

POLICY

Roselle Park Board of Education
Roselle Park, New Jersey

File Code: 4111.1/4211.1

NONDISCRIMINATION/AFFIRMATIVE ACTION

The Roselle Park Board of Education guarantees to all persons equal access to all categories of employment, retention and advancement in this district, regardless of race, creed, color, national origin, ancestry, age, sex, affectional or sexual orientation, gender identity or expression, marital status, domestic partnership status, familial status, pregnancy, pregnancy related disability, liability for service in the Armed Forces of the United States, disability, nationality, atypical hereditary cellular or blood trait of any individual, nonapplicable disability or because of genetic information or refusal to submit to or make available the results of a genetic test.

An affirmative action/equity program shall be a part of every aspect of employment not limited to but including upgrading; demotion or transfer; recruitment or recruitment advertising; renewal or non-renewal; layoff or termination; rates of pay or other forms of compensation including fringe benefits; employment selection or selection for training and apprenticeships; promotion; or tenure.

The board-designated affirmative action officer shall identify and recommend correction of any existing inequities, and any that occur in the future.

Harassment and Favoritism

The board of education is an affirmative action employer and holds all its employees responsible for maintaining a working environment that is free from all discriminatory practices. Harassment or favoritism on any basis included in the board's statement of equal access to employment, retention and advancement is prohibited.

Administrators and supervisors shall be familiarized with the actions that constitute harassment and favoritism. This material shall be included in the legally mandated affirmative action inservice training for all employees, and shall be clear and specific (see policy 2224). When harassment has been determined to have taken place, appropriate disciplinary action will follow. All such determinations shall be reported to the board.

Sexual Harassment

The board of education shall maintain a working environment that is free from sexual harassment.

Administrators and supervisors will make it clear to all staff that sexual harassment is prohibited. No supervisory employee shall threaten or insinuate, either directly or indirectly, that an employee's refusal to submit to sexual advances will adversely affect the employee's continued employment, evaluation, compensation, assignment or advancement. No supervisory employee shall promise or suggest, either directly or indirectly, that an employee's submission to sexual advances will result in any improvement in any term or condition of employment of an employee. Sexually harassing conduct committed by nonsupervisory personnel is also prohibited.

Staff may file a formal grievance related to sexual harassment. The affirmative action officer will receive all complaints and carry out a prompt and thorough investigation and will protect the rights of both the person making the complaint and the alleged harasser.

Findings of discrimination in the form of sexual harassment will result in appropriate disciplinary action.

NONDISCRIMINATION/AFFIRMATIVE ACTION (continued)

Pregnancy

The board prohibits discrimination against pregnant women and those who suffer medical conditions related to pregnancy and childbirth. The superintendent or his or her designee shall ensure that reasonable accommodations are made that will allow them to maintain a healthy pregnancy or recovery from childbirth, without being removed from their positions, placed on unpaid leave, or fired.

The district shall provide reasonable accommodations to pregnant women and those who suffer medical conditions related to pregnancy and childbirth, such as bathroom breaks, breaks for increased water intake, periodic rest, assistance with manual labor, job restructuring or modified work schedules, and temporary transfers to less strenuous or hazardous work.

Requested accommodations that cause the district an undue hardship are not required by law and shall not be provided.

"Whistleblower" Protection

The board prohibits discrimination or retaliation against any school employee who does any of the following:

- A. Discloses or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the board that the employee reasonably believes is in violation of a law, or a rule or regulation established pursuant to law;
- B. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation established pursuant to law by the board; or
- C. Objects to, or refuses to participate in any activity, policy or practice which the employee reasonably believes is in violation of law, rule or regulation; is fraudulent or criminal; or is incompatible with public health, safety or welfare or protection of the environment.

The board shall ensure that notices are posted conspicuously in each school, informing employees that they are protected under the Conscientious Employee Protection Act.

Report on Implementation

The superintendent shall devise regulations, including grievance forms and procedures to implement this policy. He/she shall be responsible for informing staff annually of the identity and location of the affirmative action officer and the implementing procedures.

Adopted: April 17, 2007
Revised: March 16, 2010
NJSBA Review/Update: October 2015
Readopted:

Key Words

Affirmative Action, Nondiscrimination, Employee Nondiscrimination/Affirmative Action, Domestic Partnership Act

NONDISCRIMINATION/AFFIRMATIVE ACTION (continued)

- Legal References:** N.J.S.A. 10:5-1 et seq. Law Against Discrimination
 See particularly:
N.J.S.A. 10:5-3, -4.1, -12, -27
N.J.S.A. 18A:6-5 Inquiry as to religion and religious tests prohibited
N.J.S.A. 18A:6-6 No sex discrimination
N.J.S.A. 18A:18A-17 Facilities for handicapped persons
N.J.S.A. 18A:26-1 Citizenship of teachers, etc.
N.J.S.A. 18A:26-1.1 Residence requirements prohibited
N.J.S.A. 18A:29-2 Equality of compensation for male and female teachers
- N.J.S.A. 26:8A-1 et seq. Domestic Partnership Act
N.J.S.A. 34:19-1 et seq. Conscientious Employee Protection Act
N.J.A.C. 6A:7-1.1 et seq. Managing for Equality and Equity in Education
 See particularly:
N.J.A.C. 6A:7-1.4, -1.8
N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School Districts
- Executive Order 11246 as amended
 29 U.S.C.A. 201 - Equal Pay Act of 1963 as amended
 20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972
 42 U.S.C.A. 2000e et seq. - Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunities Act of 1972
 29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973
 20 U.S.C.A. 1401 et seq. - Individuals with Disabilities Education Act
 42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)
- Meritor Savings Bank v. Vinson, 477 U.S. 57 (1986)
School Board of Nassau County v. Arline, 480 U.S. 273 (1987)
Vinson v. Superior Court of Alameda County, 740 P. 2d 404 (Cal. Sup. Ct. 1987)
Taxman v. Piscataway Bd. of Ed., 91 F. 3d 1547 (3d Cir. 1996)
Saxe v. State College Area School Dist., 240 F. 3d 200 (3d Cir. 2001)
- The Comprehensive Equity Plan, New Jersey State Department of Education

Possible

- Cross References:** *2224 Nondiscrimination/affirmative action
 *3320 Purchasing procedures
 *4111 Recruitment, selection and hiring
 *4112.8/4212.8 Nepotism
 *4147/4247 Employee safety
 *4211 Recruitment, selection and hiring
 *5145.4 Equal educational opportunity
 *6121 Nondiscrimination/affirmative action

*Indicates policy is included in the Critical Policy Reference Manual.

POLICY

Roselle Park Board of Education
Roselle Park, New Jersey

File Code: 4112.6/4212.6

PERSONNEL RECORDS

Orderly administration of the school district and compliance with state and federal law require the compilation of information about all employees of the district. The Roselle Park Board of Education recognizes that there is a distinction between those personnel records that are clearly a matter of public concern, and those that must be considered privileged until such time as they are opened to the public by the commissioner of education or the courts.

The superintendent shall consult with the board attorney regarding which personnel records are mandated to be kept by law, and those to be kept for administrative purposes. The superintendent and the board attorney shall be responsible for limiting administrative records to those that are consistent with New Jersey and federal law.

In accordance with federal law, the superintendent shall establish procedures to release information upon request regarding the professional qualifications and degrees of teachers and the qualifications of paraprofessionals to parents/guardians for any teacher or paraprofessional who is employed by a school receiving Title I funds and who provides instruction to their children.

The superintendent shall establish the necessary regulations for maintaining both public and confidential employee records.

The chief school administrator shall establish the necessary regulations for maintaining both public and confidential employee records.

Public Record

The public file shall consist of an alphabetic index of all those presently employed by the district in whatever capacity. The information in this file shall be limited to name, title, position, salary, payroll record, length of service, and, if applicable, date of separation and rehire. The superintendent shall devise procedures for making this file available to the public in accordance with the Open Public Records Act;

Personnel File

The confidential file shall consist of an individual personnel folder for each current employee.

- A. The information in this file shall include all records mandated by state and federal law including:
 1. Evaluation of performance;
 2. **Written performance reports and supporting data for tenured staff, including but not limited to indicators of student progress and growth (N.J.A.C. 6A:10-2.4,g);**
 3. Record of attendance;
 4. Original application filed by the employee;
 5. Original salary and increments;
 6. Date of tenure;
 7. Notations of commendation and disciplinary actions consistent with law.

PERSONNEL RECORDS (continued)

- B. The personnel file is available for examination:
1. At any time, by the superintendent or the supervisory personnel he/she designates;
 2. During regular business hours, by the employee or his/her personally authorized representative, in accordance with regulations;
 3. During regular business hours, or at any meeting of the board or any committee thereof, by any member of the board when necessary to make an informed decision regarding any assigned board responsibility or duty.

Health Record

Employee health records shall be maintained separately from other personnel files and in strict confidentiality. Only the employee, the chief medical inspector and the superintendent shall have access to an employee's medical file. To assure ready access in a medical emergency, the section of the medical record that contains the health history may also be shared with the building principal and the school nurse with the consent of the employee;

Emergency Contact Information

Staff emergency contact cards for all employees shall be maintained by the superintendent and updated annually.

Adopted: September 18, 2007
Revised: March 16, 2010
NJSBA Review/Update: October 2015
Readopted:

Key Words

Records, Personnel Records, Employee Records

Legal References:	<u>N.J.S.A.</u> 18A:6-7	Oaths of persons employed in teaching capacities
	<u>N.J.S.A.</u> 18A:6-7a	Removal from personnel files of reference to
complaint of child abuse or neglect determined to be unfounded	<u>N.J.S.A.</u> 18A:6-11	Written charges; written statement of evidence;
filing; statement of position by employee; certification of determination; notice	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
	<u>N.J.S.A.</u> 47:1A <u>et seq.</u>	Examination and copies of public records (<u>Open</u>
<u>Public Records Act</u>)	<u>N.J.S.A.</u> 47:3-15 <u>et seq.</u>	Destruction of Public Records Law
	<u>N.J.A.C.</u> 6A:10-2.4	Evaluation procedures for all teaching staff
	<u>N.J.A.C.</u> 6A:32-6.1 <u>et seq.</u>	School Employee Physical Examinations
	<u>N.J.A.C.</u> 12:100-4.2	Safety and health standards for public employees occupational exposure to bloodborne pathogens (Adoption by reference)

PERSONNEL RECORDS (continued)

29 CFR 1910.1030 - Bloodborne Pathogens Standard
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
 Executive Order No. 9, September 30, 1963; modified by Executive Order No. 11,
 November 15, 197
Citizens for Better Education v. Camden Bd. of Ed., 124 N.J. Super. 523 (App. Div.
 1973)
Trenton Times Corp. v. Trenton Bd. of Ed., 138 N.J. Super. 357 (App. Div. 1976)
Nero v. Hyland, 76 N.J. 213 (1978), rev'd 146 N.J. Super. 46 (App. Div. 1977), 136
N.J. Super. 537 (Law Div. 1975)
Brick Township Education Association v. Brick Township Bd. of Ed., 1974 S.L.D. 111
Sayreville Education Association v. Sayreville Bd. of Ed., 1971 S.L.D. 197
White v. Galloway Township Bd. of Ed., 1977 S.L.D. 900, aff'd St. Bd. 1977 S.L.D.
 903
Witchel v. Cannici and the Passaic Bd. of Ed., 1966 S.L.D. 159
Mendell v. Cimmino and the Kinnelon Bd. of Ed., 1970 S.L.D. 185
Cordano v. Weehawken Bd. of Ed., 1974 S.L.D. 316, appeal dismissed St. Bd. 1974
S.L.D. 323
Horner v. Kingsway Regional Board of Education, 1990 S.L.D. 752
Lacey Township Board of Education v. Lacey Township Education Association, 130
N.J. 312 (1992)
Beatty v. Chester 1999 S.L.D. August 31
Ciambrone v. Bloomingdale 2000 S.L.D. May 7

Possible

Cross References: *3570 District records and reports
 *4111 Recruitment, selection and hiring
 *4112.4/4212.4 Employee health
 *4115 Supervision
 *4116 Evaluation
 *4211 Recruitment, selection and hiring
 *4215 Supervision
 *4216 Evaluation
 *5141.4 Child abuse and neglect

*Indicates policy is included in the Critical Policy Reference Manual.

POLICY

Complete Policy Updated by NJSBA

Roselle Park Board of Education
Roselle Park, New Jersey

File Code: 4112.8/4212.8

NEPOTISM

Definitions

For the purpose of this policy the following definitions shall apply:

“Nepotism” shall be defined as the showing of favoritism to an employee or candidate for employment based on the existence of a “conflicted relationship” with a board member or superintendent.

“Conflicted relationship” includes but is not limited to an immediate family member, a relative, and any other relationship that create a justifiable impression that the public trust may be violated.

“Conflicted board member/administrator” shall mean any board member or administrator with a conflict of interest, regardless of the source of conflict as identified in the definitions below.

“Relative” shall be defined as an individual’s spouse, civil union partner, domestic partner, or the parent, child, brother, sister, aunt, uncle, niece, nephew, grandparent, grandchild, son-in-law, daughter-in-law, stepparent, stepchild, stepbrother, stepsister, half-brother or half-sister, of the individual or of the individual’s spouse, civil union partner or domestic partner, whether the relative is related to the individual or the individual’s spouse, civil union partner or domestic partner, by blood, marriage or adoption.

“Immediate family” shall be defined as board member or school administrator, their spouse, civil union partner, domestic partner, child, parent or sibling residing in the same household, whether related by blood, marriage or adoption.

“Other” when describing relationships between individuals and board members or the superintendent includes but is not limited to in-law, cousin, cohabitating partner, and step daughter-in-law and any other personal or professional relationship that creates the justifiable impression that the public trust is being violated.

Employment and Supervision of a Relative

The board of education, in order to avoid both the reality and the appearance of conflict of interest in employment, will not initially appoint a relative of a board member or of the superintendent to any employment position in this district.

The superintendent shall not recommend to the board for initial hire any relative of a board member or of the superintendent, unless the person is subject to the exception below. Nor shall any person be considered for employment in any position in which he/she would come under the direct or indirect supervision of any relative. Where it is not feasible to eliminate such a direct or indirect supervisory relationship, appropriate screens and/or alternate supervision/reporting mechanisms shall be put in place.

No conflicted administrator shall supervise, or exercise authority over personnel matters in which the administrator has a conflict. No board member shall deliberate or vote on a matter involving the member’s conflicted relationship. Nor should the board member be present for any confidential discussion of employment matters in which they have a conflict. Neither should the board member receive confidential information pertaining to a matter in which they have a conflict.

NEPOTISM (continued)

Exceptions Regarding Employment

Persons who are employees of the board on the date that this policy initially becomes effective or the date a relative becomes a board member or superintendent shall not be prohibited from continuing to be employed in the district. This includes employees who must be renewed annually by the board. The superintendent may recommend those employees for reemployment, transfer, promotion or removal.

A relative of a school board member or superintendent may be initially employed by the district provided that the district has obtained the approval from the executive county superintendent of schools. Such approval shall be granted only upon demonstration by the school district that it conducted a thorough search for candidates and that the proposed candidate is the only qualified and available person for the position. Per diem substitutes and student employees may be excluded from the initial hiring aspects of this nepotism policy.

Participation in Employment Related Matters

Conflicted board members may not participate in employment matters concerning the superintendent, principal or any administrator or supervisor(s) in the chain of command between the employee and superintendent.

Prohibited activities for conflicted board members include hiring of the selection agency, criteria, job description, voting to advertise for applicants, search committee, vote to hire and any evaluation and contract discussion post-hire.

Conflicted board members may not be present in closed session when discussions regarding the administrators take place and should not be privy to executive session materials until such time as the minutes are made available to the general public.

Board Member/Superintendent Participation in Negotiations

A. In-District Bargaining Units

When a board member or school administrator is in a conflicted relationship which prohibits participation in collective negotiations, that board member or school administrator shall not participate in any way in negotiations. This includes, but is not limited to, setting negotiation parameters, being a member of the negotiating team, receiving negotiations updates, voting on the proposed agreement and post-contract participation in grievances. Nor shall that board member or school administrator be present with the board in closed session when negotiation strategies are being discussed. A school administrator may provide technical information that is necessary to the collective bargaining process when no one else can provide that information.

Board members or the superintendent are similarly precluded from participation in negotiations with any bargaining unit whose members have supervisory authority over a family member or other conflicted connection.

NEPOTISM (continued)

B. Out-of-District Similar Statewide Bargaining Units

When a board member or school administrator is in a conflicted relationship with an individual who is a member of an out-of-district similar statewide union with which the board is negotiating, that board member or school administrator shall not participate in any way in negotiations. This includes, but is not limited to: being a member of the negotiating team, and receiving confidential negotiations information updates prior to the board's attaining a tentative memorandum of agreement with the bargaining unit, including salary guides and/or the total compensation package.

Once such tentative memorandum of agreement is established, including salary guides and/or the total package of money to be offered, the board member or school administrator may fully participate in the process, including board member voting, absent other conflicts. Prior to that time, the board member or school administrator shall not be present with the board in closed session when negotiation strategies are being discussed. However, a school administrator may provide technical information that is necessary to the collective bargaining process when no one else in the district can provide that information.

A school official who has a conflicted relationship with any employee of the district or an employee in another out-of-district similar statewide union as of the effective date of this policy shall declare such relationship to the board immediately.

Doctrine of Necessity

When a quorum of the board has conflicted interests, the doctrine of necessity may be invoked in order to allow conflicted board members to participate in the negotiation process and vote. The doctrine of necessity may be invoked for the negotiation team or superintendent search committee only when the board of education has fewer non-conflicted board members than are required, pursuant to statute, to take action. The board shall only invoke the doctrine of necessity after consultation with the board attorney. When invoking the doctrine of necessity, the board shall state publically that it is invoking the doctrine of necessity with the reasons for doing so and the specific nature of the conflicts of interest. The board shall read the resolution invoking the doctrine of necessity at a regularly scheduled public meeting, post the notice of the resolution for 30 days and provide the School Ethics Commission with a copy of the resolution.

Implementation

The connections and relationships that create a conflict of interest for an individual board member's participation in board decisions are subject to changes that result from commissioner rulings or changes in law. Therefore the board shall consult with the board attorney as necessary and appropriate for guidance and clarification related to the implementation of this policy.

Adopted: April 17, 2007
Revised: September 16, 2008
Revised: September 1, 2009
Revised: March 16, 2010
Revised: March 30, 2010
NJSBA Review/Update: October 2015
Readopted:

Key Words

Nepotism, Hiring Relatives, Relatives, Doctrine of Necessity

NEPOTISM (continued)

Legal References: <u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
<u>N.J.S.A.</u> 18A:12-2	Inconsistent interests or office prohibited
<u>N.J.S.A.</u> 18A:12-21 <u>et seq.</u>	School Ethics Act
<u>N.J.S.A.</u> 18A:16-1	Officers and employees in general
<u>N.J.S.A.</u> 18A:27-4.1	Appointment, transfer, removal or renewal of officers
and employees; exceptions	
<u>N.J.S.A.</u> 52:13D-13	State conflict of interest law
and 21.2	
<u>N.J.A.C.</u> 6A:4-1.1 <u>et seq.</u>	Appealable decisions
<u>N.J.A.C.</u> 6A:23A-1.2 <u>et seq.</u>	Fiscal accountability; definitions
<u>N.J.A.C.</u> 6A:23A-6.2 <u>et seq.</u>	Fiscal accountability; nepotism
<u>N.J.A.C.</u> 6A:28-1.1 <u>et seq.</u>	School Ethics Commission

In the Matter of the Election of Dorothy Bayless to the Board of Education of the Lawrence Township School District, 1974 S.L.D. 603, reversing 1974 S.L.D. 595
Shirley Smiecinski v. Board of Education of the Township of Hanover, Morris County, 1975 S.L.D. 478

Scola v. Ringwood Bd. of Ed., 1978 S.L.D. 413

Salerno v. Old Bridge Board of Ed., 1984 S.L.D. (April 28)

Larsen v. Woodbridge Board of Ed., 1985 S.L.D. (March 18)

Scannella v. Scudillo, School Ethics Decision, Complaint No. C-14-93, (February 3, 1994)

In the Matter of Frank Pannucci, 2000 S.L.D. March 1, State Board Rev'g Commissioner 97 NJAR 2d (EDU) 339

- School Ethics Commission, Advisory Opinion, A01-93
- School Ethics Commission, Advisory Opinion, A021-93
- School Ethics Commission, Advisory Opinion, A10-93
- School Ethics Commission, Advisory Opinion, A07-94
- School Ethics Commission, Advisory Opinion, A33-95
- School Ethics Commission, Advisory Opinion, A03-98
- School Ethics Commission, Advisory Opinion, A14-00
- School Ethics Commission, Advisory Opinion, A03-13
- School Ethics Commission, Advisory Opinion, A15-13
- School Ethics Commission, Advisory Opinion, A22-13
- School Ethics Commission, Advisory Opinion, A10-14
- School Ethics Commission, Advisory Opinion, A11-14
- School Ethics Commission, Advisory Opinion, A43-14
- School Ethics Commission, Advisory Opinion, A03-15
- School Ethics Commission, Advisory Opinion, A05-15

N.J. Department of Education 05-13-09 Broadcast # 1 "Nepotism Policy Clarification"

Possible

Cross References: *4111	Recruitment, selection and hiring
*4119.21/4212.21	Conflict of interest
*4211	Recruitment, selection and hiring
*9270	Conflict of interest

*Indicates policy is included in the Critical Policy Reference Manual

POLICY

Roselle Park Board of Education
Roselle Park, New Jersey

Complete Policy Updated by NJSBA

File Code: 4119.21/4219.21

CONFLICT OF INTEREST

An employee of the Roselle Park Board of Education shall not have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity which is in conflict with the proper discharge of his/her duties.

An employee of the board shall not use or attempt to use his/her position to secure unwarranted privileges or advantages for himself/herself or others.

An employee of the board shall not act in his/her official capacity in any matter wherein he/she has a direct or indirect personal financial interest such as selection or purchase of any textbook or other materials on which he/she receives a royalty.

An employee of the board shall not accept any benefit, favor, service or other thing of value under circumstances from which it might be reasonably inferred that such benefit, service or other thing of value was given or offered for the purpose of influencing him/her in the discharge of his/her duties.

Bribery and corrupt practices by employees as described in the criminal justice code are forbidden and shall be prosecuted to the full extent of the law.

Political Activities of Staff

All employees are prohibited from engaging in campaign activities on school property that potentially present a conflict of interest.

All employees are prohibited from engaging in any activity in the presence of students during performance of the employees' duties, which activity is intended or designed to promote, further or assert a position on any voting issue, board issue, or collective bargaining issue.

Disciplinary Action

Violations of this policy may result in disciplinary action.

Adopted: September 18, 2007

Revised: March 16, 2010

NJSBA Review/Update: October 2015

Readopted:

Key Words

Royalties, Conflict of Interest, Political Activity of Staff

CONFLICT OF INTEREST (continued)

Legal References: N.J.S.A. 2C:27-1 et seq. Bribery and Corrupt Influence
See particularly:
N.J.S.A. 2C:27-5, -10,-11
N.J.S.A. 18A:6-8 Interest of school officers, etc., in sale of textbooks
or N.J.S.A. 18A:6-8.4 supplies; royalties
N.J.S.A. 18A:11-1 Right to hold elective or appointive state, county or
N.J.S.A. 18A:12-21 et seq. municipal office
See particularly: School Ethics Act
N.J.S.A. 18A:12-24 General mandatory powers and duties
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
N.J.S.A. 19:34-15 Electioneering within or about polling place;
misdemeanor N.J.A.C. 6A:4-1.1 et seq. Appeals
N.J.A.C. 6A:28-1.1 et seq. School Ethics Commission
Green Township Education Association v. Rowe, et al., 328 N.J. Super 525 (App.
Div. 2000)

Possible

Cross References: *1140 Distribution of materials by pupils and staff
1313 Gifts to district employees
*4112.8/4212.8 Nepotism
4117.50 Standards for staff discipline
4118.2 Freedom of speech
*4119.22/4219.22 Conduct and dress
*4119.23/4219.23 Employee substance abuse
*4138/4238 Nonschool employment
*9270 Conflict of interest

*Indicates policy is included in the Critical Policy Reference Manual.

POLICY

Roselle Park Board of Education
Roselle Park, New Jersey

File Code: 4121

SUBSTITUTE TEACHERS

The superintendent shall make provision to employ the services of substitute teachers in order to maintain the effective operation of the educational program.

The Roselle Park Board of Education shall approve potential substitute personnel and the positions in which they may substitute. Teacher substitutes must have at least a valid substitute teaching credential issued by the Executive County Superintendent, and preferably hold a degree.

Any substitute teacher shall be entitled only to the wages approved by the board on a per diem basis, and to no other benefits.

Persons employed as aides may not perform as substitutes for professional employees unless they are board-approved substitute teachers.

The superintendent shall recruit, screen and recommend to the board candidates for employment as instructional substitutes. He/she shall:

- A. Develop procedures for the assignment of substitutes;
- B. Develop methods of evaluating substitute teachers and recommend the retention on the board's approved substitute list of those substitutes who have performed their duties satisfactorily.

Vacant Positions and Use of Substitutes

It is the goal of the district to provide continuity in the educational program by employing permanent qualified teaching staff. When a position in the district is vacant, the district shall observe the limits as provided for in law, in the employment of substitute teachers.

Definitions

- A. A *Substitute Credential* allows the holder to temporarily perform the duties of a fully licensed and regularly employed teacher.
- B. A *Certificate of Eligibility (CE)* is a credential with lifetime validity issued to persons who have completed a degree program of academic study and the applicable test requirements for certification. The CE permits the applicant to seek and accept employment in positions requiring certification through the State Alternate Route Program.

A *Certificate of Eligibility with Advanced Standing (CEAS)* is a credential with lifetime validity issued to persons who have completed a degree program of academic study and the applicable test requirements and traditional professional preparation programs for certification. The CEAS permits the applicant to seek and accept employment in positions requiring certification.

SUBSTITUTE TEACHERS continuedLimits on Filling Vacant Teaching Positions with Substitutes

A vacant teaching position shall not be filled in any school year by one or more individuals:

- A. Holding a substitute credential issued by the State Board of Education for a total amount of time exceeding 20 school days (N.J.S.A. 18A:16-1.1a);
- B. Employed as a substitute teacher, holding a certificate of eligibility (CE) or a certificate of eligibility with advanced standing (CEAS) issued by the State Board of Examiners and *working in an area authorized by their credentials* for a total amount of time exceeding 60 school days (N.J.S.A. 18A:16-1.1b). If the substitute is employed more than 60 days, compensation shall be adjusted on a pro-rata basis, consistent with the salary provided to a teacher with similar credentials employed by the district;
- C. Employed as a substitute teacher, holding a certificate of eligibility (CE) or a certificate of eligibility with advanced standing (CEAS) issued by the State Board of Examiners and *working in an area not authorized by their credentials* for a total amount of time exceeding 20 school days (N.J.S.A. 18A:16-1.1c);
- D. Employed as a substitute teacher and holding a standard instructional certificate issued by the State Board of Examiners and *working in an area not authorized by their credentials* for a total amount of time exceeding 40 school days (N.J.S.A. 18A:16-1.1d).

The executive county superintendent of schools may grant an extension of time in accordance with law, upon written application from the district demonstrating the district's inability to hire an appropriately certified teacher for the vacant position within the original time limit.

Adopted: September 18, 2007

Revised: May 24, 2011

NJSBA Review/Update: October 2015

Readopted:

Key Words

Substitute Teachers, Vacant Position, Vacancy, Long Term Substitute

<u>Legal References:</u>	N.J.S.A. 18A:6-7.1 through -7.5	Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception ...
	N.J.S.A. 18A:16-1.1	May appoint temporary officers and employees
	<u>See Particularly:</u>	
	N.J.S.A. 18A:16-1.1a through -1.1d	
	N.J.S.A. 18A:27-4	Power of boards of education to make rules governing employment of teacher, etc.
	N.J.S.A. 18A:27-4.1	Appointment, transfer, removal, or renewal of officers and employees; exceptions
	N.J.S.A. 18A:29-16	Emergency certificates; day-by-day basis substitute
	N.J.A.C. 6A:9B-6.5	Substitute credential
	N.J.A.C. 6A:32-6.1 et seq.	School Employee Physical Examinations

SUBSTITUTE TEACHERS continued

P.L. 2010, c. 97, (N.J.S.A. 18A:16-1.1a) limits long term (over 20 days) employment of substitutes.

8 U.S.C.A. 1100 et seq. - Immigration Reform and Control Act of 1986

Sayreville Education Assoc. on behalf of Rucki et. al. v. Board of Education of the Borough of Sayreville, 193 N.J. Super. 390 (App.Div. 1984)

Lammers v. Board of Education of Borough of Point Pleasant, 260 N.J. Super. 390 (App.Div. 1992)

Possible

Cross References: *4111 Recruitment, selection and hiring
*4112.2 Certification
*4112.4/4212.4 Employee health

*Indicates policy is included in the Critical Policy Reference Manual.

POLICY

Roselle Park Board of Education
Roselle Park, New Jersey

File Code: 4123

CLASSROOM AIDES (PARAPROFESSIONALS)

The Roselle Park Board of Education, within its financial means, may hire aides (paraprofessionals) as recommended by the superintendent.

It is the responsibility of the classroom teacher to plan for any teacher aide's (paraprofessional's) constructive involvement with the class. The primary benefit must be to the pupils.

Classroom aides (paraprofessionals) shall be under the supervision of the classroom teacher.

The superintendent shall submit statements of assurance affirming that all paraprofessional staff hired were employed as instructional or health and safety personnel or in accordance with the requirements of individualized education programs. The statements of assurance shall be submitted biannually to the executive county superintendent no later than September 30 and January 31. All aides (paraprofessionals) shall be required to comply with the provisions of the law regarding health examinations and criminal history checks.

In accordance with federal law, the superintendent shall establish procedures to release information, upon request, regarding the qualifications of classroom aides (paraprofessionals) to parents/guardians for any classroom aide (paraprofessional) who is employed by a school receiving Title I funds and who provides instructional assistance to their children.

On or before May 15 in each year, a paraprofessional continuously employed since the preceding September 30 in a school district that receives funding under Title I of the federal Elementary and Secondary Education Act of 1965 shall receive either:

- A. A written offer of a contract for employment for the next succeeding year providing for at least the same terms and conditions of employment but with such increases in salary as may be required by law or policies of the board of education; or
- B. A written notice that such employment will not be offered.

Qualification of Classroom Aides (Paraprofessionals) In Title I Schools

All classroom aides (paraprofessionals) paid in whole or in part with Title 1 funds shall be qualified in accord with federal law. All such paraprofessional (classroom aides) must have a high school diploma or its equivalent. All such classroom aides (paraprofessionals), except those working as translators or solely in conducting parent involvement activities, also must meet one of the following criteria:

- A. Completed at least two years of study at an institution of higher education;
- B. Obtained an associate's (or higher) degree; or
- C. Passed a formal state or local assessment demonstrating ability to assist in instructing reading, writing and mathematics or reading readiness, writing readiness and mathematics readiness, as appropriate.

CLASSROOM AIDES (PARAPROFESSIONALS) continued

Adopted: September 18, 2007
 Revised: March 16, 2014
 NJSBA Review/Update: October 2015
 Readopted:

Key Words

Aides; Classroom Aides; Teacher Aides; Background Check; Paraprofessionals; Personnel
 Background Check

<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:6-7.1 through -7.5	Criminal history record; employee in regular with pupils; grounds for disqualification from employment; exception
	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:16-2 through -5	Physical examinations; requirement ...
	<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
	<u>N.J.A.C.</u> 6A:32-4.2	Approval of paraprofessional staff
	<u>N.J.A.C.</u> 6A:32-6.1 <u>et seq.</u>	School employee physical examinations

8 U.S.C.A. 1100 et seq. - Immigration Reform and Control Act of 1986

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Possible

<u>Cross References:</u>	*3541.1	Transportation routes and services
	*3542	Food service
	*4112.4/4212.4	Employee health
	*4215	Supervision
	*4216	Evaluation
	4221	Noninstructional substitutes
	*5131	Conduct/discipline
	*6162.4	Community resources

*Indicates policy is included in the Critical Policy Reference Manual.

POLICY

Roselle Park Board of Education
Roselle Park, New Jersey

Complete Policy Updated by NJSBA

File Code: 4131/4131.1

STAFF DEVELOPMENT; INSERVICE EDUCATION/VISITATIONS/CONFERENCES

The Roselle Park Board of Education recognizes its legal obligation to provide inservice activities that are aligned with student learning and educator development needs, and school, district, and/or State improvement goals. It is the board's priority that continuing education for teaching staff focus on the improvement of teachers' and school leaders' effectiveness in assisting students in the achievement of the Core Curriculum Content Standards (CCCS) including the Common Core State Standards (CCSS) in mathematics and language arts and literacy.

The superintendent shall develop a comprehensive management system for staff professional improvement and shall assist staff members in the area of professional improvement by providing relevant information regarding workshops, professional meetings and course offerings. Professional learning shall incorporate coherent, sustained, and evidence-based strategies that improve educator effectiveness and student achievement, including job-embedded coaching or other forms of assistance to support educators' transfer of new knowledge and skills to their work.

Professional Development for School Leaders

"School leader" means an administrator whose position requires possession of a school administrator, principal, or supervisor endorsement.

All active school leaders serving on a permanent or interim basis shall complete training on issues of school law, ethics, governance, and harassment, intimidation and bullying (N.J.S.A. 18A:26-8.2); and other statutory requirements related to student safety and well-being. To meet this ongoing requirement, the specific training needs of each school leader will be reviewed annually as part of the professional development planning process.

A. School Leaders

The superintendent, principals, and supervisors shall fulfill the professional development requirement through the creation, implementation, and completion of a professional development plan that:

1. Aligns with the Professional Standards for School Leaders and the Standards for Professional Learning;
2. Derives from the results of observations, evidence, and recommendations included in the annual performance evaluation of the superintendent, principals, or supervisors;
3. Identifies professional goals that address specific individual, school, or district goals; and
4. Grounds professional development activities in objectives related to improving teaching, learning, and student achievement, and in support of the school and/or district professional development plan.

B. Professional Development Requirements for the Superintendent

The board of education shall oversee and review the superintendent's professional development. The professional development shall be linked to individual, school, and district professional development goals and to the district's professional development plan.

STAFF DEVELOPMENT; INSERVICE EDUCATION/VISITATIONS/CONFERENCES continued

The board of education shall review the professional development plan. The superintendent shall provide to the board of education annual evidence of progress toward completion of the professional development plan and summative evidence of plan completion every three to five years, depending on the superintendent's contract with the board of education.

In cases where there is disagreement between a superintendent and his or her board of education regarding plan contents or progress toward completion, the superintendent may appeal to the executive county superintendent, who will have final decision-making authority on all such matters.

C. Professional Development Requirements for Principals, Supervisors and Other Administrators

The superintendent shall oversee and review professional development for each principal and supervisor. The professional development shall be linked to individual, school, and district professional development goals and the district's professional development plan.

Leaders whose positions require a principal or supervisor endorsement shall have an annual plan developed in collaboration with the superintendent, or designee holding a superintendent endorsement. Leaders whose positions require a superintendent's endorsement but who do not serve as a superintendent of the district shall have an annual plan developed in collaboration with the superintendent, or designee holding a superintendent endorsement.

The superintendent, or designee holding a superintendent endorsement, shall meet with the principal, supervisor, or other school administrator at mid-year to assess progress toward completion or modification of the plan. The superintendent, or designee holding a superintendent endorsement, shall review the status of the professional development plan as part of the principal's, supervisor's, or other district administrator's annual performance evaluation.

D. Evidence of Progress

Each active school leader shall be required to provide evidence of progress toward fulfillment of his or her plan including a narrative account detailing plan goals and their achievement; and documentation of professional growth activities such as school-based learning activities; training; university coursework; action research; and study groups. Study groups may include school, district, county, and/or State associations and organizations, school and district collaborative teams, and virtual learning communities.

Professional Development for Teachers

To meet the state professional development requirements, each teacher shall be guided by an individualized professional development plan (PDP), which shall include at least 20 hours per year of qualifying activities. The 20-hour annual requirement shall be reduced by a pro rata share reflecting the use of family or medical leave. It is the individual teacher's responsibility in accordance with district policies, to assure that a teacher meets the professional development requirement. There is no mandated financial obligation on the part of the district.

The content of each PDP shall be developed by each teacher's supervisor in consultation with the teacher and shall align with the Professional Standards for Teachers in N.J.A.C. 6A:9-3.3 and the Standards for Professional Learning in N.J.A.C. 6A:9C-3.3. The PDP shall be effective for one year and shall specify, at a minimum:

STAFF DEVELOPMENT; INSERVICE EDUCATION/VISITATIONS/CONFERENCES continued

- A. One area for development of professional practice derived from the results of observations and evidence accumulated through the teacher's annual performance evaluation;
- B. As appropriate, an additional area for development of professional practice aligned to the teacher's role as a member of his or her collaborative professional learning team. The professional learning team consists of teachers, school leaders, and other administrative, instructional, and educational services staff members who commit to working together to accomplish common goals and who are engaged in a continuous cycle of professional improvement focused on:
 - 1. Evaluating student learning needs through ongoing reviews of data on student performance; and
 - 2. Defining a clear set of educator learning goals based on the rigorous analysis of these data
- C. As appropriate, an additional area for development of professional practice aligned with school and/or district improvement plans and goals; and
- D. Any requirements for professional development stipulated elsewhere in statute or regulation.

The progress of each teacher in meeting the goals of the PDP must be determined annually and aligned to the district process for teacher evaluation. Progress on the PDP must be discussed during a minimum of one annual conference between the teacher and his or her supervisor. Each teacher shall provide evidence of progress toward meeting the requirements of his or her individual PDP, and this evidence must be reviewed as part of each conference. The PDP shall be revised at a minimum annually but may be adjusted as necessary to support the teacher's progress. All teachers shall have an individual PDP within 30 instructional days of the beginning of their respective teaching assignments.

A teacher's individual PDP goals may necessitate more than the recommended minimum requirements. The PDP shall accommodate additional professional development as necessary. Additional hours of qualifying activities may be required for teachers in low-performing schools, as determined by the Commissioner.

The board of education shall ensure that all teachers receive the necessary opportunities, support, and resources to engage in ongoing professional learning and to complete the requirements of their respective PDPs.

School-Level Professional Development Plans

The principal shall oversee the development and implementation of a plan for school-level professional development. The school-level professional development plan shall include a description of school-level and team-based professional learning aligned with identified school goals, and teacher and student learning needs. The school-level plans shall become part of the district professional development plan reviewed by the board of education.

The principal shall ensure that all teachers receive the necessary opportunities, support, and resources to complete professional development requirements.

STAFF DEVELOPMENT; INSERVICE EDUCATION/VISITATIONS/CONFERENCES continued

District-Level Professional Development Plans

The superintendent or his or her designees shall oversee the development and implementation of plans to address the districts' professional development needs. (School districts sending to the same middle and/or high school may form a regional consortium to develop one district-wide plan based on the sending schools' plans.)

The superintendent shall (N.J.A.C. 6A:9C-3.6):

- A. Review school-level professional development plans;
- B. Assess the learning needs of students, teachers, and school leaders based on educator evaluation data, school-level plans, and data from school- and district-level performances;
- C. Plan, support, and implement professional development activities that address the CCSS and the CCCS, and that align with the Standards for Professional Learning in N.J.A.C. 6A:9C-3.3 and the Professional Standards for Teachers and School Leaders in N.J.A.C. 6A:9-3.3 and 3.4; and
- D. Develop and update, as necessary, the district mentoring plan for new teachers (board policy 4112.2 Certification and N.J.A.C. 6A:9B-8.4).

The superintendent shall review the district plan annually to assess its effectiveness and revise it as necessary to meet the district's learning goals for students, teachers, and school leaders. The district plan shall provide information on school-level and district-wide professional development opportunities, the resources being allocated toward their support, and a justification for the expenditures. The district plan shall also include any professional development required by statute or regulation.

The superintendent shall be responsible for the content and implementation of the district professional development plan. The superintendent shall present the plan to the board of education to review for fiscal impact.

The board of education reserves the right to deny any plan that fails to advance district goals and objectives; is not conducive to student achievement of the Core Curriculum Content Standards including the Common Core State Standards; or contravenes current negotiated agreements, other board policies, student safety and well-being, continuity of the instructional program, or budgetary constraints.

Staff participation that may require release time and/or financial reimbursement from the board will be determined by the board of education after recommendation by the superintendent.

Staff members who participate in out-of-district programs at board expense shall submit a written report highlighting the main thrust and ideas observed by the participant.

STAFF DEVELOPMENT; INSERVICE EDUCATION/VISITATIONS/CONFERENCES continued

Mandated Inservice Programs

The superintendent shall arrange development of appropriate inservice presentations, seminars and/or workshops on equity issues, special education, child abuse and neglect, drug/alcohol abuse awareness, handling blood and body fluids, possible hazardous substances in the workplace, crises response, school violence and other topics specifically required by federal or New Jersey law. These required presentations, seminars and/or workshops shall not count automatically toward the required 20 hours of continuing education annually.

Adopted: September 18, 2007
 Revised: October 21, 2008
 Revised: March 16, 2010
 NJSBA Review/Update: October 2015
 Readopted:

Key Words

Staff Development, Professional Inservice, Visitations, Conferences, Continuing Education

<p><u>Legal References:</u> <u>N.J.S.A.</u> 18A:6-111 et seq. See particularly: <u>N.J.S.A.</u> 18A:6-112 <u>N.J.S.A.</u> 18A:7A-11 <u>N.J.S.A.</u> 18A:17-46 <u>N.J.S.A.</u> 18A:26-8.2 <u>N.J.S.A.</u> 18A:27-4 <u>N.J.S.A.</u> 18A:30-7 <u>N.J.S.A.</u> 18A:31-2 <u>N.J.S.A.</u> 18A:40A-3 See particularly: <u>N.J.S.A.</u> 18A:40A-3(a), -18(c) <u>N.J.S.A.</u> 34:5A-10 <u>N.J.S.A.</u> 34:5A-13 <u>N.J.A.C.</u> 6A:7-1.6 <u>N.J.A.C.</u> 6A:9-1.1 <u>et seq.</u> <u>N.J.A.C.</u> 6A:9B-8.4 <u>N.J.A.C.</u> 6A:9C-2.1 <u>et seq.</u></p>	<p>Instruction in Suicide Prevention Instruction in suicide prevention for public school teaching staff Reports be school districts, commissioner; interim review Act of violence; report by school employee; notice of action taken; annual report School leader training on ethics and governance; collaborative training model Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder Power of boards of education to pay salaries Attendance at conventions of New Jersey Education Association Initial inservice training programs; curriculum; availability Retention of workplace surveys Employee education and training program; certification of instructors Professional development Professional standards Requirements for a district mentoring program Required professional development for teachers and school leader</p>
---	--

STAFF DEVELOPMENT; INSERVICE EDUCATION/VISITATIONS/CONFERENCES continued

	<u>N.J.A.C.</u> 6A:10-2.4	Evaluation of all teaching staff
	<u>N.J.A.C.</u> 6A:10-2.5	Corrective action plans for all teaching staff
	<u>N.J.A.C.</u> 6A:10-4.1 <u>et seq.</u>	Components of teacher evaluation
	<u>N.J.A.C.</u> 6A:14-1.2(b)13	District eligibility for assistance under IDEA Part B (regarding highly qualified teachers)
	<u>N.J.A.C.</u> 6A:15-1.8	Inservice training
	<u>N.J.A.C.</u> 6A:16-1.1 <u>et seq.</u>	Programs to Support Student Development
	<u>See particularly:</u>	
prevention:	<u>N.J.A.C.</u> 6A:16-3.1(a)4, -5.1(d), -6.2(b)12	Inservice training, alcohol, tobacco, drug safety and security, cooperation with law enforcement
	<u>N.J.A.C.</u> 6A:16-10.1	Reporting allegations of child abuse and neglect
	<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the performance of school districts
	<u>N.J.A.C.</u> 6A:32-4.1	Employment of teaching staff

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

The Comprehensive Equity Plan, New Jersey State Department of Education

Possible

<u>Cross References:</u>	*4115	Supervision
	*4116	Evaluation
*4231/4231.1	Staff development; inservice education/visitations/conferences	
	*5131.6	Drugs, alcohol, tobacco (substance abuse)
	*5141	Health
	*5141.4	Child abuse and neglect
*6142.2	English as a second language; bilingual/bicultural	
	*6171.3	At-risk and Title 1
	*6171.4	Special education

*Indicates policy is included in the Critical Policy Reference Manual.

POLICY

Roselle Park Board of Education
Roselle Park, New Jersey

File Code: 4222

NONINSTRUCTIONAL AIDES

The Roselle Park Board of Education, within its financial means, may hire aides as recommended by the superintendent.

It is the responsibility of the classroom teacher to plan for any teacher aide's constructive involvement with the class. The primary benefit must be to the pupils.

Lunchroom and playground aides shall be under the supervision of appropriate certified personnel.

The superintendent shall submit statements of assurance affirming that all paraprofessional staff hired were employed as instructional or health and safety personnel or in accordance with the requirements of individualized education programs. The statements of assurance shall be submitted biannually to the executive county superintendent no later than September 30 and January 31. All noninstructional aides shall be required to comply with the provisions of the law regarding health examinations and criminal history checks.

On or before May 15 in each year, a paraprofessional continuously employed since the preceding September 30 in a school district that receives funding under Title I of the federal Elementary and Secondary Education Act of 1965 shall receive either:

- A. A written offer of a contract for employment for the next succeeding year providing for at least the same terms and conditions of employment but with such increases in salary as may be required by law or policies of the board of education; or
- B. A written notice that such employment will not be offered.

Adopted: February 12, 2008
Revised: March 16, 2010
NJSBA Review/Update: October 2015
Readopted:

Key Words

Aides, Noninstructional Aides, Background Check, Personnel Background Check

NONINSTRUCTIONAL AIDES (continued)

Legal References:	<u>N.J.S.A.</u> 18A:6-7.1 through -7.5	Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment;
exception ...	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:16-2 through -5	Physical examinations; requirement
and employees; exceptions	<u>N.J.S.A.</u> 18A:27-4.1	Appointment, transfer, removal, or renewal of officers
	<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
	<u>N.J.A.C.</u> 6A:32-4.2	Approval of paraprofessional staff
	<u>N.J.A.C.</u> 6A:32-6.1 <u>et seq.</u>	School Employee Physical Examinations
	8 <u>U.S.C.A.</u> 1100 <u>et seq.</u> - <u>Immigration Reform and Control Act of 1986</u>	

Possible

Cross References:	*3541.1	Transportation routes and services
	*3542	Food service
	*4112.4/4212.4	Employee health
	*4215	Supervision
	*4216	Evaluation
	4221	Noninstructional substitutes
	*6162.4	Community resources

*Indicates policy is included in the Critical Policy Reference Manual.

POLICY

Roselle Park Board of Education
Roselle Park, New Jersey

File Code: 5118

NONRESIDENTS

The Roselle Park Board of Education shall operate the schools of this district for the benefit of all children resident in the district and such others as may be admitted, pursuant to statute and policy of the Board. The Board reserves the right to verify the residency of any pupil and the validity of any affidavit of guardianship. Documentation required to prove eligibility to attend the schools of this district shall be in accord with policy 5111 Admission and the administrative code.

Future Residents

A child otherwise eligible for attendance whose parent/guardian has signed a contract to buy, build or rent a residence in this district shall be enrolled for a period not to exceed 30 days previous to the anticipated date of residency without tuition charges. If the child has not become a resident of the district by the end of the period of free attendance, tuition shall be required for the remainder of the time until residency is established.

Parents/guardians of children who are future residents shall be required to demonstrate proof of the anticipated residency. The Board reserves the right to verify such claims, and to remove from school a nonresident pupil whose claim cannot be verified.

Former Residents

Regularly enrolled children whose parents/guardians have moved out of the school district during the final marking period shall be permitted to finish the school year without payment of tuition. Regularly enrolled children whose parents/guardians move from the district at any other time during the school year may remain enrolled for the remainder of the school year on payment of tuition prorated.

Foreign Exchange Students

The Board may admit foreign exchange students into district schools in order to promote cultural awareness and understanding among students.

The Board may accept exchange students on a J-1 visa who reside within the district as participants in group-sponsored exchange programs approved by the Board. Tuition may be waived for students on a J-1 visa.

The Board may accept privately sponsored exchange students on an F-1 visa for attendance only in secondary schools upon payment of tuition at the established district rate. Tuition cannot be waived for students on an F-1 visa, and attendance in district schools shall not exceed 12 months. Students attending the schools of this district on an F-1 visa may not participate in any adult-education programs sponsored by the Board under any circumstances.

NONRESIDENTS (continued)

All potential organizations or individuals applying for admission shall forward the request to the superintendent by July 1 proceeding the school year of attendance. Foreign exchange students shall comply with all immunization requirements for students of this district. The superintendent shall be responsible for determining the visa status and eligibility of foreign exchange students applying for admission.

Victims of Domestic Violence

A child who moves out of a school district as a result of domestic violence, sexual abuse or other family crises shall be permitted to remain enrolled in that district for the remainder of the school year. If the child remains enrolled in the district for the remainder of the school year, the school district shall provide transportation services to the child, provided the child lives remote from school, and the State shall reimburse the school district for the cost of the transportation services.

Homeless Pupils

The district will determine the educational placement of homeless students in each child's best interest and respond to appeals concerning them made by parents/guardians or other parties in accordance with New Jersey statutes and administrative code, as well as pertinent federal law. The district will designate a "homeless student liaison" to help the homeless student enroll in school, make sure that the homeless student is enrolled and attending school, and see that the district meets federal and state requirements for educating homeless students.

Other Nonresident Pupils

Other nonresident pupils may be admitted to this district on payment of tuition and availability of space.

The superintendent shall develop procedures for the enrollment of nonresident children that allow admission of such children only on the proper application of parent/guardian; verify claims of residency and submission of affidavits of guardianship; deny admission where the educational program maintained for the children of this district is inadequate to meet the needs of the applicant; do not exclude any child, otherwise eligible, on the basis of such child's race, color, creed, national origin, affectional or sexual orientation, atypical hereditary cellular or blood trait of any individual or ancestry; and make continued enrollment of any nonresident pupil contingent upon maintaining good standards of citizenship and discipline.

When a child must either relocate to or from this district because his/her parent/guardian is a member of the New Jersey National Guard or a member of the reserve component of the armed forces of the United States and has been ordered into active service, the child shall be eligible to attend the schools of this district without paying tuition. The district shall not be responsible for transporting the child.

The superintendent or his/her designee shall recommend to the Board for its approval the admission of qualified applicants.

The Board shall not be responsible for the transportation to or from school of any nonresident pupils, except as may be required by state or federal law.

The Board shall annually determine tuition rates for nonresident pupils.

NONRESIDENTS (continued)

Adopted: February 6, 2007
 Revised: March 16, 2010
 NJSBA Review/Update: September 27, 2015
 Readopted:

Key Words

Nonresidents, Tuition Pupil, Affidavit Pupil, Homeless Pupil

<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:7F-45 <u>N.J.S.A.</u> 18A:11-1	Definitions General mandatory powers & duties
<u>Act of 1999</u>	<u>N.J.S.A.</u> 18A:36B-14 <u>et seq.</u> <u>N.J.S.A.</u> 18A:38-1 <u>et seq.</u>	<u>Interdistrict Public School Choice Program</u> Attendance at school free of charge
establishment of facilities schools)	<u>See particularly:</u> <u>N.J.S.A.</u> 18A:38-1.1, 38-2, 38-3, 38-8, 38-9 <u>N.J.S.A.</u> 18A:46-20 <u>N.J.S.A.</u> 18A:54-20	Receiving pupils from outside district; Powers of board (county vocational schools)
Education	<u>N.J.A.C.</u> 6A:12-1.3 <u>et seq.</u> Students at Risk of Not `	Interdistrict Public School Choice <u>N.J.A.C.</u> 6A:17-1.1 <u>et seq.</u> Receiving a Public
district	<u>N.J.A.C.</u> 6A:22 <u>See particularly:</u> <u>N.J.A.C.</u> 6A:22-3 <u>N.J.A.C.</u> 6A:22-3.1	Student residency Eligibility to attend school Students domiciled within the school
residence	<u>N.J.A.C.</u> 6A:23A-19.2 <u>N.J.A.C.</u> 6A:23A-19.3 district of residence	Method of determining the district of Address submission for determining the

8 U.S.C. 1101 - Illegal Immigrant and Immigration Responsibility Act of 1997
Board of Education of the Borough of Englewood Cliffs v. Board of Education of the City of Englewood, 132 NJ 327; cert. denied, 510 U.S. 991 (1993); subsequent listing 333 N.J. Super. (App. Div. 2000)
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
J.A. v. Board of Education of South Orange/Maplewood, 318 N.J. Super. 512 (App. Div 1999)

Possible

<u>Cross References:</u>	3240 Tuition income *5111 Admission *5114 Suspension and expulsion 6142.5 Travel and exchange programs *6151 Class size
---------------------------------	---

*Indicates policy is included in the Critical Policy Reference Manual.

POLICY

Roselle Park Board of Education
Roselle Park, New Jersey

File Code: 5119

TRANSFERS

General

All transfers into the schools of the Roselle Park School District shall be in accord with file code 5111 Admission. Students transferring into the district are expected to present copies of records from the previously attended school (or district) to aid in placement. Also required are proof of immunizations and proof of identity.

Parents/guardians of pupils or adult pupils transferring from the district shall notify the principal in a timely manner of their intention to leave the district.

Student records shall be transferred between superintendents within the time frame prescribed by law.

Central Assignment of Pupils

The Board of Education directs the assignment of pupils to the schools, programs, and classes of this district consistent with the best interests of pupils and the best uses of the resources of this district.

Pupils shall generally attend the school located in the attendance area of their residence. The Superintendent may assign a pupil to a school other than that designated by the attendance area when such an exception is justified by circumstances and is in the best interests of the pupil. Every effort will be made to continue a pupil in the same elementary school. However, due to the organization of classrooms in each of the elementary schools, a child may be assigned to kindergarten in one building and then reassigned to another building for first grade. This process may be necessary to maintain equitable class size in each of the elementary schools.

The Superintendent shall assign an incoming transfer pupil to the school that will afford the pupil the most appropriate educational opportunity. The building principal may assign pupils in his/her school to grades, classes, and groups on the basis of the needs of the pupil as well as the sound administration of the school.

Unsafe School Choice Option

If a school in the district is identified as "persistently dangerous" by the State Department of Education, all students in that school shall be offered on a space available basis the option of transferring. Parents/guardians shall be notified within 15 calendar days after the district is notified of the school's status, and all transfers shall be completed by the beginning of the school year following. To the extent possible, transfers shall be into schools that are making adequate yearly progress. Students may remain in the school into which they have transferred until the school of origin is no longer identified as "persistently dangerous."

TRANSFERS (continued)

In addition, any student who becomes a victim of a violent criminal offense while in school or on school grounds shall be offered the option of transferring. The student shall be given the option within 10 days of the incident, and the transfer shall occur within 30 days of determination that the student was a victim. Applicable definitions and criminal offenses shall be as listed in the statewide policy.

Transportation shall be provided to students transferring out of "persistently dangerous" schools and student victims of violent criminal offenses where the transferring elementary student lives more than two miles, or the transferring high school student lives more than two and a half miles from the choice school.

The Board will make a reasonable attempt to offer a safe school alternative to students choosing to transfer out of a "persistently dangerous" school or to a student who has been a victim of a violent criminal offense. The superintendent shall attempt to establish an agreement with a neighboring district. The Board shall review and approve any agreement prior to its application.

The superintendent shall ensure that the district complies with all requirements of federal law and the state department of education. He/she shall prepare regulations to implement this policy.

Adopted: May 20, 2008

Revised: March 16, 2010

NJSBA Review/Update: September 27, 2015

Readopted:

Key Words

Transfers, Persistently Dangerous Schools, Victims of Violent Crimes

<u>Legal References:</u>	<u>N.J.S.A. 18A:7B-12</u>	District of residence; determination
	<u>N.J.S.A. 18A:36-19a</u>	Newly enrolled students; records & identification
	<u>N.J.S.A. 18A:36-25.1</u>	Proof of child's identity required for enrollment; transfer of record between districts
<u>N.J.S.A. 18A:36B-14 et seq.</u>	<u>Interdistrict Public School Choice Program Act of 1999</u>	
	<u>N.J.S.A. 18A:38-8</u>	Duty to receive pupils from other districts
<u>N.J.A.C. 6A:12-3.2</u>		Criteria to guide the Commissioner's approval of choice program applications
	<u>N.J.A.C. 6A:23A-19.2</u>	Method of determining the district of Residence
	<u>N.J.A.C. 6A:32-8.2</u>	School enrollment

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Unsafe School Choice Option Policy, New Jersey Department of Education, June 30, 2003

Possible

<u>Cross References:</u>	*5111	Admission
	*5125	Pupil records
	*5131	Conduct/discipline
	*5131.5	Vandalism/violence
	*5141.3	Health examinations and immunizations

*Indicates policy is included in the Critical Policy Reference Manual.

POLICY

Roselle Park Board of Education
Roselle Park, New Jersey

File Code: 5125

STUDENT RECORDS

The Roselle Park Board of Education shall conform in all respects to the requirements of state and federal law regarding gathering, maintaining, securing, disclosing, allowing access to and destruction of student records.

The superintendent shall be responsible for the security of student records maintained in the school district. He/she shall formulate and the Board shall review administrative procedures to guarantee the safety and security of all student records, and to provide authorized persons and organizations access to these records at a convenient place and time within the limits stipulated by law, i.e., within 10 days of the request but prior to any review or hearing conducted in accordance with state board of education regulations.

Student records shall include all those mandated by the New Jersey administrative code or state statutes, or authorized by administrative directives, and such permitted records as the Board shall authorize by resolution at a regular public meeting in order to promote the educational welfare of the student. Records so authorized must comply with code standards as to relevance and objectivity.

The Board shall report annually at a public meeting a description of the types of student records it has authorized certified school personnel to collect and maintain.

Student records shall contain only such information as is relevant to the education of the student, and is objectively based on the personal observations or knowledge of the originator of the record.

All anecdotal information and assessment reports collected on a student shall be dated and signed by the individual who originated the data.

Parents/guardians and adult students shall be notified annually in writing of their rights in regard to student records. Such rights include:

- A. Notification of rights in writing, in dominant language of parent/adult student, if possible. When the parent or adult student's dominant language is not English, or the parent/adult student is deaf, the district shall provide interpretation of the record in the dominant spoken or sign language;
- B. Copies of applicable state and federal laws and local policies made available on request;
- C. Should the parental rights of one or the other parent/guardian be terminated by a court of appropriate jurisdiction, it is the responsibility of the person/agency having legal custody to notify the district that the right to review student records should be denied the person whose rights have been terminated;

STUDENTS RECORDS (continued)

D. Parents/guardians or adult students have the right to seek to include in the records material they think pertinent or to seek exclusion from the records of material that is untrue, irrelevant to the student's present educational situation or otherwise improperly contained in the student's record. Parents/adult students have the right to request an immediate stay of disclosure pending final determination of the challenge procedure. They also have the right to challenge the district's granting or denial of access to the student's records.

The superintendent shall devise procedures to review such requests. These procedures shall include an appeal process as required by New Jersey administrative code.

Student Information Directories

The district shall compile, publicize and make available a "student information directory" as defined in the administrative code. Such directory information and school facilities shall be available to educational, occupational and military recruiters as required by law.

The district must notify parents/guardians and adult students annually in writing of their rights in regard to student participation in educational, occupational and military recruitment programs.

Such rights include:

- A. Notification of these rights in writing, in dominant language of parents/guardians or adult student;
- B. A 10-day period in which to submit a written statement to the superintendent prohibiting the district from including any or all types of information about the student in any student information directory before allowing access to such directory and school facilities to educational, occupational and military recruiters pursuant to statute;
- C. A 10-day period to submit a written statement to the superintendent excluding information from any school directory for official use;
- D. Copies of applicable state and federal laws and local policies will be made available on request.

District Review of Student Records

The superintendent shall require all permitted student records of students currently enrolled in the regular educational program to be reviewed annually by certified school personnel to determine the educational relevance of the material contained therein. The reviewer shall cause to be deleted from the records data no longer descriptive of the student or educational situation.

Such information shall be destroyed and shall not be recorded elsewhere nor shall a record of such deletion be made.

Such data may not be removed from the record of a disabled student without prior parental notice.

STUDENTS RECORDS (continued)Records of Classified Students

All records of disabled students shall be maintained in accordance with administrative code and established procedures that will ensure proper accessibility and confidentiality.

A special confidential file shall be maintained listing the code numbers assigned to disabled students on whose behalf the Board must take public action. Motions concerning disabled students shall be anonymous and refer to this confidential file. This shall be maintained in accordance with N.J.A.C. 6A:32-7.

Parents/adult students or designees shall be permitted to inspect and review the contents of the student's record maintained by the district without unnecessary delay and before any meeting regarding the student's IEP. Any consent required for disabled students under N.J.A.C. 6A:32-7 shall be obtained according to N.J.A.C. 6A:14-1.3 "Consent" and N.J.A.C. 6A:14-2.3.

Transfer of Student Records

A. The superintendent shall request records of a newly enrolled student from the district of previous attendance as soon as possible after enrollment, but in any case within the time limit prescribed by the administrative code;

B. The superintendent shall forward mandated student records as soon as possible upon receipt of the request from the superintendent of the district to which the student has transferred, but in any case within the time limit prescribed by the administrative code. Permitted records shall be forwarded in the same manner at the same time if parental permission was given at the time the student's parents/guardians informed the district of the transfer;

Permitted Access to Student Records

A nonadult student may assert rights of access only through his/her parent/guardian. However, certified school personnel may, in their discretion, disclose student records to nonadult students or to appropriate persons in connection with an emergency, if such knowledge is necessary to protect the health or safety of the student or other persons.

A parent/guardian or adult student shall either have access to or be specifically informed about only that portion of another student's record that contains information about his/her own child or himself/herself.

A student record may be withheld from a parent of a student under 18 or from an adult student only when the district obtains a court order or is provided with evidence that there is a court order revoking the right to access. Only that portion of the record designated by the court may be withheld.

The Board shall limit access to, disclosure of and communication regarding student records and health records to authorized organizations, agencies or persons as defined by code.

STUDENTS RECORDS (continued)

Particular attention shall be paid to the development of procedures whereby student records are made accessible to assigned secretarial and clerical staff in the performance of their duties, and to compliance with requirements for the security of computerized student records that will limit access to authorized persons. Limited access shall be granted to secretarial and clerical personnel under the direct supervision of certified school personnel to those portions of the record and to the extent necessary to record data and conduct routine clerical tasks.

The district will charge the standard rate for copies.

School personnel are not prohibited from disclosing information in the student health record to students or adults in connection with an emergency, if such knowledge is necessary to protect the immediate health or safety of the student or other persons.

In complying with this policy all individuals shall adhere to N.J.S.A. 47:1A-10, the Open Public Records Act (OPRA) and 20 U.S.C. 1232g; 34 CFR Part 99, the Family Educational Rights and Privacy Act (FERPA).

Conditions of Access

No student record shall be altered or destroyed during the time period between a request to review the record and the actual review of the record. Those from outside the school whose access requires consent of parents/adult students must submit the request in writing, together with any required authorization, to the superintendent/designee. District regulation shall be developed in accordance with code to ensure that records are not altered, damaged or lost during inspection, and that records of access granted are complete.

Retention and Destruction of Records

The superintendent shall develop regulations in accordance with the administrative code concerning retention and destruction of student records. No additions may be made to the record after the graduation or permanent departure of a student without the prior written consent of the parent/adult student.

New Jersey district of last enrollment must keep in perpetuity: name, name of parents/guardians, date of birth, gender, citizenship, address, phone number, health history and immunization, standardized assessment and test answer sheet (protocol), grades, attendance, classes attended, grade level completed, year completed, and years of attendance.

Liability

Liability shall not be attached to any member, officer or employee of the board of education permitting access or furnishing student records in accordance with these rules and regulations. It shall be the responsibility of the superintendent to keep abreast of all changes in state and federal law and regulation concerning student records.

Adopted: March 16, 2010

NJSBA Review/Update: September 27, 2015

Readopted:

STUDENTS RECORDS (continued)Key Words

Student Records, Student Records, Records, Special Education Student Records

Legal References:	<u>N.J.S.A. 2A:4A-60 et al.</u>	Disclosure of juvenile information; penalties for disclosure
	<u>N.J.S.A. 18A:36-19</u>	Pupil records; creation, maintenance and retention, security and access; regulations; nonliability
	<u>N.J.S.A. 18A:36-19a</u>	Newly enrolled students; records and identification
	<u>N.J.S.A. 18A:36-19.1</u>	Military recruiters; access to schools and student information directories
	<u>N.J.S.A. 18A:36-35</u>	Disclosure of certain student information on Internet prohibited without parental consent
	<u>N.J.S.A. 18A:40-4</u>	Examination for physical defects and screening of hearing of students; health records
	<u>N.J.S.A. 18A:40-19</u>	Records and reports of tuberculosis testing; disposition; inspection
	<u>N.J.S.A. 26:5C-7 through -14</u>	Acquired Immune Deficiency Syndrome
	<u>N.J.S.A. 47:1A-1 et seq.</u>	Examination and copies of public records (<u>Open Public Records Act</u>)
	<u>N.J.S.A. 47:3-15 et seq.</u>	Destruction of Public Records Law
	<u>N.J.S.A. 52:17B-9.8a through -9.8c</u>	Marking of missing child's school record
	<u>N.J.A.C. 6A:8-4.2</u>	Documentation of student achievement
	<u>N.J.A.C. 6A:14-1.1 et seq.</u>	Special Education
	<u>See particularly:</u>	
	<u>N.J.A.C. 6A:14-1.3, -2.3, -2.9, -7.9</u>	
	<u>N.J.A.C. 6A:16-1.1 et seq.</u>	Programs to Support Student Development
	<u>See particularly:</u>	
	<u>N.J.A.C. 6A:16--2.2, -2.4, -3.2, -5.4, -6.5, -7.10, -11.1</u>	
	<u>N.J.A.C. 6A:30-1.1 et seq.</u>	Evaluation of the Performance of School Districts
	<u>N.J.A.C. 6A:32-2.1</u>	Definitions
	<u>N.J.A.C. 6A:32-7.1 et seq.</u>	Student records
	<u>N.J.A.C. 6A:32-8.1</u>	School register
	<u>N.J.A.C. 8:61-1.1</u>	Attendance at school by students or adults infected by Human Immunodeficiency Virus (HIV)
	<u>N.J.A.C. 15:3-2</u>	State records manual

STUDENTS RECORDS (continued)

20 U.S.C.A. 1232g - Family Educational and Privacy Rights Act

42 U.S.C.A. 4541 et seq. - Comprehensive Alcohol Abuse and Alcoholism Prevention Treatment and Rehabilitation Act of 1980

42 CFR Part II

Owasso Independent School District No. I-001 v. Falvo, 534 U.S. (2002)
Plainfield Board of Education v. Cooperman, 105 NJ 587 (1987)

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Possible

<u>Cross References:</u>	*1110	Media
	*1120	Board of education meetings
	3543	Office services
	*3570	District records and reports
	*5113	Absences and excuses
	*5124	Reporting to parents/guardians
	*5131	Conduct/discipline
	*5131.1	Harassment, intimidation and bullying
	*5131.6	Drugs, alcohol, tobacco (substance abuse)
	*5141.2	Illness
	*5141.3	Health examinations and immunizations
	*5142	Student safety
	*6145.1/6145.2	Intramural competition; interscholastic competition
	*6147.1	Evaluation of individual student performance
	*6164.2	Guidance services
	*6171.4	Special education
	*9322	Public and executive sessions

*Indicates policy is included in the Critical Policy Reference Manual.

POLICY

Roselle Park Board of Education
Roselle Park, New Jersey

File Code: 5127

COMMENCEMENT ACTIVITIES

The Roselle Park Board of Education endorses graduation activities and ceremonies. The date of graduation shall annually be recommended by the superintendent and approved by The Board.

Graduation shall not occur prior to completion of the required 180 days of pupil instruction.

Guidelines for Graduation Year Activities

Pupil participation in special graduation year activities will require conduct of the highest caliber in all school situations.

Criteria for exclusion from these activities concern consistent behavioral patterns and shall include, but not be limited to:

- A. Consistent involvement in disciplinary action(s);
- B. Suspension.

The final decision shall be made by the superintendent.

Pupils and parents/guardians shall be given advance notification of these criteria.

Voting Information and Registration

Prior to graduation, The Board of education shall provide a voter registration form and material describing the role of a citizen and the importance of voting to each eligible high school pupil.

Graduation Procedures and Ceremonies

No pupil shall be barred from participation in graduation ceremonies for arbitrary or discriminatory reasons. A pupil who may be prevented from participation and his/her parents/guardians shall be so notified reasonably in advance of the close of the school year.

When a pupil or his/her parents/guardians experiences financial hardship and is unable to pay the costs of participation in graduation ceremonies, The Board shall assume the costs of the following items:

- A. Rental or purchase of cap and gown;
- B. One year book;
- C. Other, as may be determined by the Board.

COMMENCEMENT ACTIVITIES (continued)

Financial hardship shall be defined by eligibility standards for free and reduced price meals under the state school lunch program.

The Board reserves the right to deny participation in graduation activities when extreme circumstances warrant it. Such denial shall be treated in the same manner as a suspension and the pupil so affected shall be afforded the rights of review provided in policies of this board.

The Board reserves the right to withhold a diploma and transcripts until all fines are paid.

Awarding of Diplomas

A board member shall present a copy of the Declaration of Independence, the Constitution of the United States and the amendments thereto, and the Constitution of the State of New Jersey and the amendments thereto to each pupil upon graduation from elementary school.

The president of the board of education and/or another designated member of the board shall award the diplomas. Board members and former board members shall be afforded the opportunity to award diplomas to their own children.

The Board shall not prevent, or otherwise deny participation in, constitutionally protected prayer in any district school, consistent with guidance issued by the United States Department of Education and applicable judicial decisions interpreting the religion clauses of the First Amendment of the U.S. Constitution.

Adopted: March 16, 2010

Revised: November 16, 2010

NJSBA Review/Update: September 27, 2015

Readopted:

Key Words

Commencement Activities, Graduation Ceremonies, Voting, Voting Registration

Legal References:	<u>N.J.S.A.</u> 18A:7C-5.1	Boards of education prohibited from excluding students from graduation ceremony or from obtaining yearbook for inability to pay fees
	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:36-18	Books containing organic laws at graduation
	<u>N.J.S.A.</u> 18A:36-27	Voting information
	<u>N.J.S.A.</u> 18A:37-2	Causes for suspension or expulsion of pupils
	<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
	<u>N.J.A.C.</u> 6A:8-5.1 <u>et seq.</u>	Implementation of Graduation Requirements
	<u>N.J.A.C.</u> 6A:16-7.1 <u>et seq.</u>	Student conduct

COMMENCEMENT ACTIVITIES (continued)

Ballato v. Long Branch Board of Education, 1990 S.L.D. (August 20)

Lee v. Weisman, 112 S. Ct. 2649 (1992)

R.L. v. Kingsway Regional Board of Education, 95 NJAR 2d (EDU) 296

D.C. v. Parsippany Troy Hills Board of Education, 96 NJAR 2d (EDU) 697

DO'G v. Ridgefield Park Board of Education, 96 NJAR 2d (EDU) 820

R.F. v. Park Ridge Board of Education, 97 NJAR2d (EDU) 1

American Civil Liberties Union v. Blackhorse Pike Regional Board of Education, 84 F. 3d 1471 (3d Cir. 1996)

Possible

<u>Cross References:</u>	*5113	Attendance, Absences and excuses
	*5114	Suspension and expulsion
	*5126	Awards for achievement
	*5131	Conduct/discipline
	*6111	School calendar
	*6115	Ceremonies and observances
	*6141.2	Recognition of religious beliefs and customs
	*6146	Graduation requirements

*Indicates policy is included in the Critical Policy Reference Manual.

POLICY

Roselle Park Board of Education
Roselle Park, New Jersey

File Code: 5131.6

DRUGS, ALCOHOL, STEROIDS, TOBACCO (Substance Abuse)

It is the responsibility of the Roselle Park Board of Education to safeguard the health, character, citizenship, and personality development of the students in its schools. The board of education recognizes that the misuse of drugs, alcohol, steroids, and tobacco threatens the positive development of students and the welfare of the entire school community. We, therefore, must maintain that the use of drugs, alcohol, steroids, and tobacco and the unlawful possession of these substances is wrong and harmful. The board of education is committed to utilizing wellness strategies that encourage the prevention, intervention, and cessation of drug, alcohol, steroid, and tobacco abuse.

The board of education recognizes that tobacco is a gateway drug and highly addictive and that the use of tobacco products is a health, safety, and environmental hazard for students, employees, visitors, and school facilities. The board believes that the use of tobacco products on school grounds, in school buildings and facilities, on school property or at school-related or school-sponsored events is detrimental to the health and safety of students, faculty/staff and visitors. The board acknowledges that adult employees and visitors serve as role models for students. The board recognizes that it has an obligation to promote positive role models in schools and to promote a healthy learning and working environment, free from unwanted smoke and tobacco use for the students, employees, and visitors on the school campus. Finally, the board recognizes that it has a legal authority and obligation pursuant to P.L. 2005, Chapter 383 New Jersey Smoke-Free Air Act as well as the federal Pro-Children's Act, Title X of Public Law 103-227 and the No Child Left Behind Act, Part C, Environmental Smoke, Section 4303.

Students

For the purpose of this policy, "drug" includes all controlled dangerous substances set forth in N.J.S.A. 24:21-1 et seq. and all chemicals that release toxic vapors set forth in N.J.S.A. 2C:35-10.4 et seq.

- A. The board of education prohibits the use, possession and/or distribution of any drug, alcohol, or steroids on school premises, and at any event away from the school provided by the board. Compliance with a drug-free standard of conduct at all school functions is mandatory for all students. Pupils suspected of being under the influence of drugs, alcohol, or steroids will be identified, evaluated, and reported in accordance with the law. Assessment will be provided by individuals who are certified by the New Jersey State Board of Examiners as student assistance coordinators or by individuals who are appropriately certified by the New Jersey Board of Examiners and trained in alcohol and other drug abuse prevention. A pupil who uses, possesses, or distributes drugs, alcohol, or steroids on school premises or while attending a school-sponsored activity will be subject to discipline that may include suspension or expulsion, and may be reported to appropriate law enforcement personnel. Pupils suspected of involvement with alcohol, drugs or steroids away from school premises will be advised of appropriate treatment and remediation (N.J.S.A. 18A:40A-10). Treatment services for students who are affected by alcohol or other drug use will be provided by individuals who are certified as student assistance coordinators or who are otherwise appropriately trained in drug and alcohol prevention, intervention, and follow-up. Treatment will not be at the board's expense.

DRUGS, ALCOHOL, STEROIDS, TOBACCO (Substance Abuse) (continued)

- B. The board directs the establishment of a program designed to provide short-term counseling and support services for pupils who are in care or returning from care for alcohol and other drug dependencies. Pursuant to N.J.S.A. 18A:40A-16 the district shall establish a parent/guardian substance abuse program offered at times and places convenient to the parents/guardians of the district on school premises or other facilities.

Enforcement of Drug-Free School Zones

The board of education recognizes its responsibility to ensure continuing cooperation between school staff and law enforcement authorities in all matters relating to the use, possession, and distribution of controlled dangerous substances and drug paraphernalia on school property. The board further recognizes its responsibility to cooperate with law enforcement authorities in planning and conducting law enforcement activities and operations on school property. The board shall, therefore, establish a formal Memorandum of Agreement with the appropriate law enforcement authorities and set forth the following policies and procedures after consultation with the county prosecutor and approval by the executive county superintendent of schools. The Memorandum of Agreement shall be consistent with the *Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials*.

Law Enforcement Liaison

In order to ensure that such cooperation continues, the board directs the superintendent to designate a school district liaison(s) to law enforcement agencies and to prescribe the roles and responsibilities of the school liaison(s). Such assignment shall be in accordance with the district's collective bargaining agreement, if applicable.

Undercover Operations

The board hereby recognizes that the superintendent may request that law enforcement authorities conduct an undercover operation in the school if he/she has reason to believe that drug use and/or drug trafficking is occurring in the school and that a less intrusive means of law enforcement intervention would be ineffective. The board hereby authorizes the superintendent to request such intervention under these circumstances. The board recognizes that the superintendent is not permitted to ask the board's approval for his/her action and is not permitted to discuss any aspect of the undercover operation until authorized to do so by law enforcement authorities.

The board recognizes that law enforcement authorities may contact the superintendent to request that an undercover operation be established in a district school. The board recognizes that the superintendent is prohibited from discussing the request with the board. The board hereby authorizes the superintendent to act upon any such request in the manner that he/she determines is in conformity with the law and the Attorney General's Executive Directive 1988-1 and that is in the best interests of the students and the school district.

The board directs the superintendent and school principal to cooperate with law enforcement authorities in the planning and conduct of undercover school operations. The superintendent, principal, or any other school staff or district board member who may have been informed about the undercover operation is required to immediately communicate information to the county prosecutor or designee if the integrity of the undercover school operation has been compromised in any way.

DRUGS, ALCOHOL, STEROIDS, TOBACCO (Substance Abuse) (continued)

At the completion of an undercover operation in a school, and with the consent of the appropriate law enforcement authority, the superintendent shall report to the board regarding the nature of the operation, the result of the operation, and any serious problems encountered during the operation.

Summoning Law Enforcement Authorities onto School Property for the Purpose of Conducting Investigations, Searches, Seizures, and Arrests

Any school employee who has reason to believe a student(s) or a staff member(s) is using or distributing controlled dangerous substances, including anabolic steroids, or drug paraphernalia on school premises shall bring that information to the school principal who, in turn, shall report same to the superintendent. The superintendent shall immediately report that information to the appropriate law enforcement agency. If, after consultation with the law enforcement official, it is determined that further investigation is necessary, the superintendent will cooperate with the law enforcement authorities in accordance with the law and administrative code. He/she will provide the officials with a room in an area away from the general student population in which to conduct their law enforcement duties. If law enforcement officials do not choose to investigate the incident, the superintendent may continue the investigation to determine if any school rules have been broken and whether any school discipline is appropriate.

If an arrest is necessary, and no exigent circumstances exist, the superintendent and staff will cooperate with the law enforcement officials and provide them access to the office of a school administrator or some other area away from the general student population. Every effort shall be made to enable law enforcement personnel to carry out the arrest in a manner that is least disruptive to the educational environment. The superintendent or the principal shall immediately notify the student's parent/guardian whenever a pupil is arrested for violating any laws prohibiting the possession, use, sale, or distribution of any controlled substance or drug paraphernalia.

Whenever the police have been summoned to a school building by the superintendent, the superintendent shall report the reason the police were summoned and any pertinent information to the board at its next regular meeting. If confidentiality is required, the report shall be made in executive session.

Student Searches and Securing Physical Evidence

The principal or his/her designee may conduct a search of a student's person or belongings if the search is necessary to maintain discipline and order in the school, and the school official has a reasonable suspicion that the student is concealing contraband. All searches and seizures conducted by designated school staff shall comply with the standards prescribed by the United States Supreme Court in State in re T.L.O. 94 N.J. 331 (1983), reversed on other grounds, New Jersey v. T.L.O. 569 U.S. 325 (1985) and the New Jersey School

DRUGS, ALCOHOL, STEROIDS, TOBACCO (Substance Abuse) (continued)

Search Policy Manual

If, as a result of the search, a controlled dangerous substance or drug paraphernalia is found, or if a controlled dangerous substance or drug paraphernalia is by any means found on school property, the individual discovering the item or substance shall immediately notify the building principal; the principal shall immediately notify the superintendent who shall immediately, in turn, notify the appropriate law enforcement agency. The principal shall ensure that the controlled or dangerous substance and/or drug paraphernalia is labeled and secured in a locked cabinet or desk until law enforcement officials pick it up. The principal shall then contact the student's parents/guardians to inform them of the occurrence.

Whenever law enforcement officials have been called into the school, and a search of a student's person or belongings is necessary, or an interrogation is to be conducted, the superintendent shall request that the law enforcement officials conduct the search, seizure, or interrogation.

Police Presence at Extracurricular Activities

The superintendent is hereby authorized to contact the appropriate law enforcement agency and arrange for the presence of an officer(s) in the event of an emergency or when the superintendent believes that uniformed police presence is necessary to deter illegal drug use or trafficking or to maintain order or crowd or traffic control at a school function.

Resolving Disputes Concerning Law Enforcement Activities

The board authorizes the superintendent to contact the chief executive officer of the law enforcement agency involved with any dispute or objection to any proposed or ongoing law enforcement operation or activity on school property. If for any reason the dispute or objection is not satisfactorily resolved with the chief executive officer of the agency, the superintendent shall work in conjunction with the county prosecutor and, where appropriate, the division of criminal justice to take appropriate steps to resolve the matter. Any dispute that cannot be resolved at the county level shall be reported to the board and shall be resolved by the attorney general whose decision will be binding.

Confidentiality of Pupil Involvement in Intervention and Treatment Programs

Nothing in this policy shall be construed in any way to authorize or require the transmittal of any information or records that are in the possession of a substance-abuse counseling or treatment program including, but not limited to, the school district's own substance abuse programs. All information concerning a pupil's or staff member's involvement in a school intervention or treatment program shall be kept confidential. See 42 CFR 2 and N.J.A.C. 6A:16-6.5.

Tobacco

Tobacco use is now recognized as a chronic disease and public health hazard. Tobacco use is associated with conditions such as heart disease, emphysema, asthma, high blood pressure, diabetes, and many other chronic diseases. The most effective strategy for discouraging tobacco use by young people is a wellness strategy that supports prevention, intervention, and cessation.

DRUGS, ALCOHOL, STEROIDS, TOBACCO (Substance Abuse) (continued)

A. Tobacco Use and Possession

1. No student, faculty/staff member or school visitor is permitted to use any tobacco product or electronic smoking device:
 - a. In any building, facility, or vehicle owned, leased, rented or chartered by the district;
 - b. On any school grounds and property—including athletic fields and parking lots—owned, leased, rented, utilized (e.g., adjacent parking lots) or chartered by the board of education;
 - c. At any school-sponsored or school-related event on-campus or off-campus (e.g., field trips, proms, sporting events off campus, etc).
2. In addition, school district employees, school volunteers, contractors or other persons performing services on behalf of the school district (e.g., bus drivers) also are prohibited from using tobacco products at any time while on duty in accordance with their contracts or in the presence of students, either on or off school grounds.
3. Further, no student is permitted to possess a tobacco product while in any school building, while on school grounds or property or at any school-sponsored or school-related event, or at any other time that students are under the authority of school personnel.

B. Definition of Tobacco Products, Tobacco Use, and Electronic Smoking Device

For the purposes of this policy:

1. "Tobacco product" is defined to include but is not limited to cigarettes, cigars, blunts, bidis, pipes, chewing tobacco and all other forms of smokeless tobacco, rolling papers and any other items containing or reasonably resembling tobacco or tobacco products (excluding quit products);
2. "Tobacco use" includes smoking, chewing, dipping, or any other use of tobacco products;
3. "Electronic smoking device" means an electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, or pipe.

C. Signage

Signs will be posted in a manner and location that adequately notify students, faculty/staff and visitors about the Comprehensive Tobacco-Free School Policy.

DRUGS, ALCOHOL, STEROIDS, TOBACCO (Substance Abuse) (continued)**D. Compliance for Students**

In recognition that tobacco use is a public health issue and that tobacco is a gateway drug and highly addictive, the board of education recognizes that intervention rather than punishment is the most effective way to address violations of this policy. Students who violate the school district's tobacco-use policy will be referred to the student assistance coordinators (SAC), guidance counselor, a school nurse, or other health or counseling services for all offenses for health information, counseling, and referral. The administration will consult with appropriate health organizations in order to provide student violators with access to an Alternative-to-Suspension (ATS) program. The ATS program will provide up-to-date information on the many consequences of tobacco use, offer techniques that students can use to stop tobacco use at school, and provide referrals to local youth tobacco cessation programs.

Parents/guardians will be notified of all violations and actions taken by the school. Schools may also use community service as part of the consequences. Ordinarily, and consistent with a wellness strategy, suspension will only be used after a student has three or more prior violations or has refused to participate in other outlined measures.

E. Compliance for Faculty, Staff, and Visitors

As with students, intervention rather than punishment is the most effective way to address adult violations of this policy. Faculty or staff who violate the school district's tobacco-use policy will be referred to the Employee Assistance Program (EAP) or a tobacco cessation program. Employees who repeatedly violate the policy or do not comply with intervention or cessation referrals may be subject to consequences in accordance with district policy and their contract. Visitors using tobacco products will be informed about the policy and asked to refrain while on school property. Visitors who continue to violate the policy will then be asked to leave the premises. Law enforcement officers may be contacted to escort the person off the premises or cite the person for trespassing if the person refuses to leave the school property.

F. Opportunities for Cessation

The administration will consult with the county health department and other appropriate health organizations (e.g., American Lung Association, American Cancer Society, etc.) to provide students and employees with information and access to support systems, programs and services (e.g., NJDHSS Quitline 1 866 NJSTOPS (657-8677) and njquitline.org) to encourage them to abstain from the use of tobacco products.

G. Prevention Education

The administration will consult with appropriate health organizations to identify and provide programs or opportunities for students to gain a greater understanding of the health hazards of tobacco use and the impact of tobacco use as it relates to providing a safe, orderly, clean and inviting school environment.

DRUGS, ALCOHOL, STEROIDS, TOBACCO (Substance Abuse) (continued)

H. Procedures for Implementation

The administration will develop a plan for communicating the policy that may include information in student and employee handbooks, announcements at school-sponsored or school-related events, and appropriate signage in buildings and around campus. A process that identifies intervention and referrals for students, faculty/staff, and visitors who violate the policy will be created and communicated to all students, faculty/staff and parents.

Ongoing Implementation of this Policy

A. Prevention Education for Students

The board will enforce the laws of New Jersey requiring a program of drug, alcohol, steroid, and tobacco education. The superintendent shall prepare and submit to the board for its approval a comprehensive curriculum for such instruction in grades seven through 12 of alcohol and other drug education in accordance with department of education chemical health guidelines, pursuant to N.J.S.A. 18A:40A-1 et seq. Drug, alcohol, steroid, and tobacco education shall be integrated with the health curriculum

B. Faculty Education and Inservice Training

All district personnel shall be alert to signs of alcohol, drug, steroid, and tobacco use by pupils and shall respond to those signs in accordance with procedures established by the superintendent of schools. The board of education will provide inservice training to assist teaching staff members in identifying the pupil who uses drugs, alcohol, steroids, and/or tobacco and in helping pupils with drug-, alcohol-, steroid-, and tobacco-related problems in a program of rehabilitation. The superintendent will ensure that all district employees receive annual inservice training to make them aware of their responsibilities in accordance with board policies and N.J.A.C. 6A:16-3.1.

C. Annual Review and Distribution of Policy

The board will review annually the effectiveness of these policies and the Memorandum of Agreement entered into with the appropriate law enforcement agency. As part of this review, the board will consult with the executive county superintendent, local community members, and the county prosecutor's office.

In accordance with N.J.S.A. 18A:40A-10, copies of the policy statement shall be distributed to pupils and their parents/guardians at the beginning of each school year. Board policy and procedures shall disseminated be annually to all school staff, students and parents through its website or other means (N.J.A.C. 6A:16-4.2).

D. Administrative Regulations

The superintendent may develop administrative regulations for:

1. A comprehensive program of drug, alcohol, steroid, and tobacco education;

DRUGS, ALCOHOL, STEROIDS, TOBACCO (Substance Abuse) (continued)

2. The identification and remediation of pupils involved with drugs, alcohol, steroids, and tobacco;
3. The examination and treatment of pupils suspected of being under the influence of drugs, alcohol, steroids, or tobacco to determine the extent of the pupil's use or dependency;
4. The treatment of pupils who use, possess or distribute drugs, alcohol, steroids, and tobacco in violation of law or this policy through referral to an appropriate drug/alcohol/tobacco abuse program as recommended by the department of health; and
5. The readmission to school and treatment of pupils who have been convicted of drug, alcohol, steroid, or tobacco offenses.

E. Reporting and Liability

The superintendent will annually submit a report utilizing the Electronic Violence and Vandalism Reporting system (EVVRS) accurately reporting on each incident of violence, vandalism including harassment, intimidation and bullying, and alcohol and other drug abuse within the school district. Any allegations of falsification of data will be reviewed by the board of education using the requirements and procedures set forth in N.J.A.C. 6A:16-5.3(g). Board action shall be based on a consideration of the nature of the conduct, the circumstances under which it occurred, and the employee's prior employment record.

At an annual hearing the superintendent shall report to the board all acts of violence and vandalism and incidents of alcohol and other drug abuse that occurred during the previous school year.

Any staff member who reports a pupil to the principal or his/her designee in compliance with the provisions of this policy shall not be liable in civil damages as a result of making such a report as provided for under N.J.S.A. 18A:40A-1 et seq.

F. Confidentiality Requirements

All policies and procedures must comply with the confidentiality requirements established in federal regulation found at 42 CFR Part II.

G. Parental Compliance

Substance abuse in the district is considered a health risk. It is the expressed position of the district that when school rules have been violated, and when a student's health is at risk, we must notify the student's parents/guardians and attempt to involve the family in the rehabilitation plan subject to the confidentiality restrictions of 42 CFR Part II.

Optional Random Drug Testing of High School Students

School districts have the option to conduct random testing of high school students who possess a school parking permit or who participate in extracurricular activities, including sports, for alcohol or other drug use. Testing, if conducted, will comply with the requirements of N.J.A.C. 6A:16-4.4, "voluntary policy for random testing of student alcohol or other drug use." Before instituting testing, a public hearing will be held concerning the district's policy and procedures. Collection and testing of specimens will be only by the individuals authorized by the regulations. The district's procedures will include a procedure whereby students or their parents may challenge a positive result from alcohol or other drug tests.

DRUGS, ALCOHOL, STEROIDS, TOBACCO (Substance Abuse) (continued)

Adopted: March 16, 2010
 NJSBA Review/Update: September 28, 2015
 Readopted:

Key Words

Drugs, Alcohol, Tobacco, Steroids, Substance Abuse, Smoking, Drinking, Drug Testing

<u>Legal References:</u> <u>N.J.S.A.</u> 2A:62A-4	Reports by educational personnel on dependency upon or illegal use of controlled dangerous substances or use of intoxicating vapor releasing chemicals; immunity from liability
<u>N.J.S.A.</u> 2C:29-3a	Hindering apprehension or prosecution
<u>N.J.S.A.</u> 2C:33-15	Possession or consumption of alcoholic beverage by person under legal age, penalty
<u>N.J.S.A.</u> 2C:33-16	Alcoholic beverages; bringing or possession on school property by person of legal age; penalty
<u>N.J.S.A.</u> 2C:33-17	Offer or service of alcoholic beverage to Underage person; disorderly persons; exceptions
<u>N.J.S.A.</u> 2C:33-19	Paging devices, possession by students
<u>N.J.S.A.</u> 2C:35-1 <u>et seq.</u>	<u>New Jersey Comprehensive Drug Reform Act of 1987</u>
<u>See particularly:</u>	
<u>N.J.S.A.</u> 2C:35-7, -10	Definitions
<u>N.J.S.A.</u> 2C:35-2	Abuse abandonment, cruelty, and neglect of child; what constitutes
<u>N.J.S.A.</u> 9:6-1 <u>et seq.</u>	Consent by minor to medical care or treatment; venereal disease, sexual assault or drug use or dependency; notice and report of treatment; confidentiality
<u>N.J.S.A.</u> 9:17A-4	Authority over pupils
<u>N.J.S.A.</u> 18A:25-2	Student locker or other storage facility; inspections; notice to students
<u>N.J.S.A.</u> 18A:36-19.2	Submission of pupils to authority
<u>N.J.S.A.</u> 18A:37-1	Causes for suspension or expulsion of pupils
<u>N.J.S.A.</u> 18A:37-2	Attendance required of children between six and sixteen, exceptions
<u>N.J.S.A.</u> 18A:38-25	Violation of article by parents or guardian, penalties
<u>N.J.S.A.</u> 18A:38-31	Substance abuse
<u>N.J.S.A.</u> 18A:40A-1 <u>et seq.</u>	

DRUGS, ALCOHOL, STEROIDS, TOBACCO (Substance Abuse) (continued)

See particularly:

N.J.S.A. 18A:40A-1, -2,
-3, -4, -5, and -9

N.J.S.A. 18A:40A-22 to -25

N.J.S.A. 24:21-2

Random student drug testing

Definitions (New Jersey controlled dangerous
substances)

N.J.S.A. 26:3D-55 et seq.

New Jersey Smoke-Free Air Act

N.J.A.C. 6A:8-3.1

Curriculum and instruction

N.J.A.C. 6A:9B-12.2

Student assistance coordinator

N.J.A.C. 6A:14-2.8

Discipline/suspension/expulsion

N.J.A.C. 6A:16-1.1 et seq.

Programs to Support Student Development

See particularly:

N.J.A.C. 6A:16-4.4

Voluntary policy for random testing of student
alcohol or other drug use

See also:

N.J.A.C. 6A:16-1.3, -2.2, -2.4, -3.1, -3.2, -4.1
through -4.3, -5.3, -6.1 -6.5

N.J.A.C. 6A:32-12.1 et seq. Pupil Behavior

Drug Free Workplace Act of 1988 Enacted November, 1988 (Pub. L. 100-690, Title
V,
Subtitle D) 102 Stat. 4305-4308

Regulations Under Drug Free Workplace Act, C.F.R. 4946 (1/31/89)

42 CFR Part 2--Confidentiality of alcohol and drug abuse patient records

F.G. v. Bd. of Ed. of Hamilton, 1982 S.L.D. 382

G.L.H. v. Bd. of Ed. of Hopewell Valley Regional School District, et al., 1987 S.L.D.
April 20, aff'd St. Bd. 1987 S.L.D. Sept. 2

State in re T.L.O., 94 N.J. 331 (1983), reversed on other grounds, New Jersey v.
T.L.O., 569 U.S. 325 (1985).

State of New Jersey v. Jeffrey Engerud, 93 N.J. 308 (1983)

Honig v. Doe 484 U.S. 305 (1988)

Vernonia School District v. Acton, 515 U.S. 646 (1995)

In the Matter of the Tenure Hearing of Graceffo, 2000 S.L.D. (September 2002)

Board of Education of Independent School District No. 92 of Pottawatomie County
et al.
v. Earls et al., 536 U.S. (2002)

DRUGS, ALCOHOL, STEROIDS, TOBACCO (Substance Abuse) (continued)

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

The New Jersey School Search Policy Manual, New Jersey Attorney General (1998)

A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials

Possible

Cross References:

*1120	Board of Education Meetings
*1330	Use of school facilities
*1410	Local units
*4131.1	Inservice education/visitations/conferences
*4231.1	Inservice education/visitations/conferences
*5114	Suspension and expulsion
*5124	Reporting to parents/guardians
*5125	Pupil records
*5131	Conduct/discipline
*5131.7	Weapons and dangerous instruments
*5141.3	Health examinations and immunizations
*5141.21	Administering medication
*5145.12	Search and seizure
*6145.1/6145.2	Intramural competition; interscholastic competition
6145.7	Social events/meetings
*6154	Homework/makeup work
*6172	Alternative educational programs
*6173	Home instruction

*Indicates policy is included in the Critical Policy Reference Manual.

Adopted: March 16, 2010

NJSBA Review/Update: September 28, 2015

Readopted:

Key Words

Drugs, Alcohol, Tobacco, Steroids, Substance Abuse, Smoking, Drinking, Drug Testing

POLICY

Roselle Park Board of Education
Roselle Park, New Jersey

File Code: 5136

FUNDRAISING ACTIVITIES

The Board of Education recognizes the value of having pupils participate in fundraising activities, both as individuals and as groups, in order to help defray the cost of certain non-curricular field trips, or other worthwhile programs, or in support of a board approved charitable cause.

For purposes of this policy, "pupil fund raising" shall include the solicitation and collection of money from pupils for any purpose and shall include the collection of money in exchange for tickets, papers or any other goods or services except those goods and services which are part of a board-approved program of the schools.

The board prohibits the collection of money in school or on school property or at any school-sponsored event by a pupil for personal benefit. Collection of money by school organizations approved by the board shall be approved by the principal. Collections by organizations outside the schools or by pupils on behalf of such organizations shall be approved by the chief school administrator.

The board shall not be responsible for the protection of or the accounting of funds collected from pupils by organizations outside the schools, by teaching staff members when not required to collect money for a board-approved purpose, and by school-connected organizations. Funds raised by school-sponsored activities shall be deposited in the proper district accounts.

NOTE: IF THE BOARD WISHES TO MAINTAIN AN OPTION TO TERMINATE DOOR-TO-DOOR FUNDRAISING ON A CASE-BY-CASE BASIS, IT COULD ADOPT THE FOLLOWING LANGUAGE.

The board reserves the authority to limit or terminate fundraising activities by school-sponsored groups or outside organizations that encourage or require door-to-door solicitation.

Adopted: March 16, 2010
NJSBA Review/Update: October 10, 2015
Readopted:

Key Words

Fund Raising, School-connected Organizations

<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:19-14	Funds derived from pupil activities
	<u>N.J.S.A.</u> 18A:20-34	Use of schoolhouse and grounds for various purposes
	<u>N.J.S.A.</u> 18A:23-1	Audit when and how made
	<u>N.J.S.A.</u> 18A:23-2	Scope of audit
	<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)

FUND-RAISING ACTIVITIES (continued)

<u>N.J.S.A.</u> 52:14-15.9c1. <u>et al.</u>	<u>Public Employee Charitable Fund-Raising Act</u>
<u>N.J.A.C.</u> 6A:23A-16.1 <u>et seq.</u>	Double Entry Bookkeeping and GAAP Accounting in Local School Districts
<u>N.J.A.C.</u> 6A:23A-16.12	Student activity funds
<u>N.J.A.C.</u> 6A:23A-16.13	School store business practices

Selfridge v. Kinnelon Board of Education, 1977 S.L.D. 522

Possible

Cross References:

*1140	Distribution of materials by pupils and staff
1210	Community organizations
*1230	School-connected organizations
1314	Fundraising by outside organizations
*1330	Use of school facilities
*3400	Accounts
*3450	Money in school buildings
*3453	School activity funds
3571	Financial reports
*3571.4	Audit
*6145	Extracurricular activities
*6153	Field trips

*Indicates policy is included in the Critical Policy Reference Manual.

POLICY

MERGED LANGUAGE FROM POLICY

1331 (AED) INTO POLICY 5141

Roselle Park Board of Education
Roselle Park, New Jersey

File Code: 5141

HEALTH

The Roselle Park Board of Education believes that good health is vital to successful learning. In order to help district pupils achieve and maintain good health, the Board directs the superintendent to develop pupil health services that employ professional personnel and interact with both parents/guardians and community health agencies. The program shall include but not be limited to:

- A. Employment of a medical inspector to perform those duties required by law, and to advise the superintendent on all matters affecting the health of pupils;
- B. Employment of at least one certified school nurse to assist with physical examinations; conduct biennial scoliosis screening; conduct an audiometric screening; maintain pupil health records; observe and recommend to the principal the exclusion of pupils who show evidence of communicable disease or who have not submitted acceptable evidence of immunizations; instruct teachers on communicable diseases and other health concerns; train and supervise the emergency administration of epinephrine for school staff who have been designated as delegates; supervise other nursing tasks; provide appropriate response to Do Not Resuscitate (DNR) orders; maintain valid, current Cardiopulmonary Resuscitation (CPR) certification; review and summarize health and medical information for the Child Study Team; write and update annually the accommodation plan under Section 504 for any student who requires one;
- C. Provision of proper and adequate facilities, equipment and supplies for professional health personnel and other staff;
- D. Establishment of a system of pupil health records in compliance with state law;
- E. Implement the Core Curriculum Content Standards in physical education, health, family life, safety, and use of drugs, alcohol, tobacco and anabolic steroids; recommendations for appropriate equipment and supplies to teach such courses;
- F. Development of rules and procedures to foster good pupil health, and periodic dissemination of these rules and procedures to the staff;
- G. Development of a program to provide safe drinking water and otherwise to maintain the buildings, grounds, facilities and equipment of the district in sanitary condition in accordance with law;
- H. Development and enforcement of an eye protection program as required by statute and administrative code;
- I. A regular report to the Board on progress and accomplishments in the field of pupil health;
- J. Health services to staff that support pupil health;

HEALTH (continued)

- K. Provision of emergency services for injury and sudden illness;
- L. Provision for required physical examinations including an examination to certify that a pupil returning to school after suffering a contagious/infectious condition or illness is no longer a threat to the health of others;
- M. Development of all regulations and procedures necessary for evaluation of pupils suspected of being under the influence of drugs/alcohol, tobacco or anabolic steroids;
- N. Encouragement of correction of defects through fully informing pupils and parents/guardians concerning the findings of health examinations for scoliosis;
- O. Preparation for the potential disruption of a pandemic flu outbreak, such as avian flu, by filling out a school preparedness checklist available from www.pandemicflu.gov or NJSBA, with periodic reports to the school board on steps the district has already taken, as well as additional steps that need to be taken, to prepare for a flu pandemic.

Annual Nursing Plan

The superintendent (or his/her designee) in conjunction with the school physician and the certified school nurse shall develop an annual Nursing Services Plan that details the provision of nursing services based upon the needs of the students in this school district. The Nursing Services Plan shall be adopted annually at a regular meeting and submitted to the Executive County Superintendent of education for review and approval. The Nursing Services Plan shall include:

- A. A description of the basic nursing services provided all students;
- B. A summary of specific medical needs of individual students and the services required to address the needs;
- C. A description of how nursing services will be provided in an emergency;
- D. Detailed nursing assignments for all school buildings;
- E. The nursing services and additional medical services provided to nonpublic schools.

Students with Diabetes

As used in this policy, an "individualized health care plan" means a document setting out the health services needed by the student at school, and an "individualized emergency health care plan" outlines a set of procedural guidelines that provide specific directions about what to do in a particular emergency situation. Both are to be developed by the school nurse, in consultation with the parent or guardian of a student with diabetes and other medical professionals who may be providing diabetes care to the student, and signed by the parent or guardian.

The Board believes that diabetes is a serious chronic disease that impairs the body's ability to use food, and must be managed 24 hours a day in order to avoid the potentially life-threatening short-term consequences of blood sugar levels that are either too high or too low. In order to manage their disease, students with diabetes must have access to the means to balance food, medications, and physical activity level while at school and at school-related activities.

HEALTH (continued)

Accordingly, a parent or guardian of a student with diabetes shall inform the school nurse, who shall develop an individualized health care plan and an individualized emergency health care plan for the student. Further, the parent or guardian must annually provide to the Board of education written authorization for the provision of diabetes care as outlined in the plans, including authorization for the emergency administration of glucagon.

Both plans shall be updated by the school nurse prior to the beginning of each school year and as necessary if there is a change in the student's health status. The plans may include elements specified in N.J.S.A. 18A:40-12.13 including, but not limited to:

- A. The symptoms of hypoglycemia for that particular student and the recommended treatment;
- B. The symptoms of hyperglycemia for that particular student and the recommended treatment;
- C. The frequency of blood glucose testing;
- D. Written orders from the student's physician or advanced practice nurse outlining the dosage and indications for insulin administration and the administration of glucagon, if needed;
- E. Times of meals and snacks and indications for additional snacks for exercise;
- F. Full participation in exercise and sports, and any contraindications to exercise, or accommodations that must be made for that particular student;
- G. Accommodations for school trips, after-school activities, class parties, and other school-related activities;
- H. Education of all school personnel who may come in contact with the student about diabetes, how to recognize and treat hypoglycemia, how to recognize hyperglycemia, and when to call for assistance;
- I. Medical and treatment issues that may affect the educational process of the student with diabetes; and
- J. How to maintain communications with the student, the student's parent or guardian and healthcare team, the school nurse, and the educational staff.

The school nurse assigned to a particular school shall coordinate the provision of diabetes care at that school and ensure that appropriate staff are trained in the care of these students, including staff working with school-sponsored programs outside of the regular school day. The school nurse shall also ensure that each school bus driver that transports a student with diabetes is provided notice of the student's condition, how to treat hypoglycemia, and emergency/parent contact information. A reference sheet identifying signs and symptoms of hypoglycemia shall be posted in plain view within school buildings.

HEALTH (continued)

The school nurse shall have the primary responsibility for the emergency administration of glucagon to a student with diabetes who is experiencing severe hypoglycemia. The school nurse shall designate, in consultation with the board of education, additional employees of the school district who volunteer to administer glucagon to a student with diabetes who is experiencing severe hypoglycemia. The designated employees shall only be authorized to administer glucagon, following training by the school nurse or other qualified health care professional, when a school nurse is not physically present at the scene.

Upon written request of the parent or guardian and as provided in the individualized health care plan, the student shall be allowed to attend to the management and care of his/her diabetes in the classroom, on school grounds or at any school-related activity, if evaluated and determined to be capable of doing so consistent with the plan. The student's management and care of his/her diabetes shall include the following:

- A. Performing blood glucose level checks;
- B. Administering insulin through the insulin delivery system the student uses;
- C. Treating hypoglycemia and hyperglycemia;
- D. Possessing on the student's person at any time the supplies or equipment necessary to monitor and care for the student's diabetes;
- E. Compliance with required procedures for medical waste disposal in accordance with district policies and as set forth in the individual health care plan; and
- F. Otherwise attending to the management and care of the student's diabetes.

New Jersey Family Care

The school nurse shall ensure that the parent/guardians of students who are without medical coverage are notified of and provided information on the accessibility of the New Jersey Family Care Program in accordance with N.J.S.A. 18A:40-34.

Nonpublic School Pupils

The board shall provide mandated nursing services to nonpublic school pupils as required by law (see policy 5200 Nonpublic School Pupils).

The operation of the pupil health program shall be in compliance with the rules and regulations of the state department of education, local board of health and the state department of health and senior services, and state department of human services. The board shall review and adopt the regulations developed to implement the district's health services.

HEALTH (continued)Automated External Defibrillator (AED)

The Board is committed to providing the highest quality of care to its students, staff and visitors. Consistent with this commitment, because the Board recognizes that medical emergencies may occur that justify the use of AEDs, the Board shall acquire and maintain this equipment for use by qualified staff members. An applicable patient would exhibit all of the following signs as per American Heart Association standards on AED use:

- A. Is unconscious;
- B. Is not breathing;
- C. Have no signs of circulation (as confirmed by a pulse check).

Only those staff members documented as having completed the required training shall be authorized to use an AED. A coach, athletic trainer, or in the absence of the coach or athletic trainer and other designated staff member, who is appropriately trained and certified in the use of the AED shall be present during athletic events or team practices. In the event that no appropriately AED trained and certified staff person can be present at athletic events or team practices, the district shall ensure that a State-certified emergency services provider or other certified first responder is on site at the event or practice.

Placement, Accessibility and Maintenance of the AED

The AED shall be:

- A. Available in an unlocked location on school property with an appropriate identifying sign in a central location in the 3 elementary school buildings, the middle school building and the high school building, for use during the school day and for all after school activities and events;
- B. Accessible during the school day and any other time when a school-sponsored athletic event or team practice is taking place in which pupils of the district or nonpublic school are participating;
- C. Within reasonable proximity of the school athletic field or gymnasium, as applicable;
- D. Tested and maintained according to the manufacturer's operational guidelines and notification shall be provided to the appropriate first aid, ambulance, or rescue squad or other appropriate emergency medical services provider regarding the defibrillator, the type acquired, and its location in accordance with section 3 of P.L.1999, c.34 (N.J.S.A. 2A:62A-25);
- E. The School Nurse will ensure the defibrillator is tested and maintained according to the manufacturer's operational guidelines during the school year (1st day of school in September through the last day of school in June).

HEALTH (continued)

- F. The School Nurse shall also ensure that the local first aid, ambulance and rescue squad and/or other appropriate emergency medical providers are informed that a defibrillator is available in the 3 elementary school buildings, the middle school building and the high school building and it's exact location in each building.
- G. The defibrillators will be located in central location so that it can be readily accessible by staff members that have been trained in cardio-pulmonary resuscitation and the use of a defibrillator.
- H. The Director of Special Services will be responsible to arrange for training in cardio-pulmonary resuscitation and the use of a defibrillator for designated staff members. The staff member training will be in accordance with N.J.S.A. 2N: 62A-25. Successful completion and current certification from the American Red Cross, American Heart Association or other training programs recognized by the New Jersey Department of Health and Senior Services in cardiopulmonary resuscitation and the use of a defibrillator is required. A person will not use the defibrillator until he/she has successfully completed a recognized training program and holds a current certification.

Implementation of Procedures for Cardio-Pulmonary Resuscitation and AED Use

The superintendent shall oversee the development and implementation of a district emergency action plan that establishes guidelines for use of the AED. The emergency action plan shall include:

- A. A list of no less than five school employees, team coaches, or licensed athletic trainers who hold current certifications from the American Red Cross, American Heart Association, or other training program recognized by the Department of Health, in cardio-pulmonary resuscitation and in the use of a defibrillator. The list shall be updated, as necessary, at least once in each semester of the school year; and
- B. Detailed procedures on responding to a sudden cardiac event including, but not limited to, the identification of the persons in the school who will be responsible for: responding to the person experiencing the sudden cardiac event, calling 911, starting cardio-pulmonary resuscitation, retrieving and using the defibrillator, and assisting emergency responders in getting to the individual experiencing the sudden cardiac event.

Any employee, student or other individual who inappropriately accesses and/or uses an AED will be subject to disciplinary action, up to and including expulsion from school and/or termination of employment. Civil and/or criminal liability may also be imposed on any student, employee or individual who inappropriately accesses and/or uses an AED, including, but not limited to the cost of replacement or repair of the AED. All usage will be reported to the Board of Education.

HEALTH (continued)Immunity

A school district and its employees shall be immune from civil liability in the acquisition and use of defibrillators pursuant to the provisions of section 5 of P.L.1999, c.34 (C.2A:62A-27). A person who acts with gross negligence or willful misconduct in the use of defibrillators does not enjoy immunity.

Adopted: February 21, 2006

Revised: March 16, 2010

NJSBA Review/Update: September 2015

Readopted:

Key Words

Health, Pupil Health, Student Health, Nursing Plan, Diabetes, Individualized Health Care Plan, Cardio-Pulmonary Resuscitation, Automated External Defibrillator, AED

<u>Legal References:</u>	<u>N.J.S.A.</u> 2A:62A-23 to 27	AED emergency medical services
	<u>N.J.S.A.</u> 18A:16-6, -6.1	Indemnity of officers and employees against civil actions
	<u>N.J.S.A.</u> 18A:35-4.6 <u>et seq.</u>	<u>Parents Right to Conscience Act of 1979</u>
	<u>N.J.S.A.</u> 18A:40-1	Employment of medical inspectors, optometrists and nurses; salaries; terms; rules
	<u>N.J.S.A.</u> 18A:40-3	Lectures to teachers
	<u>N.J.S.A.</u> 18A:40-4.3	Scoliosis; periodic examination; notice to parents or guardian
	<u>N.J.S.A.</u> 18A:40-5	Method of examination; notice to parent or guardian
	<u>N.J.S.A.</u> 18A:40-6	In general
	<u>N.J.S.A.</u> 18A:40-7, -8, -10, -11	Exclusion of pupils who are ill
	<u>N.J.S.A.</u> 18A:40-12.11 <u>et seq.</u>	Findings, declarations relative to the care of students with diabetes
	<u>N.J.S.A.</u> 18A:40-23 <u>et seq.</u>	Nursing Services for Nonpublic School Pupils
	<u>N.J.S.A.</u> 18A:40-34	New Jersey Family Care Program
	<u>N.J.S.A.</u> 18A:40A-1 <u>et seq.</u>	Substance Abuse
	<u>N.J.S.A.</u> 44:6-2	Maintenance by boards of education of clinics for indigent children
	<u>N.J.A.C.</u> 6A:16-1.1 <u>et seq.</u>	Programs to Support Student Development
	<u>See particularly:</u>	
	<u>N.J.A.C.</u> 6A:16-1.1, -1.3, -2.1, -2.3, -2.4	
	<u>N.J.A.C.</u> 6A:26-12.1 <u>et seq.</u>	Operation and Maintenance of School Facilities
	<u>See particularly:</u>	
	<u>N.J.A.C.</u> 6A:26-12.3	
	<u>N.J.A.C.</u> 8:57-1.1 <u>et seq.</u>	Reportable Communicable Diseases

HEALTH (continued)Plainfield Board of Education v. Cooperman, 105 NJ 587 (1987)See particularly:

<u>N.J.A.C.</u> 8:57-2	Reporting of AIDS and HIV
<u>N.J.A.C.</u> 8:61-1.1	Attendance at school by pupils or adults infected by Human Immunodeficiency Virus (HIV)

Possible

<u>Cross References:</u> *1410	Local units
1420	County and intermediate units
*3510	Operation and maintenance of plant
*3516	Safety
*3542	Food service
*4112.4/4212.4	Employee health
*4131/4131.1	Staff development; inservice education/visitations/conferences
4151.2/4251.2	Family illness/quarantine
*5111	Admission
*5125	Pupil records
*5131	Conduct/discipline
*5131.6	Drugs, alcohol, tobacco (substance abuse)
*5141.1	Accidents
*5141.2	Illness
*5141.3	Health examinations and immunizations
*5141.4	Child abuse and neglect
*5141.21	Administering medication
*5142	Pupil safety
*5200	Nonpublic school pupils
*6142.4	Physical education and health
*6142.12	Career education

*Indicates policy is included in the Critical Policy Reference Manual.

POLICY

Roselle Park Board of Education
Roselle Park, New Jersey

File Code: 5141.3

HEALTH EXAMINATIONS AND IMMUNIZATIONS

The Roselle Park Board of Education declares that pupils who enter the district schools for the first time shall have a medical examination conducted at the medical home of the student, and a full report sent to the school. If a student does not have a medical home, the district shall provide this examination at the school physician's office or other appropriately equipped facility. "Medical home" means a health care provider and that provider's practice site chosen by the student's parent/guardian for the provision of health care. As the school physician is also a health care provider, the parent/guardian may request that the school physician provide the medical examination.

A pupil shall be exempted from mandatory immunization if the parent/guardian objects to immunization in a written statement submitted to the principal, signed by the parent/guardian, explaining how the administration of immunizing agents conflicts with the pupil's exercise of bona fide religious tenets or practices. General philosophical or moral objection to immunization shall not be sufficient for an exemption on religious grounds.

Every pupil who enters the district schools for the first time shall present an immunization record as required by law. At the parent/guardian's request, these immunizations may be administered by the school physician.

Pupils seeking to enter school who have been identified as having a communicable/infectious disease or condition shall not be enrolled unless they qualify under the rules of the New Jersey Department of Education, the New Jersey Department of Health and/or the Roselle Park Board of Health pertaining to periods of incubation, communicability, quarantine, and reporting.

The superintendent or his/her designee shall formulate regulations that ensure immunization records are reviewed and updated annually pursuant to N.J.A.C. 8:57-4.1 through 4.16. The superintendent shall also formulate regulations for this policy and for regular pupil health examinations at appropriate grade levels; before participation in sports programs; and for tuberculosis, scoliosis, hearing loss, visual acuity and any other physical examinations required by law. Any health defects revealed by any examination given by the school health services must be reported to the parent/guardian. The board shall review the regulations and adopt those required by law.

Adopted: March 16, 2010

NJSBA Review/Update: October 13, 2015

Readopted:

Key Words

Immunizations, Inoculations, Examinations, Pupil Physical Examinations, Student Physical Examinations, Health

HEALTH EXAMINATIONS AND IMMUNIZATIONS (continued)

Legal References: <u>N.J.S.A.</u> 18A:35-4.6 through -4.8 <u>N.J.S.A.</u> 18A:40-4 <u>N.J.S.A.</u> 18A:40-4.3 <u>N.J.S.A.</u> 18A:40-4.4 <u>N.J.S.A.</u> 18A:40-4.5 <u>N.J.S.A.</u> 18A:40-5 <u>N.J.S.A.</u> 18A:40-6 <u>N.J.S.A.</u> 18A:40-11 <u>N.J.S.A.</u> 18A:40-16 through -19 <u>N.J.S.A.</u> 18A:40-20 <u>N.J.S.A.</u> 18A:61D-8 through -10 <u>N.J.S.A.</u> 26:1A-9.1 <u>N.J.S.A.</u> 26:4-6 <u>N.J.S.A.</u> 26:2T-5 through -9 <u>N.J.A.C.</u> 6A:14-3.4 <u>N.J.A.C.</u> 6A:16-1.1 <u>et seq.</u> <u>See particularly:</u> <u>N.J.A.C.</u> 6A:16-1.3, -2.1, -2.2, -2.3, -2.4, -4.1, -4.3 <u>N.J.A.C.</u> 6A:32-9.1 <u>N.J.A.C.</u> 8:57-2 <u>N.J.A.C.</u> 8:57-4.1 <u>N.J.A.C.</u> 8:57-4.2 <u>N.J.A.C.</u> 8:57-4.3 <u>N.J.A.C.</u> 8:57-4.4 <u>N.J.A.C.</u> 8:57-4.5 <u>N.J.A.C.</u> 8:57-4.6 <u>N.J.A.C.</u> 8:57-4.7 <u>N.J.A.C.</u> 8:57-4.8 <u>N.J.A.C.</u> 8:57-4.9 <u>N.J.A.C.</u> 8:57-4.10	<u>Parents Right to Conscience Act of 1979</u> Examination for physical defects and screening of hearing of pupils; health records Scoliosis; periodic examination; notice to parents or guardian Exemption Immunity from action of any kind due to provisions of act Method of examination; notice to parent or guardian In general Exclusion of pupils having communicable tuberculosis Tuberculosis infection; determination of presence ... Immunization at public expense Findings, declarations relative to Hepatitis B vaccinations.... Exemption of pupils from mandatory immunizations Prohibiting attendance of teachers or pupils Findings, declarations relative to Hepatitis C Evaluation Programs to Support Student Development Athletics Procedures Reporting of acquired immunodeficiency syndrome and infection with Human Immunodeficiency Virus Applicability Proof of immunization Medical exemptions Religious exemptions Provisional admission Documents accepted as evidence of immunization Records required Reports to be sent to the State Department of Health Records available for inspection Diphtheria and tetanus toxoids and pertussis vaccine
---	--

HEALTH EXAMINATIONS AND IMMUNIZATIONS (continued)

<u>N.J.A.C.</u> 8:57-4.11	Poliovirus vaccine
<u>N.J.A.C.</u> 8:57-4.12	Measles virus vaccine
<u>N.J.A.C.</u> 8:57-4.13	Rubella vaccine
<u>N.J.A.C.</u> 8:57-4.14	Mumps vaccine
<u>N.J.A.C.</u> 8:57-4.15	Haemophilus influenza type b (Hib) conjugate vaccine
<u>N.J.A.C.</u> 8:57-4.16	Hepatitis B virus vaccine
<u>N.J.A.C.</u> 8:57-4.17	Varicella virus vaccine
<u>N.J.A.C.</u> 8:57-4.18	Pneumococcal conjugate vaccine
<u>N.J.A.C.</u> 8:57-4.19	Influenza vaccine
<u>N.J.A.C.</u> 8:57-4.20	Meningococcal vaccine
<u>N.J.A.C.</u> 8:57-4.21	Providing immunization
<u>N.J.A.C.</u> 8:57-4.22	Emergency power of the Commissioner, Department of Health and Senior
<u>N.J.A.C.</u> 8:61-2.1	Attendance at school by students or adults infected by Human Immuno-deficiency Virus (HIV)

Plainfield Board of Education v. Cooperman, 105 NJ 587 (1987)

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Possible

<u>Cross References:</u> *1410	Local units
*4123	Classroom aides
*5111	Admission
*5113	Absences and excuses
*5131.6	Drugs, alcohol, tobacco (substance abuse)
*5141	Health
*5141.21	Administering medication
*5200	Nonpublic school pupils
*6142.4	Physical education and health
*6145.1/6145.2	Intramural competition; interscholastic competition
*6162.5	Research
*6164.4	Child study team
*6171.4	Special education

*Indicates policy is included in the Critical Policy Reference Manual.

POLICY

SUBSTANTIAL RE-WRITE OF POLICY

Roselle Park Board of Education
Roselle Park, New Jersey

File Code: 5141.6

SUICIDE AND SELF-DESTRUCTIVE BEHAVIOR

The Roselle Park Board of Education believes the physical and mental well-being of all students must be maintained as a prerequisite to achievement through the formal educational process. The board recognizes that depression, self-destructive behavior and suicide are problems of increasing severity among children and adolescents. Students who experience severe family crises; drug and alcohol abuse (see board policy 5131.6 Substance Abuse and 5131.7 Weapons and Dangerous Instruments); suicide ideations, gestures, and attempts; and severe emotional traumas are at-risk. A student under severe stress cannot benefit fully from the educational program and may pose a threat to him or herself or others.

The board directs all school personnel to be alert to students who exhibits signs of potential self-destructive behavior or who threaten or attempt suicide. The school nurse or his or her designee shall provide training to staff for the identification of the signs/symptoms of depression and suicidal ideation; the connection of depression and suicidal behavior to harassment, intimidation and bullying; and school reporting procedures. The goal of training shall be to instruct school staff, parents/guardians, and students to:

- A. Understand the causes of self-destructive behavior and suicide;
- B. Recognize the early warning signs of self-destructive and suicidal behavior;
- C. Learn how to help in a suicidal crisis;
- D. Identify community resources and procedures that can help a self-destructive or suicidal person;
- E. Cope with the aftermath of such a tragedy.

Any suspicion of the signs/symptoms and the report of signs/symptoms from another student or staff member should be taken with the utmost seriousness and reported immediately to the building principal, who will notify the student's parent/guardian and other professional staff members in accordance with administrative regulations.

The superintendent or his or her designee shall ensure that a continuing cooperative affiliation is made with local community mental health agencies to assist in following the procedures in the event the necessary professional expertise is not adequately available within the school district during an emergency of this nature.

The student's parents/guardians shall be notified immediately of incidents or suspicion of potential self-destructive behavior. The cooperation of parents/guardians shall be sought for immediate intervention. If the parent/guardian is unwilling to cooperate, the school administration and/or crisis team shall contact appropriate agencies to request intervention on the student's behalf. In cases of child abuse or neglect, school personnel are required to contact the Division of Child Protection and Permanency.

SUICIDE AND SELF-DESTRUCTIVE BEHAVIOR (continued)

The child study team will be consulted for appropriate evaluation and/or recommendation for independent medical or psychiatric services for a potentially at-risk student. In the event that the parent or guardian objects to the recommended evaluation or indicates an unwillingness to cooperate in the best interests of the student, school personnel should contact the New Jersey Division of Child Protection and Permanency to request that the agency intervention on the student's behalf.

The Superintendent shall prepare and disseminate regulations for the guidance of staff members in recognizing the pupil who contemplates suicide, in responding to threatened or attempted suicide, and in preventing contagion when a pupil commits suicide.

The district will provide 2 hours of suicide prevention instruction to teaching staff members and administrators as per N.J.S.A. 18A:6-1. School officials are empowered to require that affected students undergo mental health evaluation or psychiatric evaluation for any relevant issue arising on Board of Education property. Affected students are inclusive of following symptoms/signs/issues: behavioral abnormalities, hostility/ harassment/hazing/bullying, depression, suicidal ideation, substance/polysubstance abuse with or without associated personality changes, psychotic episode(s) such as hallucination/delusion and catatonia, incoherence, and acute mental status.

As deemed necessary by the district's mental health personnel, the mental health evaluation will take place by a professional medical provider licensed by the State of New Jersey.

For evaluation referrals involving mental issues, the Roselle Park school district will seek parental consent to access public and/or private medical/health insurance to cover customary costs of the mental health evaluation. If the affected student seeks independent treatment from the a medical provider, the student's parent(s) or guardian(s) bear the full responsibility for payment for any services rendered. If the affected student does not fully cooperate with a particular mental health evaluation regimen resulting in inconclusive or invalid observations and/or clinical testing results, then the affected student's parent(s) or guardian(s) may be requested to bear responsibility for total costs of a repeat mental health evaluation if one is deemed necessary by the Roselle Park School District's Director of Special Services, Child Study Team or Intervention and Referral Services Team.

Adopted: February 20, 2007
 NJSBA Review/Update: October 13, 2015
 Readopted:

Key Words

Crisis, Self-Mutilation, Self Destructive, Suicide, Depression, Cutting

Legal References: N.J.S.A. 2A:62A-23 to 26 AED emergency medical services, 1999 statute
N.J.S.A. 18A:16-6, -6.1 Indemnity of officers and employees against civil actions
N.J.S.A. 18A:35-4.6 et seq. Parents Right to Conscience Act of 1979

SUICIDE AND SELF-DESTRUCTIVE BEHAVIOR (continued)

<u>N.J.S.A.</u> 18A:40-1	Employment of medical inspectors, optometrists and nurses; salaries; terms; rules
<u>N.J.S.A.</u> 18A:40-3	Lectures to teachers
<u>N.J.S.A.</u> 18A:40-5	Method of examination; notice to parent or guardian
<u>N.J.S.A.</u> 18A:40-6	In general
<u>N.J.S.A.</u> 18A:40A-1 <u>et seq.</u>	Substance Abuse
<u>N.J.S.A.</u> 44:6-2	Maintenance by boards of education of clinics for indigent children
<u>N.J.A.C.</u> 6A:16-1.1 <u>et seq.</u>	Programs to Support Student Development
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6A:16-1.1, -1.3, -1.4, -2.1, -2.3, -2.4	
<u>N.J.A.C.</u> 6A:26-12.1 <u>et seq.</u>	Operation and Maintenance of School Facilities
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6A:26-12.3	

Possible**Cross References:**

*1410	Local units
*3510	Operation and maintenance of plant
*3516	Safety
*4112.4/4212.4	Employee health
*4131/4131.1	Staff development; inservice education/visitations/conferences
*5125	Student records
*5131	Conduct/discipline
*5131.1	Harassment, intimidation and bullying
*5131.6	Substance abuse
*5131.7	Weapons and dangerous instruments
*5141.1	Accidents
*5141.2	Illness
*5141.21	Administering medication
*5142	Student safety
*5145.11	Questioning and apprehension
*5145.12	Search and seizure
*6142.4	Physical education and health

*Indicates policy is included in the Critical Policy Reference Manual.

REGULATION

SUBSTANTIAL RE-WRITE OF REGULATION

Roselle Park Board of Education
Roselle Park, New Jersey

File Code: 5141.6R

SUICIDE AND SELF-DESTRUCTIVE BEHAVIOR

The following regulations are established for guidance of staff members in recognizing the pupil who contemplates suicide, in responding to threatened or attempted suicide, and in preventing contagion when a pupil commits suicide. Because a prompt response may be essential to a pupil's life, the designation of a district position in these regulations includes the person who holds that position and, if the position holder is absent or unavailable, the person temporarily charged with the responsibilities of the position.

A. Recognition of Potential Suicide

All school personnel, both teaching staff members and support staff members, shall be alert to any sign that a pupil may be contemplating suicide. Such signs include, but are not necessarily limited to, a pupil's

1. Overt suggestion, regardless of its context, that he/she is considering or has considered suicide or has worked out the details of a suicide attempt;
2. Evidence of preparation of a will, intention to dispose of his/her effects and belongings, or otherwise get life in order;
3. Obsession with death or afterlife;
4. Possession of a weapon or other means of suicide or obsession with such means;
5. Sense of hopelessness or unrelieved sadness;
6. Lethargy or despondency, or, conversely, a tendency to become more impulsive or aggressive than usual;
7. Drop in academic achievement, slacking off of energy and effort, or inability to focus on studies;
8. Isolation from others by loss of friends, withdrawal from friends, lack of companionship, or family disintegration;

B.

1. Depressed mood;
2. Changes in sleep and/or appetite patterns;
3. Decline in school performance;
4. Increased social withdrawal;
5. Loss of interest and pleasure in previously enjoyable activities;
6. Increased irritability and behavior problems;
7. Verbal expressions about self-death;
8. Use of alcohol or drugs;
9. History of physical, mental, emotional or sexual abuse;
10. History of learning disabilities combined with sense of failure;
11. Frequent sleeping disorders or complaints;
12. Sudden interest in dangerous or uncharacteristic risk-taking activities;
13. Inattention to personal hygiene;
14. Rebelliousness, belligerence;
15. Depression or grief following loss of emotionally supportive "significant other" relationships;
16. Sudden lifting of severe depression; and
17. Recent withdrawal from therapy or psychological counseling.

SUICIDE AND SELF-DESTRUCTIVE BEHAVIOR (regulation continued)C. Response to Potential Suicide

1. Any indication of a potential suicide, whether personally witnessed or received by report from another, must be taken seriously and must be reported to the Principal immediately.
2. The Principal shall immediately inform a district mental health professional who shall investigate the matter promptly and conduct such evaluations as may be appropriate.
3. The Principal or district mental health professional will inform the pupil's parent(s) or legal guardian(s), in a conference if possible, of the signs demonstrated by the pupil and of the districts concern and seek parental approval of the pupil's evaluation. In the event parental abuse or neglect is suspected, the Principal or the employee who forms the suspicion will immediately so inform the Division of Child Protection and Permanency of the perceived suicide risk in accordance with Policy No. 5141.6. If the threat of suicide is immediate and serious, mental health professional shall determine the potential of the threat by directly questioning the pupil.

Intervention for Potential Suicide

A. A Potentially Suicidal Student

1. The staff member who has reason to believe that a student is potentially suicidal shall notify the school nurse and the principal immediately and may notify the school counselor or child study team member;
2. The student shall be supervised by an adult staff member at all times;
3. To assure the safety of the student, the school nurse or a counselor trained in suicide prevention will meet immediately with the student to assess the situation;
4. When it is determined that there is a reasonable basis for concern, the principal shall contact the parent/guardian to review all aspects of the incident;
5. The following may be required:
 - a. If parent/guardian is unable to pick up student, the student will be transported to the nearest local hospital by ambulance;
 - b. If parent/guardian refuses to pick up student, appropriate social agency will be called;
 - c. The principal will notify the classroom teacher of actions taken by confidential communication.
 - d. The principal will as soon as practical inform the superintendent of the incident and the actions taken;
 - e. The superintendent shall inform the board president.

B. Attempted Suicide Outside of School

1. When any staff member hears of an attempted suicide, they will notify the school nurse;
2. The school counselor or the school nurse shall contact the parents/guardians to offer assistance and referral services;
3. The nurse will notify the principal of the incident and any actions taken;
4. The principal shall notify the superintendent of the incident and any actions taken.

SUICIDE AND SELF-DESTRUCTIVE BEHAVIOR (regulation continued)

C. Attempted Suicide in School

1. First aid will be administered by the school nurse and 911 shall be alerted immediately;
2. An available staff member shall notify the principal immediately;
3. THE STUDENT SHALL BE KEPT UNDER CLOSE SUPERVISION AT ALL TIMES;
4. The principal will contact the parent/guardian immediately;
5. The school nurse or a staff member designated by the principal will accompany the student to the hospital via first aid squad if the parent/guardian is not present;
6. The principal will notify the superintendent;
7. The superintendent shall inform the board president.
8. The school nurse will file an incident report, place it in a confidential file, and notify the program director and superintendent/principal.

D. Prior to a student's return to school, the following procedures must be adhered to:

1. Parent/guardian must notify the nurse at least 24 hours in advance of the anticipated date of their child's return to school;
2. The parent/guardian shall provide the written certification of a physician that the student is well enough to return to school;
3. A conference may be required that may include the school nurse, the principal, the school counselor, parent/guardian, and the student as appropriate before the student may return to school. The purpose of this conference is to develop a re-entry plan for the child;
4. A physician's analysis and/or hospital discharge summary, which includes a report of the student's diagnosis and prognosis, is required to be presented at this conference.

E. Completed Suicide

1. The school nurse or the principal shall verify any reported suicide of a student before any actions may be taken;
2. The principal shall meet with the staff to review the report. A crisis intervention team may be established at this time;
3. The teachers will be given guidelines for discussing the situation in the classroom setting;
4. All media inquiries shall be handled by the superintendent.
5. Student will be allowed to attend the funeral with parental permission. Any staff member directly involved with the student will be allowed to attend services.

Self-Injury

Self-injury is any deliberate, non-suicidal behavior that inflicts physical harm on your body and is aimed at relieving emotional distress.

Physical pain is often easier to deal with than emotional pain, because it causes 'real' feelings. Injuries can prove to an individual that their emotional pain is real and valid. Self-injurious behavior may calm or awaken a person. Self-injury only provides temporary relief. It does not release the underlying inner conflict. Self-injury can become a habitual, chronic and repetitive response to the stresses of day-to-day life and can escalate in frequency and severity.

SUICIDE AND SELF-DESTRUCTIVE BEHAVIOR (regulation continued)

- A. Self-injury can include but is not limited to:
1. Cutting;
 2. Burning;
 3. Banging and bruising;
 4. Non-suicidal overdosing; and
 5. Deliberate bone-breaking.
- B. People who self-injure usually make a great effort to hide their injuries and scars, and are often uncomfortable about discussing their emotional inner or physical outer pain.

Procedures for Identification and Intervention for Self-Injuring Behavior

A. Risk Factor Associated with Self-Injury

Self-injury is a coping mechanism and it is important to recognize and respond to the underlying reasons behind a person's self-injury. Risk factors include, but are not limited to:

1. Low self-esteem;
2. Perfectionism;
3. Mental health issues such as depression and anxiety;
4. The onset of a more complicated mental illness such as schizophrenia, bi-polar disorder or a personality disorder;
5. Problems at home or school;
6. Physical, emotional or sexual abuse;

B. Warning Signs

As noted above, there may be no warning signs, but some of the things below might indicate that a student is suffering internally which may lead to self-injury:

1. Drug and/or alcohol misuse or risk taking behavior;
2. Negativity and lack of self-esteem;
3. Out of character behavior;
4. Bullying other students;
5. A sudden change in friends or withdrawal from a group.

C. Physical signs that self-injury may be occurring:

1. Obvious cuts, scratches or burns that do not appear of an accidental nature;
2. Frequent 'accidents' that cause physical injury;
3. Regularly bandaged arms and/or wrists;
4. Reluctance to take part in physical exercise or other activities that require a change of clothes;
5. Wearing long sleeves and trousers even during hot weather.

SUICIDE AND SELF-DESTRUCTIVE BEHAVIOR (regulation continued)

D. Intervention for Suspected Self-Injury

1. When a teaching staff member or other instructional personnel suspects that a student may be self-injuring, he/she shall report the name of that student immediately to the school nurse and the principal;
2. In the absence of the principal, his/her duties under this policy shall be performed by an administrative designee;
3. The principal will consult with the school nurse to determine if a referral to emergency medical services is necessary. The final decision to refer a student shall rest with the principal;

NOTE: In instances where the student is physically dangerous to him/herself or others, the principal shall summon the local law enforcement and/or emergency medical services for the purpose of transporting the student to the emergency room.

4. The principal shall notify the parents/guardians, if the student has an injury to come to school. The principal shall request a conference to discuss the matter.
5. The principal shall notify the superintendent of the incident and actions taken;
6. The injured student shall be monitored by the school nurse until safely released to the parents/guardians or back to class as appropriate;

Adopted: February 20, 2007

Revised: March 16, 2010

NJSBA Review/Update: October 13, 2015

Readopted:

POLICY

Roselle Park Board of Education
Roselle Park, New Jersey

File Code: 5142

PUPIL SAFETY

The Roselle Park Board of Education recognizes the safety of its pupils as a consideration of utmost importance. The superintendent shall consult law enforcement agencies, health and social service providers, emergency management planners and other school and community resources in the development of the plans, procedures and mechanisms for school safety. The superintendent shall oversee development of a districtwide safety program with emphasis on accident prevention.

Facilities

The superintendent shall maintain all facilities and equipment in proper condition to provide a safe learning environment, ensuring compliance with state law on the handling, labeling and storing of hazardous substances. Safety regarding all aspects of playground equipment and activity will be maintained and supervised in compliance to law and code.

Staff Education and Training

All teachers shall be familiar with the provisions of this program that particularly concern them.

The superintendent shall inform all newly employed staff of school safety rules and regulations within 60 days of the effective date of their employment. All district employees will receive the appropriate inservice training to recognize and respond appropriately to safety concerns including emergencies and crises, in accordance with the district safety plans, procedures and mechanisms. The district safety plan will be updated annually and all employees will be notified of updates and changes to the safety plan in writing. Regulations concerning use and maintenance of eye protective devices shall be scrupulously enforced by all staff.

Student Supervision

The staff must maintain complete classroom and playground supervision during regular school hours. The superintendent shall seek the cooperation of parents/guardians to prevent any children being unsupervised on school property during lunch hour and during morning arrival and afternoon dismissal times. Further, the superintendent shall seek the cooperation of the police and other appropriate agencies in providing for the safety of pupils on or around school property. The board shall adopt the necessary regulations governing supervision of pupil safety.

No pupil shall leave the school before the end of the school day without permission of the principal. **No pupil shall run errands on school business off the school property.**

The curriculum shall include courses in safety as required by state law. In development of courses, the safety of participating pupils shall be a primary consideration.

PUPIL SAFETY (continued)

Employers of work/study pupils are required to report to the principal of the high school if a pupil has not reported for work within one hour of the expected arrival time. Other pupils leaving before regular dismissal must be met in the school office and signed out by a parent/guardian or a person authorized to act in his/her behalf.

A record shall be kept indicating the legal custodian of each pupil. Such custodian shall be responsible for informing the superintendent of any change in the pupil's custody. If one parent/guardian has been awarded custody of the pupil in a divorce, the other parent/guardian shall present to the principal a letter authorizing him/her to accompany the child from school before the child may be released. The principal may take reasonable steps to verify the letter. It is the responsibility of the person or agency having custody to inform the school that such authorization will be required.

Supervision of Students During Dismissal

Dismissal will be supervised. District staff will be assigned to specific locations and given defined responsibilities to supervise student dismissal in each district school facility. Regular and early dismissal will be supervised according to the same protocol unless otherwise specified. The superintendent is responsible for overseeing the development of protocols that are tailored to the age and needs of the students at each school facility. At a minimum these protocols shall include:

- A. Staff assigned to supervise dismissal and their locations and responsibilities;
- B. Where children will be retained awaiting appropriate escort and/or designated transportation;
- C. Provisions for supervision when a parent/escort is unable to pick up their child at the appropriate dismissal time; and
- D. Location and presence of municipal crossing guards.

The board will review the dismissal procedures annually.

Supervision of Non-bused Students at Dismissal

The board shall require that the parent/guardian notify the school in advance of any arrangements for students requiring appropriate escort or designated transportation. The board requires signed permission for a student to be dismissed to walk home unescorted.

All documented arrangements will be considered permanent for the entire school year.

Parents/guardians leaving students at school that are to be escorted home will be reported to the proper authorities.

The superintendent or designee is responsible for the collection of all dismissal arrangements requested by the parents/guardians. The superintendent or designee is responsible for keeping a record of the dismissal arrangements and implementing the appropriate dismissal supervision in accommodation of these arrangements.

PUPIL SAFETY (continued)

Notification of Dismissal Protocols

The superintendent or his designee shall ensure that parents are notified of the following:

- A. School calendar including school closure and early dismissal dates and times; and any adjustments to the calendar;
- B. The school dismissal policy;
- C. Dismissal protocol for all bused students, non-bused students and students in after-school programs or activities;
- D. Supervision arrangements for students at dismissal;
- E. Emergency plan for supervision of students left at school;
- F. After school program opportunities;
- G. Procedures for enrolling students in after school programs.

The parent/guardian is responsible for reviewing the school calendar and complying with all school dismissal times and procedures. It is the parents/guardians responsibility to resume the custody of their child at the end of each school day.

The superintendent will develop procedures:

- A. For parents/guardians to provide signed acknowledgement of receipt of the school calendar, including all school closure and early dismissal dates, and the school dismissal policy and procedures;
- B. For parents/guardians to indicate and define the circumstances that the student is to be released from the school's care at dismissal;
- C. For the collection and retention of all documents pertaining to receipt of calendar and escort/transportation arrangements.

Voluntary Fingerprinting Program

The board of education shall provide a voluntary fingerprinting program for the protection of its pupils. This program shall be carried out in cooperation with the county sheriff's office and local law enforcement officials in accordance with the requirements of law.

All pupils in grades kindergarten through nine shall be eligible to participate with written authorization of their parent/guardian. Completed fingerprint cards shall be given to the parent/guardian and shall not be retained by the school district or the law enforcement agency.

The superintendent is directed to provide an orientation program for those pupils for whom fingerprinting has been authorized, and to develop appropriate administrative regulations for the implementation of the voluntary fingerprinting program in the district.

PUPIL SAFETY (continued)

Potentially Missing Children

Attendance practices, the dismissal precautions addressed in this policy and voluntary fingerprinting are part of the district's effort toward early identification of potentially missing children.

The superintendent will develop procedures that ensure cooperation with law enforcement for substances, weapons and safety. This may include cooperation with law enforcement in the activation of an "Amber Alert" which provides for the rapid dissemination of information, including a description of the missing child through broadcast media.

Release to an Individual Impaired by Drugs/Alcohol Prohibited

The board believes that allowing a child to be released into the custody of a parent/guardian or other authorized individual who appears to be impaired by drugs or alcohol can have tragic consequences. Therefore, the board prohibits release of a pupil into the custody of any person who appears to be physically and/or emotionally impaired to the extent that harm could come to the pupil if released to such a person. The superintendent/designee shall make the final determination as to whether an individual is impaired.

Possessions

Parents/guardians are requested not to permit their children to bring expensive or fragile objects to school and to label or otherwise identify clothing, books and personal items. The board is not responsible for items destroyed or stolen from lockers.

Megan's Law

Only law enforcement agencies in the community receive notification of the presence of Tier One offenders. The superintendent and principals in affected schools shall receive notification from the county prosecutor's office or local law enforcement officials when Tier Two or Tier Three sex offenders move into the district. Principals shall inform those employees/ volunteers whose duties regularly put them in a position to observe unauthorized persons on or near the property of the school. Principals shall determine who to notify on the basis of this definition, as well as on specific job duties carried out in their schools. If private vendors perform any of these functions, the principal shall inform the vendor. Notification may include, but is not limited to:

- A. Aides;
- B. Bus drivers;
- C. Coaches;
- D. Maintenance staff;
- E. Professional support staff;
- F. School level administrative staff;

PUPIL SAFETY (continued)

- G. Security personnel;
- H. Teachers' aides;
- I. Teachers.

School personnel are notified only in their capacity as such and shall not disseminate information about an offender to anyone not specifically identified by the county prosecutor or Attorney General. Any school employee who does so may be disciplined. If a school employee has reason to believe that an offender who has been the subject of a notification is a danger to someone outside the school environs, he/she shall immediately contact the local law enforcement agency or the county prosecutor.

District personnel shall not notify the following of the presence of Tier Two or Tier Three offenders:

- A. Members of PTO, PTA, HSA, etc;
- B. Organizations using school facilities;
- C. Other schools;
- D. Press.

The principal shall provide registration forms to any organization that uses the school facilities, including parent-teacher organizations, which wish to be notified by the county prosecutor's office of the presence of a Tier Two or Tier Three offender in the community.

In addition to the school personnel identified by the principal, students and parents/guardians shall be notified of the presence of Tier Three offenders. The prosecutor's office and local law enforcement shall supply the school with notices for them when a school is located in the area where a vulnerable population is likely to encounter a Tier Three offender. Dissemination of these notices shall be in accord with law and accomplished in cooperation with the county prosecutor's office. Confidentiality shall be a prime consideration in all communications with students and parents/guardians, and all directives of the county prosecutor and Attorney General's offices shall be observed.

When a student has been identified as a sex offender, all procedures of notification shall apply. When a parent/guardian has been identified as an offender, he/she may continue to participate in all appropriate parent/guardian activities, unless prohibited by legal constraint.

Newly hired staff and newly enrolled students and their parents/guardians shall be trained and informed of the presence of Tier Two and Tier Three offenders, unless the county prosecutor has notified the principal that notice cannot be given.

Students and district employees shall not be liable in any civil or criminal action for providing or failing to provide information relevant to notification. The superintendent shall prepare regulations to implement this policy and all directives of the county prosecutor's office to ensure careful adherence to Megan's Law.

PUPIL SAFETY (continued)School Violence Awareness Week and Annual Public Hearing

The school shall observe "School Violence Awareness Week". This week will include discussions, presentations, and training for both students and staff, focused on the topic of preventing violence in school. Law enforcement personnel will be invited to join school teaching staff presenting age appropriate opportunities for students to discuss issues including but not limited to conflict resolution, student diversity and tolerance.

The board of education shall hold a public hearing on violence and vandalism pursuant to N.J.S.A. 18A:17-46 and N.J.A.C. 6A:16-5.3. The requirements of the public hearing are covered in greater detail in file code 5131.5 of this manual.

Adopted: March 16, 2010

NJSBA Review/Update: October 2015

Readopted:

Key Words

Pupil Safety, Safety, Student Safety

<u>Legal References:</u>	<u>N.J.S.A.</u> 2C:7-2 <u>et seq.</u> <u>N.J.S.A.</u> 2C:39-5 <u>N.J.S.A.</u> 18A:6-2 <u>N.J.S.A.</u> 18A:16-2 <u>N.J.S.A.</u> 18A:17-42, -43 and -45 through -48 <u>N.J.S.A.</u> 18A:20-21 <u>N.J.S.A.</u> 18A:35-5 <u>N.J.S.A.</u> 18A:35-5.1 through -5.3 <u>N.J.S.A.</u> 18A:36-24 through -25 <u>N.J.S.A.</u> 18A:36-29 <u>et seq.</u> <u>N.J.S.A.</u> 18A:40-12.1, -12.2 <u>N.J.S.A.</u> 18A:41-1 <u>et seq.</u> <u>N.J.S.A.</u> 30:5B-26 through -29 <u>N.J.S.A.</u> 34:5A-1 <u>et seq.</u> <u>N.J.S.A.</u> 39:4-183.1a <u>N.J.S.A.</u> 52:27D-123.9 <u>et seq.</u> <u>N.J.A.C.</u> 5:23-11 to 11.4 <u>N.J.A.C.</u> 6A:8-5.1 Graduation requirements <u>N.J.A.C.</u> 6A:16-1.1 <u>et seq.</u>	Registration and Notification of Release of Certain Offenders Unlawful possession of weapons Instruction in accident and fire prevention Physical examinations; requirement Public School Safety Law Supervisors and other employees Maintenance of physical training courses; features Lyme disease prevention; public school health curriculum Missing children; legislative findings and declarations... Voluntary fingerprinting ... Protective eye devices required for teachers, pupils and visitors in certain cases... Fire drills and fire protection Child care before and after school hours ... <u>Worker and Community Right to Know Act</u> Traffic control devices Definitions relative to playground safety Playground Safety Subcode Programs to Support Student Development
---------------------------------	--	---

PUPIL SAFETY (continued)See particularly:

N.J.A.C. 6A:16-2.1, -5.1,
-5.2, -5.5, -5.6, -5.7, -6.1,
-6.2, -6.3, -6.4, -6.5

N.J.A.C. 6A:19-6.1 et seq. Safety and Health Standards

See particularly:

N.J.A.C. 6A:19-6.5

N.J.A.C. 6A:26-12.1 et seq. Operation and Maintenance of Facilities

See particularly:

N.J.A.C. 6A:26-12.2, -12.5

N.J.A.C. 6A:27-11.1 et seq. Safety

Jerkins v. Anderson, 191 N.J. 285 (June 14, 2007)

Possible**Cross References:**

*1250	Visitors
*1410	Local units
*3000/3010	Concepts and roles in business and noninstructional operations
*3516	Safety
3530	Insurance management
*3541.33	Transportation safety
*4112.4/4212.4	Employee health
*4231/4231.1	Staff development; inservice education/visitations/conferences
*5020	Role of parents/guardians
*5113	Absences and excuses
*5124	Reporting to parents/guardians
*5125	Pupil records
*5131	Conduct/discipline
*5131.1	Harassment, intimidation and bullying
*5131.5	Vandalism/violence
*5131.6	Drugs, alcohol, tobacco (substance abuse)
*5131.7	Weapons and dangerous instruments
*5141.1	Accidents
*5141.2	Illness
*5141.4	Child abuse and neglect
*5141.8	Sports related concussion and head injury
*5141.21	Administering medication
*5145.12	Search and seizure
*6114	Emergencies and disaster preparedness
*6142.12	Career education

*Indicates policy is included in the Critical Policy Reference Manual.