by the Commissioner, administer the applicable Statewide assessments pursuant to N.J.A.C. 6A:8-4.1(c) and (d).

Pursuant to N.J.A.C. 6A:8-4.1(c), all students at grade levels three through twelve, and at any other grade(s) designated by the Commissioner pursuant to N.J.A.C. 6A:8-4.1(a), shall take all appropriate Statewide assessments as scheduled. The school district will provide accommodations or modifications to the Statewide assessment system in accordance with the provisions of N.J.A.C. 6A:8-4.1(d).

Students with disabilities as defined in N.J.A.C. 6A:14-1.3 shall participate in Statewide assessments in accordance with N.J.A.C. 6A:14-4.10. The school district shall administer the alternative State assessment for students with disabilities in accordance with the provisions of N.J.A.C. 6A:8-4.1(d)3.

The school district shall implement alternative ways for students to demonstrate graduation proficiency in accordance with N.J.A.C. 6A:8-5.1(a)6, (f), (g), (h), or (i), as applicable.



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The school district shall maintain an accurate record of each student's performance on Statewide assessments and maintain for every student a ninth grade through graduation transcript in accordance with the provisions of N.J.A.C. 6A:8-4.2(d). The Superintendent shall report assessment results to the public and provide educators, parents, and students with assessment results in accordance with the provisions of N.J.A.C. 6A:8-4.3.

N.J.S.A. 18A:7C-1 et seq.; 18A:7E-2; 18A:7E-3

N.J.A.C. 6A:8-4.1 et seq.; 6A:8-5.1; 6A:14-1.1 et seq.; 6A:14-3.7; 6A:14-4.10

Adopted:



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[See POLICY ALERT No. 226]

3233 POLITICAL ACTIVITIES

The Board of Education recognizes and encourages the right of all citizens, including teaching staff members, to engage in political activity. **However, t**~~The~~ Board prohibits the use of school **grounds 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 **grounds 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 **grounds premises** nor distribute such circulars or petitions to students nor solicit campaign funds or campaign workers on school **grounds premises**;
3. A teaching staff member shall not display any material that would tend to promote any candidate for office on an election day **on in-a** school **grounds facility** that **are 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 **grounds property**, which **activity** is intended and/or designed to promote, further or assert a position(s) on labor relations issues.

In accordance with N.J.S.A. 18A:6-8.1., a **A teaching** ~~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 **the teaching staff member's his/her** attendance at regular or special sessions of the legislature and hearings or meetings of any legislative committee or commission.



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In accordance with N.J.S.A. 18A:6-8.2., a ~~A~~ **teaching** ~~certificated~~ staff member employed by this district who is a member of the Board of **County Commissioners** ~~Chosen Freeholders~~ of any county of New Jersey shall be entitled to time off from ~~the teaching staff member's his/her~~ duties, without pay, during the periods of ~~the teaching staff member's his/her~~ attendance at regular or special meetings of the Board of **County Commissioners** and of any committee thereof and at such other times as ~~the teaching staff member he/she~~ shall be engaged in performing the necessary functions and duties of ~~the teaching staff member's his/her~~ office as a member of the Board of **County Commissioners**.

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 ~~P~~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 **teaching** staff member or a 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:



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[See POLICY ALERT Nos. 186, 205, 208, 209, 211, and 226]

5460 HIGH SCHOOL GRADUATION

The Board of Education will recognize the successful completion of the secondary school instructional program by the award of a State-endorsed diploma certifying the student has met all State and local requirements for high school graduation in accordance with N.J.A.C. 6A:8-5.1 et seq. The Board will annually certify to the Executive County Superintendent each student who has been awarded a diploma and has met the requirements for graduation.

As defined in N.J.A.C. 6A:8-1.3, "credit" means the award for the equivalent of a class period of instruction, which meets for a minimum of forty minutes, one time per week during the school year or as approved through N.J.A.C. 6A:8-5.1(a)2 and A.1.b. below.

A. High School Graduation Requirements – N.J.A.C. 6A:8-5.1

1. For a State-endorsed diploma, the Board shall develop, adopt, and implement graduation requirements that prepare students for success in post-secondary degree programs, careers, and civic life in the 21st century, and that include the following:

- a. A graduating student must have earned a minimum of 130 (four-year high school: no fewer than 120) credits in courses designed to meet all of the New Jersey Student Learning Standards (NJSLS), including, but not limited to, the following credits:

- (1) 20 (At least twenty) credits in English language arts aligned to grade nine through twelve standards;
- (2) 15 (At least fifteen) credits in mathematics, including Algebra I or the content equivalent; geometry or the content equivalent; and a third year of mathematics that builds on the concepts and skills of algebra and geometry and that prepares students for college and 21st century careers;



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- (3) 15 (At least fifteen) credits in science, including at least five credits in laboratory biology/life science or the content equivalent; one additional laboratory/inquiry-based science course, which shall include chemistry, environmental science, or physics; and one additional laboratory/inquiry-based science course;
- (4) 15 (At least fifteen) credits in social studies, including satisfaction of N.J.S.A. 18A:35-1 and 18A:35-2; five credits in world history; and the integration of civics, economics, geography, and global content in all course offerings;
- (5) 2.5 (At least two and one-half) credits in financial, economic, business, and entrepreneurial literacy;
- (6) 3³/₄ (At least three and three-quarters) credits in health, safety, and physical education during each year of enrollment, distributed as one hundred fifty minutes per week, as required by N.J.S.A. 18A:35-5, 7, and 8;
- (7) 5 (At least five) credits in visual and performing arts;
- (8) 5 (At least five) credits in world languages or student demonstration of proficiency as set forth in N.J.A.C. 6A:8-5.1(a)2ii(2) and A.1.b.(2)(b) below;
- (9) Technological literacy, consistent with the NJSLS, integrated throughout the curriculum;
- (10) 5 (At least five) credits in 21st century life and careers, or career-technical education; and
- (11) Electives as determined by the high school program sufficient to total a minimum of 120 (must be at least 120) credits.



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- b. The 120-credit requirement set forth in N.J.A.C. 6A:8-5.1(a)1. and in A.1.a. above may be met in whole or in part through program completion of a range of experiences that enable students to pursue a variety of individualized learning opportunities, as follows:
 - (1) The district shall establish a process to approve individualized student learning opportunities that meet or exceed the NJSLS.
 - (a) Individualized student learning opportunities in all NJSLS areas include, but are not limited to, the following:
 - (i) Independent study;
 - (ii) Online learning;
 - (iii) Study abroad programs;
 - (iv) Student exchange programs; and
 - (v) Structured learning experiences, including, but not limited to, work-based programs, internships, apprenticeships, and service learning experiences.
 - (b) Individualized student learning opportunities based upon specific instructional objectives aimed at meeting or exceeding the NJSLS shall:
 - (i) Be based on student interest and career goals as reflected in the Personalized Student Learning Plans;
 - (ii) Include demonstration of student competency;



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- (iii) Be certified for completion based on the district process adopted according to N.J.A.C. 6A:8-5.1(a)2.ii. and A.1.b.(2) below; and
 - (iv) Be on file in the school district and subject to review by the Commissioner of Education or designee.
 - (c) Group programs based upon specific instructional objectives aimed at meeting or exceeding the NJSLs shall be permitted and shall be approved in the same manner as other approved courses.
- (2) The district shall establish a process for granting of credits through successful completion of assessments that verify student achievement in meeting or exceeding the NJSLs at the high school level, including standards achieved by means of the individualized student learning opportunities enumerated at N.J.A.C. 6A:8-5.1(a)2 and A.1.b. above. Such programs or assessments may occur all or in part prior to a student's high school enrollment; no such locally administered assessments shall preclude or exempt student participation in applicable Statewide assessments at grades three through twelve.
- (a) The district shall choose assessments that are aligned with or exceed the NJSLs and may include locally designed assessments.
 - (b) The district shall choose from among the following assessment options to determine if students have achieved the level of language proficiency designated as Novice-High as

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defined by the American Council on the Teaching of Foreign Languages (ACTFL) and recognized as fulfilling the world languages requirement of the NJSLS:

- (i) The Standards-based Measurement of Proficiency (STAMP) online assessment;
 - (ii) The ACTFL Oral Proficiency Interview (OPI) or the Modified Oral Proficiency Interview (MOPI); or
 - (iii) New Jersey Department of Education-approved locally designed competency-based assessments.
- (3) The district shall establish a process to approve post-secondary learning opportunities that may consist of Advanced Placement (AP) courses, College-Level Examination Program (CLEP), or concurrent/dual enrollment at accredited higher education institutions.
- (a) The district shall award credit for successful completion of an approved, accredited college course that assures achievement of knowledge and skills that meets or exceeds the NJSLS.

- c. Local student attendance requirements;
- d. Other requirements established by the Board of Education as indicated below:

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- c. Any statutorily mandated requirements for earning a high school diploma;
- f. The requirement that all students demonstrate proficiency by achieving a passing score on the English Language Arts (ELA) and mathematics components of the State graduation proficiency test or through the alternative means at N.J.A.C. 6A:8-5.1(h) and A.7. below, if applicable, or for students who take the State graduation proficiency test but do not achieve a passing score through the alternative means set forth at N.J.A.C. 6A:8-5.1(g) and (i) and A.6. and A.8. below:
 - (1) Students in the graduating classes of 2019, 2020, 2021, and 2022 shall be required to demonstrate proficiency by achieving a passing score on the high school end-of-course PARCC assessments in ELA 10 and Algebra I or through alternative means set forth at N.J.A.C. 6A:8-5.1(f), (h), and (i) and A.5., A.7., and A.8. below.
- g. For students who have not demonstrated proficiency on the ELA and/or mathematics components of the State graduation proficiency test, the opportunity for the following will be provided:
 - (1) Remediation, pursuant to N.J.S.A. 18A:7C-3.; and
 - (2) One or more additional opportunities to demonstrate proficiency on the State graduation proficiency test, pursuant to N.J.S.A. 18A:7C-6; and
- h. Students graduating from an adult high school shall demonstrate proficiency in the ELA and mathematics components of the State graduation proficiency test, or through alternative means set forth at N.J.A.C. 6A:8-5.1(f) through (i) and A.5. through A.8. below.



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2. In the development of Personalized Student Learning Plans according to N.J.A.C. 6A:8-3.2(a), the district shall actively encourage all students who have otherwise met the requirements for high school graduation according to N.J.A.C. 6A:8-5.1(a)1 through 3 and A.1.a. through A.1.c. above, to include in their programs of study the following additional credits:
 - a. Five credits in mathematics during each year of enrollment, aimed at preparation for entrance into post-secondary programs or 21st century careers;
 - b. Five credits in a laboratory science during each year of enrollment, aimed at preparation for entrance into post-secondary programs or 21st century careers;
 - c. Five credits in social studies during each year of enrollment, aimed at preparation for entrance into post-secondary programs or 21st century careers; and
 - d. Five credits in world languages during each year of enrollment, aimed at preparation for entrance into post-secondary programs or 21st century careers.
3. The district shall provide to the Executive County Superintendent the district's graduation requirements each year they are evaluated through Quality Single Accountability Continuum (QSAC) and update the district's filed copy each time the graduation policy is revised.
4. The district shall provide each student entering high school and their parents with a copy of the district's requirements for a State-endorsed diploma and the programs available to assist students in attaining a State-endorsed diploma, in accordance with N.J.S.A. 18A:7C-5.
5. To ensure adequate transition to the new Statewide assessment systems, the district shall provide students in the graduating classes of 2018, 2019, 2020, 2021, and 2022 who have not demonstrated proficiency on the high school end-of-course PARCC assessments in ELA 10 and Algebra I with the opportunity to demonstrate competence through one of the alternative means set forth below:



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- a. For the graduating classes of 2018, 2019, 2020, 2021, and 2022, students who did not take the ELA 10 and the Algebra I end-of-course PARCC assessment or who take but do not achieve a passing score on both assessments, as required by N.J.A.C. 6A:8-5.1(a)6 and A.1.f. above, may satisfy the State requirement to demonstrate proficiency in English language arts and/or mathematics in one of the following ways:
 - (1) Achieve a passing score, as determined by the Commissioner of Education, on a corresponding substitute competency test in English language arts and/or mathematics, as applicable, or substitute a passing score on another end-of-course PARCC assessment, including ELA 9, ELA 11, Geometry, or Algebra II; or
 - (2) Meet the criteria of the portfolio appeals process.
6. For students in the graduating classes of 2023, 2024, and 2025, the alternative means referenced at N.J.A.C. 6A:8-5.1(a)6 and A.1.f. above shall be as follows:
 - a. Achieve a passing score, as determined by the Commissioner of Education and approved by the New Jersey State Board of Education, on a corresponding substitute competency test in English language arts and/or mathematics, as applicable; and/or
 - b. Demonstrate proficiency through the portfolio appeals process, pursuant to N.J.S.A. 18A:7C-3.
7. All English language learners (ELLs) shall satisfy the requirements for high school graduation, except ELLs may demonstrate they have attained State minimum levels of proficiency through passage of the portfolio appeals process in their native language, when available, and passage of a New Jersey Department of Education-approved, English fluency assessment.

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8. Students, including students with disabilities as defined in N.J.A.C. 6A:14-1.3 or eligible under Section 504 of the Rehabilitation Act who participate in the alternative assessment for students with disabilities, are not required to participate in repeated administrations of high school assessment components required at N.J.A.C. 6A:8-4.1(c).
9. For students in the graduating classes of 2019, 2020, 2021, and 2022, the New Jersey Department of Education (NJDOE) shall consider high school end-of-course State assessments to be equivalent to the corresponding high school end-of-course PARCC assessments.

B. High School Diplomas • N.J.A.C. 6A:8-5.2

1. The Board of Education shall award a State-endorsed high school diploma to prospective graduates who have met all of the requirements adopted in accordance with N.J.A.C. 6A:8-5.1(a), (c), or N.J.A.C. 6A:8-5.2(d) and A.1 above, C.1. below, or B.4. below.
2. The Board shall not issue a high school diploma to any student not meeting the criteria specified in the rule provisions referenced in B.1. above.
 - a. The district shall provide students exiting grade twelve without a diploma the opportunity for continued high school enrollment to age twenty or until the requirements for a State-endorsed diploma have been met, whichever comes first.
 - b. The district shall allow any out-of-school individual to age twenty who has otherwise met all State and local graduation requirements but has failed to pass the State proficiency test to demonstrate proficiency through alternative means as set forth at N.J.A.C. 6A:8-5.1(a)6 through N.J.A.C. 6A:8-5.1(i) and in A.1.f. through A.8. above, as applicable, pursuant to the standards applicable to the student's graduating class. Students in graduating classes prior to 2018 shall demonstrate proficiency as set



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forth for the classes of 2018 through 2022 at N.J.A.C. 6A:8-5.1(f)1 and A.5.a. above. Upon certification of passing the test applicable to the student's class in accordance with N.J.A.C. 6A:8 and this Policy, a State-endorsed diploma shall be granted by the high school of record.

3. Pursuant to N.J.A.C. 6A:20-1.4, the Commissioner of Education shall award a State-issued high school diploma based on achieving the Statewide standard score on the General Education Development test (GED) or other adult education assessments to individuals age sixteen or older who are no longer enrolled in school and have not achieved a high school credential.
4. The Commissioner of Education shall award a State-issued high school diploma to individuals age sixteen or older and no longer enrolled in high school based on official transcripts showing at least thirty general education credits leading to a degree at an accredited institution of higher education. Included in the thirty general education credits must be a minimum of fifteen credits with at least three credits in each of the five general education categories as follows: English; mathematics; science; social science; and the humanities.
5. The Board shall award a State-endorsed high school diploma to any currently enrolled student, regardless of grade level, who:
 - a. Has demonstrated proficiency in the State graduation proficiency test, pursuant to N.J.A.C. 6A:8-5.1(a)6 and A.1.f. above, or as set forth at N.J.A.C. 6A:8-5.1(g) and A.6. above:
 - (1) The Board shall award a State-endorsed high school diploma to any currently enrolled student in the graduating classes of 2019, 2020, 2021, and 2022 who has demonstrated proficiency in the high school end-of-course PARCC assessments in ELA 10 and Algebra I, or as set forth in N.J.A.C. 6A:8-5.1(f) and in A.5. above;



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- b. Has presented official transcripts showing at least thirty general education credits leading to a degree at an accredited institution of higher education; and
 - c. Has formally requested such early award of a State-endorsed high school diploma.
 - 6. Pursuant to N.J.S.A. 18A:7C-7 and 18A:7E-3, the Superintendent shall report annually to the Board at a public meeting not later than September 30, and to the Commissioner of Education:
 - a. The total number of students graduated;
 - b. The number of students graduated under the substitute competency test process;
 - c. The number of students graduated under the portfolio appeals process;
 - d. The number of students receiving State-endorsed high school diplomas as a result of meeting any alternate requirements for graduation as specified in their individualized education programs (IEP);
 - e. The total number of students denied graduation from the twelfth grade class; and
 - f. The number of students denied graduation from the twelfth grade class solely because of failure to pass the high school end-of-course PARCC assessments, the State graduation proficiency test, substitute competency tests, or portfolio appeals process based on the provisions of N.J.A.C. 6A:8.
- C. Students with Disabilities – N.J.A.C. 6A:8-5.1(c) and N.J.A.C. 6A:14-4.11
 - 1. Through the IEP process set forth at N.J.A.C. 6A:14-3.7 and pursuant to N.J.A.C. 6A:14-4.11, the Board may specify alternate requirements for a State-endorsed diploma for individual students with disabilities as defined at N.J.A.C. 6A:14-1.3.



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- a. The district shall specifically address any alternate requirements for graduation in a student's IEP, in accordance with N.J.A.C. 6A:14-4.11.
 - b. The district shall develop and implement procedures for assessing whether a student has met the specified alternate requirements for graduation individually determined in an IEP.
2. The IEP of a student with a disability who enters a high school program shall specifically address the graduation requirements. The student shall meet the high school graduation requirements pursuant to N.J.A.C. 6A:8-5.1 and A. above, except as specified in the student's IEP. The IEP shall specify which requirements would qualify the student with a disability for the State-endorsed diploma issued by the Board responsible for the student's education.
3. Graduation with a State-endorsed diploma is a change of placement that requires written notice pursuant to N.J.A.C. 6A:14-2.3(f) and (g).
 - a. As part of the written notice, the parent shall be provided with a copy of the procedural safeguards statement published by the NJDOE.
 - b. As with any proposal to change the educational program or placement of a student with a disability, the parent may resolve a disagreement with the proposal to graduate the student by requesting mediation or a due process hearing prior to graduation.
 - c. In accordance with N.J.A.C. 6A:14-3.8(d), a reevaluation shall not be required.
 - d. When a student graduates or exceeds the age of eligibility, the student shall be provided a written summary of their academic achievement and functional performance prior to the date of the student's graduation or the conclusion of the school year in which the student exceeds the age of eligibility. The summary shall include recommendations to assist the student in meeting their postsecondary goals.

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4. If a student attends a school other than that of the school district of residence that is empowered to grant a diploma, the student shall have the choice of receiving the diploma of the school attended or the diploma of the school district of residence.
 - a. If the school the student is attending declines to issue a diploma to the student, the Board of the school district of residence shall issue the student a diploma if the student has satisfied all State and local graduation requirements, as specified in the student's IEP.
5. If the Board grants an elementary school diploma, a student with a disability who fulfills the requirements of their IEP shall qualify for and receive a diploma.
6. Students with disabilities who meet the standards for graduation according to N.J.A.C. 6A:14-4.11 and C. of this Policy shall have the opportunity to participate in graduation exercises and related activities on a nondiscriminatory basis.

[Optional]

D. State Seal of Biliteracy – N.J.A.C. 6A:8-5.3

1. The Board may award a State Seal of Biliteracy to any student who has met all requirements in N.J.A.C. 6A:8-5.2 and B. above and demonstrates proficiency in the following:
 - a. One or more world languages via an approved assessment pursuant to N.J.A.C. 6A:8-5.3(f) and D.6. below during the student's next to last or final year of high school; and
 - (1) Pursuant to N.J.S.A. 18A:7C-15, a foreign language other than English also shall include, but not be limited to, American Sign Language, Latin, and Native American languages.
 - b. English language arts as set forth in N.J.A.C. 6A:8-5.1(a)6 and A.1.f. above.



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2. A Board that chooses to award the State Seal of Biliteracy shall incorporate the process into the developed, adopted, and implemented Policy 5460 – High School Graduation pursuant to N.J.A.C. 6A:8-5.1(a) and A.1. above, denoting participation in the voluntary program. A Board choosing to participate shall submit, in accordance with N.J.A.C. 6A:8-5.1(d) and A.3. above, a copy of Policy 5460 – High School Graduation that reflects the option for students to participate in the State Seal of Biliteracy.
3. The Board of Education [☒ shall pay the costs ☐ shall charge a fee to the student] for related assessments and transcript insignias.
4. The Board of Education shall do the following:
 - a. Provide the NJDOE with information regarding students who qualify for the State Seal of Biliteracy pursuant to N.J.A.C. 6A:8-5.3(a) and D.1. above;
 - b. Present each student who qualifies pursuant to D.1. above with a New Jersey Department of Education-issued certificate;
 - c. Include the Commissioner of Education-developed insignia on the student's transcript; and
 - d. Maintain appropriate records to identify students who have earned the State Seal of Biliteracy.
5. The Board shall not award a State Seal of Biliteracy to any student who does not meet the criteria in N.J.A.C. 6A:8-5.3(a) and D.1. above and shall not include the Commissioner of Education-developed insignia on the student's transcript.
6. A list of New Jersey Department of Education-approved, nationally recognized assessments and the Statewide scores necessary for a student to satisfy requirements for the State Seal of Biliteracy shall be set by a resolution approved by the New Jersey State Board of Education.



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- a. If an approved assessment, pursuant to N.J.A.C. 6A:8-5.3(f) and D.6. above, does not exist for a particular language, the Board may administer a NJDOE-approved, locally designed proficiency-based assessment.]

N.J.S.A. 18A:7C-3; 18A:7C-5; 18A:7C-6; 18A:7C-7; 18A:7C-15; 18A:7E-3
18A:35-1; 18A:35-2; 18A:35-5; 18A:35-7; 18A:35-8

N.J.A.C. 6A:8-1.3; 6A:8-5.1 et seq.; 6A:14-1.3; 6A:14-2.3; 6A:14-3.7
6A:14-3.8; 6A:14-4.11; 6A:20-1.4

Adopted:



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[See POLICY ALERT No. 226]

[MANDATED FOR SCHOOL DISTRICTS WITH A MIDDLE SCHOOL
AND/OR HIGH SCHOOL AND OPTIONAL FOR SCHOOL DISTRICTS
WITH ONLY AN ELEMENTARY SCHOOL(S)]

5541 ANTI-HAZING

A safe and civil environment in school is necessary for students to learn and achieve high academic standards. Hazing is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe and disciplined environment. The Board of Education prohibits acts of hazing and adopts this Policy against hazing in accordance with N.J.S.A. 18A:37-32.2. The provisions of this Policy apply to [☒ high school(s); ☒ middle school(s); and/or ☐ elementary school(s)] in the school district.

"Hazing" in a school setting includes, but is not limited to, conduct by an individual(s) who is a member and/or representative of a school-sponsored student organization, club, or athletic team where such individual(s) conditions a student's acceptance as a member into such group on whether the student engages in activities that are humiliating, demeaning, intimidating, and exhausting to the student.

N.J.S.A. 2C:40-3.a. indicates hazing may also include, but is not limited to, the conduct outlined below:

1. An individual(s) causes, coerces, or otherwise induces a student to commit an act that violates Federal or State criminal law;
2. An individual(s) causes, coerces, or otherwise induces a student to consume any food, liquid, alcoholic liquid, drug or other substance which subjects the student to a risk of emotional or physical harm or is otherwise deleterious to the student's health;
3. An individual(s) subjects a student to abuse, mistreatment, harassment, or degradation of a physical nature, including, but not limited to, whipping, beating, branding, excessive calisthenics, or exposure to the elements;

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4. An individual(s) subjects a student to abuse, mistreatment, harassment, or degradation of a mental or emotional nature, including, but not limited to, activity adversely affecting the mental or emotional health or dignity of the individual, sleep deprivation, exclusion from social contact, or conduct that could result in extreme embarrassment;
5. An individual(s) subjects a student to abuse, mistreatment, harassment, or degradation of a sexual nature; or
6. An individual(s) subjects a student to any other activity that creates a reasonable likelihood of bodily injury to the student.

Board of Education members, school employees, and contracted service providers are required to report an alleged incident of hazing that may take place or has taken place on or off school grounds to the Principal or designee on the same day when the individual witnessed or received reliable information regarding such an incident. Students, parents, volunteers, or visitors are encouraged to report an alleged incident of hazing that may take place or has taken place on or off school grounds to the Principal or designee on the same day when the individual witnessed or received reliable information regarding any such incident.

Any report of an alleged incident of hazing shall be immediately investigated by the Principal or designee in accordance with procedures used to investigate alleged violations of the Student Discipline/Code of Conduct and Policy and Regulation 5600. A Principal or designee who receives a report of an alleged incident of hazing and fails to initiate or conduct an investigation and fails to minimize or eliminate the hazing may be subject to disciplinary action.

The Principal or designee may identify behavior when investigating an alleged incident of hazing indicating harassment, intimidation, or bullying (HIB) pursuant to N.J.S.A. 18A:37-14 et seq. – New Jersey Anti-Bullying Bill of Rights Act (ABR). If the Principal or designee identifies behavior indicating HIB, the Principal or designee shall ensure a separate investigation is conducted in accordance with the ABR and Policy 5512.



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The Superintendent or designee shall report to local law enforcement any hazing incident that rises to the level of mandatory reporting under the "Uniform Memorandum of Agreement Between Education Officials and Law Enforcement Officials" or any other agreement between local law enforcement and the school district pursuant to N.J.A.C. 6A:16-5.1(b).

Hazing that involves the participation of a coach, teacher, or other adult may constitute child abuse and shall be addressed in accordance with N.J.S.A. 18A:36-25 and Policy and Regulation 8462.

The Board shall enforce any penalty for violation of this Policy in accordance with the student code of conduct and Policy and Regulation 5600, or any other applicable Board Policy or Regulation. In accordance with N.J.S.A. 18A:37-32.3 appropriate penalties for a violation of this Policy may include, but are not limited to:

1. Withholding of diplomas or transcripts pending compliance with the rules;
2. Rescission of permission for the organization or group whose student member(s) are being penalized under this Policy, to operate on school property or to otherwise operate under the sanction or recognition of the school district; and
3. The imposition of probation, suspension, dismissal, or expulsion of a student member(s).

Any discipline instituted in response to a violation of this Policy may be in addition to discipline for a violation of Policy 5512, Policy and Regulation 5600, and any other applicable Board Policy and Regulation.

The school district shall ensure that students are informed of this Policy, including the rules, penalties, and program of enforcement under this Policy. This Policy shall be posted on the school district's publicly accessible Internet website.

N.J.S.A. 18A:36-25; 18A:37-13.2; 18A:37-14 et seq.; 18A:37-32.2;
18A:37-32.3
N.J.A.C. 6A:16-5.1

Adopted:



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[See **POLICY ALERT** No. 226]

7540 JOINT USE OF FACILITIES

The Board of Education **supports** ~~advocates~~ the joint expenditure of **school** district funds and municipal or county funds to provide ~~these~~ facilities from which the entire community, ~~children and adults alike~~, may derive benefits.

~~In accordance with this policy~~; ~~T~~he Board may, as the opportunity or need arises and ~~as it is entitled to do so by law~~, join with

Choose one or more of the following:

- ☐ the local municipal governing body
- ☐ each or all of the governing bodies of municipalities comprising ~~the this~~ school district
- ☒ the Board of **County Commissioners** ~~Chosen Freeholders~~ of ~~the this~~ county

in acquiring, improving, equipping, operating, or maintaining jointly used facilities **in accordance with applicable law**.

N.J.S.A. 18A:20-19 ~~et seq.~~; 18A:20-34

~~Cross reference: Policy Guide Nos. 9310, 9340~~

Adopted:



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Jan 22

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[Sec POLICY ALERT No. 226]

8465 BIAS HATE CRIMES AND BIAS-RELATED ACTS

The Board of Education is committed to providing a safe and healthy environment for all children in the school district. **Bias Hate** crimes and bias-related acts involving students can lead to further violence and retaliation. **Bias Hate** crimes and bias-related acts, by their nature are confrontational, inflame tensions, and promote social hostility and will not be tolerated by the school district. The School district employees will work closely with local law enforcement and the county prosecutor's office to report or eliminate the commission of **bias hate** crimes and bias-related acts.

Definitions

A "bias hate crime" means is any criminal offense where the person or persons committing the offense acted with a purpose to intimidate an individual or group of individuals because of race;; color;; religion; gender; disability;; religion; sexual orientation;; gender identity or expression; national origin; or ethnicity.

A "bias-related act" means is an act directed at a person, group of persons, private property, or public property that is motivated in whole or in part by racial;; gender;; disability;; religion; or sexual orientation;; gender identity or expression; national origin; or ethnic prejudice. A bias-related act need not involve conduct that constitutes a criminal offense.

All bias hate crimes are also bias-related acts, but not all bias-related acts will constitute a **bias hate** crime.

Required Actions

School employees shall immediately notify the Principal and the Superintendent or designee when in the course of their his/her employment they develops reason to believe that (1) a **bias hate crime or bias-related act** has been committed or is about to be committed in accordance with N.J.A.C. 6A:16-6.3(e). ~~on school property, or has been or is about to be committed by any student, whether on or off school property, and whether or not such offense was or is about to be committed during operating~~

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Bias Hate Crimes and Bias-Related Acts

~~school hours, or (2) 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 operating school hours, the school employee shall immediately notify the Building Principal and Superintendent, who in turn,~~

The Superintendent or designee shall promptly notify the _____ local pPolice dDepartment and the bBias iInvestigation oOfficer for the county prosecutor's office when a bias crime or bias-related act has been committed or is about to be committed in accordance with N.J.A.C. 6A:16-6.3(c)1.

The Principal and the Superintendent or designee shall immediately notify the _____ local pPolice dDepartment and the bias investigation officer for the county prosecutor's office immediately where if there is reason to believe that a bias hate crime or bias-related act that involves an act of violence has been or is about to be physically committed against a student, or there is otherwise reason to believe that a life has been or will be threatened in accordance with N.J.A.C. 6A:16-6.3(c)2.

~~Whenever any school employee in the course of his/her employment has reason to believe that a bias related act has been committed or is about to be committed on school property, or has been or is about to be committed by any student, whether on or off school property and whether or not such bias related act was or is to be committed during operating school hours, the school employee should immediately notify the Building Principal and Superintendent, who in turn should promptly notify the _____ Police Department.~~

~~In deciding whether to refer the matter of a bias related act to the _____ Police Department or the county prosecutor's office, the Building Principal and the Superintendent, should consider the nature and seriousness of the conduct and the risk that the conduct posed to the health, safety and well being of any student, school employee or member of the general public. The Building Principal and Superintendent should also consider the possibility that the suspected bias related act could escalate or result in some form of retaliation which might occur within or outside school property.~~



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It is understood a referral to the _____ local pPolice dDepartment or county prosecutor's office pursuant to the Memorandum of Agreement between Education and Law Enforcement Officials is only a transmittal of information that might be pertinent to a law enforcement investigation and is not an accusation or formal charge.

Unless the _____ local pPolice dDepartment or the county prosecutor's office request otherwise, the school district may continue to investigate a suspected bias hate crime or bias-related act occurring on school grounds property and may take such actions as necessary and appropriate to redress and remediate any such acts.

School officials will secure and preserve any such graffiti or other evidence of a suspected ~~bias hate~~ crime or bias-related act pending the arrival of the _____ local pPolice dDepartment or the county prosecutor's office. The school officials, ~~where~~ ~~when~~ feasible, will cover or conceal such evidence until the arrival of the _____ local pPolice dDepartment or county prosecutor's office.

N.J.S.A. 2C:16-1

N.J.A.C. 6A:16-6.1 ~~et seq.~~; 6A:16-6.2; 6A:16-6.3(e)

State Memorandum of Agreement approved by the Department
of Law & Public Safety and the Department of Education

Adopted:

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[See POLICY ALERT No. 226]

9560 ADMINISTRATION OF SCHOOL SURVEYS

The Board of Education believes the administration of school surveys may be necessary and valuable to the educational program in the school district. The Board recognizes certain student information is personal and some students or parents may not want this information shared with the school district. Therefore, the Board shall ensure school surveys are administered in accordance with N.J.S.A. 18A:36-34 and 18A:36-34.1 and this Policy.

A. School Surveys, Certain, Parental Consent Required Before Administration – N.J.S.A. 18A:36-34

1. Unless the school district receives prior written informed consent from a student's parent and provides for a copy of the document to be available for viewing at convenient locations and time periods, the school district shall not administer to a student any academic or nonacademic survey, assessment, analysis, or evaluation which reveals information concerning:
 - a. Political affiliations;
 - b. Mental and psychological problems potentially embarrassing to the student or the student's family;
 - c. Sexual behavior and attitudes;
 - d. Illegal, anti-social, self-incriminating, and demeaning behavior;
 - e. Critical appraisals of other individuals with whom a respondent has a close family relationship;
 - f. Legally recognized privileged or analogous relationships, such as lawyers, physicians, and ministers;



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g. Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under a program; or

h. Social security number.

2. The school district shall request prior written informed consent at least two weeks prior to the administration of the survey, assessment, analysis, or evaluation.

3. A student shall not participate in any survey, assessment, analysis, or evaluation that concerns the issues listed in A.1. above and N.J.S.A. 18A:36-34.a. unless the school district has obtained prior written informed consent from the student's parent.

B. Voluntary Survey for Students with Prior Parental Written Notification – N.J.S.A. 18A:36-34.1

1. In accordance with N.J.S.A. 18A:36-34.1 and notwithstanding, N.J.S.A. 18A:36-34 and A. above, or any other law, rule, or regulation to the contrary, if the school district sends prior written notification to the parent of the student, the school district may administer an anonymous, voluntary survey, assessment, analysis, or evaluation to the student which reveals information concerning any of the following issues:

a. Use of alcohol, tobacco, drugs, and vaping;

b. Sexual behavior and attitudes;

c. Behaviors that may contribute to intentional or unintentional injuries or violence; or

d. Physical activity and nutrition-related behaviors.



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2. Written notification provided by the school district to the parent of the student shall be delivered to the parent by regular mail, electronic mail, or a written acknowledgement form to be delivered by the student at least two weeks prior to administration of the survey, assessment, analysis, or evaluation. Written notification shall contain, at minimum, the following information:
 - a. A description of the survey, assessment, analysis, or evaluation;
 - b. The purpose for which the survey, assessment, analysis, or evaluation is needed;
 - c. The entities and persons that will have access to the information generated by the survey, assessment, analysis, or evaluation;
 - d. Specific instruction as to when and where the survey, assessment, analysis, or evaluation will be available for parental review prior to its administration;
 - e. The method by which the parent can deny permission to administer the survey, assessment, analysis, or evaluation to the student; a form specifically providing for such denial shall be included with this notice;
 - f. The names and contact information of persons to whom questions can be directed; and
 - g. A statement advising that failure to respond indicates approval of participation in the survey, assessment, analysis, or evaluation.
3. Information obtained through a survey, assessment, analysis, or evaluation administered to a student in accordance with N.J.S.A. 18A:36-34.1 and B. above, shall be submitted to the New Jersey Department of Education and the New Jersey Department of Health. Information may be used to develop public health initiatives and prevention programs. Information shall not be used for marketing or other commercial purposes that are not related to student health.



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C. Violations – N.J.S.A. 18A:36-34.d.

A violation by the school district of N.J.S.A. 18A:36-34; 18A:36-34.1, and this Policy shall be subject to such monetary penalties as determined by the New Jersey Commissioner of Education.

D. Compliance with Federal Law

In addition to compliance with the provisions of N.J.S.A. 18A:36-34, 18A:36-34.1, and this Policy, the Superintendent or designee shall ensure compliance with the provisions of Policy 2415.05 – Student Surveys, Analysis, Evaluations, Examinations, Testing, or Treatment before students are required to participate in a survey, analysis, evaluation, examination, testing, or treatment funded in whole or part by a program of the United States Department of Education that concerns one or more of the areas outlined in Policy 2415.05.

N.J.S.A. 18A:36-34; 18A:36-34.1

Adopted:



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Prevention and Treatment of Sports-Related
Concussions and Head Injuries
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[See POLICY ALERT Nos. 194, 197, and 226]

R 2431.4 PREVENTION AND TREATMENT OF SPORTS-RELATED CONCUSSIONS AND HEAD INJURIES

A concussion is a traumatic brain injury caused by a blow or motion to the head or body that disrupts the normal functioning of the brain and can cause significant and sustained neuropsychological impairments including, but not limited to, problem solving, planning, memory, and behavioral problems. Allowing a student to return to athletic competition or practice before recovering from a concussion increases the chance of a more serious brain injury. The following procedures shall be followed to implement N.J.S.A. 18A:40-41.1 et seq. and Policy 2431.4.

A. Athletic Head Injury Safety Training Program

1. The school district will adopt an athletic head injury safety training program.
2. The training program shall be completed by the school physician, any individual who coaches in an athletic competition, an athletic trainer involved in any athletic competition, and the school nurse.
3. This training program shall be in accordance with the guidance provided by the New Jersey Department of Education (NJDOE) and the requirements of N.J.S.A. 18A:40-41.2.

B. Prevention

1. The school district may require pre-season baseline testing of students before the student begins participation in athletic competition or practice. The baseline testing program shall be reviewed and approved by the school physician trained in the evaluation and management of sports-related concussions and other head injuries.



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2. The Principal or designee will review educational information for students participating in athletic competition or practice on the prevention of concussions.
3. All school staff members, students participating in athletic competition or practice, and parents of students participating in athletic competition or practice shall be annually informed through the distribution of the NJDOE Concussion and Head Injury Fact Sheet and Parent/Guardian Acknowledgement Form and other communications from the Principal and coaches on the importance of early identification and treatment of concussions to improve recovery.

C. Signs or Symptoms of Concussion or Other Head Injury

1. Possible signs of concussions may be observed by coaches, athletic trainer, school or team physician, school nurse, or other school staff members. Possible signs of a concussion may be, but are not limited to:
 - a. Appearing dazed, stunned, or disoriented;
 - b. Forgetting plays or demonstrating short-term memory difficulty;
 - c. Exhibiting difficulties with balance or coordination;
 - d. Answering questions slowly or inaccurately; and/or
 - e. Losing consciousness.
2. Possible symptoms of concussion shall be reported by the student participating in athletic competition or practice to coaches, athletic trainer, school or team physician, school nurse, and/or parent. Possible symptoms of a concussion may be, but are not limited to:
 - a. Headache;
 - b. Nausea/vomiting;



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- c. Balance problems or dizziness;
- d. Double vision or changes in vision;
- e. Sensitivity to light or sound/noise;
- f. Feeling sluggish or foggy;
- g. Difficulty with concentration and short-term memory;
- h. Sleep disturbance; or
- i. Irritability.

D. Medical Attention for a Student Suspected of a Concussion or Other Head Injury

1. A student who participates in athletic competition or practice and who sustains or is suspected of having sustained a concussion or other head injury while engaged in an athletic competition or practice shall be immediately removed from athletic competition or practice.
 - a. A staff member supervising the student during the athletic competition or practice shall immediately contact the school physician, athletic trainer, or school nurse to examine the student.
 - (1) The school physician, athletic trainer, or school nurse shall determine if the student has sustained or may have sustained a concussion or other head injury. The school physician, athletic trainer, or school nurse shall determine if emergency medical responders shall be called to athletic competition or practice.
 - (2) In the event the school physician, athletic trainer, or school nurse determine the student did not sustain a concussion or other head injury, the student shall not be permitted to participate in any further athletic competition or practice until written medical clearance is provided in accordance with E. below.

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2. The staff member supervising a student who has been removed from athletic competition or practice in accordance with D.1. above or another staff member shall contact the student's parent and the Principal or designee as soon as possible after the student has been removed from the athletic competition or practice.
 - a. A parent shall monitor their student for symptoms of a concussion or other head injury upon receiving such notification.

E. Medical Examination and Written Medical Clearance

1. A student who was removed from athletic competition or practice in accordance with D.1. shall not participate in further athletic competition or practice until:
 - a. The student is examined by a physician or other licensed healthcare provider trained in the evaluation and management of concussions;
 - b. The student receives written medical clearance from a physician trained in the evaluation and management of concussions to return to competition or practice; and
 - c. The student returns to regular school activities and is no longer experiencing symptoms of the injury while conducting those activities.
2. The student's written medical clearance from a physician must indicate a medical examination has determined:
 - a. The student's injury was not a concussion or other head injury, the student is asymptomatic at rest, and the student may return to regular school activities and is no longer experiencing symptoms of the injury while conducting those activities; or
 - b. The student's injury was a concussion or other head injury and the student's physician will monitor the student to determine when the student is asymptomatic at rest and



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when the student may return to regular school activities and is no longer experiencing symptoms of the injury while conducting those activities.

3. The student's written medical clearance must be reviewed and approved by the school physician.
4. The student may not begin the graduated return to athletic competition and practice protocol in F. below until the student receives a medical examination and provides the required written medical clearance.
5. A written medical clearance not in compliance with the provisions of E. will not be accepted.

F. Graduated Return to Athletic Competition and Practice Protocol

1. The return of a student to athletic competition and practice shall be in accordance with the graduated, six-step "Return to Play Progression" recommendations and any subsequent changes or updates to those recommendations as developed by the Centers for Disease Control and Prevention.

a. Back to Regular Activities (Such as School)

The student is back to their regular activities (such as school) and has the green-light from the student's physician approved by the school physician to begin the return to play process. A student's return to regular activities involves a stepwise process. It starts with a few days of rest (two-three days) and is followed by light activity (such as short walks) and moderate activity (such as riding a stationary bike) that do not worsen symptoms.

b. Light Aerobic Activity

Begin with light aerobic exercise only to increase the student's heart rate. This means about five to ten minutes on an exercise bike, walking, or light jogging. No weight lifting at this point.



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c. Moderate Activity

Continue with activities to increase the student's heart rate with body or head movement. This includes moderate jogging, brief running, moderate-intensity stationary biking, and/or moderate-intensity weightlifting (less time and/or less weight from their typical routine).

d. Heavy, Non-Contact Activity

Add heavy non-contact physical activity, such as sprinting/running, high-intensity stationary biking, regular weightlifting routine, and/or non-contact sport-specific drills (in three planes of movement).

e. Practice and Full Contact

The student may return to practice and full contact (if appropriate for the athletic competition) in controlled practice.

f. Athletic Competition

The student may return to athletic competition or practice.

2. It is important for a student's parent(s) and coach(es) to watch for concussion symptoms after each day's "Return to Play Progression" activity. A student should only move to the next step if they do not have any new symptoms at the current step.
3. If a student's symptoms return or if they develop new symptoms, this is a sign that a student is pushing too hard. The student should stop these activities and the student's health care provider should be contacted. After more rest and no concussion symptoms, a student can start at the previous step if approved by the student's healthcare provider and provides written medical clearance to the school physician.



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G. Temporary Accommodations for Student's Participating in Athletic Competition with Sports-Related Head Injuries

1. The concussed brain is affected in many functional aspects as a result of the injury. Memory, attention span, concentration, and speed of processing significantly impact learning. Further, exposing the concussed student to the stimulating school environment may delay the resolution of symptoms needed for recovery. Accordingly, consideration of the cognitive effects in returning to the classroom is also an important part of the treatment of sports-related concussions and head injuries.
2. To recover, cognitive rest is just as important as physical rest. Reading, studying, computer usage, testing, texting, and watching movies if a student is sensitive to light/sound can slow a student's recovery. The Principal or designee may look to address the student's cognitive needs as described below. Students who return to school after a concussion may need to:
 - a. Take rest breaks as needed;
 - b. Spend fewer hours at school;
 - c. Be given more time to take tests or complete assignments (all courses should be considered);
 - d. Receive help with schoolwork;
 - e. Reduce time spent on the computer, reading, and writing; and/or
 - f. Be granted early dismissal from class to avoid crowded hallways.

Adopted:



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Additional/Compensatory Special Education
and Related Services
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[See POLICY ALERT No. 226]

R 2460.30 ADDITIONAL/COMPENSATORY SPECIAL EDUCATION AND RELATED SERVICES

The Board of Education shall provide additional or compensatory special education and related services to students with disabilities beyond the age of twenty-one pursuant to N.J.S.A. 18A:46-6.3.

As used in N.J.A.C. 18A:46-6.3(h) and this Regulation, "parent" means the natural or adoptive parent, the legal guardian, resource family parent when willing to so serve, a surrogate parent, or a person acting in the place of a parent, such as a grandparent or stepparent with whom the student lives, or a person legally responsible for the student's welfare. "Parent" shall also include an adult student who has attained the age of eighteen, who is not under legal guardianship, and who is entitled to receive special education and related services.

A. Additional Special Education and Related Services

1. Notwithstanding the provisions of N.J.S.A. 18A:46-6, N.J.S.A. 18A:46-8, or of any other law, rule, or regulation concerning the age of eligibility for special education and related services to the contrary, the Board shall:
 - a. In the 2021-2022 school year, provide special education and related services contained in an Individualized Education Program (IEP) to a student with disabilities who attains the age of twenty-one during the 2020-2021 school year, provided the parent of the student and the IEP team determine that the student requires additional or compensatory special education and related services, including transition services, during the 2021-2022 school year.



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Additional/Compensatory Special Education
and Related Services

- (1) A student receiving special education and related services pursuant to N.J.S.A. 18A:46-6.3.a. and A.1. shall not be eligible to receive such education and services beyond June 30, 2022, unless otherwise provided in a student's IEP or as ordered by a hearing officer, complaint investigation, or court of competent jurisdiction.
2. Notwithstanding the provisions of N.J.S.A. 18A:46-6, N.J.S.A. 18A:46-8, or of any other law, rule, or regulation concerning the age of eligibility for special education and related services to the contrary, the Board shall:
 - a. In the 2022-2023 school year, provide special education and related services contained in an IEP to a student with disabilities who attains the age of twenty-one during the 2021-2022 school year, provided the parent of the student and the IEP team determine that the student requires additional or compensatory special education and related services, including transition services, during the 2022-2023 school year.
- (1) A student receiving special education and related services pursuant to N.J.S.A. 18A:46-6.3.b. and A.2. shall not be eligible to receive such education and services beyond June 30, 2023, unless otherwise provided in a student's IEP or as ordered by a hearing officer, complaint investigation, or court of competent jurisdiction.
3. Notwithstanding the provisions of N.J.S.A. 18A:46-6, N.J.S.A. 18A:46-8, or of any other law, rule, or regulation concerning the age of eligibility for special education and related services to the contrary, the Board shall:



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Additional/Compensatory Special Education and Related Services

- a. In the 2023-2024 school year, provide special education and related services contained in an IEP to a student with disabilities who attains the age of twenty-one during the 2022-2023 school year, provided that the parent of the student and the IEP team determine that the student requires additional or compensatory special education and related services, including transition services, during the 2023-2024 school year.

- (1) A student receiving special education and related services pursuant to N.J.S.A. 18A:46-6.3.c. and A.3. shall not be eligible to receive such education and services beyond June 30, 2024, unless otherwise provided in a student's IEP or as ordered by a hearing officer, complaint investigation, or court of competent jurisdiction.

B. Rights, Privileges, and Remedies

1. A student receiving special education and related services, including transition services, pursuant to N.J.S.A. 18A:46-6.3 and this Regulation shall be afforded the same rights, privileges, and remedies provided to students with disabilities pursuant to State law, New Jersey State Board of Education regulations concerning special education, and the Federal "Individuals with Disabilities Education Act," (IDEA) 20 USC §1400 et seq.
2. Any disputes that arise with respect to the provision or nature of services provided to a student with disabilities in the additional year as provided in accordance with N.J.S.A. 18A:46-6.3.a., b. and c., and A. above may be addressed as determined by the parent of the student with disabilities, by either:
 - a. Mediation;
 - b. A written request for a complaint investigation submitted to the Director of the Office of Special Education Policy and Dispute Resolution in the New Jersey Department of Education; or



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and Related Services

- c. A special education due process hearing pursuant to IDEA, N.J.S.A. 18A:46, or administrative code.

C. Funding

1. The special education and related services, including transition services, provided to students with disabilities pursuant to the provisions of N.J.S.A. 18A:46-6.3 and this Regulation, to the extent permitted by Federal law, be paid for from the monies received by the State or a school district under the Federal "Coronavirus Aid, Relief, and Economic Security (CARES) Act," Pub.L.116-136, the Federal "Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, 2021," Pub.L.116-260, the Federal "American Rescue Plan (ARP) Act," Pub.L.117-2, or any other Federal funding provided to address the impact of the coronavirus pandemic on elementary and secondary schools as it becomes available.
2. To the extent the Federal funds described in N.J.S.A. 18A:46-6.3.c.(1) and C.1. above do not cover the costs borne by the school district to provide the special education and related services, including transition services, to students with disabilities pursuant to the provisions of N.J.S.A. 18A:46-6.3 and this Regulation, the State of New Jersey shall appropriate funds as necessary from the Property Tax Relief Fund to reimburse the school district for these costs.
3. The special education and related services funded pursuant to the provisions of N.J.S.A. 18A:46-6.3.e. may include, but are not limited to, the additional staff, programs, and facilities deemed necessary by the school district to provide the special education and related services, including transition services, required under N.J.S.A. 18A:46-6.

Adopted:



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[See POLICY ALERT No. 226]

R 2622 STUDENT ASSESSMENT

A. Statewide Assessment System -- N.J.A.C. 6A:8-4.1

1. The school district shall, according to a schedule prescribed by the Commissioner of Education, administer the applicable Statewide assessments, including the following major components: the elementary assessment component for grades three through five; the middle school assessment component for grades six through eight; the high school assessment component; and the alternative State assessment for students with disabilities; and provide notification to each student entering grades three through twelve of the Statewide assessment schedule.
2. Pursuant to N.J.A.C. 6A:8-4.1(c), all students at grade levels three through twelve, and at any other grade(s) designated by the Commissioner of Education pursuant to N.J.A.C. 6A:8-4.1(a), shall take all appropriate Statewide assessments as scheduled.
 - a. The school district shall provide all appropriate accommodations or modifications to the Statewide assessment system as specified by the New Jersey Department of Education (NJDOE) for English language learners (ELLs) and students with disabilities as defined in N.J.A.C. 6A:14-1.3 or eligible under Section 504 of the Rehabilitation Act as specified in a student's Individualized Education Program (IEP) or 504 plan in accordance with N.J.A.C. 6A:8-4.1(d)1.
 - (1) The school district may administer the Statewide assessments in mathematics to ELLs in their native language, when available, and/or English.



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- (2) The school district shall have the option for a first-year ELL of substituting a NJDOE-approved language proficiency test only for the English language arts component of the Statewide assessment, when the student has entered the United States after June 1 of the calendar year prior to the test administration.
 - b. The school district shall ensure students with disabilities as defined in N.J.A.C. 6A:14-1.3 participate in Statewide assessments in accordance with N.J.A.C. 6A:14-4.10.
 - c. At specific times prescribed by the Commissioner of Education, the school district shall administer the alternative State assessment for students with disabilities to students with severe disabilities who cannot participate in other assessments due to the severity of their disabilities in accordance with N.J.A.C. 6A:8-4.1(d)3.
 - d. The school district shall implement alternative ways for students to demonstrate graduation proficiency in accordance with N.J.A.C. 6A:8-5.1(a)6, (f), (g), (h), or (i), as applicable.
3. Test Administration Procedures and Security Measures
- a. The school district shall be responsible for ensuring the security of all components of the Statewide assessment system that are administered within the school district.
 - b. All Statewide assessments shall be administered in accordance with the NJDOE's required test administration procedures and security measures.
 - c. Any breach of such procedures or measures shall be immediately reported to the Superintendent or designee.



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B. Documentation of Student Achievement – N.J.A.C. 6A:8-4.2

1. After each test administration, the NJDOE shall provide the Superintendent the following:
 - a. Rosters of student performance in each content area;
 - b. Individual student reports; and
 - c. School and school district summary data, including school and school district means, numbers tested, and percent achieving at each performance level.
 - (1) The school district summary data shall be aggregated and disaggregated, and school summary data shall be disaggregated, for students with disabilities as defined in N.J.A.C. 6A:14-1.3 and for ELLs.
2. The school district shall transmit within ten business days any official records, including transcripts, of students who transfer to other school districts or institutions.
3. The school district shall maintain an accurate record of each student's performance on Statewide assessments.
4. The school district shall maintain for every student a ninth grade through graduation transcript that contains the following, as available:
 - a. Results of all applicable State assessments, including assessments that satisfy graduation requirements set forth at N.J.A.C. 6A:8-5.1(a)6;
 - b. Results of any English language proficiency assessments according to N.J.A.C. 6A:8-5.1(h);
 - c. Evidence of instructional experience and performance in the New Jersey Student Learning Standards (NJSLS);
 - d. Evidence of technological literacy;



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- e. Evidence of career education instructional experiences and career development activities;
- f. Evidence of State-issued occupational licenses and credentials, industry-recognized occupational credentials, and/or technical skill assessments for students enrolled in NJDOE-approved career and technical education programs pursuant to N.J.A.C. 6A:19-3.2; and
- g. Any other information deemed appropriate by the school district.

C. Accountability – N.J.A.C. 6A:8-4.3

- 1. The Superintendent shall report final results of annual assessments to the Board and members of the public at a public meeting within sixty days of receipt of the information from the NJDOE.
- 2. The Superintendent shall provide educators, parents, and students with results of annual assessments as required under N.J.A.C. 6A:8-4.2(a) and B.1. above, within thirty days of receipt of information from the NJDOE.
- 3. The school district shall provide appropriate instruction to improve skills and knowledge for students performing below the established levels of student proficiency in any content area either on the Statewide or local assessments.
- 4. All students shall be expected to demonstrate the knowledge and skills of the NJSLS as measured by the Statewide assessment system.

D. Annual Review and Evaluation of School Districts – N.J.A.C. 6A:8-4.4

- 1. The NJDOE shall review the performance of schools and school districts by using a percent of students performing at the proficient level as one measure of annual measurable objective (AMO) and incorporating a progress criterion indicative of systemic reform.



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- a. The review shall include the performance of all students, including students with disabilities as defined by N.J.A.C. 6A:14-1.3, students from major racial and ethnic groups, economically disadvantaged students, and ELLs.
- b. The review shall take place at each grade level in which Statewide assessments are administered, using the AMO targets.

E. Public Reporting – N.J.A.C. 6A:8-4.5

1. In accordance with the requirements of N.J.A.C. 6A:8-4.5, the NJDOE shall report annually to the New Jersey State Board of Education and the public on the progress of all students and student subgroups in meeting the NJSLS as measured by the Statewide assessment system by publishing and distributing the NJDOE's annual New Jersey School Report Card in accordance with N.J.S.A. 18A:7E-2 through 5.
2. After each test administration, the NJDOE shall report to the Board on the performance of all students and of student subgroups.

F. Parental Notification

Parents shall be informed of the school district assessment system and of any special tests that are to be administered to their children.

Adopted:



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Bias Hate Crimes and Bias-Related Acts

Jan 22

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[See POLICY ALERT No. 226]

R 8465 BIAS HATE CRIMES AND BIAS-RELATED ACTS

A. Definitions

1. A **bias hate crime means** is any criminal offense where the person or persons committing the offense acted with a purpose to intimidate an individual or group of individuals because of race;; color;; **religion**; gender;; disability;; ~~religion~~; sexual orientation;; **gender identity or expression**; **national origin**; or ethnicity.
2. A **bias-related act means** is an act directed at a person, group of persons, private property, or public property that is motivated in whole or in part by racial;; gender;; disability;; religion;; sexual orientation;; **gender identity or expression**; **national origin**; or ethnic prejudice. A bias-related act need not involve **conduct an act** that constitutes a criminal offense.
3. All **bias hate crimes** are also bias-related acts, but not all bias-related acts will constitute a **bias hate crime**.

B. Procedure For Reporting **Bias Hate Crimes and Bias-Related Acts**

1. A school employee ~~shall immediately will~~ notify the **Building Principal and the Superintendent or designee when whenever** ~~the school employee,~~ in the course of **their his/her** employment, **they** develops reason to believe that:
 - a. A **bias hatecrime or a bias-related act** has been committed or is about to be committed on school **grounds property**; or
 - b. A **bias hatecrime or a bias-related act** has been or is about to be committed by **any student, whether** on or off school **grounds, property** and whether ~~or not~~ such offense was or **is about** to be committed during operating school hours; or
 - c. ~~That~~ **Aa** student enrolled in the school has been or is about to become the victim of a **bias hate crime or bias-related act, whether committed on or off school grounds, property** or during **operating** school hours.

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Bias Hate Crimes and Bias-Related Acts

2. The Superintendent or designee ~~Building-Principal~~ shall promptly will notify the Superintendent, the _____ local pPolice dDepartment and the bBias iInvestigation oOfficer for the county prosecutor's office when a bias crime or bias-related act has been committed or is about to be committed on school grounds, or has been or is about to be committed by a student on or off school grounds, and whether such offense was or is to be committed during operating school hours, or a student enrolled in the school has been or is about to become the victim of a bias crime or bias-related act on or off school grounds, or during operating school hours.
3. The ~~Principal~~ and the Superintendent or designee shall immediately notify the _____ local pPolice dDepartment and the bias investigation officer for the county prosecutor's office immediately where if there is reason to believe that a ~~bias hate crime~~ or bias-related act that involves an act of violence has been or is about to be physically committed against a student, or there is otherwise reason to believe that a life has been or will be threatened.

C. ~~Procedure For Reporting Bias Incidents~~

1. ~~A school employee should immediately notify the Building Principal whenever the school employee, in the course of his/her employment, develops reason to believe that:~~
 - a. ~~A bias-related act has been committed or is about to be committed on school property; or~~
 - b. ~~A bias-related act has been or is about to be committed by any student, whether on or off school property and whether or not such bias-related act was or is to be committed during school hours.~~
2. ~~The Building Principal will notify the Superintendent and the _____ Police Department.~~



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Bias Hate Crimes and Bias-Related Acts

3. — In deciding whether to refer the matter of a bias-related act to the Police Department or the county prosecutor's office, the Building Principal and the Superintendent, should consider:

a. — The nature and seriousness of the conduct; and

b. — The risk that the conduct posed to the health, safety and well being of any student, school employee or member of the general public.

4. — The Building Principal will consult with the Superintendent and should consider:

a. — That the police department or the county prosecutor's office may possess, or have access to, other information that could put the suspected bias-related act in proper context, which could shed light on the motivation for the act or some other unsolved hate crime; and

b. — The possibility that the suspected incident could escalate or result in some form of retaliation that might occur within or outside school property.

CD. Nature of Referral

1. The mandatory referral for suspected or committed bias hate crimes and ~~the presumptive referral for suspected or committed~~ bias-related acts as described in N.J.A.C. 6A:16-6.3(e) and ~~this~~ the Regulation is only a request to the law enforcement agencies to conduct an investigation and is nothing more than the transmittal of information which may be pertinent to any such law enforcement investigation.

2. — ~~Any referral in accordance with this regulation is not an accusation or formal charge.~~

3. — ~~Any referral pursuant to this regulation is predicated on the basis of reasonable suspicion, which is less than probable cause, less than the proof sufficient to sustain an adjudication of delinquency or a finding of guilt in a court of law and less than the proof sufficient to justify the imposition of school discipline.~~

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Bias Hate Crimes and Bias-Related Acts

4. ~~All doubts by school officials should be resolved in favor of referring a matter to the _____ Police Department or the county prosecutor's office.~~

DE. Concurrent Jurisdiction

1. Unless the _____ local ~~pPolice dDepartment~~ or the county prosecutor's office request otherwise, ~~the school officials district~~ may continue to investigate a suspected bias hate crime or bias-related act occurring on school grounds ~~property~~ and may take such actions as necessary and appropriate to redress and remediate any such acts.
2. ~~The Sschool~~ officials will immediately discontinue any ongoing school ~~the in-school~~ investigation if the _____ local ~~pPolice dDepartment~~ or the county prosecutor's office believe the school investigation could jeopardize an on-going law enforcement investigation or otherwise endanger the public safety.
 - a. Upon notice provided in D.2. above, school officials will take no further action without providing notice to and receiving the assent of the local police department or the county prosecutor's office.

EF. Preservation of Evidence

1. School officials will secure and preserve any such graffiti or other evidence of a suspected bias hate crime or bias-related act pending the arrival of the _____ local ~~pPolice dDepartment~~ or the county prosecutor's office.
2. The school officials, when feasible, will cover or conceal such evidence until the arrival of the _____ local ~~pPolice dDepartment~~ or county prosecutor's office in a manner designed to minimize the harm and continued exposure to students by such evidence, ~~but that will not permanently damage or destroy such evidence or otherwise limit its utility in an ongoing investigation or prosecution.~~



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3. ~~The _____ Police Department and/or the county prosecutor's office will photograph or otherwise document the location and content of any such graffiti or other bias-based evidence as soon as possible, so that the graffiti or other evidence may be removed or eliminated at the school district's earliest opportunity.~~

Issued:



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Recordkeeping for Healthcare Settings
in School Buildings – COVID-19

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[See POLICY ALERT No. 227]

1648.15 RECORDKEEPING FOR HEALTHCARE SETTINGS IN SCHOOL BUILDINGS – COVID-19

The Board of Education is committed to providing a safe and healthy workplace for all employees. The school district shall maintain its records in accordance with Occupational Safety and Health Act of 1970 (OSHA) COVID-19 Emergency Temporary Standard (ETS) published on June 21, 2021 as adopted by the Public Employees Occupational Safety and Health (PEOSH), the agency with jurisdiction over public employers in New Jersey. The provisions of the ETS have expired and are no longer in effect for school districts except for the provisions addressing recordkeeping, outlined in 29 CFR §1910.502(q). The ETS and this Policy are only applicable for employees working in the school nurse's office and any adjoining clinical areas in the school building.

For the purpose of this Policy, "employee" means any district employee or contracted service provider working in a healthcare setting where people with suspected or confirmed COVID-19 are reasonably expected to be present. Therefore, the provisions of the ETS and this Policy only apply to employees or contracted service providers working in a nurse's office or any adjoining clinical areas.

For the purpose of this Policy, "healthcare setting" means all settings in the school district where any employee or contracted service provider provides healthcare services or healthcare support services. Where a healthcare setting is embedded within a non-healthcare setting (i.e. school nurse's office and any adjoining clinical areas in a school building), the ETS and this Policy only apply to the embedded healthcare setting and not to the remainder of a school building.

The school district will retain all versions of Policy 1648.14 – Safety Plan for Healthcare Settings in School Buildings, to comply with the ETS while the ETS remains in effect, even after Policy 1648.14 has been abolished.



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Recordkeeping for Healthcare Settings in School Buildings -- COVID-19

The school district will establish and maintain a COVID-19 log to record each instance in which an employee is COVID-19 positive, regardless of whether the instance is connected to exposure to COVID-19 at work. The COVID-19 log will contain, for each instance, the employee's name, one form of contact information, occupation, location where the employee worked, the date of the employee's last day in the healthcare setting, the date of the positive test for, or diagnosis of, COVID-19, and the date the employee first had one or more COVID-19 symptoms, if any were experienced.

The school district will record the information in the COVID-19 log within twenty-four hours of learning the employee is COVID-19 positive. The school district will maintain the COVID-19 log as a confidential medical record and will not disclose it except as required by the ETS or other Federal law. The school district will maintain and preserve the COVID-19 log while the ETS remains in effect.

By the end of the next business day after a request, the school district will provide for examination and copying: all versions of Policy 1648.14; the individual COVID-19 log entry for a particular employee to that employee and to anyone having written authorized consent of that employee; and a version of the COVID-19 log that removes the names of employees, contact information, and occupation, and only includes, for each employee in the COVID-19 log, the location where the employee worked, the last day that the employee was in the healthcare setting before removal, the date of that employee's positive test for, or diagnosis of, COVID-19, and the date the employee first had one or more COVID-19 symptoms, if any were experienced, to all employees.

29 CFR §1910.502(q)

Adopted:



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Title I – District-Wide Parent and Family Parental
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[See POLICY ALERT Nos. 191 and 227]

2415.04 TITLE I – DISTRICT-WIDE PARENT AND FAMILY PARENTAL INVOLVEMENT ENGAGEMENT

In support of strengthening student academic achievement, each school district that receives Title I, Part A funds must develop jointly with, agree on, and distribute to, parents of participating children a written parent and family engagement policy that contains information required by Section 1116(a)(2) of the Elementary and Secondary Education Act (ESEA). This Policy establishes the school district's expectations for parent and family engagement, describes how the school district will implement a number of specific parent and family engagement activities, and is incorporated into the school district's Annual School Plan (ASP).

A. General Expectations

1. The school district agrees to implement the following statutory requirements:
 - a. The school district will put into operation programs, activities, and procedures for the involvement of parents in all its schools with Title I, Part A programs, consistent with Section 1116 of the ESEA. These programs, activities, and procedures will be planned and operated with meaningful consultation with parents of participating children.
 - b. Consistent with Section 1116 of the ESEA, the school district will work with its schools to ensure that the required school-level parent and family engagement policies meet the requirements of Section 1116(b) of the ESEA, and each include, as a component, a school-parent compact consistent with Section 1116(d) of the ESEA.
 - c. The school district will incorporate this district-wide parent and family engagement policy into its school district's plan developed under Section 1112 of the ESEA.

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Title I- District-Wide Parent and Family Parental Involvement Engagement

- d. In carrying out the Title I, Part A parent and family engagement requirements, to the extent practicable, the school district and its schools will provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children, including providing information and school reports required under Section 1111 of the ESEA in an understandable and uniform format and, including alternative formats upon request, and, to the extent practicable, in a language parents understand.
- e. If the school district's plan for Title I, Part A, developed under Section 1112 of the ESEA, is not satisfactory to the parents of participating children, the school district will submit any parent comments with the plan if requested by the New Jersey Department of Education (NJDOE).
- f. The school district will involve the parents of children served in Title I, Part A schools in decisions about how the one percent of Title I, Part A funds reserved for parent and family engagement is spent, and will ensure that not less than ninety percent of the one percent reserve goes directly to the schools.
- g. The school district will be governed by the following statutory definition of parent and family engagement, and expects that its Title I schools will carry out programs, activities, and procedures in accordance with this definition:
 - (1) "Parent and family engagement" means the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities, including ensuring:
 - (a) That parents play an integral role in assisting their child's learning;



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Title I -- District-Wide Parent and Family Parental Involvement Engagement

- (b) That parents are encouraged to be actively involved in their child's education at school;
- (c) That parents are full partners in their child's education and are included, as appropriate, in decision-making and on advisory committees to assist in the education of their child; and
- (d) The carrying out of other activities, such as those described in Section 1116 of the ESEA.

- h. For states where a Parental Information and Resource Center is established, the school district will inform parents and parental organizations of the purpose and existence of the Parental Information and Resource Center in the state.

B. Description of How District Will Implement Required District-Wide Parent and Family Engagement Policy Components

- 1. The school district will take the following actions to involve parents in the joint development of its district-wide parent and family engagement plan under Section 1112 of the ESEA:

(List actions)

- a. - PARENT Workshops
- b. - Parent Training Academy
- c. _____

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

(List actions)

- a. - Bi-Monthly Parent Town Meetings
- b. - Collect Feedback from parents via Survey's
- c. _____

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Title I -- District-Wide Parent and Family Parental Involvement Engagement

3. The school district will provide the following necessary coordination, technical assistance, and other support to assist Title I, Part A schools in planning and implementing effective parent and family engagement activities to improve student academic achievement and school performance;

(List activities)

- a. - After School Workshops with Staff
- b. - Formation of Family Engagement Committee w/ Guidance from Local
- c. - Partnering with United Way of Union County Agency

4. The school district will coordinate and integrate parent and family engagement strategies in Title I, Part A with parent and family engagement strategies under the following other programs (Such as: Head Start, Parents As Teachers, Home Instruction Program for Preschool Youngsters, and State-operated preschool programs), by:

(List actions)

- a. - District will support Home Instruction Program for Elementary & Secondary Students
- b. - Support Transition Program Workshops for Parents of Kindergarten
- c. -

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



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Title I – District-Wide Parent and Family Parental Involvement Engagement

more effective parent and family engagement, and to revise, if necessary (and with the involvement of parents) its parent and family engagement policies.

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

a. The district will conduct a semi-annual parent

~~survey~~ survey in order to evaluate the effectiveness of parent/family

~~engagement.~~ Parents will help to review data and develop a plan to share with the parents. The School Council and Title I

6. The school district will build the schools' and parents' capacity for strong parent and family engagement, in order to ensure effective involvement of parents and to support a partnership among the school involved, parents, and the community to improve student academic achievement, through the following activities specifically described below:

teachers will help support this project.

a. The school district will, with the assistance of its Title I, Part A schools, provide assistance to parents of children served by the school district or school, as appropriate, in understanding topics such as the following, by undertaking the actions described in this paragraph:

- (1) The challenging State academic standards;
- (2) The State and local academic assessments including alternate assessments;
- (3) The requirements of Title I, Part A;
- (4) How to monitor their child's progress; and

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

- (a) Parent Workshops & Seminars
- (b) In-State and out-of-State conferences
- (c) Formation of Parent Academy

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

(List activities)

- (1) Family Literacy Events
- (2) Webinars & Training *to help parents improve academic achievement for children*
- (3) _____

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

(List activities)

- (1) Use of digital communication tools to reach parents
- (2) Bi-Monthly Newsletters
- (3) Parent Training Seminars



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Title I - District-Wide Parent and Family Parental Involvement Engagement

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

(List activities)

(1) - ^{Desire} ~~Create a Parent Resource Center~~

(2) - ~~Establish a Parent Support Call Center~~

(3) - ~~Establish a Bilingual Parent Support Call Center~~

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

(List actions)

(1) - ~~Establish a Bilingual Parent Liaison Position to help parents understand school resources for their children~~

(2) - ~~Create Digital Communication Resources in accessible formats for our parents~~

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C. Discretionary District-Wide Parent and Family Engagement Policy Components

1. The District-Wide Parent and Family Engagement Policy may include additional paragraphs listing and describing other discretionary activities that the school district, in consultation with its parents, chooses to undertake to build parents' capacity for involvement in the school and school system to support their children's academic achievement, such as the following discretionary activities listed under Section 1116(e) of the ESEA:
 - a. Involving parents in the development of training for teachers, principals, and other educators to improve the effectiveness of that training;
 - b. Providing necessary literacy training for parents from Title I, Part A funds, if the school district has exhausted all other reasonably available sources of funding for that training;
 - c. Paying reasonable and necessary expenses associated with parent and family engagement activities, including transportation and child care costs, to enable parents to participate in school-related meetings and training sessions;
 - d. Training parents to enhance the involvement of other parents;
 - e. In order to maximize parent and family engagement and participation in their children's education, arranging school meetings at a variety of times, or conducting in-home conferences between teachers or other educators, who work directly with participating children, with parents who are unable to attend those conferences at school;
 - f. Adopting and implementing model approaches to improving parent and family engagement;



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Title I -- District-Wide Parent and Family Parental Involvement Engagement

- g. Establishing a district-wide parent advisory council to provide advice on all matters related to parent and family engagement in Title I, Part A programs;
- h. Developing appropriate roles for community-based organizations and businesses, including faith-based organizations, in parent and family engagement activities; and
- i. Providing other reasonable support for parent and family engagement activities under Section 1116 as parents may request.

D. Adoption

This Policy has been developed jointly with, and agreed on with, parents of children participating in Title I, Part A programs, as evidenced by the Superintendent of Schools or designee. This Policy was adopted by the Board of Education on the adoption date noted at the end of this Policy and will be in effect for the period of one year and will be updated as needed on an annual basis. The school district will distribute this Policy to all parents of participating Title I, Part A children on or before October 1 of each school year.

Elementary and Secondary Education Act, Title I, Section 1116(a)(2)

Adopted:



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[Insert School Name] Title I – School Parent
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[See POLICY ALERT No. 227]

2415.50 [Insert School Name] TITLE I – SCHOOL PARENT AND FAMILY ENGAGEMENT

A. District Expectations

1. In accordance with the requirements of Title I, Section 1116(a)(2), ESEA, the Board of Education agrees to implement the following statutory requirements:
 - a. The school district will put into operation programs, activities, and procedures for the involvement of parents in all its schools with Title I, Part A programs. These programs, activities, and procedures will be planned and operated with meaningful consultation with parents of participating children.
 - b. The school district will work with its schools to ensure the required school-level parent and family engagement policies meet the Title I, Part A requirements, and include, as a component, a school-parent compact.
 - c. The school district will incorporate this School Parent and Family Engagement Policy into its district plan.
 - d. In carrying out the Title I, Part A parent and family engagement requirements, to the extent practicable, the school district and its schools will provide full opportunities for the participation of parents of children with limited English proficiency, parents of children with disabilities, and parents of migratory children, including providing information and school reports in an understandable and uniform format and, including alternative formats upon request, and, to the extent practicable, in a language parents understand.



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[Insert School Name] Title I – School Parent
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- e. If the school district plan for Title I, Part A funds is not satisfactory to the parents of participating children, the school district will submit any parent comments with the plan upon request by the New Jersey Department of Education (NJDOE).
- f. The school district will involve the parents of children served in Title I schools in decisions about how the one percent of Title I, Part A funds reserved for parent and family engagement is spent, and will ensure that not less than ninety percent of the one percent reserved goes directly to the schools. (Only applicable for districts with Title I, Part A allocations greater than \$500,000.)
- g. The school district will be governed by the following statutory definition of parent and family engagement, and expects that its Title I schools will carry out programs, activities, and procedures in accordance with this definition:
 - (1) “Parent and family engagement” means the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities, including ensuring:
 - (a) That parents play an integral role in assisting their child’s learning;
 - (b) That parents are encouraged to be actively involved in their child’s education at school;
 - (c) That parents are full partners in their child’s education and are included, as appropriate, in decision-making and on advisory committees to assist in the education of their child; and



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[Insert School Name] Title I - School Parent
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(d) The carrying out of other activities, such as those described in section 1116 of the ESEA.

h. The school district will inform parents and parental organizations of the purpose and existence of the Parental Information and Resource Center in New Jersey.

B. School Parent and Family Engagement Policy Required Components

1. The school will take the following actions to involve parents in the joint development of its district/school parent and family engagement plan:
(List actions)

- a. - ~~over~~ School
- b. sample, and interview
- c. take place in a bi-monthly basis.

2. The school will convene an annual meeting, at a convenient time, to which all parents of participating children shall be invited and encouraged to attend, to inform parents of their school's participation under Title I, Part A, and to explain the requirements of this part and the right of the parents to be involved:
(Describe when and where the annual meeting will be held.)

The annual meeting will take place in the
first meeting period of the school year. The

3. The school will offer a flexible number of meetings, such as meetings in the morning or evening, and may provide, with funds provided under Title I, Part A, transportation, child care, or home visits, as such services relate to parent and family engagement:
(Describe how flexibility is provided.)

- Meetings will occur in the morning

and evening. Home visits can be arranged for parents
who are unable to attend

meeting will
be arranged
for parents
who are
unable to
attend.



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[Insert School Name] Title I – School Parent
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4. The school will provide the following necessary coordination, technical assistance, and other support to assist Title I schools in planning and implementing effective parent and family engagement activities to improve student academic achievement and school performance:
(List activities)
 - a. Schools with parent trainings, webinars, and
 - b. interactive events to ensure success.
 - c. _____
5. The school will build the schools' and parents' capacity for strong parent and family engagement, in order to ensure effective involvement of parents and to support a partnership among the school involved, parents, and the community to improve student academic achievement, through the following activities specifically described below:
 - a. The school will, with the assistance of its Title I schools, provide assistance to parents of children served by the school district or school, as appropriate, in understanding topics such as the following:
 - (1) The challenging, state academic standards;
 - (2) The state and local academic assessments including alternate assessments;
 - (3) The requirements of Title I, Part A;
 - (4) How to monitor their child's progress; and
 - (5) How to work with educators to improve the achievement of their children.*(List activities, such as workshops, conferences, classes, both in-state and out-of-state, including any equipment or other materials that may be necessary to ensure success.)*

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[Insert School Name] Title I – School Parent
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- (a) Trainings, Seminars, etc.
- (b) Conferences, etc. by school
- (c) by school

6. The school will provide parents of participating children, if requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such suggestions as soon as practically possible.

a. The school will, with the assistance of its Title I schools, provide materials and training to help parents work with their children to improve their children's achievement, such as literacy training and using technology, as appropriate, to foster parent and family engagement, by:

(List activities)

- (1) Schools will offer trainings, workshops,
- (2) and informal support by Title I
- (3) assist parents with using resources

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

(List activities)

- (1) Provide informal support
- (2) Trainings, workshops and seminars
- (3) on how to reach out to schools, etc.

related
activities to
improve
parent and
school
relationships



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[Insert School Name] Title I - School Parent
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- c. The school will, to the extent feasible and appropriate, coordinate and integrate parent and family engagement programs and activities with Head Start, Home Instruction Programs for Preschool Youngsters, Parents as Teachers Program, and public preschool and other programs, and conduct other activities, such as parent resource centers, that encourage and support parents in more fully participating in the education of their children, by:

(List activities)

- (1) See Page 7 of 9
- (2) _____
- (3) _____

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

(List actions)

- (1) See Page 7 of 9
- (2) _____
- (3) _____

7. The school will coordinate and integrate parent and family engagement strategies under Title I with parent and family engagement strategies under the following programs: [Such as: Head Start, Parents as Teachers, Home Instruction Programs for Preschool Youngsters, and state-operated preschool programs], by:
- (List activities)



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[Insert School Name] Title I – School Parent
and Family Engagement

- a. _____
- b. See p 50
- c. _____

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

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

- a. See p 50
- b. _____
- c. _____

9. The school will take the following actions to involve parents in the process of school review and improvement:

(List activities)

- a. The school will conduct meetings
- b. workshops, surveys, and forums
- c. to ensure parents are part of the review process



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[Insert School Name] Title I - School Parent
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10. If the Annual School Plan (school-wide program plan) is not satisfactory to the parents of participating children, submit any parent comments on the Annual School Plan (ASP) when the school makes the plan available to the local educational agency:

(List actions)

- a. - Plans will be presented during the
- b. back-to-school events and public
- c. comment period will be open for at least 15 calendar
days.

C. Shared Responsibilities for High Student Academic Achievement

1. As a component of the school-level parent and family engagement policy, each school shall jointly develop with parents for all children served under this part a school-parent compact that outlines how parents, the entire school staff, and students will share the responsibility for improved student academic achievement:

(List actions)

- a. _____
- b. _____
- c. _____

D. Discretionary School Parent and Family Engagement Policy Components

1. The School Parent and Family Engagement Policy may include additional paragraphs listing and describing other discretionary activities that the school district, in consultation with its parents, chooses to undertake to build parents' capacity for involvement in the school and school system to support their children's academic achievement, such as the following discretionary activities:

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[Insert School Name] Title I – School Parent
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- a. Involve parents in the development of training for teachers, principals, and other educators to improve the effectiveness of such training.
- b. Provide necessary literacy training for parents from Title I, Part A funds received, if the school district has exhausted all other reasonably available sources of funding for such training.
- c. Pay reasonable and necessary expenses associated with parent and family engagement activities, including transportation and childcare costs, to enable parents to participate in school-related meetings and training sessions.
- d. Train parents to enhance the involvement of other parents.
- e. In order to maximize parent and family engagement and participation in their children's education, arrange school meetings at a variety of times, or conduct in-home conferences between teachers or other educators, who work directly with participating children, with parents who are unable to attend such conferences at school.
- f. Adopt and implement model approaches to improve parent and family engagement.
- g. Establish a district-wide parent advisory council to provide advice on all matters related to parent and family engagement in Title I, Part A programs.
- h. Develop appropriate roles for community-based organizations and businesses in parent involvement activities.



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[Insert School Name] Title I – School Parent
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- i. Provide other reasonable support for parent and family engagement activities under this section as parents may request:

(List actions)

- (1) Annex A Title I Parent & Community Engagement Conference
- (2) _____
- (3) Develop partnerships - Community-Based Organizations

E. Accessibility

1. In carrying out the parent and family engagement requirements of this part, districts and schools, to the extent practicable, shall provide full opportunities for the participation of parents of children with limited English proficiency, parents of children with disabilities, and parents of migratory children, including providing information and school reports required in a format and, to the extent practicable, in a language such parents can understand:

(List actions)

- a. District will offer translation services
- b. for parents, as well as partner^{with} community-based
- c. agencies who can help schools for the families.

F. Adoption

1. This School Parent and Family Engagement Policy has been developed jointly with, and agreed on, parents of children participating in Title I, Part A programs, as evidenced by meeting minutes.

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[Insert School Name] Title I -- School Parent
and Family Engagement

2. This Policy was adopted by the Board of Education on the adoption date noted at the end of this Policy and will be in effect for the period of the school year. The school district will distribute this Policy to all parents of participating Title I children on or before October 1 of each school year.

Elementary and Secondary Education Act, Title I, Section 1116(a)(2)

Adopted:



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Postnatal Accommodations for Students

Apr 22

[See POLICY ALERT No. 227]

2416.01 POSTNATAL ACCOMMODATIONS FOR STUDENTS

The Board of Education recognizes students may be returning to school shortly after their child's birth and may need to breastfeed their child or to express breast milk during the school day. The school district will accommodate a student who wants to breastfeed or express breast milk while attending school in the district.

A student shall be permitted to breastfeed their child or to express breast milk while attending school in accordance with a schedule provided by the student to the school nurse, who shall consult with the Principal or designee. The district encourages the student develop a schedule that does not impact a student's instructional time and encourages a student to schedule such time to breastfeed or to express breast milk during study hall time, lunch time, or other non-instructional times of the school day. The student may bring to school a breast pump and any other equipment necessary to express breast milk on school grounds. The student shall not incur an academic penalty for using any reasonable accommodations offered to the student and shall be provided the opportunity to make up any work missed due to such use.

The Principal or designee, in consultation with the school nurse, will designate a lactation/breastfeeding room that is shielded from view and free from intrusion by other students, staff members, and the public. The location must be functional as a space for breastfeeding or expressing breast milk and shall include an electrical outlet, a chair, and nearby access to running water. Expressed breast milk may be stored in a refrigerator in the school building or in the student's personal cooler. If the space is not a dedicated lactation/breastfeeding room, it must be available when needed. A space temporarily converted into a lactation/breastfeeding room or made available when needed by the student is sufficient; however, a bathroom, even if private, is not a permissible location. A student opting to breastfeed their child in the lactation/breastfeeding room will be responsible to make arrangements for their child to be brought to the school in accordance with a time schedule agreed to by the Principal or designee.

All staff members will assist in providing a positive atmosphere of support for students who are returning to school after the birth of their child. Conduct by a staff member or student that reasonably interferes with a student's performance in school; creates an intimidating, hostile, or offensive environment for a student



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Postnatal Accommodations for Students

that is complying with the provisions of this Policy; or that inhibits a student's ability to breastfeed their child or express breast milk while in school will not be tolerated.

The Principal shall ensure Policy 2416.01 is distributed to pregnant students and students who are returning to school after the birth of their child.

N.J.S.A. 26:4C-1; 26:4C-2; 26:4C-3

Adopted:



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Student Intervention and Referral Services

Apr 22

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[See POLICY ALERT Nos. 177, 203, and 227]

2417 STUDENT INTERVENTION AND REFERRAL SERVICES

The Board of Education directs the establishment and implementation in each school building in which general education students are served, a coordinated system for planning and delivering intervention and referral services designed to assist students who are experiencing learning, behavior, or health difficulties, and to assist staff who have difficulties in addressing students' learning, behavior, or health needs in accordance with the requirements of N.J.A.C. 6A:16-8.1 and 6A:16-8.2. The Board of Education shall choose the ~~adopts this~~ appropriate multidisciplinary team approach, such as the **Response to Intervention (RTI)** or a **Multi-Tiered System of Support (MTSS)** model for planning and delivering the services required under N.J.A.C. 6A:16-8.

Students who are experiencing learning, behavior, or health difficulties shall be referred to the school's Intervention and Referral Services (I&RS) Team.

The intervention and referral services shall be provided to **support aid** students in the general education program and may be provided for students who have been determined to need special education programs and services pursuant to N.J.A.C. 6A:16-8.1(a). The intervention and referral services provided for students who have been determined to need special education programs and services shall be coordinated with the student's Individualized Education Program Team, as appropriate. **Child Study Team members and, to the extent appropriate, specialists in the area of disability may participate on intervention and referral services teams, pursuant to N.J.A.C. 6A:14-3.1(d)6.**

The functions of the system of intervention and referral services in each school building which general education students are served shall be pursuant to N.J.A.C. 6A:16-8.2(a) and as outlined in Regulation 2417.

Records of all requests for assistance, all intervention and referral services action plans, and all related student information shall be maintained in accordance with Federal and State laws and regulations and New Jersey administrative code pursuant to N.J.A.C. 6A:16-8.2(a)9.

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Student Intervention and Referral Services

The I&RS Team in each school building shall review and assess the effectiveness of the ~~provisions of~~ each intervention and referral services action plan in achieving the **identified** outcomes, ~~identified in each action plan~~ and modify each action plan to achieve the outcomes, as appropriate.

At a minimum, the I&RS Team shall annually review the intervention and referral services action plans and the actions taken as a result of the building's system of intervention and referral services, and make recommendations to the Principal for improving school programs and services, as appropriate.

At the end of the school year, the Principal shall, in consultation with the I&RS Team, develop a report on the concerns and issues identified by the I&RS Team and the effectiveness of the services provided in achieving the outcomes identified in the intervention and referral services action plans. This report shall be provided to the Superintendent of Schools.

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

Adopted:



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Special Education/Receiving Schools
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[See POLICY ALERT Nos. 192, 213, and 227]

[Required for Approved Private Schools for Students with Disabilities, Educational Services Commissions, Jointure Commissions, Regional Day Schools, and County Special Services School Districts]

2461 SPECIAL EDUCATION/RECEIVING SCHOOLS

To demonstrate compliance with N.J.A.C. 6A:14-1.1 et seq. and Part B of the Individuals with Disabilities Education Act, the Board adopts this Policy and corresponding Regulations/Procedures. This Policy and corresponding Regulations/Procedures will be submitted with a Special Education Assurance Statement for Receiving Schools to the County Office of Education no later than July 30, 2017 for approval.

1. All students with disabilities who are placed in a receiving school by a district Board of Education must have an Individualized Education Program (IEP) in effect prior to the delivery of services.
2. The receiving school will collaborate with the district Board of Education to ensure that a free, appropriate public education is available for all students with disabilities between the ages of three and twenty-one enrolled in the receiving school including students with disabilities who are suspended from school.
3. The compilation, maintenance, access to, and confidentiality of, student records will be in accordance with N.J.A.C. 6A:32-7.
4. Students with disabilities who are placed in receiving schools by a district Board of Education will be provided special education and related services at no cost to their parents according to N.J.A.C. 6A:14-1.1(d) and N.J.A.C. 6A:14-7.5(b)3.
5. The programs and services provided by the receiving school will be in accordance with the requirements of N.J.A.C. 6A:14-1.1 et seq.

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Special Education/Receiving Schools

6. All personnel serving students with disabilities will be appropriately certified and licensed, where a license is required, in accordance with State and Federal law. **Additionally, all personnel serving students with disabilities are assigned to teach only the classes for which they hold appropriate certification.**
7. The receiving school will only terminate the placement of a student with disabilities according to the procedures in N.J.A.C. 6A:14-7.7(a) and (b).
8. The in-service training needs for professional and paraprofessional staff who provide special education, general education or related services will be identified and appropriate in-service training will be provided. The receiving school shall maintain information to demonstrate its efforts to:
 - a. Prepare general and special education personnel with the content knowledge and collaborative skills needed to meet the needs of children with disabilities;
 - b. Enhance the ability of teachers and others to use strategies, such as behavioral interventions, to address the conduct of students with disabilities that impedes the learning of students with disabilities and others;
 - c. Acquire and disseminate to teachers, administrators, and related services personnel, significant knowledge derived from educational research and other sources and how the receiving school will, if appropriate, adopt promising practices, materials and technology;
 - d. Ensure that the in-service training is integrated to the maximum extent possible with other professional development activities; and
 - e. Provide for joint training activities of parents and special education, related services, and general education personnel.



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Special Education/Receiving Schools

9. The receiving school will work with all sending school districts and ensure that students with disabilities are included in Statewide and district-wide assessment programs with appropriate accommodations, where necessary, according to N.J.A.C. 6A:14-4.10. All students with disabilities will participate in Statewide assessments or the applicable alternate assessment, in grades three, four, five, six, seven, eight, and high school in the applicable grade levels and courses. **The receiving school must ensure that Statewide assessments and alternate assessments are provided to students with disabilities onsite at the receiving school and that assessments are administered by receiving school staff members.**
10. Full educational opportunity to all students with disabilities is provided-, **including courses and classes that will enable students with disabilities to meet requirements needed to receive a State-endorsed diploma, as appropriate. The receiving school shall maintain documentation of the curriculum and materials utilized, including a description of how the New Jersey State Learning Standards will be implemented.**
11. The receiving school will provide teacher aides and the appropriate general or special education teaching staff time for consultation on a regular basis as specified in each student's IEP.
12. The receiving school will ensure that the length of the school day and academic year shall be as long as that established for nondisabled students in accordance with N.J.A.C. 6A:14-4.1(c) and must include at least four hours of actual school work instruction in accordance with N.J.A.C. 6A:14-7.6(i).
13. The receiving school will ensure that educational programs are open to observation at all times to the representatives of the sending districts and of the Department of Education in accordance with N.J.A.C. 6A:14-7.6(g).
14. The receiving school shall follow all requirements set forth in N.J.A.C. 6A:14-7.3 for amending the policies, procedures, the services provided, or the location of facilities.



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Special Education/Receiving Schools

15. The receiving school shall follow the requirements set forth in N.J.A.C. 6A:14-7.6(h) to operate an extended academic year program.
16. The receiving school shall employ a full-time non-teaching Principal who shall be responsible for administration and supervision of the school as required by N.J.A.C. 6A:14-7.6(d).
17. The receiving school shall follow the requirements set forth in N.J.A.C. 6A:14-7.4 for submission of fiscal information and obtaining valid certificates of fire inspection and if applicable, health, HVAC inspections, and, if applicable, sewerage plant.
18. The receiving school shall follow the requirements set forth in N.J.A.C. 6A:14-7.6(j) to notify the Department of Education a minimum of ninety days prior to ceasing operation or if there is a change in ownership.
19. The receiving school shall follow the requirements set forth in N.J.A.C. 6A:23A-18.22 regarding behavior modification programs and shall adopt a Policy that defines the procedures, evidence-based strategies, techniques, and approaches used in the behavior modification program.

Behavior modification shall not include:

- a. **Cash or checks;**
- b. **The replacement of meals or components of meals on a regular basis; or**
- c. **High-dollar value items such as personal electronics.**

Adopted:



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TEACHING STAFF MEMBERS

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Examination for Cause

Apr 22

[See POLICY ALERT No. 227]

3161 EXAMINATION FOR CAUSE

The Board of Education may require the physical and/or psychiatric examination of any teaching staff member who shows evidence of deviation from normal physical or mental health in accordance with N.J.A.C. 6A:32-6.3(b).

The Superintendent shall require a physical and/or psychiatric examination on a teaching staff member whenever, in the judgment of the Superintendent, a teaching staff member shows evidence of deviation from normal physical or mental health, to determine the teaching staff member's physical and mental fitness to perform with reasonable accommodation the position the teaching staff member currently holds, or to detect any health risks to students and other employees.

A teaching staff member that is required to undergo a physical and/or psychiatric examination shall be provided a written statement of reasons for the required examination(s) and notice the teaching staff member has the right to request a hearing with the Board. The hearing shall be conducted in accordance with the provisions of N.J.S.A. 18A:25-7 and will offer the teaching staff member the opportunity to appear before the Board to refute the reasons for the required examination(s), provided any such hearing is requested by the teaching staff member in writing within five working days of the teaching staff member's receipt of the written statement of reasons. A teaching staff member shall be ordered to submit to the appropriate examination(s) by the physician or institution designated by the Board if the teaching staff member failed to timely request a hearing before the Board or failed to persuade the Board at the hearing that the teaching staff member should not be required to submit to the appropriate examination(s). The Board's determination at the conclusion of such a hearing is appealable to the Commissioner of Education pursuant to N.J.S.A. 18A:6-9 and N.J.A.C. 6A:4 – Appeals pursuant to N.J.A.C. 6A:32-6.3(b)2.

The Board shall bear the cost of the examination if the examination is performed by a physician or institution designated by the Board. The examination may be performed by a physician or institution of the teaching staff member's own choosing, approved by the Board, and at the teaching staff member's own expense in accordance with N.J.S.A. 18A:16-3 and N.J.A.C. 6A:32-6.3.

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TEACHING STAFF MEMBERS

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Examination for Cause

If the teaching staff member submits names of physicians or institutions to the Board for consideration to complete the appropriate examination(s) the Board is not required to designate the physician or institution submitted for consideration by the teaching staff member, but shall not act unreasonably in withholding its approval of the physician or institution. The Board shall require the teaching staff member to authorize the release of the examination results to the Superintendent.

If the results of any such examination indicate mental abnormality or communicable disease, the teaching staff member shall be ineligible for further service until proof of recovery, satisfactory to the Board, is furnished, but if the teaching staff member is under contract or has tenure, they may be granted sick leave with compensation as provided by law and shall, upon satisfactory recovery, be permitted to complete the term of their contract, if they are under contract, or be reemployed with the same tenure as they possessed at the time their services were discontinued, if they have tenure, unless their absence shall exceed a period of two years in accordance with N.J.S.A. 18A:16-4.

In order to return to work, the teaching staff member must submit to an appropriate examination and submit the results of the examination to the Superintendent. The examination must be conducted by a physician or institution upon which the Board and teaching staff member confer and agree. If the physician or institution conducting the examination is conducted by the Board's choice, the cost shall be borne by the Board; if the physician or institution conducting the examination is conducted by the teaching staff member's choice, the cost shall be borne by the teaching staff member.

A teaching staff member who refuses to submit to the examination required by this Policy and has exhausted the hearing procedures established by law and this Policy shall be subject to discipline, which may include, but not limited to, termination or certification of tenure charges to the Commissioner of Education, as applicable.

42 U.S.C.A. 12101

N.J.S.A. 18A:6-10; 18A:16-2; 18A:16-3; 18A:16-4; 18A:25-7;
18A:28-5; 18A:30-1 et seq.

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

Adopted:



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SUPPORT STAFF MEMBERS

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Examination for Cause

Apr 22

[See POLICY ALERT No. 227]

4161 EXAMINATION FOR CAUSE

The Board of Education may require the physical and/or psychiatric examination of any support staff member who shows evidence of deviation from normal physical or mental health in accordance with N.J.A.C. 6A:32-6.3(b).

The Superintendent shall require a physical and/or psychiatric examination on a support staff member whenever, in the judgment of the Superintendent, a support staff member shows evidence of deviation from normal physical or mental health, to determine the support staff member's physical and mental fitness to perform with reasonable accommodation the position the support staff member currently holds, or to detect any health risks to students and other employees.

A support staff member that is required to undergo a physical and/or psychiatric examination shall be provided a written statement of reasons for the required examination(s) and notice the support staff member has the right to request a hearing with the Board. The hearing shall be conducted in accordance with the provisions of N.J.S.A. 18A:25-7 and will offer the support staff member the opportunity to appear before the Board to refute the reasons for the required examination(s), provided any such hearing is requested by the support staff member in writing within five working days of the support staff member's receipt of the written statement of reasons. A support staff member shall be ordered to submit to the appropriate examination(s) by the physician or institution designated by the Board if the support staff member failed to timely request a hearing before the Board or failed to persuade the Board at the hearing that the support staff member should not be required to submit to the appropriate examination(s). The Board's determination at the conclusion of such a hearing is appealable to the Commissioner of Education pursuant to N.J.S.A. 18A:6-9 and N.J.A.C. 6A:4 – Appeals pursuant to N.J.A.C. 6A:32-6.3(b)2.

The Board shall bear the cost of the examination if the examination is performed by a physician or institution designated by the Board. The examination may be performed by a physician or institution of the support staff member's own choosing, approved by the Board, and at the support staff member's own expense in accordance with N.J.S.A. 18A:16-3 and N.J.A.C. 6A:32-6.3.



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Examination for Cause

If the support staff member submits names of physicians or institutions to the Board for consideration to complete the appropriate examination(s) the Board is not required to designate the physician or institution submitted for consideration by the support staff member, but shall not act unreasonably in withholding its approval of the physician or institution. The Board shall require the support staff member to authorize the release of the examination results to the Superintendent.

If the results of any such examination indicate mental abnormality or communicable disease, the support staff member shall be ineligible for further service until proof of recovery, satisfactory to the Board, is furnished, but if the support staff member is under contract or has tenure, they may be granted sick leave with compensation as provided by law and shall, upon satisfactory recovery, be permitted to complete the term of their contract, if they are under contract, or be reemployed with the same tenure as they possessed at the time their services were discontinued, if they have tenure, unless their absence shall exceed a period of two years in accordance with N.J.S.A. 18A:16-4.

In order to return to work, the support staff member must submit to an appropriate examination and submit the results of the examination to the Superintendent. The examination must be conducted by a physician or institution upon which the Board and support staff member confer and agree. If the physician or institution conducting the examination is conducted by the Board's choice, the cost shall be borne by the Board; if the physician or institution conducting the examination is conducted by the support staff member's choice, the cost shall be borne by the support staff member.

A support staff member who refuses to submit to the examination required by this Policy and has exhausted the hearing procedures established by law and this Policy shall be subject to discipline, which may include, but not limited to, termination or certification of tenure charges to the Commissioner of Education, as applicable.

42 U.S.C.A. 12101

N.J.S.A. 18A:6-10; 18A:16-2; 18A:16-3; 18A:16-4; 18A:25-7;

18A:28-5; 18A:30-1 et seq.

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

Adopted:



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Apr 22
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[See POLICY ALERT Nos. 179, 180, 181, 182, 183, 188, 193, 194, 200,
216, and 227]

5512 HARASSMENT, INTIMIDATION, AND BULLYING

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A. Policy Statement

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

For the purposes of this Policy, the term "parent," pursuant to N.J.A.C. 6A:16-1.3, means the natural parent(s); or adoptive parent(s); legal guardian(s); foster parent(s); or parent surrogate(s) of a student. **When** ~~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.



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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 ~~their~~ ~~his/her~~ person or damage to ~~their~~ ~~his/her~~ property; or
 - b. Has the effect of insulting or demeaning any student or group of students; or
 - c. Creates a hostile educational environment for the student by interfering with a student's education or by severely or pervasively causing physical or emotional harm to the student.

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

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

C. Student Expectations

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

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

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

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

1. Student responsibilities (e.g., requirements for students to conform to reasonable standards of socially accepted behavior; respect the person, property and rights of others; obey constituted authority; and respond to those who hold that authority);
2. Appropriate recognition for positive reinforcement for good conduct, self-discipline, and good citizenship;



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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.

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D. Consequences and Appropriate Remedial Actions

~~Consequences and Appropriate Remedial Actions – Students~~

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

Consequences – Students

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.

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.



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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.

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.

In accordance with N.J.S.A. 18A:37-15.b.(4), the consequences for a student who commits an act of harassment, intimidation, or bullying may vary depending on whether it is the first act of harassment, intimidation, or bullying by a student, the second act, or third or subsequent acts. If it is the third or subsequent act of harassment, intimidation, or bullying by a student, the Principal, in consultation with appropriate school staff, shall develop an individual student intervention plan which shall be approved by the Superintendent or designee, and may require the student, accompanied by a parent, to complete in a satisfactory manner a class or training program to reduce harassment, intimidation, or bullying behavior.

Appropriate Remedial Actions – 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

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problem behaviors and performance. The appropriate remedial action may also include a behavioral assessment or evaluation including, but not limited to, a referral to the Child Study Team as appropriate; and supportive interventions and referral services, including those at N.J.A.C. 6A:16-8.

~~Factors for Determining Consequences—Student Considerations~~

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

~~Factors for Determining Consequences—School Considerations~~

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

Factors for Determining Remedial Measures

Personal

1. Life skill deficiencies;
2. Social relationships;
3. Strengths;
4. Talents;
5. Interests;
6. Hobbies;
7. Extra-curricular activities;
8. Classroom participation;
9. Academic performance; and
10. Relationship to students and the school district.



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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;

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- 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.~~

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 **they** ~~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 **their** ~~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.



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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 ~~they he or she~~ **do** does not feel responsible for the bullying behavior;
4. Ask students to log behaviors in the future;
5. Help the student develop skills and strategies for resisting bullying; and
6. Schedule a follow-up conference with the student.

Parents, Family, and Community

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

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

1. Analysis of existing data to identify bullying issues and concerns;
2. Use of findings from school surveys (e.g., school climate surveys);
3. Focus groups;
4. Mailings – postal and email;
5. Cable access television;
6. School culture change;
7. School climate improvement;
8. Increased supervision in “hot spots” (e.g., locker rooms, hallways, playgrounds, cafeterias, school perimeters, buses);
9. Adoption of evidence-based systemic bullying prevention practices and programs;
10. Training for all certificated and non-certificated staff to teach effective prevention and intervention skills and strategies;
11. Professional development plans for involved staff;

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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;
31. Behavioral expectations communicated to students and parents;
29. Participation of the entire student body in problem-solving harassment, intimidation, and bullying issues;
30. Recommendations of a student behavior or ethics council;
31. Participation in peer support groups;
32. School transfers; and
33. Involvement of law enforcement officers, including school resource officers and juvenile officers or other appropriate legal action.



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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 victim's physical and social-emotional well-being and their ability to learn in a safe, supportive, and civil educational environment.

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

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

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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 written report shall be on a numbered form developed by the New Jersey Department of Education in accordance with N.J.S.A. 18A:37-15.b.(5). A copy of the form shall be submitted promptly by the Principal to the Superintendent.**

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 keep a written record of the date, time, and manner of notification to the parents.** 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. **The district shall provide a means for a parent to complete an online numbered form developed by the New Jersey Department of Education to confidentially report an incident of harassment, intimidation, or bullying.**



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

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

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

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

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

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

The district Anti-Bullying Coordinator shall:

- a. Be responsible for coordinating and strengthening the school district's policies to prevent, identify, and address harassment, intimidation, or bullying of students;



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

The school Anti-Bullying Specialist shall:

- a. Chair the School Safety/School Climate Team as provided in N.J.S.A. 18A:37-21;
 - b. Lead the investigation of incidents of harassment, intimidation, or bullying in the school; and
 - c. Act as the primary school official responsible for preventing, identifying, and addressing incidents of harassment, intimidation, or bullying in the school.
3. A School Safety/School Climate Team shall be formed in each school in the district to develop, foster, and maintain a positive school climate by focusing on the on-going systemic operational procedures and educational practices in the school, and to address



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issues such as harassment, intimidation, or bullying that affect school climate and culture. Each School Safety/School Climate Team shall meet, at a minimum, two times per school year. The School Safety/School Climate Team shall consist of the Principal or the Principal's designee who, if possible, shall be a senior administrator in the school and the following appointees of the Principal: a teacher in the school; a school Anti-Bullying Specialist; a parent of a student in the school; and other members to be determined by the Principal. The school Anti-Bullying Specialist shall serve as the chair of the School Safety/School Climate Team.

The School Safety/School Climate Team shall:

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

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- g. Execute such other duties related to harassment, intimidation, or bullying as requested by the Principal or district Anti-Bullying Coordinator.

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

G. Harassment, Intimidation, and Bullying Investigation

The Board requires a thorough and complete investigation to be conducted for each report of violations and complaints which either identify harassment, intimidation, or bullying or describe behaviors that indicate harassment, intimidation, or bullying.

[Option – Principal’s Preliminary Determination

However, prior to initiating the investigation, the Principal or designee, in consultation with the Anti-Bullying Specialist, may make a preliminary determination as to whether the reported incident or complaint, assuming all facts presented are true, is a report within the scope of the definition of harassment, intimidation, and bullying under the Anti-Bullying Bill of Rights Act, N.J.S.A. 18A:37-14. ~~The Superintendent or designee may sign off on the preliminary determination.~~

The Principal shall report to the Superintendent if a preliminary determination is made that the reported incident or complaint is a report outside the scope of the definition of harassment, intimidation, or bullying. The Superintendent may require the Principal to conduct an investigation of the incident if the Superintendent determines that an investigation is necessary because the incident is within the scope of the definition of harassment, intimidation, and bullying. The Superintendent shall notify the Principal of this determination in writing. An investigation required by the Superintendent must be



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completed as soon as possible, but not later than ten school days, from the date of the written notification from the Superintendent to the Principal.

The Principal shall complete the written report form developed by the New Jersey Department of Education, in accordance with N.J.S.A. 18A:37-15.b.(5), even if a preliminary determination is made that the reported incident or complaint is a report outside the scope of the definition of harassment, intimidation, or bullying pursuant to N.J.S.A. 18A:37-14. This written report form shall be kept on file at the school, but shall not be included in any student record unless the incident results in disciplinary action or is otherwise required to be contained in a student's record under State or Federal law.

The Principal or designee, upon making a preliminary determination the incident or complaint is not within the scope of the definition of harassment, intimidation, and bullying, shall inform the parents of the parties involved, who may appeal the preliminary determination to the Board of Education and thereafter to the Commissioner of Education in accordance with N.J.A.C. 6A:3.

A Board hearing shall be held within ten business days of receipt of the request for a Board hearing. If the preliminary determination, upon review of the facts presented in the reported incident or complaint, is to continue with the harassment, intimidation, and bullying investigation, the investigation shall be completed in accordance with N.J.S.A. 18A:37-15.b.(6) and this Policy.

The Superintendent shall provide annually to the Board of Education information on the number of times a preliminary determination was made that an incident or complaint was outside the scope of the definition of harassment, intimidation, or bullying for the purposes of the State's monitoring of the school district pursuant to N.J.S.A. 18A:17-46.]

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The investigation shall be initiated by the Principal or the Principal's designee within one school day of the verbal report of the incident. The investigation shall be conducted by the school Anti-Bullying Specialist in coordination with the Principal. The Principal may appoint additional personnel who are not school Anti-Bullying Specialists to assist with the investigation. Investigations or complaints concerning adult conduct shall not be investigated by a member of the same bargaining unit as the individual who is the subject of the investigation. **The Superintendent or designee will appoint a staff member to complete investigations involving allegations against a staff member serving in a supervisory or administrative position.**

~~An investigation concerning a staff member shall not be conducted by a staff member who is supervised by the staff member being investigated or who is an administrator in the district. The Principal or designee, in consultation with the Superintendent or designee, will appoint a staff member to complete these investigations.~~

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

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



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

Parents of involved student offenders and targets/victims shall be provided with information about the investigation, in accordance with Federal and State law and regulation. The information to be provided to parents shall include the nature of the investigation, whether the district found evidence of harassment, intimidation, or bullying, and whether consequences were imposed or services provided to address the incident of harassment, intimidation, or bullying. This information shall be provided in writing within five school days after the results of the investigation are reported to the Board of Education.

A parent may request a hearing before the Board of Education after receiving the written information about the investigation. Any request for such a hearing shall be filed with the Board Secretary no later than sixty calendar days after the written information is provided to the parents. The hearing shall be held within ten business days of the request. The Board of Education shall conduct the hearing in executive session, pursuant to the Open Public Meetings Act (N.J.S.A. 10:4-1 et seq.), to protect the confidentiality of the students. At the hearing, the Board may hear testimony from and consider information provided by the school Anti-Bullying Specialist and others, as appropriate, regarding the incident, the findings from the investigation of the incident, recommendations for consequences or services, and any programs instituted to reduce such incidents, prior to rendering a determination. **A redacted copy of the completed written report form developed by the New Jersey Department of Education that removes all student identification information shall be confidentially shared with the Board of Education after the conclusion of the investigation if a hearing with the Board of Education is requested by the parents pursuant to N.J.S.A. 18A:37-15.b.(6)(d).**

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

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

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

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

For every incident of harassment, intimidation, or bullying, the school officials must respond appropriately to the individual who committed the act. The range of responses to confirmed harassment, intimidation, or bullying acts should include individual, classroom, school, or district responses, as appropriate to the findings from each incident. Examples of responses that apply to each of these categories are provided below:



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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



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or who reports an act of harassment, intimidation, or bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the administrator after consideration of the nature, severity, and circumstances of the act, in accordance with case law, Federal and State statutes and regulations, and district policies and procedures. All suspected acts of reprisal or retaliation will be taken seriously and appropriate responses will be made in accordance with the totality of the circumstances.

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

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

Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.

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

J. Consequences and Appropriate Remedial Action for False Accusation

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

1. Students - Consequences and appropriate remedial action for a student found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation



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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:16-7.3, Long-term Suspensions and N.J.A.C. 6A:16-7.45, Expulsions and those listed and described in the Consequences and Appropriate Remedial Actions section of this Policy.

2. School Employees - Consequences and appropriate remedial action for a school employee or contracted service provider who has contact with students found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation could entail discipline in accordance with district policies, procedures, and agreements which may include, but not be limited to: reprimand, suspension, increment withholding, termination, and/or bans from providing services, participating in school district-sponsored programs, or being in school buildings or on school grounds. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.
3. Visitors or Volunteers - Consequences and appropriate remedial action for a visitor or volunteer found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation could be determined by the school administrator after consideration of the nature, severity, and circumstances of the act, including law enforcement reports or other legal actions, removal of buildings or grounds privileges, or prohibiting contact with students or the provision of student services. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.

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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 or designee 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. **The Superintendent or designee shall post the contact information for the New Jersey School Climate State Coordinator on the school district's and on each school's website in the same location as this Policy is posted.**

The Superintendent or designee shall post on the school district's and each school's website the current version of "Guidance for Parents on the Anti-Bullying Bill of Rights Act" developed by the New Jersey Department of Education.



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

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

Each public school teacher and educational services professional shall be required to complete at least two hours of instruction in harassment, intimidation, and bullying prevention within each five year professional development period as part of the professional development requirement pursuant to N.J.S.A. 18:37-22.d. The required two hours of suicide prevention instruction shall include information on the risk of suicide and incidents of harassment, intimidation, or bullying and information on reducing the risk of suicide in students who are members of communities identified as having members at high risk of suicide.

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

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

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

The school district shall annually observe a "Week of Respect" beginning with the first Monday in October. In order to recognize the importance of



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character education, the school district will observe the week by providing age-appropriate instruction focusing on the prevention of harassment, intimidation, and bullying as defined in N.J.S.A. 18A:37-14. Throughout the school year the district will provide ongoing age-appropriate instruction on preventing harassment, intimidation, or bullying, in accordance with the Core Curriculum Content Standards, pursuant to N.J.S.A. 18A:37-29.

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

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

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

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

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

The Superintendent shall report two times each school year, between September 1 and January 1 and between January 1 and June 30 at a public



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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

The Superintendent or designee and the Principal shall consult law enforcement, as appropriate, pursuant to the provisions of the Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials, if the student's behavior may constitute a possible violation of the New Jersey Code of Criminal Justice.

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 **any bias related acts, in accordance with N.J.A.C. 6A:16-6.3(e), either serious acts or those which may be part of a larger pattern in accordance with** and pursuant to 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.



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

R. Students with Disabilities

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.

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:37-3237

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:



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M

[See POLICY ALERT Nos. 182 and 227]

7410 MAINTENANCE AND REPAIR

The Board of Education recognizes the fixed assets of the school district represent a significant investment of this community and maintenance is a prime concern to the Board.

The school district is required to develop, approve, and implement a comprehensive maintenance plan in accordance with the requirements of N.J.A.C. 6A:26-20.5. A "comprehensive maintenance plan" means a school district's multi-year maintenance plan covering required maintenance activities for each school facility in the school district adopted pursuant to N.J.A.C. 6A:26.

Required maintenance activities include those activities outlined in N.J.A.C. 6A:26-20.3. The school district shall determine the required maintenance activities to reasonably maintain each school facility in the school district, and shall report the activities in its annual comprehensive maintenance plan pursuant to N.J.A.C. 6A:26-20.5.

In accordance with N.J.A.C. 6A:26-20.4(a), expenditures for required maintenance activities set forth in N.J.A.C. 6A:26-20.3 shall qualify as investments in maintenance for purposes of calculating the required maintenance expenditure in N.J.A.C. 6A:26-20.4(d) and (e), the annual required maintenance budget amount pursuant to N.J.A.C. 6A:26-20.8, and the maintenance factor (M) in N.J.S.A. 18A:7G-9. Expenditures that qualify as required maintenance shall be in accordance with the provisions of N.J.A.C. 6A:26-20.4.

The school district's comprehensive maintenance plan shall be submitted to the Executive County Superintendent by a Board of Education resolution every school year, pursuant N.J.A.C. 6A:26-20.5(a)1.

The required annual maintenance budget amount as reported in its comprehensive maintenance plan shall be included in the district's annual budget certified for taxes in accordance with the provisions of N.J.A.C. 6A:26-20.8(a). The required annual maintenance budget amount shall be calculated and adjusted in accordance with the provisions of N.J.A.C. 6A:26-20.8(b). The Executive County Superintendent shall not approve the school district's budget that does not comply with the provisions of N.J.A.C. 6A:26-20.1 et seq.



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Commencing September 1, 2002, no person shall be employed by the Board of Education as a buildings and grounds supervisor, as defined in N.J.S.A. 18A:17-49, unless the person is a certified educational facilities manager pursuant to N.J.S.A. 18A:17-49 and 18A:17-50.

[Required for School Districts with Two or Less District Buildings

___ Maintenance and repair requests and repairs shall be processed in accordance with the procedures as outlined in Regulation 7410.]

[Required for School Districts with Three or More District Buildings

~~X~~ Facilities maintenance, repair scheduling and accounting shall be in accordance with the provisions of N.J.A.C. 6A:23A-6.9 and Regulation 7410.01.]

N.J.S.A. 18A:7G-9; 18A:17-49; 18A:17-50; 18A:18A-43; 18A:21-1

N.J.A.C. 6A:23A-6.9; 6A:26-1.1 et seq.; 6A:26-20.3; 6A:26-20.4; 6A:26-20.5;
6A:26-20.6; 6A:26-20.8

Adopted:



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M

[Sec POLICY ALERT Nos. 189, 191, 221, 224, and 227]

8420 EMERGENCY AND CRISIS SITUATIONS

The Board of Education recognizes its responsibility to provide for the safety and security in each school building in the district. The district will develop and implement comprehensive written plans, procedures, and mechanisms 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 support services for staff, students, and their families.

“School security drill” means an exercise, other than a fire drill, to practice procedures that respond to an emergency situation including, but not limited to, a bomb threat, non-fire evacuation, lockdown, or active shooter situation and that is similar in duration to a fire drill.

The Superintendent of Schools or designee shall consult with law enforcement agencies, health and social services provider agencies, emergency management planners, and school and 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 notified 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 crises, 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

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shall receive this in-service training, as appropriate, within sixty days of the effective date of their employment. This in-service training program shall be reviewed annually and updated, as appropriate.

The Board shall ensure individuals employed in the district in a substitute capacity are provided with information and training on the district's practices and procedures on school safety and security including instruction on school security drills, evacuation procedures, and emergency response protocols in the district and the school building where the individuals are employed in accordance with the provisions of N.J.S.A. 18A:41-7.

Every Principal of a school of two or more rooms, or of a school of one room, when located above the first story of a building, shall have at least one fire drill and one school security drill each month within the school hours, including any summer months during which the school is open for instructional programs, and shall require all teachers of all schools, whether occupying buildings of one or more stories, to keep all doors and exits of their respective rooms and buildings unlocked during the school hours, except during an emergency lockdown or an emergency lockdown drill. Where school buildings have been provided with fire escapes, they shall be used by a part or all of the students performing every fire drill. An actual fire or school security emergency that occurs at a school during the month and that includes activities which are the equivalent of a drill shall be considered a drill for the purposes of meeting the requirements of N.J.S.A. 18A:41-1.

Every school in the district shall conduct a school security drill within the first fifteen days of the beginning of the school year. **Notwithstanding any other provision of law to the contrary, the school district shall ensure that a school security drill that occurs when students are present:**

1. **Includes clear, developmentally and age-appropriate messaging to students and staff at the conclusion of the drill that the event is a drill and that no current danger exists;**
2. **Does not expose students to content or imaging that is not developmentally or age-appropriate;**
3. **Is paired with trauma-informed approaches to address any student inquiries or concerns which may arise as a result of a school security drill;**



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4. Does not include the use of fake blood, real or prop firearms, or the simulations of gun shots, explosions, or other sounds or visuals that may induce panic or traumatic response from a student or school district employee;
5. Does not require a student to role play as a victim, but may include first aid training in which students participate; and
6. Is accessible to students with disabilities and mental health conditions, and provides all necessary accommodations for these students.

The Principal or designee shall provide written notification to the parent of a student enrolled in the school following completion of a school security drill, which notice shall be provided to the parent by no later than the end of the school day on which the school security drill is conducted.

The Principal or designee will provide local law enforcement or other emergency responders, as appropriate, with a friendly notification at least forty-eight hours prior to holding a school security drill. A law enforcement officer shall be present at a minimum of one school security drill in each school year in order to make recommendations on any improvements or changes to school security drill procedures that the officer may deem advisable in accordance with N.J.S.A. 18A:41-1. The school district may permit emergency personnel access to the buildings and grounds of its schools for school security drills that are scheduled outside of school hours and during such times as students are not present.

The school district shall review and update its school security drill procedures using a process that coincides with the review of the school safety and security plan developed pursuant to N.J.A.C. 6A:16-5.1 and collects input from emergency personnel; parents of students enrolled in the school district; teachers and staff employed in the district; mental health professionals; and student government representatives from multiple grade levels.

The school district shall annually track data on such measures and information as required by the Commissioner of Education, and shall report the data to the Commissioner.



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Such drills and in-service training programs shall be conducted in accordance with a building security drill guide and training materials that educate school employees on proper evacuation and lockdown procedures in a variety of emergency situations on school grounds in accordance with N.J.A.C. 6A:16-5.1.

The 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; 18A:41-2; 18A:41-6; 18A:41-7; **18A:41-7a.**

N.J.A.C. 6A:16-5.1; ~~6A:27-11-2~~

Adopted:



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Cooperation with Law Enforcement Agencies

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[See POLICY ALERT No. 227]

9320 COOPERATION WITH LAW ENFORCEMENT AGENCIES

The Board of Education recognizes that keeping students and staff safe and helping children understand and respect the law is best served by a close and cooperative relationship with local law enforcement.

The Board adopts this Policy and Regulation 9320 in accordance with N.J.A.C. 6A:16-6.1. to ensure cooperation between school staff and law enforcement authorities in all matters relating to the unlawful possession, distribution and disposition of controlled dangerous substances, including anabolic steroids, as defined in N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2, drug paraphernalia as defined in N.J.S.A. 2C:36-1, alcoholic beverages; firearms, as defined in N.J.S.A. 2C:39-1.f.; and other deadly weapons as defined in N.J.S.A. 2C:39-1.r.

The Board adopts Policy and Regulation 9320 in accordance with N.J.A.C. 6A:16-6.1. to ensure cooperation between school district staff and law enforcement authorities in all matters relating to the planning and conduct of law enforcement activities and operations occurring on school grounds, including arrest procedures, undercover school operations, and mandatory reporting the offenses listed in the Memorandum of Agreement between Education and Law Enforcement Officials (MOA).

The Superintendent or designee shall institute a program of such communication and cooperation with law enforcement in accordance with N.J.A.C. 6A:16-6.1.

This Policy and Regulation 9320 shall be submitted for review and approval to the Executive County Superintendent in accordance with N.J.A.C. 6A:16-6.2(a)2.

The Superintendent or designee shall annually review the MOA as adopted by the Board to ensure this Policy and Regulation 9320 are in accordance with the requirements outlined therein.

N.J.A.C. 6A:16-6.1.; 6A:16-6.2; 6A:16-6.4.

Adopted:



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Special Education/Receiving Schools –
Appropriately Certified and Licensed Staff

Apr 22

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[Sec POLICY ALERT Nos. 192, 213, and 227]

[Required for Approved Private Schools for Students with Disabilities,
Educational Services Commissions, Jointure Commissions, Regional Day
Schools, and County Special Services School Districts]

R 2461.06 SPECIAL EDUCATION/RECEIVING SCHOOLS – APPROPRIATELY CERTIFIED AND LICENSED STAFF

- A. The receiving school will comply with the requirements that all personnel serving students with disabilities are appropriately certified and licensed, where a license is required, in accordance with the State and Federal Law. **Additionally, the receiving school shall ensure that all personnel serving students with disabilities are assigned to teach only the classes for which they hold appropriate certification.**
1. The receiving school shall provide a list of professional staff who will provide services to the County Office of Education.
 - a. The list shall verify staff certification and license, if one is required, the function they will perform, and documentation of a completed criminal history review pursuant to N.J.S.A. 18A:6-7.1.

[Required only for Approved Private Schools for Students with Disabilities]

2. In accordance with N.J.A.C. 6A:14-7.3(b), when a professional staff member leaves or a new professional staff member is hired, the approved private school shall provide written notification to the Department of Education through its County Office of Education within seven calendar days of the change.]

Adopted:



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Special Education/Receiving Schools - Statewide
and District-Wide Assessment Programs
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[See POLICY ALERT Nos. 192, 213, and 227]

[Required for Approved Private Schools for Students with Disabilities, Educational Services Commissions, Jointure Commissions, Regional Day Schools, and County Special Services School Districts]

R 2461.09 SPECIAL EDUCATION/RECEIVING SCHOOLS – STATEWIDE AND DISTRICT-WIDE ASSESSMENT PROGRAMS

- A. The receiving school will comply with the requirements for Statewide and district-wide assessments in accordance with the provisions as outlined in N.J.A.C. 6A:14-4.10. All students with disabilities will participate in Statewide assessments or the alternate assessment, in grades three, four, five, six, seven, eight, and eleven in accordance with their assigned grade level.
 - 1. The receiving school shall ensure that Statewide assessments and alternate assessments (NJSLA, DLM) are provided to students with disabilities onsite at the receiving school and that Statewide assessments are administered by receiving school staff members. Students shall not be sent back to their home districts to take any assessment.

Adopted:



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Special Education/Receiving Schools –
Full Educational Opportunity
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[See POLICY ALERT Nos. 192, 213, and 227]

[Required for Approved Private Schools for Students with Disabilities, Educational Services Commissions, Jointure Commissions, Regional Day Schools, and County Special Services School Districts]

R 2461.10 SPECIAL EDUCATION/RECEIVING SCHOOLS – FULL EDUCATIONAL OPPORTUNITY

The receiving school will comply with the requirements for full educational opportunity to all students with disabilities including courses and classes that will enable students with disabilities to meet requirements needed to receive a State-endorsed diploma, as appropriate. The receiving school shall maintain documentation of the curriculum and materials currently utilized by the school, including a description of how the New Jersey State Learning Standards will be implemented in accordance with the provisions as outlined in N.J.A.C. 6A:14-1.1.

A. The receiving school shall ensure the following:

1. The receiving school shall review and update annually the curriculum initially approved by the New Jersey Department of Education. The receiving school shall get approval from the County Office of Education before the receiving school makes any changes to the curriculum or adopts any new curriculum.
2. In accordance with N.J.A.C. 6A:14-3.7(e)9, students with disabilities will not be exempt from graduation requirements unless the receiving school provides a description of the alternate proficiency to be achieved.
3. The receiving school shall have a plan in effect, in accordance with N.J.A.C. 6A:14-1.2(b)19, to establish stability in special education programming.



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Special Education/Receiving Schools --
Full Educational Opportunity

- a. The receiving school's plan shall take into account the consistency of the location, curriculum, and staffing in the provision of special education services.
- b. The receiving school's plan shall also include the mechanism used to evaluate student progress in the general education curriculum and program efficacy.

Adopted:



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Special Education/Receiving Schools – Length of
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[See POLICY ALERT Nos. 192, 213, and 227]

[Required for Approved Private Schools for Students with Disabilities,
Educational Services Commissions, Jointure Commissions, Regional Day
Schools, and County Special Services School Districts]

R 2461.12 SPECIAL EDUCATION/RECEIVING SCHOOLS – LENGTH OF SCHOOL DAY AND ACADEMIC YEAR

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

A. Procedures To Ensure The Length Of The School Day And Academic Year Are As Long As That Established For Nondisabled Students

1. The receiving school shall ensure that the length of a school day and academic year is consistent with a sample daily schedule and school calendar from one of their sending school districts and must reflect the appropriate age/grade level for those students who attend the receiving school (e.g. elementary, middle, and/or high school) ~~The receiving school must have a school day that is at least as long as that of a selected sending school district.~~
2. The receiving school will maintain documentation of the school calendar of the sending school district, along with the receiving school's calendar, to ensure compliance ~~The receiving school must have an academic year calendar that matches that of a selected sending school district.~~
3. The receiving school will maintain documentation of a sample student daily schedule from a sending school district, along with a sample receiving school's daily schedule, to ensure compliance ~~Early dismissal days in the academic year calendar may not exceed the number of early dismissal days reflected in the selected sending district calendar.~~

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Special Education/Receiving Schools – Length of
School Day and Academic Year

- ~~4. The receiving school will maintain documentation of the school calendar of the sending school district, along with the receiving school's calendar, to ensure compliance.~~
- ~~5. The receiving school will maintain documentation of a sample student daily schedule from a sending school district, along with a sample of the receiving school's daily schedule, to ensure compliance.~~
46. The receiving school will not include shortened school days in its daily schedule or calendar unless such days are reflected in the sending school sample daily schedule and/or school calendar.
57. Any shortened school days for an individual student will be implemented, as needed on an individual basis, and must be reflected in each student's Individualized Education Program (IEP).

Adopted:



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Special Education/Receiving Schools – Amending
Policies, Procedures, the Services Provided, or
the Location of Facilities

Apr 22

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[See POLICY ALERT Nos. 213 and 227]

[Required for Approved Private Schools for Students with Disabilities,
Educational Services Commissions, Jointure Commissions, Regional Day
Schools, and County Special Services School Districts]

R 2461.14 SPECIAL EDUCATION/RECEIVING SCHOOLS – AMENDING POLICIES, PROCEDURES, THE SERVICES PROVIDED, OR THE LOCATION OF FACILITIES

The receiving school shall follow all requirements set forth in N.J.A.C. 6A:14-7.3 for amending the policies, procedures/regulations, the services provided, or the location of facilities.

The receiving school shall submit all required documentation and obtain approval from the New Jersey Department of Education, through the County Offices of Education, prior to amending policies and procedures, changing the nature and scope of services provided, and increasing or reducing the services provided, including the number of classes operated.

The receiving school shall submit all required documentation and obtain approval from the New Jersey Department of Education, through the County Offices of Education, prior to changing locations or opening a program at an additional location.

~~A. Procedures To Amend Policies, Procedures/Regulations, The Services Provided, Or The Location Of Facilities~~

~~1. To amend the policies, procedures/regulations, nature and scope of the services provided, or increase or decrease the services provided, the receiving school must send to the County Office of Education:~~

~~a. A copy of the revised policy and/or procedure/regulation;~~

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Special Education/Receiving Schools – Amending
Policies, Procedures, the Services Provided, or
the Location of Facilities

- b. ~~A revised description of the scope and nature of the services to be offered according to N.J.A.C. 6A:14-7.2(a)3iii(4); and~~
 - c. ~~A list of professional staff who will provide these services. The list shall verify each individual's certification and license, if one is required, that a criminal history review pursuant to N.J.S.A. 18A:6-7.1 has been completed for the individual and the function he or she shall perform.~~
2. ~~To amend the location of facilities, an approved private school for students with disabilities shall submit a copy of the valid health, fire, HVAC inspections, occupancy and, if applicable sewerage plant to the Department of Education through the County Office of Education~~
 3. ~~When a professional staff member leaves or a new professional staff member is hired by an approved private school for students with disabilities, the approved private school shall provide written notification to the Department of Education through the County Office of Education within seven calendar days of the changes.~~

Adopted:



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Special Education/Receiving Schools – Operation
of an Extended Academic Year Program

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[Sec POLICY ALERT Nos. 213 and 227]

[Required for Approved Private Schools for Students with Disabilities,
Educational Services Commissions, Jointure Commissions, Regional Day
Schools, and County Special Services School Districts]

R 2461.15 SPECIAL EDUCATION/RECEIVING SCHOOLS – OPERATION OF AN EXTENDED ACADEMIC YEAR PROGRAM

The receiving school shall follow the requirements set forth in N.J.A.C.
6A:14-7.6(h) to operate an extended academic year program. **Prior to providing
an extended academic year program, the receiving school shall submit all
required documentation and obtain approval from the New Jersey
Department of Education, through the County Offices of Education.**

Adopted:



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Special Education/Receiving Schools - Behavior
Modification Program
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[See POLICY ALERT Nos. 213 and 227]

[Required for Approved Private Schools for Students with Disabilities, Educational Services Commissions, Jointure Commissions, Regional Day Schools, and County Special Services School Districts]

R 2461.19 SPECIAL EDUCATION/RECEIVING SCHOOLS – BEHAVIOR MODIFICATION PROGRAM

The receiving school shall follow the requirements set forth in N.J.A.C. 6A:23A-18.22 regarding behavior modification programs and shall adopt a policy that defines the procedures, evidence-based strategies, techniques, and approaches used in the behavior modification program.

A. Behavior modification shall not include:

1. Cash or checks;
2. The replacement of meals or components of meals on a regular basis; or
3. High-dollar value items such as personal electronics.

To ensure compliance the receiving school shall:

- ~~1. Maintain documentation of the procedures, evidence-based strategies, techniques, and approaches utilized in the behavior modification program.~~
- ~~2. Maintain documentation which describes, in detail, any type of incentive system utilized as part of a behavior modification program.~~
- ~~3. Ensure that the documentation is readily available for review upon request by the Department of Education either through an onsite monitoring visit or the County Office of Education.~~

Adopted:



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[See POLICY ALERT Nos. 182 and 227]

[Required for School Districts with Two or Less District Buildings]

R 7410 MAINTENANCE AND REPAIR

A. Inspection

1. The Principal or designee and the appropriate custodial staff member shall inspect the facility daily for proper functioning and cleanliness.
2. The Principal or designee with the appropriate custodial staff member shall make a regular inspection of the school building, support facilities, and grounds to identify any required repairs or replacements.

B. Reports

1. Reports of each inspection required in A. above will be made on a form and forwarded to the Superintendent or designee.
2. The Director of Buildings will report to the B.A. those repairs or improvements that can be completed by district staff and those improvements or repairs that require the services of an outside contractor.

C. Repairs by District Staff

1. Any staff member may prepare, on the prescribed form, a work order request for repairs, improvements, and/or maintenance. All work order requests will be submitted to Dir. B+G.
2. The Dir. B+G will assign a priority to those work orders to be performed by district staff. The priority code will be:
 - a. Emergency, for work that must be done immediately;
 - b. High Priority, for work that affects health or safety;



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- c. Normal Priority, for work that affects neither health nor safety; and
 - d. Low Priority, for work that can be completed during the summer months or whenever staff is available.
3. Work scheduled to be performed by the school district staff shall be entered on a work order form unless an emergency exists in which case the form may be filed after the repair has been made.
4. The work order form shall include, at a minimum, the following information:
- a. Name of the person making the request;
 - b. Date of request;
 - c. Location of repair;
 - d. A description of the work to be performed;
 - e. Scheduled date of completion; and
 - f. Signature of approval by the Dr. BTL
- D. Repairs by Outside Contractors
1. When it appears to be necessary to utilize outside contracting services to complete a repair, improvement, or maintenance item, the Principal; appropriate custodial or maintenance staff member; the School Business Administrator/Board Secretary; and any other staff member designated by the Superintendent or School Business Administrator/Board Secretary will confer in the preparation of a project specification.
2. The School Business Administrator/Board Secretary or designee will prepare the required documents in the event the project requires to be bid or quoted in accordance with law or if it is determined the district wants to obtain quotes for the work even if quotes are not required by law.



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3. In the event the project does not need to be bid or quoted, the Dir. B+G shall prepare a purchase order requisition that indicates:

- a. The recommended vendor(s);
- b. A description of the work required and its location; and
- c. The actual cost of the project.

4. The staff member designated by the Superintendent shall be responsible for supervising the conduct of the work.

E. Replacements and Improvements

- 1. The Superintendent and School Business Administrator/Board Secretary and others designated by the Superintendent will prepare a replacement schedule that lists all district equipment. Annual recommendations will be made in the budget to maintain the schedule of replacements.
- 2. Replacements required, but not scheduled, shall be submitted to the Superintendent, School Business Administrator/Board Secretary, and Principal for a school building level need, by the end of September on a budget request form for consideration in the next annual budget.
- 3. A comprehensive district maintenance plan shall be prepared in accordance with N.J.A.C. 6A:26-20.5 in order to meet facility needs and comply with law.

Adopted:



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Facilities Maintenance, Repair Scheduling, and
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[See POLICY ALERT Nos. 182, 184, and 227]

[Required for School Districts with Three or More District Buildings]

R 7410.01 FACILITIES MAINTENANCE, REPAIR SCHEDULING, AND ACCOUNTING

A school district with three or more district buildings shall have an automated work order system ~~by July 1, 2010~~ for prioritizing, performing, and recording all maintenance and repair requests for all district buildings and grounds in accordance with the provisions of N.J.A.C. 6A:23A-6.9.

A. Standard Operating Procedure (SOP) For Work Order System

1. The Superintendent or designee shall establish Standard Operating Procedures (SOP) for the approval and prioritization of work order requests which take into account the health and safety of building occupants, priorities and objectives established annually to carryout the district Strategic Plan, the need for the work requested, and other factors the district deems appropriate.
2. Except in an emergency where the work is necessary to correct a situation that poses an imminent threat to the health or safety of students and/or staff, the work order system shall include the following information for a request for work before work begins:
 - a. The name of the person making the request;
 - b. The date of the request;
 - c. The appropriate approval(s) as established by SOP;
 - d. The date of approval(s);
 - e. The location of work requested;
 - f. The priority level (for example, urgent, high, average, low);



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- g. The scheduled date(s) of service;
 - h. The trade(s) needed such as general maintenance worker;; custodian;; carpenter;; plumber;; electrician;; **heating, ventilation, and air conditioning (HVAC)**;; grounds;; roofer;; masonry;; glazer;; other;
 - i. A description of the work requested;
 - j. A projection of the materials and supplies needed for the work;
 - k. The estimated ~~labor man~~ hours needed to complete task;
 - l. The name of the work order assigner; and
 - m. The name of the employee(s) working on the order.
3. The work order system shall include the following close-out information for each request for work:
- a. The actual hours worked by date for each assigned staff member;
 - b. The actual hourly rate paid, both regular and over-time, for each assigned staff member;
 - c. The aggregate cost of labor by regular, over-time, and total;
 - d. The actual materials and supplies needed to complete the work order;
 - e. Actual cost of materials and supplies; and
 - f. The name of the employee responsible for attesting that the job was completed satisfactorily.



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4. Except ~~when~~ where prohibited by a collective bargaining agreement, the SOP shall require for any work, which cannot be completed during regular working hours by the needed completion date, an assessment of the cost-benefit of outsourcing any such work in excess of the quote threshold as determined under N.J.S.A. 18A:18A-37.
5. ~~If~~ ~~Where~~, according to the assessment, the cost of outsourcing work is less than the in-house estimated cost of labor, at over-time rates, and materials for the same work, the work shall be outsourced provided the work can be contracted in accordance with N.J.S.A. 18A:18A-1 et seq., completed by the projected completion date contained in the prioritized work order system and does not violate the terms of a collective bargaining agreement for maintenance workers and/or custodians.
6. The School Business Administrator/Board Secretary, in consultation with the supervisor responsible for this work, shall conduct an analysis of the information in the work order system no later than February 1 of the prebudget year for consideration during budget preparation. The analysis should include productivity of staff as a whole and individually, significant variations between estimated labor time and materials and actual labor time and materials, unusual trends for like projects and other factors that will improve productivity and efficiency.

Adopted:



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[See POLICY ALERT No. 227]

R 9320 COOPERATION WITH LAW ENFORCEMENT AGENCIES

- A. Policy 9320 and this Regulation shall be in accordance with the provisions of N.J.A.C. 6A:16-6.2, the Memorandum of Agreement between Education and Law Enforcement Officials (MOA), and shall be:
1. Developed, implemented, and revised, as necessary, in consultation with the county prosecutor and other law enforcement officials as may be designated by the county prosecutor;
 2. Reviewed and approved by the Executive County Superintendent;
 3. Made available annually to all school district staff, students, and parents;
 4. Consistent with reporting, notification, and examination procedures of students suspected of being under the influence of alcohol and other drugs pursuant to N.J.A.C. 6A:16-4.3; and
 5. Consistent with N.J.A.C. 6A:16-7, as appropriate.
- B. The school district's policies and procedures for cooperation with law enforcement agencies shall include the following components:
1. The Superintendent has designated school district staff as liaisons to law enforcement agencies in accordance with the MOA. The MOA includes a description of the liaisons' roles and responsibilities;
 2. Specific procedures for and responsibilities of school district staff in summoning appropriate law enforcement authorities onto school grounds, for the purpose of conducting law enforcement investigations, searches, seizures, or arrests shall be in accordance with the MOA;

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3. Specific procedures and responsibilities of school district staff for notifying parents in instances of law enforcement interviews involving their children shall be consistent with the MOA and the following:
 - a. School officials shall not notify the student's parent(s) in instances of suspected child abuse or neglect;
 - b. School officials shall notify the student's parent(s) when the student is the target of the law enforcement investigation; and
 - c. In all other instances, school authorities shall permit law enforcement authorities to determine whether or when a student's parent should be contacted;
4. Specific procedures for and responsibilities of school district staff in cooperating with arrests made by law enforcement authorities on school grounds shall be in accordance with the MOA;
5. Specific procedures for and responsibilities of school district staff in initiating or conducting searches and seizures of students, their property, and their personal effects shall be in accordance with the MOA and the following:
 - a. All searches and seizures conducted by school district staff shall comply with the standards prescribed by the United States Supreme Court in *New Jersey v. T.L.O.*, 469 U.S. 325 (1985).
 - b. Questions concerning searches conducted by school officials shall be directed to the appropriate county prosecutor.
 - c. School officials may request that law enforcement authorities assume responsibility for conducting a search or seizure.



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- d. No school district staff member shall impede a law enforcement officer engaged in a lawful search, seizure, or arrest whether pursuant to a warrant or otherwise.
 - e. School district staff shall permit law enforcement authorities, upon their arrival, to assume responsibility for conducting a search or seizure.
 - f. All inspections of lockers, desks, or other objects or personal property on school grounds involving the use of law enforcement drug-detection canines may be undertaken with only the express permission of the county prosecutor or the Director of the Division of Criminal Justice or the Director's designee in the New Jersey Department of Law and Public Safety.
 - g. Questions concerning the legality of a 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 a search, seizure, or arrest undertaken by the Division of Criminal Justice's designee in the New Jersey Department of Law and Public Safety, to the assigned Assistant Attorney General;
6. The procedures for and responsibilities of school district staff, with regard to interviews of students suspected of possessing or distributing a controlled dangerous substance; including anabolic steroids, drug paraphernalia; or a firearm or other deadly weapon shall be in accordance with Policy and Regulation 5530 and the MOA;
7. Procedures for planning, approving, and conducting undercover school operations shall be in accordance with the MOA and the following:
- a. The Superintendent and Principal shall cooperate with law enforcement authorities in the planning and conduct of undercover school operations. The Superintendent shall approve undercover operations without prior notification to the Board of Education.



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- b. All information concerning requests to undertake an undercover school operation, information supplied by law enforcement authorities to justify the need for and explain a proposed undercover school operation, and all other information concerning an ongoing undercover school operation, including the identity of any undercover officer placed in a school, shall be kept strictly confidential by the Superintendent and Principal.
 - c. The Superintendent and Principal shall not divulge information concerning an undercover school operation to any person without the prior express approval of the county prosecutor or designee.
 - d. The Superintendent, Principal, or any other school district staff or Board member who may have been informed regarding the existence of the undercover school operation shall immediately communicate to the county prosecutor or designee if they subsequently learn of information that suggests the undercover officer's true identity has been revealed, the undercover officer's identity or status as a bona fide member of the school community has been questioned, or the integrity of the undercover school operation has been in any other way compromised;
8. The procedures for and responsibilities of school district staff concerning the safe and proper handling of a seized controlled dangerous substance, including anabolic steroids, drug paraphernalia, or a firearm or other deadly weapon, and the prompt delivery of the items to appropriate law enforcement authorities shall be in accordance with N.J.A.C. 6A:16-6.2, Policy and Regulation 5530, and the MOA;
9. The procedures for and responsibilities of school district staff in notifying authorities of a suspected violation of laws prohibiting the possession; sale or other distribution of a controlled dangerous substance, including anabolic steroids; drug paraphernalia; or a firearm or other deadly weapon shall be in accordance with Policy and Regulation 5530 and the MOA;



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10. Provisions for requesting uniformed police attendance at extracurricular school events shall be in accordance with the MOA;
11. Provisions for notifying parents as soon as possible whenever a student is arrested for violating a law prohibiting the possession; sale or other distribution of a controlled dangerous substance, including anabolic steroids; drug paraphernalia; or a firearm or other deadly weapon shall be in accordance with Policy and Regulation 5530;
12. Provisions for in-service training of school district staff concerning policies and procedures established in this subchapter, and the exchange of information regarding the practices of the school district and law enforcement agencies shall be in accordance with the MOA;
13. A MOA with appropriate law enforcement authorities in accordance with N.J.A.C. 6A:16-6, Policy 9320, and this Regulation;
14. An annual process for the Superintendent and appropriate law enforcement officials to discuss the implementation and need for revising the MOA, and to review the effectiveness of policies and procedures implemented pursuant to N.J.A.C. 6A:16-6.2 and the MOA;
15. Provisions for contacting the Chief Executive Officer of the involved law enforcement agency, county prosecutor, and/or Division of Criminal Justice, as necessary, to resolve disputes concerning law enforcement activities occurring on school grounds shall be in accordance with the MOA; and
16. Provisions for directing inquiries or complaints received by school district staff regarding interviews, investigations, arrests, or other operations conducted by sworn law enforcement officers to the appropriate law enforcement agency shall be in accordance with the MOA.



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C. Mandatory Reporting

- I. There are seven offenses that must be reported to law enforcement if they qualify as mandatory reports, as set forth and explained in further detail in the MOA. These mandatory reports include:
 - a. Whenever any school district staff has reason to believe a student is in possession of a controlled dangerous substance or related paraphernalia, or is involved or implicated in distribution activities regarding controlled dangerous substances, pursuant to N.J.A.C. 6A:16-6.3;
 - b. Whenever any school district staff in the course of their employment develops reason to believe that a firearm or other dangerous weapon has unlawfully been possessed on or off school grounds, a weapon was used in an assault against a student or other school personnel, 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 grounds or during school operating hours, pursuant to N.J.A.C. 6A:16-5.5, 5.6(d)4 and 6.3(b);
 - c. Whenever any school district staff in the course of their employment develops reason to believe that anyone 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 that the person genuinely intends at some time in the future to commit the violent act or to carry out the threat, pursuant to N.J.A.C. 6A:16-6.3(c) through (e);
 - d. Whenever any school district staff in the course of their employment develops reason to believe that a crime involving sexual penetration or criminal sexual contact has been committed on school grounds, or by or against a student during school operating hours or during school-related functions or activities, pursuant to N.J.A.C. 6A:16-6.3(d);



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- e. Whenever any school district staff in the course of their employment develops reason to believe that an assault upon a teacher, administrator, other school Board employee, or district Board of Education member has been committed, with or without a weapon, pursuant to N.J.A.C. 6A:16-5.7(d)5;
 - f. Whenever any school district staff in the course of their employment develops reason to believe a "bias-related act" has been committed or is about to be committed on or off school grounds, pursuant to N.J.A.C. 6A:16-6.3(e); and
 - g. Whenever any school employee in the course of their employment develops reason to believe a student is potentially missing, abused, or neglected, pursuant to N.J.A.C. 6A:16-11.1(a)3i. through iii.
- D. Nothing in the policies and procedures required under N.J.A.C. 6A:16-6 and Policy 9320 and this Regulation shall be construed to prohibit school district staff from disclosing information, pursuant to N.J.A.C. 6A:32-7.2 and 7.5(f), if necessary, to protect the immediate health or safety of a student or other persons.
- E. The Superintendent or designee shall annually review Policy 9320 and this Regulation as adopted by the Board to ensure each are in accordance with the requirements outlined in the MOA.

Adopted:

