

POLICY

Roselle Park Board of Education
Roselle Park, New Jersey

Complete Policy Updated by NJSBA

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HARASSMENT, INTIMIDATION AND BULLYING

The board of education believes that a safe and civil environment in school is necessary for students to learn and achieve high academic standards. Since students learn by example, school administrators, faculty, staff, and volunteers are required to demonstrate appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment, intimidation or bullying. Harassment, intimidation or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe environment. Therefore, the school district will not tolerate acts of harassment, intimidation or bullying.

The board of education expects all students to treat each other with civility and respect and not to engage in behavior that is disruptive or violent. The board expects students to conduct themselves in keeping with their level of maturity, with a proper regard for the rights and welfare of other students, for school personnel, for the educational purpose underlying all school activities, and for the care of school facilities and equipment.

The standards of character education are an essential component of the Roselle Park School District's Code of Conduct. The board believes that with the appropriate infusion of character education into the school curriculum, modeling of appropriate behavior by adults; support and assistance of students in school, the community and home; our students will achieve the above standards of character education.

The board prohibits acts of harassment, intimidation or bullying against any student. School responses to harassment, intimidation and bullying shall be aligned with the board approved code of student conduct which establishes standards, policies and procedures for positive student development and student behavioral expectations on school grounds, including on a school bus or at school sponsored functions. The superintendent shall be responsible for ensuring the prompt investigation and response to all reports of harassment, intimidation and bullying committed on school grounds, at school activities and on school buses. In addition, the superintendent shall ensure that this policy is applied to incidents of harassment, intimidation and bullying that are committed off school grounds in cases where a school employee is made aware of such actions. The superintendent has the right and authority to impose a consequence on a student for conduct away from school grounds that is consistent with the board's approved code of student conduct, pursuant to N.J.A.C. 6A:16-7.1 and N.J.A.C. 6A:16-7.5.

This authority shall be exercised only when it is reasonably necessary for the student's physical or emotional safety, security and well-being or for reasons relating to the safety, security and well-being of other students, staff or school grounds, pursuant to N.J.S.A. 18A:25-2 and 18A:37-2, and when the conduct which is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school. The board directs the superintendent or his or her appropriately trained and qualified designee to develop detailed regulations suited to the age level of the students and the physical facilities of the individual schools.

HARASSMENT, INTIMIDATION AND BULLYING (continued)

“Harassment, intimidation or bullying” is defined as any gesture, any written, verbal or physical act, or any electronic communication, whether it be a single incident or a series of incidents, that is reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic, that takes place on school grounds, at any school-sponsored function or on a school bus, or off school grounds, in accordance with law, that substantially disrupts or interferes with the orderly operation of the school or the rights of other students, and that:

- A. A reasonable person should know, under the circumstances, will have the effect of physically or emotionally harming a student or damaging the student’s property, or placing a student in reasonable fear of physical or emotional harm to his/her person or damage to his/her property; or
- B. Has the effect of insulting or demeaning any student or group of students; or
- C. Creates a hostile educational environment for the student by interfering with the student’s education or by severely or pervasively causing physical or emotional harm to the student.

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

Consequences and Remedial Measures for Acts of Harassment, Intimidation or Bullying

Students

Consequences and remedial measures for a student who commits an act of harassment, intimidation or bullying shall be varied and graded according to the nature of the behavior, the developmental age of the student and the student’s history of problem behaviors and performance. Consequences shall be consistent with the board approved code of student conduct and N.J.A.C. 6A:16-7. Consequences and remedial measures shall be designed to:

- A. Correct the problem behavior;
- B. Prevent another occurrence of the problem;
- C. Protect and provide support for the victim of the act; and
- D. Take corrective action for documented systemic problems related to harassment, intimidation or bullying.

Consequences and appropriate remedial actions for a student who commits an act of harassment, intimidation or bullying may range from positive behavioral interventions up to and including short and long-term suspension or expulsion, as permitted by law. The consequences and remedial measures may include, but are not limited to:

HARASSMENT, INTIMIDATION AND BULLYING (continued)

A. Consequences

1. Admonishment;
2. Temporary removal from the classroom;
3. Deprivation of privileges;
4. Classroom or administrative detention;
5. Referral to disciplinarian;
6. In-school suspension during the school week or the weekend;
7. After-school programs;
8. Out-of-school suspension (short-term or long-term);
9. Legal action; and
10. Expulsion.

B. Remedial Measures

1. Personal

- a. Restitution and restoration;
- b. Mediation;
- c. Peer support group;
- d. Recommendations of a student behavior or ethics council;
- e. Corrective instruction or other relevant learning or service experience;
- f. Supportive student interventions, including participation of the intervention and referral services team;
- g. Behavioral assessment or evaluation, including, but not limited to, a referral to the child study team, as appropriate;
- h. Behavioral management plan, with benchmarks that are closely monitored;
- i. Assignment of leadership responsibilities (e.g., hallway or bus monitor);
- j. Involvement of school disciplinarian;
- k. Student counseling;
- l. Parent conferences;
- m. Student treatment; or
- n. Student therapy.

2. Environmental (Classroom, School Building or School District)

- a. School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation or bullying;
- b. School culture change;
- c. School climate improvement;
- d. Adoption of research-based, systemic bullying prevention programs;
- e. School policy and procedures revisions;
- f. Modifications of schedules;
- g. Adjustments in hallway traffic;

HARASSMENT, INTIMIDATION AND BULLYING (continued)

- h. Modifications in student routes or patterns traveling to and from school;
- i. Supervision of students before and after school, including school transportation;
- j. Targeted use of monitors (e.g., hallway, cafeteria, locker room, playground, school perimeter, bus);
- k. Teacher aides;
- l. Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
- m. General professional development programs for certificated and non-certificated staff;
- n. Professional development plans for involved staff;
- o. Disciplinary action for school staff who contributed to the problem;
- p. Supportive institutional interventions, including participation of the intervention and referral services team;
- q. Parent conferences;
- r. Family counseling;
- s. Involvement of parent-teacher organizations;

Classified students are subject to the same disciplinary procedures as nondisabled students and may be disciplined in accordance with their IEP. However, before disciplining a classified student, it must be determined that:

- A. The student's behavior is not primarily caused by his/her educational disability;
- B. The program that is being provided meets the student's needs.

Staff

Consequences and appropriate remedial actions for any staff member who commits an act of harassment, intimidation or bullying may range from positive behavioral interventions up to disciplinary charges which could result in suspension or termination. The consequences and remedial measures may include, but are not limited to:

- A. Consequences
 - 1. Admonishment;
 - 2. Temporary removal from the classroom;
 - 3. Deprivation of privileges;
 - 4. Referral to disciplinarian;
 - 5. Withholding of Increment
 - 6. Suspension;
 - 7. Legal action; and
 - 8. Termination

HARASSMENT, INTIMIDATION AND BULLYING (continued)

B. Remedial Measures

1. Personal

- a. Restitution and restoration;
- b. Mediation;
- c. Support group;
- d. Recommendations of behavior or ethics council;
- e. Corrective action plan;
- f. Behavioral assessment or evaluation;
- g. Behavioral management plan, with benchmarks that are closely monitored;
- h. Involvement of school disciplinarian;
- i. Counseling;
- j. Conferences;
- k. Treatment; or
- l. Therapy.

2. Environmental (Classroom, School Building or School District)

- a. School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation or bullying;
- b. School culture change;
- c. School climate improvement;
- d. Adoption of research-based, systemic bullying prevention programs;
- e. School policy and procedures revisions;
- f. Modifications of schedules;
- g. Supervision;
- h. Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
- i. General professional development programs for certificated and non-certificated staff;
- j. Professional development plans for involved staff;
- k. Disciplinary action;
- l. Supportive institutional interventions, including participation of the intervention and referral services team;
- m. Conferences;
- n. Counseling;

Reporting Harassment, Intimidation and Bullying Behavior

The superintendent, principal and/or their designee shall be responsible for receiving complaints alleging violations of this policy.

The board shall allow reports to be anonymous, but no formal disciplinary action shall be based solely on an anonymous report. Any school employee, board member, contracted service provider, student, visitor or volunteer who has witnessed, or has reliable information that a student has been subject to harassment, intimidation or bullying, must report the incident to the building principal or his/her designee.

HARASSMENT, INTIMIDATION AND BULLYING (continued)

The following procedures shall apply to the reporting of incidents of harassment, intimidation and bullying:

- A. All acts of harassment, intimidation, or bullying shall be reported verbally to the school principal on the same day when the school employee or contracted service provider witnessed or received reliable information regarding any such incident;
- B. The principal shall inform the parents or guardians of all students involved in the alleged incident, and may discuss, as appropriate, the availability of counseling and other intervention services; and
- C. All acts of harassment, intimidation, or bullying shall be reported in writing to the school principal within two school days of when the school employee or contracted service provider witnessed or received reliable information that a student had been subject to harassment, intimidation, or bullying.

A board member, school employee, contracted service provider, student or volunteer who has witnessed, or has reliable information that a student has been subject to, harassment, intimidation or bullying shall report the incident to the building principal and any appropriate school official, or to any school administrator or safe schools resource officer, who shall immediately initiate the school district's procedures concerning school bullying.

A board member or a school employee who promptly reports an incident of harassment, intimidation or bullying, to the appropriate school official designated by the school district's policy, or to any school administrator or safe schools resource officer, and who makes this report in compliance with the procedures in this policy, shall be immune from a cause of action for damages arising from any failure to remedy the reported incident.

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

District Anti-Bullying Coordinator

The superintendent shall appoint a district anti-bullying coordinator. The superintendent shall make every effort to appoint an employee of the school district to this position. The district anti-bullying coordinator shall:

- A. Be responsible for coordinating and strengthening the school district's policies to prevent, identify, and address harassment, intimidation, and bullying of students;
- B. Collaborate with school anti-bullying specialists in the district, the board of education, and the superintendent to prevent, identify, and respond to harassment, intimidation, and bullying of students in the district;

HARASSMENT, INTIMIDATION AND BULLYING (continued)

- C. Provide data, in collaboration with the superintendent, to the Department of Education regarding harassment, intimidation, and bullying of students; and
- D. Execute such other duties related to school harassment, intimidation, and bullying as requested by the superintendent.

The district anti-bullying coordinator shall meet at least twice a school year with the school anti-bullying specialists in the district to discuss and strengthen procedures and policies to prevent, identify, and address harassment, intimidation, and bullying in the district.

School Anti-Bullying Specialist

The principal in each school shall appoint a school anti-bullying specialist. When a school guidance counselor, school psychologist, or another individual similarly trained is currently employed in the school, the principal shall appoint that individual to be the school anti-bullying specialist. If no individual meeting these criteria is currently employed in the school, the principal shall appoint a school anti-bullying specialist from currently employed school personnel. The school anti-bullying specialist shall:

- A. Chair the school safety team;
- B. Lead the investigation of incidents of harassment, intimidation, and bullying in the school; and
- C. Act as the primary school official responsible for preventing, identifying, and addressing incidents of harassment, intimidation, and bullying in the school.

School Safety Team

The district shall form a school safety team in each school to develop, foster, and maintain a positive school climate by focusing on the on-going, systemic process and practices in the school and to address school climate issues such as harassment, intimidation, or bullying. The school safety team shall meet at least two times per school year.

The school safety team shall be appointed by the principal and consist of the principal or his or her designee who, if possible, shall be a senior administrator; a teacher in the school; the school anti-bullying specialist; a parent of a student in the school; and other members to be determined by the principal. The school anti-bullying specialist shall serve as the chair of the school safety team.

The school safety team shall:

- A. Receive any complaints of harassment, intimidation, or bullying of students that have been reported to the principal;
- B. Receive copies of any report prepared after an investigation of an incident of harassment, intimidation, or bullying;

HARASSMENT, INTIMIDATION AND BULLYING (continued)

- C. Identify and address patterns of harassment, intimidation, or bullying of students in the school;
- D. Review and strengthen school climate and the policies of the school in order to prevent and address harassment, intimidation, or bullying of students;
- E. Educate the community, including students, teachers, administrative staff, and parents, to prevent and address harassment, intimidation, or bullying of students;
- F. Participate in the training required pursuant to the provisions of (N.J.S.A. 18A:37-13 et seq.) and other training which the principal or the district anti-bullying coordinator may request;
- G. Collaborate with the district anti-bullying coordinator in the collection of district-wide data and in the development of district policies to prevent and address harassment, intimidation, or bullying of students; and
- H. Execute such other duties related to harassment, intimidation, and bullying as requested by the principal or district anti-bullying coordinator.

No parent/guardian who is a member of the school safety team shall:

- A. Receive complaints of harassment, intimidation or bullying of students that have been reported to the principal;
- B. Receive copies of reports prepared after an investigation of a harassment, intimidation or bullying incident;
- C. Identify and address patterns of harassment, intimidation or bullying of students; or
- D. Participate in any other activities of the team which may compromise the confidentiality of a student.

Investigating Reported Harassment, Intimidation and Bullying

All reported incidents of harassment, intimidation and bullying shall be investigated promptly and in accordance with law and the following procedures:

- A. All investigations shall be thorough and complete, and documented in writing, and shall include, but not be limited to:
 - 1. Taking of statements from victims, witnesses and accused;
 - 2. Careful examination of the facts;
 - 3. Support for the victim; and
 - 4. Determination if alleged act constitutes a violation of this policy.
- B. The investigation shall be initiated by the principal or the principal's designee within one school day of the report of the incident and shall be conducted by a school anti-bullying specialist. The principal may appoint additional personnel who are not school anti-bullying specialists to assist in the investigation.

HARASSMENT, INTIMIDATION AND BULLYING (continued)

- C. The investigation shall be completed as soon as possible, but not later than 10 school days from the date of the written report of the incident of harassment, intimidation, or bullying. In the event that there is information relative to the investigation that is anticipated but not yet received by the end of the 10-day period, the school anti-bullying specialist may amend the original report of the results of the investigation to reflect the information.
- D. The results of the investigation shall be reported to the superintendent within two school days of the completion of the investigation, and in accordance with law and board policy. The superintendent may initiate intervention services, establish training programs to reduce harassment, intimidation, or bullying and enhance school climate, impose discipline, order counseling as a result of the findings of the investigation, or take or recommend other appropriate action.
- E. The results of each investigation shall be reported to the board of education no later than the date of the next board meeting following the completion of the investigation, and include:
 - 1. Any services provided;
 - 2. Training established;
 - 3. Discipline imposed; or
 - 4. Other action taken or recommended by the superintendent.
- F. The superintendent or his or her designee shall ensure that parents or guardians of the students who are parties to the investigation shall receive information about the investigation. This information shall be provided in writing within 5 school days after the results of the investigation are reported to the board and include:
 - 1. The nature of the investigation;
 - 2. Whether the district found evidence of harassment, intimidation, or bullying; or
 - 3. Whether discipline was imposed or services provided to address the incident of harassment, intimidation, or bullying.

Range of Ways to Respond to Harassment, Intimidation or Bullying

The board of education recognizes that some acts of harassment, intimidation or bullying may be isolated incidents requiring that the school officials respond appropriately to the individuals committing the acts and provide support programs for victims. Other acts may be so serious or parts of a larger pattern of harassment, intimidation or bullying that they require a response either at the classroom, school building or school district levels or by law enforcement officials.

In considering whether a response beyond the individual is appropriate, the administrator shall consider the nature and circumstances of the act, the degree of harm, the nature and severity of the behavior, past incidences or past or continuing patterns of behavior, and the context in which the alleged incident(s) occurred. Institutional (i.e., classroom; school building; school district) responses include:

- A. School and community surveys;
- B. Mailings;

HARASSMENT, INTIMIDATION AND BULLYING (continued)

- C. Focus groups;
- D. Adoption of research-based bullying prevention program models;
- E. Training for certificated and non-certificated staff;
- F. Participation of parents and other community members and organizations;
- G. Small or large group presentations for staff, students, and the community for fully addressing a positive school climate and culture as well as the issues surrounding harassment, intimidation and bullying in the school community; and
- H. The involvement of law enforcement officers, including school resource officers.

For every incident of harassment, intimidation or bullying, the district shall respond to the individual who committed the act. Responses may include:

- A. Individual responses can include positive behavioral interventions (e.g., peer mentoring, short-term counseling, life skills groups) and punitive actions (e.g., detention, in-school or out-of-school suspension, expulsion);
- B. Classroom responses can include class discussions about an incident of harassment, intimidation or bullying, role plays, research projects, observing and discussing audio-visual materials on these subjects and skill-building lessons in courtesy, tolerance, assertiveness and conflict management;
- C. School responses can include theme days, learning station programs, parent programs and information disseminated to students and parents, such as fact sheets or newsletters explaining acceptable uses of electronic and wireless communication devices;
- D. District-wide responses can include community involvement in policy review and development, professional development programs, adoption of curricula and school-wide programs and coordination with community-based organizations (e.g., mental health; health services; health facilities; law enforcement; faith-based).

The range of ways in which the school shall respond once an incident of harassment, intimidation or bullying is identified shall be defined by the principal in conjunction with the school anti-bullying specialist, and shall include an appropriate combination of counseling, support services, intervention services, and other programs as defined by the commissioner.

HARASSMENT, INTIMIDATION AND BULLYING (continued)Retaliation and Reprisal Prohibited

The board prohibits reprisal or retaliation or false accusation against any person who witnesses and/or reports an act of harassment, intimidation or bullying by any student, school employee, board member, contracted service provider, visitor or volunteer. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation or false accusation shall be determined by the superintendent and/or principal or their designee after consideration of the nature, severity and circumstances of the act, in accordance with case law and board policies and procedures.

Any act of retaliation or reprisal or false accusation against any person who reports an act of harassment, intimidation or bullying shall not be tolerated. Any student, school employee, board member, contracted service provider, volunteer or visitor who engages in the act of retaliation or reprisal or who falsely accuses another shall be subjected to consequence and appropriate remedial action. In cases where any state or federal law has allegedly been violated, the local law enforcement agency shall be notified.

A. Students

The consequences and appropriate remedial action for a student found to have engaged in retaliation, reprisal and/or falsely accused another as a means of harassment, intimidation or bullying shall be varied and graded according to the nature of the behavior, the developmental age of the student and the student's history of problem behaviors and performance, and shall be consistent with this policy. Consequences may include positive behavioral interventions, notification of the parents/guardians, up to and including short or long-term suspension or expulsion, as permitted by law;

B. School Employees

Consequences and appropriate remedial action for a school employee found to have engaged in retaliation, reprisal and/or falsely accused another as a means of harassment, intimidation or bullying shall be determined in accordance with district policies, procedures and agreements, up to and including suspension or dismissal from service;

C. Board Members

Consequences and appropriate remedial action for a board member found to have committed an act of harassment, intimidation, or bullying; or found to have engaged in retaliation, reprisal and/or falsely accused another as a means of harassment, intimidation or bullying shall be determined in accordance with district policies, procedures and agreements, up to and including a public sanction or filed ethics charges;

D. Visitors, Volunteers, Contracted Service Providers, and All Other Persons

Consequences and appropriate remedial action for a visitor, volunteer, contracted service providers and all other persons found to have engaged in harassment, intimidation or bullying; or engaged in retaliation, reprisal and/or falsely accused another as a means of harassment, intimidation or bullying shall be determined by the superintendent after consideration of the nature, severity and circumstances of the act, including reports to appropriate law enforcement officials.

HARASSMENT, INTIMIDATION AND BULLYING (continued)

Consequences and remediation for students, employees, board members, visitors, volunteers, and contracted service providers, engaging in harassment, intimidation or bullying or engaged in retaliation, reprisal and/or false accusations may include the following:

A. Consequences

1. Admonishment;
2. Temporary removal from the classroom or school;
3. Deprivation of privileges
4. Prohibited from access to the school facilities (visitors, vendors, board members, all other people);
5. Classroom or administrative detention;
6. Referral to disciplinarian;
7. In-school suspension during the school week or the weekend;
8. After-school programs;
9. Out-of-school suspension (short-term or long-term);
10. Legal action;
11. Withholding of Increment;
12. Suspension;
13. Expulsion;
14. Termination;
15. Termination of service agreements or contracts (vendors, volunteers);
16. Public sanction (board members);
17. Ethics charges (some administrators, board members).

Remedial Measures

1. Personal

- a. Restitution and restoration;
- b. Mediation;
- c. Peer support group;
- d. Recommendations of a student behavior or ethics council;
- e. Corrective instruction or other relevant learning or service experience;
- f. Supportive student interventions, including participation of the intervention and referral services team;
- g. Behavioral assessment or evaluation, including, but not limited to, a referral to the child study team, as appropriate;
- h. Behavioral management plan, with benchmarks that are closely monitored;
- i. Assignment of leadership responsibilities (e.g., hallway or bus monitor);
- j. Involvement of school disciplinarian;
- k. Counseling;
- l. Conferences;
- m. Treatment; or
- n. Therapy.

HARASSMENT, INTIMIDATION AND BULLYING (continued)

2. Environmental (Classroom, School Building or School District)
 - a. School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation or bullying;
 - b. School culture change;
 - c. School climate improvement;
 - d. Adoption of research-based, systemic bullying prevention programs;
 - e. School policy and procedures revisions;
 - f. Modifications of schedules;
 - g. Supervision;
 - h. Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
 - i. General professional development programs for certificated and non-certificated staff;
 - j. Professional development plans for involved staff;
 - k. Disciplinary action;
 - l. Supportive institutional interventions, including participation of the intervention and referral services team;
 - m. Conferences;
 - n. Counseling;

Appeal Process

The parent or guardian may request a hearing before the board after receiving the information from the superintendent regarding the investigation. The hearing shall be held within 10 days of the request. The board shall meet in executive session for the hearing to protect the confidentiality of the students. At the hearing the board may hear from the school anti-bullying specialist about the incident, recommendations for discipline or services, and any programs instituted to reduce such incidents.

At the next board of education meeting following its receipt of the report, the board shall issue a decision, in writing, to affirm, reject, or modify the superintendent's decision. The board's decision may be appealed to the Commissioner of Education, in accordance with law, no later than the 90 days after the issuance of the board's decision.

A parent, student, guardian, or organization may file a complaint with the Division on Civil Rights within 180 days of the occurrence of any incident of harassment, intimidation, or bullying based on membership in a protected group as enumerated in the "Law Against Discrimination."

Week of Respect

The week beginning with the first Monday in October of each year is designated as a "Week of Respect" in the State of New Jersey. The district, in order to recognize the importance of character education, shall observe the week by providing age-appropriate instruction focusing on preventing harassment, intimidation, or bullying as defined by law (N.J.S.A. 18A:37-14). Throughout the school year the district shall provide ongoing age-appropriate instruction focusing on preventing harassment, intimidation, and bullying in accordance with the Core Curriculum Content Standards.

HARASSMENT, INTIMIDATION AND BULLYING (continued)Training

A. School Leaders

Any school leader who holds a position that requires the possession of a superintendent, principal, or supervisor endorsement shall complete training on issues of school ethics, school law, and school governance as part of the professional development for school leaders required in accordance with State Board of Education regulations. This training shall also include information on the prevention of harassment, intimidation, and bullying (N.J.S.A. 18A:26-8.2).

B. Teaching Staff Development

Each public school teaching staff member shall complete at least two hours of instruction in suicide prevention, to be provided by a licensed health care professional with training and experience in mental health issues, in each professional development period. The instruction in suicide prevention shall include information on the relationship between the risk of suicide and incidents of harassment, intimidation, and bullying and information on reducing the risk of suicide in students who are members of communities identified as having members at high risk of suicide (N.J.S.A. 18A:6-112).

C. Board Members

Within one year after being newly elected or appointed or being re-elected or re-appointed to the board of education, a board member shall complete a training program on harassment, intimidation, and bullying in schools, including a school district's responsibilities as required by law (N.J.S.A. 18A:37-13 et seq.). A board member shall be required to complete the program only once (N.J.S.A. 18A:12-33).

D. Staff, Student and Volunteer Training

The school district shall:

1. Provide training on the school district's harassment, intimidation, or bullying policy to school employees and volunteers who have significant contact with students;
2. Provide ongoing staff training, in cooperation with the Department of Education, in fulfilling the reporting requirements;
3. Ensure that the training includes instruction on preventing bullying on the basis of the protected categories as required by law (N.J.S.A. 18A:37-14) and other distinguishing characteristics that may incite incidents of discrimination, harassment, intimidation, or bullying; and
4. Develop a process for discussing the district's harassment, intimidation or bullying policy with students.

Information regarding the school district policy against harassment, intimidation or bullying shall be incorporated into a school's employee training program and shall be provided to full-time and part-time staff, volunteers who have significant contact with students, and those persons contracted by the district to provide services to students.

Throughout the school year, the district shall provide ongoing age-appropriate instruction on preventing harassment, intimidation and bullying, consistent with the Core Curriculum Content Standards.

HARASSMENT, INTIMIDATION AND BULLYING (continued)Reporting to the Board

Two times each year between September 1 and January 1 and between January 1 and June 30, the school board shall hold a public hearing at which the superintendent will report to the board of education all acts of violence, vandalism, and harassment, intimidation, or bullying (HIB) which occurred during the previous reporting period. The report shall include the number of HIB reports in the schools, the status of all investigations, the nature of the HIB, and other data required by law.

- A. The number of reports of harassment, intimidation, or bullying;
- B. The status of all investigations;
- C. The nature of the bullying based on one of the protected categories identified in N.J.S.A. 18A:37-14 such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic;
- D. The names of the investigators;
- E. The type and nature of any discipline imposed on any student engaged in harassment, intimidation, or bullying; and
- F. Any other measures imposed, training conducted, or programs implemented, to reduce harassment, intimidation, or bullying.

Reporting to the Department of Education

The information, including but not limited to, oral reports, written reports or electronic reports shall also be reported once during each reporting period between September 1 and January 1 and between January 1 and June 30, to the Department of Education. The report shall include:

- A. Data broken down by the enumerated categories including the protected categories as listed above and the type of harassment, intimidation and bullying (any gesture; any written, verbal or physical act; or any electronic communication, whether it be a single or series of incidents); and
- B. Data broken down by each school in the district, in addition to district-wide data.

The report shall be used to grade each school for the purpose of assessing its effort to implement policies and programs consistent with law (N.J.S.A. 18A:37-13 et seq.). The district shall receive a grade determined by averaging the grades of all the schools in the district.

*Note: revise section below for districts with one school.

Each school shall post the grade received by the school and the overall district grade on the homepage of the school's website. The district shall post all the grades for each school of the district and the overall district grade on the homepage of the district's website. A link to the report shall be available on the district's website. The information shall be posted on the websites within 10 days of the receipt of a grade by the school and district.

HARASSMENT, INTIMIDATION AND BULLYING (continued)

It shall be a violation to improperly release any confidential information not authorized by federal or State law for public release.

The superintendent will annually submit the report to the Department of Education utilizing the Electronic Violence and Vandalism Reporting system (EVVRS). The superintendent shall accurately report on each incident of violence, vandalism, alcohol and other drug abuse, and incident of harassment intimidation and bullying 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).

The State Board of Education shall impose penalties on any school employee who knowingly falsifies the report. Therefore, the superintendent shall make a reasonable effort to verify reports of violence, vandalism, and harassment, intimidation, or bullying. The board shall provide ongoing staff training, in cooperation with the Department of Education, in fulfilling the reporting requirements. The majority representative of the school employees shall have access monthly to the number and disposition of all reported acts of school violence, vandalism, and harassment, intimidation, or bullying.

Program Assessment and Review

Each school and the school district shall annually establish, implement, document, and assess bullying prevention programs or approaches, and other initiatives involving school staff, students, administrators, volunteers, parents, law enforcement and community members. The programs or approaches shall be designed to create school-wide conditions to prevent and address harassment, intimidation, and bullying.

Policy Development and Review

The district harassment, intimidation and bullying policy shall be adopted through a process that includes representation of parents or guardians, school employees, volunteers, students, administrators, and community representatives.

The district shall annually conduct a re-evaluation, reassessment, and review of this policy, making any necessary revisions and additions. The board shall include input from the school anti-bullying specialists in conducting its re-evaluation, reassessment, and review. The district shall transmit a copy of the revised policy to the appropriate executive county superintendent within 30 school days of the revision (beginning September 1, 2011).

Publication, Dissemination and Implementation

In publicizing this policy, the community including students, staff, board members, contracted service providers, visitors and volunteers, shall be duly notified that the rules detailed within apply to any incident of harassment intimidation and bullying that takes place on school grounds, at any school-sponsored function or on a school bus, or off school grounds that substantially disrupts or interferes with the orderly operation of the school or the rights of other students in accordance with law.

HARASSMENT, INTIMIDATION AND BULLYING (continued)

The superintendent shall take the following steps to publicize this policy:

- A. Provide a link to this policy on a prominent place on the district website;
- B. Provide a link to this policy on a prominent place on each school's website;
- C. Distribute this policy annually to all staff, students and parents/guardians; and
- D. Print this policy in any district publication that sets forth the comprehensive rules, procedures and standards of student conduct and in student handbooks;

The district shall notify students and parents/guardians that the policy is available on the district's website. The district shall publish the name, school phone number, school address and school email address of the district anti-bullying coordinator on the home page of the district website. Each school within the district shall publish the name, school phone number, school address and school email address of the district anti-bullying coordinator and their school anti-bullying specialist on the home page of the school's website. The information concerning the district anti-bullying coordinator and the school anti-bullying specialists shall also be maintained on the Department of Education's website.

Additionally, the district shall make available, in an easily accessible location of its website, the Department of Education's guidance document for the use by parent/guardians, students and district staff to assist in resolving complaints concerning student harassment, intimidation or bullying.

The superintendent shall ensure that the rules for this policy are applied consistently with the district's code of student conduct (N.J.A.C. 6A:16-7) and all applicable laws and regulations. All disciplinary sanctions shall be carried out with necessary due process.

This and all related policies shall be reviewed on a regular basis.

Date: September 18, 2007
Revised: January 19, 2010
Revised: March 16, 2010
Revised: September 6, 2011
NJSBA Review/Update: September 28, 2015
Readopted:

Key Words

Harassment, Intimidation, Bullying, False Accusation, Retaliation, Reprisal, Conduct, Discipline, Student Conduct

HARASSMENT, INTIMIDATION AND BULLYING (continued)

<u>Legal References:</u>	<p><u>N.J.S.A. 2A:4A-60 et al.</u></p> <p><u>N.J.S.A. 10:5-1 et seq.</u></p> <p><u>N.J.S.A. 18A:6-112</u></p> <p><u>N.J.S.A. 18A:11-1</u></p> <p><u>N.J.S.A. 18A:12-33</u></p> <p><u>N.J.S.A. 18A:17-46</u></p> <p><u>N.J.S.A. 18A:25-2</u></p> <p><u>N.J.S.A. 18A:26-8.2</u></p> <p>professional development</p> <p><u>N.J.S.A. 18A:36-19</u></p> <p><u>N.J.S.A. 18A:36-19a</u></p> <p><u>N.J.S.A. 18A:37-1 et seq.</u></p> <p><u>N.J.S.A. 18A:37-13 et seq.</u></p> <p><u>See particularly:</u></p> <p><u>N.J.S.A. 18A:37-14, -15, -17</u></p> <p><u>N.J.S.A. 18A:54-20</u></p> <p><u>N.J.A.C. 6A:14-2.8</u></p> <p><u>N.J.A.C. 6A:16-1.1 et seq.</u></p> <p><u>See particularly:</u></p> <p><u>N.J.A.C. 6A:16-7.1, -7.5, -7.7</u></p> <p><u>N.J.A.C. 6A:30-1.4 et seq.</u></p>	<p>Disclosure of juvenile information; penalties for disclosure</p> <p>Law Against Discrimination</p> <p>Instruction on suicide prevention for public school teaching staff</p> <p>General mandatory powers and duties</p> <p>Training program; requirements</p> <p>Reporting of certain acts by school employee; annual report; public hearing (acts of violence)</p> <p>Authority over students</p> <p>School leader defined; training as part of</p> <p>Student records; creation, maintenance and retention, security and access; regulations; nonliability</p> <p>Student records (Newly enrolled students; transfers of records, identification)</p> <p>Submission of Students to Authority (Discipline)</p> <p><u>Anti-Bullying Bill of Rights Act</u></p> <p>Harassment, intimidation, and bullying</p> <p>Powers of board (county vocational schools)</p> <p>Discipline/suspension/expulsions (students with disabilities)</p> <p>Programs to support student development (includes student conduct code)</p> <p>Evaluation process for the annual review</p>
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Gebser v. Lago Vista Independent School District 524 U.S. 274 (1989) United States Supreme Court addresses the standard by which a district will be held liable for sexual harassment of a student by a school employee under Title IX --requires actual notice and deliberate indifference.

Davis v. Monroe County Board of Education 526 U.S. 629 (1999) United States Supreme Court establishes the standard under which a school district may be liable under Title IX for sexual harassment of one student by another student. The district will be liable for damages only where the school officials are proven to have been deliberately indifferent to harassment of which it is actually aware. The harassment must be "severe, pervasive and objectively offensive."

HARASSMENT, INTIMIDATION AND BULLYING (continued)

Saxe v. State College Area School District 240 F.3d 200 (3rd Cir 2001) A Pennsylvania school district's anti-harassment policy was overly broad and therefore violated the Constitutional guarantee of freedom of speech.

L.W. v. Toms River Regional Schools Board of Education 189 N.J. 381 (2007) The New Jersey Supreme Court held that the standard under which a school district may be liable under the New Jersey Law Against Discrimination for student-on-student bullying or harassment is not the Title IX deliberate indifference standard, but is rather the same standard used under the NJLAD for hostile work environment cases. A district will be judged by whether the district's response met the "reasonable person" test: what would a reasonable person (teacher, supervisor, vice principal, principal, etc.) do in a similar situation. School districts will be shielded from liability under NJLAD when their preventive and remedial actions are reasonable in light of the totality of the circumstances.

Possible

<u>Cross References:</u>	*1220	Ad hoc advisory committees
	*1410	Local units
	3517	Security
	*3541.33	Transportation safety
	*4131/4131.1	Staff development; inservice education/visitation conferences
	4148/4248	Employee protection
	*4231/4231.1	Staff development; inservice education/visitation conferences
	5000	Concepts and roles for students
	5010	Goals and objectives for students
	*5020	Role of parents/guardians
	*5113	Attendance, absences and excuses
	*5114	Suspension and expulsion
	*5124	Reporting to parents/guardians
	*5131	Conduct and discipline
	*5131.5	Vandalism/violence
	*5131.6	Drugs, alcohol, tobacco (substance abuse)
	*5131.7	Weapons and dangerous instruments
	5132	Dress and grooming
	*5142	Student safety
	5145	Rights
	5145.2	Freedom of speech/expression
	*5145.4	Equal educational opportunity
	*5145.6	Student grievance procedure
	*5145.1	Questioning and apprehension
	*5145.1	Search and seizure
	*6145	Extracurricular activities
	*6164.4	Child study team
	*6171.4	Special education
	*6172	Alternative educational programs

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

POLICY

Roselle Park Board of Education
Roselle Park, New Jersey

File Code: 5131.5

VANDALISM/VIOLENCE

Vandalism

The Roselle Park Board of Education views vandalism against school property by pupils as reprehensible. The causes of such misbehavior often are complex, calling for careful study by parents/guardians, school staff and appropriate community officials.

The Board believes that pupils should respect property and take pride in the schools of this district. Whenever a pupil has been found to have done willful and malicious damage to property of The Board, the principal of the school shall notify the superintendent. The Board will hold the pupil or his/her parents/guardians liable for the damage caused by him/her.

When vandalism is discovered, the administration is directed to take such steps as are necessary to identify the vandals. If pupils have taken part in the vandalism, the appropriate administrator shall:

- A. Identify the pupils involved;
- B. Call together persons, including the parents/guardians, needed to study the causes;
- C. Decide upon disciplinary and/or legal action possibly including suspension. Should parents/guardians fail to cooperate in the discussions, the administration may charge the pupil with being delinquent by a petition stating the offense and requesting appearance in juvenile court;
- D. Take any constructive actions needed to try to guard against further such pupil misbehavior;
- E. Seek appropriate restitution.

Violence

Physical violence including assault with or without a weapon, against another pupil, a staff member or board member is prohibited and will result in the disciplinary sanctions included in policies on suspension and expulsion and conduct/discipline. Disruptive behavior that is characterized by violence, even though not directed toward another person, should be reported by the classroom teacher to the school principal, unless instructed otherwise, so that possible program adjustments may be identified.

VANDALISM/VIOLENCE (continued)

Any pupil who is convicted or adjudicated delinquent for possession of a firearm or a crime while armed with a firearm or found knowingly in possession of a firearm or any school property or on a school bus or at a school-sponsored function shall be immediately removed from the school's regular education program for a period of not less than one calendar year. The superintendent may modify this suspension on a case-by-case basis. Each pupil so removed shall be placed in an alternative educational program or on home instruction and shall be entitled to a hearing before the Board.

Any school employee observing or having direct knowledge from a participant or victim of an act of violence in the district public school(s) should complete the standard report form and submit it to the school principal who is responsible for preparing the official report to the superintendent. Staff will report accurately and not falsify information.

The Board shall provide ongoing staff training, in cooperation with the Department of Education, in fulfilling the reporting requirements pursuant to N.J.S.A. 18A:17-46.

Two times each year between September 1 and January 1 and between January 1 and June 30, the school board(s) shall hold a public hearing at which the superintendent reports to The Board all acts of violence, vandalism, and harassment, intimidation, or bullying (HIB) which occurred during the previous reporting period. The report shall include the number of HIB reports in the schools, the status of all investigations, the nature of the HIB, and other data required by law.

Threats of Violence

The Board is committed to promoting healthy relationships and a safe learning environment. Therefore, it shall not tolerate pupil threats of harm to self or others or other threatening behaviors, including threats to damage school property. Threatening behaviors shall not be tolerated on school property or at activities under the jurisdiction of the Board of Education.

Pupils shall inform a teacher, guidance counselor or principal when he/she is in possession of knowledge of such threats. Staff shall immediately notify the principal of any threat or threatening behavior that he/she has knowledge of, has witnessed or received. All such threats shall be promptly reported to the appropriate law enforcement agency.

Pupils who perpetrate threatening behaviors shall be disciplined in accordance with policy and regulations on suspension and expulsion and conduct/discipline.

Unsafe School Choice Option

The superintendent shall comply with all requirements of the Unsafe School Choice Option policy adopted by the State Board of Education for schools in districts that receive funds under the No Child Left Behind Act of 2001. He/she shall keep The Board informed of all state requirements and actions taken to implement the policy.

VANDALISM/VIOLENCE (continued)

Particularly, if a school in the district is designated as “persistently dangerous” as defined in the policy, corrective action plans shall be prepared and presented to The Board for review. The corrective action plans shall be in the format provided by the Department of Education and shall describe how the schools will reduce the number of incidents of violence as determined by the Electronic Violence and Vandalism Reporting System (EVVRS).

Likewise, if a student while at school or on school grounds becomes a victim of a violent criminal offense as defined by state statute, he/she shall be offered the option of transferring to another safe school within the district.

Parents/Guardians shall be informed according to law and policy.

The Board shall be provided with access to a copy of the current statewide Unsafe School Choice Option Policy.

School Violence Awareness Week

This school district shall observe School Violence Awareness Week, the week beginning on the third Monday in October of each year. Organized activities focused on the prevention of school violence will be offered to students, employees and board members. Local law enforcement personnel will be invited to participate.

Violence and Vandalism Reporting

The superintendent will annually submit a report utilizing the Electronic Violence and Vandalism Reporting system (EVVRS) accurately reporting on each incident of violence, vandalism and alcohol and other drug abuse within the school district. Any allegations of falsification of data will be reviewed by The Board 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.

Implementation

The superintendent shall oversee the development of implementing regulations on all aspects of this policy, including the establishment of procedures for cooperation between school staff and law enforcement officials for all situations involving firearms or other deadly weapons.

Adopted: March 16, 2010

NJSBA Review/Update: September 28, 2015

Readopted:

Key Words

Conduct, Discipline, Pupil Conduct, Student Conduct, Vandalism, Violence

VANDALISM/VIOLENCE (continued)

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. 2A:53A-15</u>	Liability of parent or guardian for willful destruction of property by infant under 18
<u>N.J.S.A. 2C:39-5</u>	Unlawful possession of weapons
<u>N.J.S.A. 18A:17-46</u>	Act of violence; report by school employee; notice of action taken; annual report,
<u>N.J.S.A. 18A:25-2</u>	Authority over pupils
<u>N.J.S.A. 18A:36-5.1</u>	School Violence Awareness Week
<u>N.J.S.A. 18A:37-1 et seq.</u>	Discipline of Pupils
<u>See particularly:</u>	
<u>N.J.S.A. 18A:37-2, -2.1 through -2.5, -3, -7 through -12</u>	
<u>N.J.A.C. 6A:14-2.8</u>	Discipline/suspension/expulsion
<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:16-5.1, -5.2, -5.3, -5.5, -5.6, -5.7, -6.1</u>	

"H.A. v. Warren Hills Regional School District, 1976 S.L.D. 336

See also Commissioners' Decisions indexed under "Pupils – Punishment of" in Index to N.J. School Law Decisions

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

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

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

Possible

Cross References: *1120	Board of education meetings
*3250	Income from fees, fines, charges
3517	Security
*4131/4131.1	Staff Development, Inservice Education, Visitations, Conferences
4148/4238	Employee protection
*5114	Suspension and expulsion
*5119	Transfers
*5124	Reporting to parents/guardians
*5131	Conduct/discipline
*5131.1	Harassment, intimidation and bullying
5131.4	Campus disturbances
*5131.6	Drugs, alcohol, tobacco (substance abuse)
*5131.7	Weapons and dangerous instruments
*6114	Emergencies and disaster preparedness
*6172	Alternative educational programs

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

POLICY

Roselle Park Board of Education
Roselle Park, New Jersey

File Code: 5131.7

WEAPONS AND DANGEROUS INSTRUMENTS

The Roselle Park Board of Education prohibits the possession and/or use of firearms, other weapons, or instruments that can be used as weapons on school property, on a school bus, at any school function, or while enroute to or from school or any school function.

For the purpose of this policy "weapon" includes but is not limited to those items enumerated in N.J.S.A. 2C:39-1r. The principal shall make the final determination that a particular object is a dangerous instrument in any case where there is a question of its possession or use posing a threat to students, staff or property.

Any pupil who is convicted or adjudicated delinquent for possession of a firearm or a crime while armed with a firearm or found knowingly in possession of a firearm on any school property, on a school bus, or at a school-based function shall be immediately removed from the school's regular education program pending a hearing before the board to remove the pupil from the regular education program for a period of not less than one calendar year.

The principal/designee shall be responsible for the removal of such a pupil and shall immediately report the removal to the superintendent. The superintendent may modify a pupil's removal on a case-by-case basis. The principal shall also notify the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice.

A student found or observed on school property or at a school event in possession of a weapon or dangerous instrument other than a firearm shall be reported to the principal/designee immediately. The principal shall immediately inform the superintendent/designee and appropriate law enforcement officials with all known information concerning the matter, including the identity of the pupil involved.

Assault by a student with a weapon on a teacher, administrator, board member or other employee of the board is strictly prohibited and shall result in the student's immediate removal from the general education program for a period not exceeding one calendar year. Subject to a hearing before the board, the student shall be placed in an alternative education program.

The superintendent shall determine at the end of the year whether the student is prepared to return to the regular education program in accordance with procedures established by the Commissioner of Education.

Disciplinary action shall be taken against students who possess, handle, transmit or use firearms, other weapons, or dangerous instruments. Classified students shall be disciplined in accordance with their IEP and in compliance with law and administrative code. As in all disciplinary cases, due process will be provided (see policies 5114 Suspension and Expulsion and 5131 Conduct/Discipline).

WEAPONS AND DANGEROUS INSTRUMENTS (continued)

A violence and vandalism report shall be filed whenever a student is found to be in possession of a firearm, other weapon, or dangerous instrument.

Remotely Activated Paging Devices (Beepers)

No student shall bring or possess a remotely activated paging device on any property used for school purposes without the written permission of the principal. Permission shall not be granted unless and until the student has established a reasonable basis for possessing the device.

Student members of a volunteer fire company or first aid, ambulance or rescue squad may carry remotely activated paging devices provided that:

- A. The student is required to respond to an emergency; and
- B. A copy of the statement by the chief executive officer of the volunteer fire company or first aid, ambulance or rescue squad authorizing the possession of the paging device is in the possession of the student at all times while the student is in possession of the remotely activated paging device.

Implementation

The board directs the superintendent to develop regulations to implement this policy.

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

Key Words

Weapons, Dangerous Instruments, Violence, Paging Devices, Beepers, Firearms

Legal References:	<p><u>N.J.S.A. 2A:4A-60 et al.</u> penalties for <u>N.J.S.A. 2C:12-1</u> <u>N.J.S.A. 2C:33-19</u> <u>N.J.S.A. 2C:39-1</u> <u>N.J.S.A. 2C:39-5</u> <u>N.J.S.A. 2C:39-6</u> <u>N.J.S.A. 18A:6-1</u> <u>N.J.S.A. 18A:36-19.2</u></p> <p><u>N.J.S.A. 18A:37-1</u> <u>N.J.S.A. 18A:37-2</u> <u>N.J.S.A. 18A:37-2.1</u> through -2.5</p>	<p>Disclosure of juvenile information; disclosure Definition of assault Paging devices, possession by students Definitions Unlawful possession of weapons Exemptions Corporal punishment of pupils Student locker or other storage facility; inspections; notice to students Submission of pupils to authority Causes for suspension or expulsion of pupils Assaults by pupil upon teacher, administrator, board member or employee of board of education; suspension; expulsion proceedings</p>
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WEAPONS AND DANGEROUS INSTRUMENTS (continued)

N.J.S.A. 18A:37-7 through -12 Zero Tolerance for Guns Act
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:16-1.3, -5.2,
 -5.4, -5.5, -5.6, -6.1, -6.2,
 -6.3(b), -6.4

P.L. 103-382, Improving America's Schools Act of 1994 Section 1702, Prohibits possession or discharge of a firearm in a school zone, Pub. L. 101-647

Attorney General's Executive Directive No. 1988-1, Memorandum of Agreement (revised, amended)

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).

See also Commissioners' Decisions indexed under "Pupils – Punishment of" in Index to N.J. School Law Decisions

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: *5114 Suspension and expulsion
 *5131 Conduct/discipline
 *5131.1 Harassment, intimidation and bullying
 *5131.5 Vandalism/violence
 *5131.6 Drugs, alcohol, tobacco (substance abuse)
 *5145.11 Questioning and apprehension
 *5145.12 Search and seizure
 *6172 Alternative educational programs

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

POLICY

Roselle Park Board of Education
Roselle Park, New Jersey

File Code: 6142.4

PHYSICAL EDUCATION AND HEALTH

The Roselle Park Board of Education directs that the district's curricular and extracurricular programs of physical education and activities comply with the district's affirmative action resolution and equity plan for school and classroom practices as stipulated in policies 2224, 5145.4, 6121 and 6145 in this manual. The board shall ensure that the comprehensive health and physical education curriculum addresses all elements required by the Common Core State Standards for mathematics and language arts and literacy and the Core Curriculum Content Standards.

In general, physical education classes shall not be divided on the basis of sex. The quality and quantity of teachers, equipment and facilities shall be equivalent among the schools and comparable from level to level, taking into account the needs of the pupils.

Members of district interscholastic athletic teams may be excused from participation in the physical activities part of their physical education program without loss of graduation credit on the request of their coach on any day on which they are designated to participate in a regularly scheduled game. The superintendent shall approve procedures by which coaches will inform the physical education department, on the day in question, of the specific pupils to be excused. Such pupils shall be scheduled for a study hall period instead.

The board will consider on a case-by-case basis requests from pupils or their parents/guardians in the case of minors for permission to satisfy the physical education requirement through an alternative program of athletics or physical education activities that meets the requirements of law and is consistent with the district's physical education program goals and instructional objectives.

Dating Violence

For students in grades 7 through 12, physical education and health curriculum will include the topic of dating violence. "Dating violence" means a pattern of behavior where one person threatens to use, or actually uses physical, sexual, verbal, or emotional abuse to control a dating partner.

Dating violence education shall include information on the definition of dating violence, recognizing dating violence warning signs, and the characteristics of healthy relationships.

Upon written request to the school principal, a parent/legal guardian of a student less than 18 years of age shall be permitted within a reasonable period of time after the request is made, to examine the dating violence education program instruction materials developed by the school district.

The purpose of the dating violence information is to help prevent dating situations from becoming unsafe and to help educate students on constructive ways to resolve conflicts in personal relationship.

PHYSICAL EDUCATION AND HEALTH (continued)

To be consistent with P.L. 2011, c. 64, school policy, procedures and curriculum shall include the following information:

Dating violence will not be tolerated;

Dating violence reporting procedures;

Guidelines for responding to at-school incidents of dating violence;

Discipline procedures specific to at-school incidents of dating violence;

Warning signs of dating violence; and

Information on safe and appropriate school, family, peer, and community resources available to address dating violence shall also be included within the curriculum.

Cardiopulmonary Resuscitation (CPR) and Automated External Defibrillator (AED)

The board of education shall provide instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator to each student during high school (in grades 9, 10, 11 or 12). The instruction shall be provided to each student prior to graduation as part of the district's implementation of the Core Curriculum Content Standards in Comprehensive Health and Physical Education. The board may select a no-cost, non-certification instructional program to meet this requirement.

The instruction provided shall:

- A. Be modeled from an instructional program established by the American Heart Association, American Red Cross, or other nationally-recognized association with expertise in instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator; and
- B. Include a hands-on learning component for each participating student.

Adopted: September 2011

NJSBA Review/Update: November 2015

Readopted:

Key Words

Nondiscrimination, Physical Education, Health, Affirmative Action

Legal References: N.J.S.A. 18A:6-111 et seq. Instruction in Suicide Prevention
See particularly:
N.J.S.A. 18A:6-113 Instruction in suicide prevention in public school curriculum

PHYSICAL EDUCATION AND HEALTH (continued)

<u>N.J.S.A.</u> 18A:35-4.19 through -4.22	<u>AIDS Prevention Act of 1999</u>
<u>N.J.S.A.</u> 18A:35-4.23	Dating violence into health education curriculum
<u>N.J.S.A.</u> 18A:35-5 through -9	Maintenance of physical training courses; features
<u>N.J.S.A.</u> 18A:37-33 through -37	Dating violence policy and education
<u>N.J.A.C.</u> 6A:7-1.7	Equality in school and classroom practices
<u>N.J.A.C.</u> 6A:8-3.1	Curriculum and instruction
<u>N.J.A.C.</u> 6A:8-5.1	Graduation requirements
<u>N.J.A.C.</u> 6A:9B-5.18	Athletics Personnel
<u>N.J.A.C.</u> 6A:9B-10.8	Health and physical education
<u>N.J.A.C.</u> 6A:32-9.1	Athletics Procedures
<u>N.J.A.C.</u> 6A:16-2.1 <u>et seq.</u>	General Provisions for School Health Services
<u>See particularly:</u> <u>N.J.A.C.</u> 6A:16-2.2	

P.L.2014, c.36 (instruction in cardiopulmonary resuscitation and use of an automated external defibrillator prior to graduation)

20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972

The Comprehensive Equity Plan, New Jersey State Department of Education

Possible

<u>Cross References:</u> *2224	Nondiscrimination/affirmative action
*5145.4	Equal educational opportunity
*6121	Nondiscrimination/affirmative action
*6142	Subject fields
*6145.1/6145.2	Intramural competition; interscholastic competition
*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: 2210

ADMINISTRATIVE LEEWAY IN ABSENCE OF BOARD POLICY

In cases where immediate action must be taken within the school system when the Roselle Park Board of Education has provided no guidelines for administrative action, the superintendent shall have the power to act, but his/her decisions shall be subject to review by the board at its next regular meeting. **However, any administrative action by the superintendent shall not constitute official board policy.**

It shall be the duty of the superintendent to inform the board promptly of such action and of the need for policy.

Adopted: December 6, 2005
Revised: March 16, 2010
NJSBA Review/Update: September 2015
Readopted:

Key Words

Administrative Leeway in Absence of Board Policy, Absence of Board Policy

Legal References: N.J.S.A. 18A:11- 1 General mandatory powers and duties
 N.J.S.A. 18A:17-20 Tenured and non-tenured superintendents; general powers and duties
 N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

Cross Reference: *3516 Safety
 4135.16/42.35.16 Work stoppages/strikes
 *5131.6 Drugs, alcohol, tobacco (substance abuse)
 *5141.1 Accidents
 *5141.2 Illness
 *6114 Emergencies and disaster preparedness
 *9311 Formulation, adoption, amendment of policies
 *9313 Formulation, adoption, amendment of administrative regulations

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

POLICY

Roselle Park Board of Education
Roselle Park, New Jersey

**Removed: ECS review of school level plan*

File Code: 2240

RESEARCH, EVALUATION AND PLANNING

As required by law, the Roselle Park Board of Education charges the superintendent to annually direct development or review of district long- and short-range goals and the plan of action to attain them. Objectives shall be developed with community participation and approved by the board of education; the plan of action shall be prepared in consultation with teaching staff members. The district's plans shall be discussed at a public meeting before the date required by law.

Further, the superintendent shall coordinate continual research and evaluation of programs and facilities. The master plan shall be studied and revised periodically to keep it in accord with the changing circumstances and aspirations of the district.

State Monitoring

The superintendent shall ensure and coordinate the District Performance Review every three years, in compliance with New Jersey Quality Single Accountability Continuum (NJQSAC). Upon completion of the district's conduct of the District Performance Review, the board shall fix a date, place and time for the holding of a public meeting for approval by board resolution. The board shall comply with meeting procedures specified in N.J.A.C. 6A:30-3.2.

School-Level Planning

By September 30, the principal of each school in the district shall coordinate development and implementation of a two-year school-level plan based on school report card data. This plan shall include pupil performance objectives, a review of progress by teaching and administrative staff, and the involvement of parents.

The performance objectives shall be based on pupil performance or behavior standards as defined in the administrative code.

At least once per semester, the principal of each school shall conduct meetings by grade level, department, team or similarly appropriate group to review the school-level plan. The review shall include:

- A. School report card data;
- B. Progress toward achieving pupil performance objectives;
- C. Progress toward achieving core curriculum content standards.

Each principal shall sign a statement of assurance attesting to these activities on the form prescribed by the commissioner of education.

The superintendent will supervise the preparation and timely submission of accurate reports in order to ensure compliance with all federal, state, county and local laws and regulations, board policies, contract terms and conditions. The superintendent will promptly prepare and file updates and revisions to reports whenever new information becomes available that would require that an amended report be submitted. The superintendent may delegate the preparation and revision of reports to other employees of the board. However, the superintendent retains final responsibility for the action taken when tasks are delegated. If the revisions and corrections are so significant as to compromise the basic integrity of the report, the superintendent will inform the board president in order that appropriate corrective action may be taken by the board.

Adopted: December 6, 2005 Revised:
March 16, 2010 Revised: September 21,
2010
NJSBA Review/Update: September 2015
Readopted:

Key Words

Research, Evaluation, Planning, Long-range Plan, Multi-year Maintenance, School Level Plan

<u>Legal References:</u>	<u>N.J.S.A.</u> 10:4-6 <u>et seq.</u> <u>N.J.S.A.</u> 18A:7A-10 <u>N.J.S.A.</u> 18A:7A-11 <u>N.J.S.A.</u> 18A:7A-14 <u>N.J.S.A.</u> 18A:7F-6 <u>N.J.S.A.</u> 18A:7F-46 <u>N.J.A.C.</u> 6A:8-1.1 <u>et seq.</u> <u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u> <u>N.J.A.C.</u> 6A:26-2.1 <u>et seq.</u> <u>N.J.A.C.</u> 6A:32-2.1 <u>N.J.A.C.</u> 6A:32-12.1 <u>et seq.</u>	<u>Open Public Meetings Act</u> Evaluation of performance of each school Annual report of local school district; contents; annual report of commissioner; report on improvement of basic skills Review of evaluation of district performance Approval of budget by Commissioner Review, update of core curriculum content standards; Educational Adequacy Report Standards and Assessments Evaluation of the Performance of School Districts Long-Range Facilities Plans Evaluation of the Performance of School Districts Definitions Student Behavior
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No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A., 6301 et

seq.

Possible

<u>Cross References:</u>	*1120 Board of education meetings *1220 <u>Ad hoc</u> advisory committees *2255 Action planning for NJQSAC *3510 Operation and maintenance of plant *5020 Role of parents/guardians *6142.2 English as a second language; bilingual/bicultural *6171.4 Special education *7110 Long-range facilities planning *9130 Committees
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*Indicates policy is included in the Critical Policy Reference Manual

POLICY

Roselle Park Board of Education
Roselle Park, New Jersey

File Code: 2255

ACTION PLANNING FOR STATE MONITORING NJQSAC NEW JERSEY QUALITY SINGLE ACCOUNTABILITY CONTINUUM

The Roselle Park Board of Education recognizes that it has important functions under the New Jersey state monitoring system: Quality Single Accountability Continuum (NJQSAC). The board shall comply with the requirements of the Department of Education's three year monitoring system by completing the District Performance Review (DPR). The district shall be assessed in the following five key areas:

- A. Operations;
- B. Instruction and Program;
- C. Governance;
- D. Fiscal Management;
- E. Personnel.

The superintendent shall take the following steps to oversee the efficient completion of the District Performance Review every three years as required by law:

- A. District Performance Review form shall be completed by the district committee. The superintendent shall determine the total number of people that will serve on the committee. The superintendent shall appoint the following persons to the committee, and, in his or her discretion, may include other persons on the committee with the approval of the board of education:
 - 1. Superintendent;
 - 2. One or more members of the administrative staff;
 - 3. One or more teaching personnel, representative of different grade levels and/or;
 - 4. The business administrator and assistant superintendent for curriculum and instruction, as well as other appropriate personnel;
 - 5. One or more member representatives of the local collective bargaining unit of the educational staff selected by the local collective bargaining unit; which may include the teaching personnel otherwise appointed in "3" above; and
 - 6. One or more members of the board selected by the board.
- B. The superintendent shall:
 - 1. Ensure that the process used by the committee in completing the District Performance Review provides for participation and input by all committee members;
 - 2. Consult with the committee in formulating a response to all weighted quality performance indicators of each component of school district effectiveness;
 - 3. Ensure that the responses in District Performance Review encompass and reflect the circumstances that exist in the school district; and
 - 4. Ensure that all responses to the District Performance Review can be verified by data and supporting documentation or otherwise and provide this verification to the department upon request. (N.J.A.C. 6A:30-3.2 District Performance Review)
 - 5.

Additionally, the superintendent shall ensure the district's compliance with all indicators when it is within his/her power to do so. He/she shall inform the board in a timely fashion of any areas in which board action is required to bring the district into compliance, and suggest to the board feasible plans of action.

Upon completion of the proposed responses to the District Performance Review, the board of education shall fix a date, place and time for the holding of a public meeting, which may be a regularly scheduled meeting of the district board of education. The proposed responses to the District Performance Review and statement of assurance shall be presented to the board for approval by resolution.

The board shall ensure that:

- A. The proposed responses to the District Performance Review and statement of assurance shall be posted on its internet site, if one exists, at least five working days prior to the date fixed for the meeting, and shall make it available for examination by the public at the district board offices or another reasonable location;
- B. Notice of the meeting shall be published as required by the Open Public Meetings Act and this notice shall inform the public that the District Performance Review and statement of assurance will be discussed at the meeting and the times and manner in which members of the public may view the proposed responses to the District Performance Review; and
- C. At the public meeting the public shall have the opportunity to comment and be heard with respect to the proposed responses to the District Performance Review. The public shall have the opportunity to submit written comments prior to the meeting, as well (N.J.A.C. 6A:30-3.2 District Performance Review).

If the school district fails to satisfy the evaluation criteria, the board of education shall cooperate in undertaking corrective action plans indicated by the executive county superintendent and pursuant to the New Jersey administrative code.

Certification requirements for teaching staff members shall not be violated.

Statement of Assurance

The district shall complete the Statement of Assurance annually and submit it the Department of Education electronically before the prescribed due date. The superintendent and the board shall determine that all items of the Statement of Assurance have been completed before its submission.

Equivalency and Waiver Procedures

The board may apply to the commissioner for a waiver of a specific rule or an equivalent means of implementing a rule through alternate procedures so long as the following criteria are met:

- A. The spirit and intent of New Jersey statutes, applicable federal laws and regulations, and the administrative code are served by granting the equivalency or waiver;

B. The provision of a thorough and efficient education to the students in the district is not compromised as a result of the equivalency or waiver; and

C. There will be no risk to student health, safety or civil rights by granting the equivalency or waiver.

All applications for equivalency and waivers shall be in accordance with N.J.A.C. 6A:5-1.5 and shall be signed by the superintendent and approved by the board of education.

Adopted: December 6, 2005
Revised: March 16, 2010
Revised: September 21, 2010
NJSBA Review/Update: September 2015
Readopted:

Key Words

Action Planning, NJQSAC, Quality Single Accountability Continuum, Planning, Certification, Equivalency, Waivers

<u>Legal References:</u>	<u>N.J.S.A. 18A:7A-10</u>	Evaluation of performance of each school
	<u>N.J.S.A. 18A:7A-14</u>	Review of evaluation of district performance
	<u>N.J.S.A. 18A:7F-43 et al.</u>	<u>School Funding Reform Act of 2008</u>
	<u>N.J.S.A. 18A:26-2</u>	Certificates required; exception
	<u>N.J.A.C. 6A:5-1.1 et seq.</u>	Regulatory Equivalency and Waiver
	<u>N.J.A.C. 6A:8-1.1 et seq.</u>	Standards and Assessments
	<u>N.J.A.C. 6A:23A-9.5</u>	Commissioner to ensure achievement of the Core Curricular Content Standards
	<u>N.J.A.C. 6A:30-1.1 et seq.</u>	Evaluation of the Performance of School Districts
	<u>See Particularly:</u>	
	<u>N.J.A.C. 6A:30-2.1, -3.2</u>	NJQSAC components of school district effectiveness and indicators
	<u>N.J.A.C. 6A:32-2.1</u>	Definitions

Possible

<u>Cross References:</u>	*1120	Board of education meetings
	*1220	<u>Ad hoc</u> advisory committees
	*2240	Research, evaluation and planning

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

POLICY

Roselle Park Board of Education
Roselle Park, New Jersey

File Code: 3000/3010

CONCEPTS AND ROLES IN BUSINESS AND NONINSTRUCTIONAL OPERATIONS; GOALS AND OBJECTIVES

Fiscal Management

The Roselle Park Board of Education recognizes that money and money management are a necessary support of the whole school program. To make that support as effective as possible, the board intends:

- A. To encourage financial planning through the best possible budget procedures;
- B. To explore all practical sources of dollar income;
- C. To guide the expenditure of funds so as to extract the greatest educational returns;
- D. To expect top-quality accounting and reporting procedures; to adopt and implement sound fiscal procedures. The School Business Administrator shall prepare a manual of procedures to ensure that all business operations of the district are carried out uniformly, efficiently and in accordance with law and board policy;
- E. To maintain a level of per pupil expenditure sufficient to provide high quality education.

Internal Controls/Standard Operating Procedures

The board of education is committed to financial integrity and directs the superintendent to establish specific regulations and standard operating procedures for business functions which are designed to provide district administrators with reasonable assurance that the district's goals and objectives will be met and that meet the requirements of N.J.A.C. 6A:23A-6.5 through 6.13. Internal controls shall promote operational efficiency and effectiveness, provide reliable financial information, safeguard assets and records, encourage adherence to prescribed policies and comply with law and regulation.

The district may submit a written request to the Commissioner to approve an alternative system, approach or process for implementing the internal controls required in this subchapter. The application must include documented evidence that includes but is not limited to, an independent, third-party written assessment that the alternative system, approach or process will achieve the same safeguards, efficiency and other purposes as the specified internal control requirement(s).

Personnel Tracking and Accounting

The district shall maintain an accurate, complete, and up-to-date automated position control roster to track the actual number and category of employees and the detailed information for each in accordance with N.J.A.C. 6A:23A-6.8.

Financial and Human Resources Management

The district shall maintain an enterprise resource planning (ERP) system which integrates all data and processes of the district into a unified system in compliance with N.J.A.C. 6A:23A-6.7.

Support Services

The board of education expects operation and maintenance of the school plant and equipment to set high standards of safety, to maintain the health of pupils and staff, to reflect the aspirations of the community, to support environmentally the efforts of the staff to provide a good education and to preserve the community's major investment.

In order to provide services that sufficiently support the educational program, the board establishes as broad goals:

- A. To provide a physical environment for teaching and learning that is safe and pleasant for pupils, staff, and public;
- B. To provide safe transportation for eligible pupils;
- C. To make nutritious meals available to pupils;
- D. To provide resources, facilities and assistance to meet the needs of the educational program as they develop.

Long-Range Plans

In compliance with law, the superintendent will develop a five-year comprehensive maintenance plan. The board will review this plan and the district's long-range facilities plan annually, and will revise them as necessary with the advice of the superintendent.

Adopted: January 17, 2006

Revised: March 16, 2010

NJSBA Review/Update: September 2015

Readopted:

Key Words

Concepts and Roles in Business, Noninstructional Operations, Goals and Objectives in Business and Noninstructional Operations, Planning, Business

**CONCEPTS AND ROLES IN BUSINESS AND NONINSTRUCTIONAL OPERATIONS;
GOALS AND OBJECTIVES (continued)**

3000/3010p

Legal References:	<u>N.J.S.A. 2C:30-4</u>	Disbursement of public moneys, incurrence of obligations in excess of appropriation
	<u>N.J.S.A. 18A:4-14</u>	Uniform system of bookkeeping for school districts
	<u>N.J.S.A. 18A:17-14.1</u> through -14.3	Appointment of school business administrator; duties; subcontracting; tenure acquisition
administrator;	<u>N.J.S.A. 18A:17-24.1</u>	Sharing of superintendent, school business procedure
	<u>N.J.S.A. 18A:18A-1 et seq.</u>	Public School Contracts Law
	<u>N.J.S.A. 18A:20-1 et seq.</u>	Title in board of education
	<u>N.J.S.A. 18A:33-1 et seq.</u>	Facilities in general
	<u>N.J.S.A. 18A:39-1 et seq.</u>	Transportation to and from schools
	<u>N.J.S.A. 40A:65-1 et seq.</u>	<u>Uniform Shared Service and Consolidation Act</u>
	<u>N.J.A.C. 2:36-1.1 et seq.</u>	Child Nutrition Programs
	<u>N.J.A.C. 6A:9B-11.1 et seq.</u>	Requirements for administrative certification
	<u>See particularly:</u>	
	<u>N.J.A.C. 6A:9B-11.1, -11.2, -12.3(d), -11.7</u>	
	<u>N.J.A.C. 6A:23A-1.1 et seq.</u>	Fiscal accountability, efficiency and budgeting procedures
	<u>N.J.A.C. 6A:23A-6.5</u> through 6.13	Segregation of duties; organization structure
	<u>See particularly:</u>	
	<u>N.J.A.C. 6A:23A-6.7, -6.8</u>	
	<u>N.J.A.C. 6A:26-1.1 et seq.</u>	Educational Facilities
	<u>N.J.A.C. 6A:27-1.1 et seq.</u>	Student Transportation

Possible

Cross References:	*3100	Budget planning, preparation and adoption
	3200	Income
	3300	Expenditures/expending authority
	3400	Accounts
	3500	Noninstructional operations
	*3510	Operation and maintenance of plant
	3530	Insurance management
	3541	Transportation
	3542	Food service
	3452.1	Local Wellness
	3543	Office services
	3570	District records and reports
	3600	Evaluation of business and noninstructional operations
	*7110	Long-range facilities planning
	9123/9124	Appointment of board secretary; appointment of business official

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

POLICY

Roselle Park Board of Education
Roselle Park, New Jersey

File Code: 3280

**Removed-allotting employees 10% of any grant they produce for the district*

GIFTS, GRANTS AND BEQUESTS

Only the board of education may accept for the school district any bequest or gift of money, property or goods, except that the superintendent may accept on behalf of the board any such gift of less than \$200.00 in value.

The board reserves the right to refuse to accept any gift that does not contribute to the achievement of district goals or could deplete the resources of the district.

Any gift accepted by the board or the superintendent shall become the property of the board, may not be returned without the approval of the board, and is subject to the same controls and regulations as are other properties of the board. The board shall be responsible for the maintenance of any gift it accepts.

The board will make every effort to honor the intent of the donor in its use of the gift, but reserves the right to use any gift it accepts in the best interest of the educational program of the district. In no case shall acceptance of a gift be considered to be an endorsement by the board of a commercial product or business enterprise or institution of learning.

Grants

Staff members are encouraged to seek out sources of grants and gifts, and bring them to the attention of the superintendent, who shall investigate the conditions of such grants and make recommendations to the board regarding the advisability of seeking them.

Educational Foundation

An educational foundation may be created for the purpose of soliciting and raising monetary gifts and donations for the school district. This foundation shall be governed by a board of directors that shall recommend expenditures of funds in educational areas not ordinarily covered by the school budget and in accordance with criteria in its bylaws. Members of the board of education and/or the administration shall not serve on the board of directors of the educational foundation. Policies and regulations on gifts to the district shall apply to funds raised by the foundation.

Adopted: November 7, 2006
Revised: March 16, 2010
NJSBA Review/Update: September 2015
Readopted:

Key Words

Gifts, Grants, Bequests

Legal References:	<u>N.J.S.A.</u> 18A:6-33.1 through -33.12 <u>N.J.S.A.</u> 18A:18A-15.1 <u>N.J.S.A.</u> 18A:20-4 <u>N.J.S.A.</u> 18A:20-11 through -16 <u>N.J.S.A.</u> 18A:29A-1 through -7 <u>N.J.S.A.</u> 18A:71A-1 <u>et seq.</u> <u>N.J.S.A.</u> 18A:71B-1 <u>et seq.</u> <u>N.J.S.A.</u> 18A:71C-1 <u>et seq.</u> <u>N.J.A.C.</u> 6A:26-7.4	Incentive Grants Payment for goods or services; funds received from a bequest, legacy or gift Acceptance and use of gifts Property devised in trust <u>Governor's Annual Teacher Recognition Act</u> Authority Structure and General Provisions Student Financial Aid Student Loans Approval of land acquisition
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Possible

Cross References:	*1230 School-connected organizations 3200 Income *3220/3230 State funds; federal funds *3453 School activity funds *5126 Awards for achievement *6163.1 Media center/library
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*Indicates policy is included in the Critical Policy Reference Manual.

POLICY

**Removed: language re: regarding purchasing procedures
as being overly legalistic*

Roselle Park Board of Education
Roselle Park, New Jersey

File Code: 3320

PURCHASING PROCEDURES

The Roselle Park Board of Education wishes to establish and carry out a careful system of purchasing and accounting to help provide an effective program of education while guarding against loss due to carelessness, inefficiency, theft, or improper maintenance of records.

The duties of purchasing are to be centralized under the School Business Administrator, who shall be familiar with and perform all his/her activities within the limitations prescribed by law, board policy and legal opinions.

The board of education encourages the administration to seek advantages in savings through joint agreements for the purchase of work, materials or supplies with the governing body(ies) of other contracting units within this county or adjoining counties or by other cooperative pricing arrangements. The administration shall also evaluate any savings which may result from the purchase of any materials, supplies or equipment under contracts entered into by the state treasury department, division of purchase and property.

The board may use competitive contracting instead of public bidding for purchasing specialized goods and services, the price of which exceeds the bid threshold, for the purposes and with the conditions specified in law.

No purchase orders may be placed until the School Business Administrator has determined whether the proposed purchase is subject to bid, whether sufficient funds exist in the line item, and whether the goods are available elsewhere in the district.

Nothing is to be ordered independently by school personnel.

The board of education shall not knowingly enter into contract with any company that does not subscribe to and implement a policy of non-discrimination. The board secretary shall be responsible for so informing all prospective suppliers of work or materials.

Adopted:
NJSBA Review/Update:
Readopted:

Key Words

Purchasing Procedures, "Set Aside" Contracts, Nondiscrimination, Affirmative Action, Vendor

Legal References:	<u>N.J.S.A. 10:5-1 et seq.</u>	Law Against Discrimination
	See particularly:	
	<u>N.J.S.A. 10:5-31</u>	
	through -35	
	<u>N.J.S.A. 18A:18A-1 et seq.</u>	Public School Contracts Law
	<u>N.J.S.A. 18A:19-1 et seq.</u>	Expenditure of Funds; Audit and Payment of Claims
	<u>N.J.S.A. 52:32-44</u>	Business registration for providers of goods and services (definitions)
	<u>N.J.A.C. 6A:7-1.8</u>	Equity in employment and contract practices
	<u>N.J.A.C. 6A:23A-1.2</u>	Definitions
	<u>N.J.A.C. 6A:23A-16.5</u>	Supplies and equipment
	<u>N.J.A.C. 6A:23A-20.4</u>	Ownership and storage of textbooks
	<u>N.J.A.C. 6A:23A-21.1 et seq.</u>	Management of Public School Contracts
	<u>N.J.A.C. 6A:27-9.1 et seq.</u>	Contracting for Transportation Services
	<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:32-14.1</u>	Review of mandated programs and services
	20 <u>U.S.C.A. 1681 et seq.</u>	- Title IX of the Education Amendments of 1972
	42 <u>U.S.C.A. 2000e et seq.</u>	- Title VII of the <u>Civil Rights Act of 1964</u> as amended by the <u>Equal Employment Opportunities Act of 1972</u>
	29 <u>U.S.C.A. 794 et seq.</u>	- Section 504 of the <u>Rehabilitation Act of 1973</u>

Possible

Cross References:	*2224	Nondiscrimination/affirmative action
	3300	Expenditures/expending authority
	*3326	Payment for goods and services
	*3327	Relations with vendors
	*3570	District records and reports
	3571	Financial reports

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

POLICY

Roselle Park Board of Education
Roselle Park, New Jersey

File Code: 4112.2

CERTIFICATION

The certification of teachers and other personnel in the public schools of New Jersey is a protective measure for the children, the community, and the staff members themselves. All personnel hired shall have proper certification as required by the state board of education. The superintendent will take appropriate steps to avoid the employment of teachers with revoked or suspended certificates.

Validity of certification must be verified with the county office.

The superintendent must receive valid evidence of proper certification or qualifications to pursue the alternative route to certification before presenting a candidate to the board.

Reporting of Arrests, Charges and Indictments

All certificated staff members who are charged, arrested or indicted for a crime or offense must submit a report to the superintendent of the charge, arrest or indictment, including (but not limited to) disorderly persons offenses and drunk driving arrests. This reporting requirement pertains to both in-state and out-of-state offenses and crimes. Pursuant to N.J.A.C. 6A:9B-4.1(c) the employee will make the report within fourteen (14) days. The staff member shall also report the disposition of any charges within seven (7) days of the disposition.

Failure to comply with these reporting requirements may be deemed "just cause" to revoke or suspend the certificate(s) of any certificate holder pursuant to N.J.A.C. 6A:9B-4.5.

The superintendent will make these requirements known to all new employees and to all employees on an annual basis.

District Reporting Requirements

Pursuant to N.J.A.C. 6A:9B-4.4(a), the superintendent shall notify the New Jersey Board of Examiners when:

- A. Tenured teaching staff members who are accused of criminal offenses or unbecoming conduct resign or retire from their positions;
- B. Nontenured teaching staff members who are accused of criminal offenses or unbecoming conduct, resign, retire or are removed from their positions;
- C. A certificate holder fails to maintain any license, certificate or authorization pursuant to N.J.A.C. 6A:9B-4.1(b) that is mandated in order for the holder to serve in a position; or
- D. He or she becomes aware that a certificate holder has been convicted of a crime while in the district's employ;
- E. The superintendent has received a report from the Division of Child Protection and Permanency (DCP&P) substantiating allegations of abuse or neglect or establishing "concerns" regarding a certificated teaching staff member.

In the event the New Jersey State Board of Examiners issues an order to show cause based on the information that the school district provided about the certificate holder, it shall be the responsibility of the school district to cooperate with the Board of Examiners in any proceeding arising from the order to show cause.

Provisionally Certified Teachers

The board of education encourages the employment of provisionally certified teachers for service in their first and second years of employment. The building principal or other appropriately certified administrator shall observe and evaluate all provisionally certified teachers in the first year of employment in conformance with the schedule described in the administrative code.

Mentoring Novice Teachers

In order to enhance student achievement of the Core Curriculum Content Standards including the Common Core State Standards in mathematics and language arts and literacy by enhancing the skills of inexperienced teachers, identifying exemplary teaching skills and practices necessary for excellent teaching and assist novice teachers in adjusting to the challenges of teaching, the board shall ensure the development of a mentoring plan for all novice teachers employed in the district.

The plan shall provide each novice teacher with in-person contact with a mentor teacher (who may be a retired teacher or administrator) who shall provide confidential support and guidance to the novice teacher. The superintendent shall develop and update, as necessary, the district mentoring plan for new teachers and ensure that it is aligned with the professional standards for teachers as set forth in administrative code. Included in the plan shall be criteria for selection and training of mentor teachers. Implementation of the district mentor plan shall be in compliance with the administrative code.

The superintendent shall review the mentoring plan annually and revise it as necessary based on feedback from mentor logs, each school improvement panel, and data on teacher and student performance. The Superintendent shall also submit the mentoring plan to the board of education for review of its fiscal impact upon district finances. The superintendent shall annually certify to the Department of Education through a statement of assurance that the district is meeting the requirements for the district mentoring program in accordance with law (N.J.A.C. 6A:9B-8.4).

Special Education

All personnel serving students with disabilities shall be appropriately certified and licensed, where a license is required.

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

Key Words

Certificates, Certification

Legal References:

<u>N.J.S.A.</u> 18A:6-38	Powers and duties of the board; issuance and revocation of certificate; rules and regulations
<u>N.J.S.A.</u> 18A:6-39	Issuance of certificates to non-citizens
<u>N.J.S.A.</u> 18A:6-76.1	Deadlines for notification to students of requirements of provisional certificate and induction program; submission of induction program plan to school districts and Department of Education; coordination of mentor training program
<u>N.J.S.A.</u> 18A:26-1, -2,-8.1,-9	Citizenship of teachers, etc.
<u>N.J.S.A.</u> 18A:26-2.1 <u>et al.</u>	Supervisory certificate required for appointment as director of athletics
<u>N.J.S.A.</u> 18A:27-2	Employment without certificate prohibited
<u>N.J.S.A.</u> 18A:29-1	Uncertified teacher denied salary
<u>N.J.S.A.</u> 18A:40A-4	Preservice training of future teachers; teaching certificate requirements
<u>N.J.A.C.</u> 6:30-2.1(a)8	Purpose and program descriptions (Adult education programs)
<u>N.J.A.C.</u> 6A:9-1.1 <u>et seq.</u>	Professional Standards
<u>N.J.A.C.</u> 6A:9B-2.1 <u>et seq.</u>	State Board of Examiners and certification
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6A:9B-3.1, 6A:9B-4.1 6A:9B-4.4, 6A:9B-4.5, 6A:9B-8.4	
<u>N.J.A.C.</u> 6A:14-1.1 <u>et seq.</u>	Special Education
<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(d)	Employment of teaching staff

Old Bridge Education Association v. Old Bridge Township Bd. of Ed., 1986 S.L.D.

1917

Possible

Cross References:

*2131	Superintendent
4010	Goals and objectives
*4111	Recruitment, selection and hiring
6130	Organizational plan
*6141	Curriculum design/development
*6142.1	Family life education
*6156	Instructional planning/scheduling
*6163.1	Media center/library
*6164.2	Guidance services
*6171.4	Special education
*6200	Adult/community education

*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: 3451

PETTY CASH FUNDS

The Roselle Park Board of Education authorizes establishment of imprest petty cash accounts by resolution. The resolution will include:

- A. The amount or amounts authorized for each petty cash fund;
- B. The maximum expenditure that may be made from each fund; and
- C. Individual designated by the board who shall be responsible for the disposition of each fund.

The designated person(s) shall report to the board the amounts disbursed from each account periodically, as directed by the board, and will return all unused petty cash funds to the depository at the end of the fiscal year. All petty cash funds shall be established by board-approved voucher. Petty cash funds and disbursements will be audited as part of the annual financial audit.

Funds are to be used for emergencies and small purchases only and not to subvert the intent of the regular purchasing procedures or for routine expenditures. No single expenditure shall exceed the amount determined by the board in its resolution, and all expenditures must be authorized by the designated individual.

The custodian of a petty cash fund shall submit to the Board Secretary a request for replenishment when the moneys available in the fund have declined to 50 percent or less of the authorized amount of the fund. The Board Secretary shall prepare a voucher for approval by the Board. The voucher will include disbursement slips to support the amount of the replenishment and its allocation to any account.

The petty cash box must be secured daily. All petty cash funds will be closed out for audit at the end of the school year, and unused funds will be returned to the depository. The custodian of each fund will report to the Board on amounts disbursed from the fund not less than once each year.

Adopted: September 18, 2007

Revised: March 16, 2010

NJSBA Review/Update: September 25, 2015

Readopted:

Key Words: Petty Cash

Legal References: N.J.S.A. 18A:19-13 Petty cash funds
N.J.S.A. 18A:23-2 Scope of audit
N.J.A.C. 6A:23A-16.8 Petty cash fund

Possible

Cross References: *3320 Purchasing procedures
*3326 Payment for goods and services
3571 Financial reports
3571.3 Annual financial statement

*Indicates policy is included in the Critical Policy Reference Manual

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

1973) Citizens for Better Education v. Camden Bd. of Ed., 124 N.J. Super. 523 (App. Div.
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 and employees; exceptions	Appointment, transfer, removal or renewal of officers
<u>N.J.S.A.</u> 52:13D-13 and 21.2	State conflict of interest law
<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 continuedMandated 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. <u>See particularly:</u> <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 <u>See particularly:</u> <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>
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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
	<u>No Child Left Behind Act of 2001</u> , Pub. L. 107-110, 20 <u>U.S.C.A.</u> 6301 <u>et seq.</u>	
	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 <u>N.J.S.A.</u> 18A:16-2 through -5	General mandatory powers and duties Physical examinations; requirement
and employees; exceptions	<u>N.J.S.A.</u> 18A:27-4.1 <u>N.J.S.A.</u> 18A:54-20 <u>N.J.A.C.</u> 6A:32-4.2 <u>N.J.A.C.</u> 6A:32-6.1 <u>et seq.</u>	Appointment, transfer, removal, or renewal of officers Powers of board (county vocational schools) Approval of paraprofessional staff 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.