

**Policy**

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RECRUITMENT, SELECTION AND HIRING

The Paulsboro Board of Education believes that the quality of the professional staff in large part determines the quality of the education offered district pupils. Therefore, the Superintendent of Schools shall have the responsibility of locating and recruiting the best qualified candidates to provide for the identified needs of district pupils. Such candidates may include persons qualified to pursue the alternate method of certification.

Provisional teaching candidates shall be given equal consideration with all other candidates for teaching positions. The Superintendent of Schools shall follow all requirements of the administrative code in providing the necessary training program for all teachers hired with provisional certificates.

All teachers hired by the board for programs in the district supported with Title I, part A funds shall be highly qualified, as defined by federal law. All teachers of core academic subjects (English, reading/language arts, mathematics, science, foreign languages, civics/government, economics, arts, history and government) hired by the board shall be highly qualified.

It shall be the duty of the Superintendent of Schools to see that persons nominated for employment shall meet all qualifications established by state or federal law, including the completion of a criminal history check, proof of citizenship or eligible alien status, and certification for the type of position for which nomination is made.

The Superintendent of Schools shall take steps to verify the academic credentials of any potential candidate for employment, and ensure any degrees cited, academic coursework or credits completed, or titles claimed by an individual have been granted by an accredited institution of higher education. For Superintendent of Schools candidates, the board shall take similar steps. This includes, but is not limited to, ensuring the candidate supplies official transcripts to verify that credentials are from an accredited institution. The board secretary shall have responsibility for ensuring the documents are received, verifying credentials, and reporting to the board on the process. Documents shall not be accepted from non-accredited institutions or any fraudulent source.

The Superintendent of Schools shall recommend for employment those individuals who, in his/her opinion, are best qualified to fill the vacancy without regard to race, creed, color, national origin, ancestry, age, sex, affectional or sexual orientation, marital status, domestic partnership status, familial status, liability for service in the Armed Forces of the United States, atypical hereditary cellular or blood trait of any individual, disability or because of genetic information or refusal to submit to or make available the results of a genetic test, or other conditions not related to the duties and responsibilities of the job.

The Superintendent of Schools shall prepare and maintain job descriptions that define the duties, responsibilities and qualifications required for each position. The board shall adopt those job descriptions required by law or code and others as appropriate.

The board shall not pay tuition reimbursement, salary increases, or approve promotions for any employee based on credits earned from a non-accredited institution. If a current employee is found to have obtained employment, tuition reimbursement or increased salary based on documents or credentials obtained from a non-accredited institution, the board will take appropriate action, up to and including the possible discharge of the individual and/or obtaining a refund of the tuition reimbursement or increased salary.

The Superintendent of Schools in determining the candidates to be nominated shall seek information whenever possible from the candidate's prior employers.

The board shall affirm employment and initial placement on the salary guide by a recorded roll call majority

RECRUITMENT, SELECTION AND HIRING (continued)

vote of the full membership of the board.

The board shall appoint all staff members only from nominations made by the Superintendent of Schools. Should a nominee be rejected, it shall be the duty of the Superintendent of Schools to make other nominations.

Residency Requirements

Every employee hired by the board shall have their principal residence with the State of New Jersey. For the purposes of this policy an employee may have only one principal residence which shall be defined as:

- A. Where the employee spends the majority of their nonworking time;
- B. Is most clearly the center of the employee's domestic life; and
- C. The employee's designated legal address and legal residence for voting.

The fact that an employee is either domiciled or owns a home or property in the State of New Jersey shall not by itself satisfy the requirement of principal residence.

Exemptions

- A. An employee hired on or after September 1, 2011 who is not a resident when hired shall receive one year to establish residency in New Jersey. If the employee fails to establish residency within that year, he/she shall be deemed unqualified for employment and shall be removed pursuant to N.J.S.A. 52:14-7(d);
- B. An existing employee who was not a resident of New Jersey on or prior to September 1, 2011 is exempted from this policy, if he/she has not had a break in public service for a period of time greater than seven days;
- C. An employee hired by the district who was a non-resident public employee prior to September 1, 2011 is exempted from this policy, unless he/she has not had a break in public service for a period of time greater than seven days;
- D. A break in public service shall be defined as an actual separation from employment for more than seven calendar days due to such causes as resignation, retirement, layoff, or disciplinary removal. But a leave of absence shall not be considered a break in public service.
- E. An employee may request an exemption to the State committee formed under N.J.S.A. 52:14-7 on a basis of critical need or hardship. The decision on whether to approve an application of the employee shall be made by a majority vote of this committee. If this committee fails to act within 30 days after receipt of the employee's application, no exemption shall be granted and the residency requirements set forth in this policy shall be in effect.

Adopted: March 18, 2003  
NJSBA Review/Update: November 2008, February 2016  
Readopted: March 2009, June 2016  
Revised:

Key Words

Recruitment, Selection and Hiring; Hiring; Nondiscrimination; Affirmative Action, Background Check, Personnel Background Check, Domestic Partnership Act

RECRUITMENT, SELECTION AND HIRING (continued)

<b><u>Legal References:</u></b>	<u>N.J.S.A.</u> 10:5-1 <u>et seq.</u>	Law Against Discrimination
	<u>N.J.S.A.</u> 18A:3-15.2	Fraudulently issued, obtained, forged or altered degree or certification; use in connection with business or occupation
	<u>N.J.S.A.</u> 18A:6-5	Inquiry as to religion and religious tests prohibited
	<u>N.J.S.A.</u> 18A:6-6	No sex discrimination
	<u>N.J.S.A.</u> 18A:6-7.1, -7.5	Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception
	<u>N.J.S.A.</u> 18A:6-76.1	Deadline for notification to students of requirements of provisional certificate and induction program
	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:13-40	General powers and duties of board of newly created regional districts
	<u>N.J.S.A.</u> 18A:16-1	Officers and employees in general
	<u>N.J.S.A.</u> 18A:26-1, -1.1, -2	Citizenship of teachers, etc.
	<u>N.J.S.A.</u> 18A:27-1 <u>et seq.</u>	Employment and Contracts
	<u>See particularly:</u>	
	<u>N.J.S.A.</u> 18A:27-4.1	
	<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
	<u>N.J.S.A.</u> 26:8A-1 <u>et seq.</u>	<u>Domestic Partnership Act</u>
	<u>N.J.S.A.</u> 52:14-7	Residency Requirements
	<u>N.J.A.C.</u> 6A:7-1.1 <u>et seq.</u>	Managing for Equality and Equity in Education
	<u>See particularly:</u>	
	<u>N.J.A.C.</u> 6A:7-1.4, -1.8	
	<u>N.J.A.C.</u> 6A:9B-6.1 <u>et seq.</u>	Types of Certificates
	<u>N.J.A.C.</u> 6A:9B-8.1 <u>et seq.</u>	Requirements for Instructional Certification
	<u>N.J.A.C.</u> 6A:9B-10.1 <u>et seq.</u>	Exceptions for the Requirements for the Instructional Certificate
	<u>N.J.A.C.</u> 6A:9B-11.1 <u>et seq.</u>	Requirements for Administrative Certification
	<u>N.J.A.C.</u> 6A:10:1.1 <u>et seq.</u>	Educator effectiveness
	<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>N.J.A.C.</u> 6A:32-5.1	Standards for determining seniority
	42 <u>U.S.C.A.</u> 2000e <u>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.</u> 794 <u>et seq.</u> - Section 504 of the <u>Rehabilitation Act of 1973</u>	
	8 <u>U.S.C.A.</u> 1100 <u>et seq.</u> - <u>Immigration Reform and Control Act of 1986</u>	
	42 <u>U.S.C.A.</u> 12101 <u>et seq.</u> - <u>Americans with Disabilities Act (ADA)</u>	
	<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>	
	<u>Old Bridge Education Association v. Old Bridge Township Bd. of Ed.</u> , 1986 <u>S.L.D.</u> 1917	
	<u>Taxman v. Piscataway Bd. of Ed.</u> , 91 <u>F. 3d</u> 1547 (3d Cir. 1996)	
	The Comprehensive Equity Plan, New Jersey Department of Education	

**Possible**

RECRUITMENT, SELECTION AND HIRING (continued)

<b><u>Cross References:</u></b>	2130	Administrative staff
	*2131	Superintendent of schools
	4000	Concepts and roles in personnel
	*4111.1	Nondiscrimination/affirmative action
	*4112.2	Certification
	*4112.4	Employee health
	4112.5	Criminal history check
	*4112.6	Personnel records
	*4112.8	Nepotism
	*4121	Substitute teachers
	*4222	Noninstructional aides
	*5120	Assessment of individual needs
	*6010	Goals and objectives

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

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NONDISCRIMINATION/AFFIRMATIVE ACTION

The Paulsboro 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, pregnancy, pregnancy related disability, domestic partnership status, familial status, liability for service in the Armed Forces of the United States, 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.

Pregnancy

NONDISCRIMINATION/AFFIRMATIVE ACTION (continued)

The board prohibits discrimination against pregnant women and those who suffer medical conditions related to pregnancy and childbirth. The superintendent of schools 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 of Schools 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: November 20, 2003  
NJSBA Review/Update: November 2008, February 2016  
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Revised:

Key Words

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

**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

NONDISCRIMINATION/AFFIRMATIVE ACTION (continued)

<u>N.J.S.A.</u> 18A:18A-17	Facilities for handicapped persons
<u>N.J.S.A.</u> 18A:26-1	Citizenship of teachers, etc.
<u>N.J.S.A.</u> 18A:26-1.1	Residence requirements prohibited
<u>N.J.S.A.</u> 18A:29-2	Equality of compensation for male and female teachers
<u>N.J.S.A.</u> 26:8A-1 <u>et seq.</u>	Domestic Partnership Act
<u>N.J.S.A.</u> 34:19-1 <u>et seq.</u>	Conscientious Employee Protection Act
<u>N.J.A.C.</u> 6A:7-1.1 <u>et seq.</u>	Managing for Equality and Equity in Education
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6A:7-1.4, -1.8	
<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	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**

<b><u>Cross References:</u></b>	*2224	Nondiscrimination/affirmative action
	*3320	Purchasing procedures
	*4111	Recruitment, selection and hiring
	*4112.8	Nepotism
	*4147	Employee safety
	*5145.4	Equal educational opportunity
	*6121	Nondiscrimination/affirmative action

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

**Policy**

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CONTRACT

In accordance with law and for the mutual protection of the district and the employee, every staff member shall be required annually to sign, A employment contract. The contract shall be executed by the president of the board on behalf of the board and shall contain a termination clause of 60 days' notice

Each employment contract shall include:

- A. The term of employment, including beginning and ending dates;
- B. The grade and kind of certification held by the employee and the date upon which the certificate will expire, if any;
- C. The salary at which the person is employed;
- D. The intervals at which salary shall be paid;
- E. A provision for termination of contract on notice duly given;
- F. Such other matters as may be necessary to a full and complete understanding of the contract.

Should an employee be offered in error a contract for a salary which differs from that approved by the board, the salary approved by the board shall be the salary paid.

The Superintendent shall issue salary notification to all nontenured personnel indicating the name of the employee and giving a concise explanation of their contractual salary for the coming year. All salary notification statements shall be signed by the superintendent.

All extra-pay notifications shall be in written form and shall be signed by the board secretary/school business administrator and the employee. All extra-pay notifications shall contain a termination clause.

All terms and conditions of the contract shall conform to requirements of state law and the state board of education.

Adopted: 1994  
NJSBA Review/Update: November 2008, February 2016  
Readopted: March 2009

<b>Legal References:</b>	<u>N.J.S.A.</u>	18A:27-4	Power of boards of education to make rules governing employment of teacher, etc; employment thereunder
	<u>N.J.S.A.</u>	18A:27-5	Written contracts of employment required
	<u>N.J.S.A.</u>	18A:27-6	Contents of contracts
	<u>N.J.S.A.</u>	18A:27-7	Contract forms
	<u>N.J.S.A.</u>	18A:27-8	Filing of contracts
	<u>N.J.S.A.</u>	18A:28-8	Notice of intention to resign required



## **Policy**

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### 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 of Schools 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 of Schools 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 schools 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 of schools 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 of schools 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 of schools 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

CERTIFICATION (continued)

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 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 plan shall be developed by the local Professional Development Committee, approved by the board, and 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 and included in the Quality Assurance Annual Report.

The board shall annually submit a report with required data to the State Department of Education on the effectiveness of the local mentoring plan. State funds appropriated for the novice teacher mentoring program shall be applied in accordance with law and code.

Special Education

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

Adopted: 1994  
NJSBA Review/Update: November 2008, February 2016  
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Revised:

Key Words

Certificates, Certification

**Legal References:** N.J.S.A. 18A:6-38 Powers and duties of the board; issuance and revocation of certificate; rules and regulations  
N.J.S.A. 18A:6-39 Issuance of certificates to non-citizens  
N.J.S.A. 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  
N.J.S.A. 18A:26-1, -2, -8.1, -9 Citizenship of teachers, etc.  
N.J.S.A. 18A:26-2.1 et al. Supervisory certificate required for appointment as

CERTIFICATION (continued)

		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	
<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**

<b><u>Cross References:</u></b>	*2131	Superintendent of schools
	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**

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EMPLOYEE HEALTH

Examinations

When a candidate has been given a conditional offer of employment, he/she shall be required to submit to a medical evaluation and a physical examination. This physical examination may include testing for controlled dangerous substances as they are defined in the criminal code. Elements of the examination of newly employed staff shall include but not be limited to those physical exam elements listed in administrative code. Employees may be required to undergo an annual physical examination.

The results of all required employee medical examinations shall be made known to the Superintendent of Schools on a confidential basis, discussed with the employee, and made a part of his/her confidential medical record. Records and reports of examinations shall be filed with the district medical inspector as confidential information but shall be available to and reported to appropriate health agencies as required by law.

In the event an employee of the board has been determined to have a mental abnormality or communicable disease or exhibits symptoms of substance abuse and, if in the opinion of the district medical inspector such condition makes the employee unfit for continued employment, the board may remove the employee from further service as provided by law or grant leave as provided by law during the period of unfitness. An employee determined to be unfit must provide the board with satisfactory proof of recovery before reinstatement will be allowed.

In order to protect the pupils and staff in the district schools, all regulations of the state department of education, the state department of health and the local board of health shall be scrupulously observed, particularly those dealing with contagious/infectious diseases. Staff who have been identified as having a communicable disease shall not be permitted continued employment unless they qualify under the above agencies' rules pertaining to periods of incubation, communicability, quarantine and reporting.

When required examinations are performed by a physician designated by the board, the board shall bear the expense. Should an employee prefer to see his/her own physician, with board approval, the employee shall bear the expense.

Occupational Containment of Bloodborne Pathogens

The board is committed to provide a safe and healthful work environment for staff. In pursuit of this endeavor, an Exposure Control Plan (ECP) shall be provided to eliminate or minimize occupational exposure to bloodborne pathogens in accordance with federal regulations.

The ECP is a key document to assist the district in implementing and ensuring compliance with the OSHA bloodborne pathogens standard, thereby protecting employees. This ECP includes:

- A. Identification of tasks, procedures and job classifications where occupational exposure to blood occurs;
- B. Procedures for evaluating the circumstances surrounding an exposure incident; and
- C. The schedule and method for implementing the specific sections of the standard, including:

EMPLOYEE HEALTH (continued)

1. Methods of compliance;
2. Hepatitis B vaccination;
3. Post-exposure evaluation and follow-up;
4. Hazard communication requirements;
5. Effective employee training;
6. Recordkeeping.

The ECP shall be reviewed annually to ensure that it reflects use of the most current medical technology.

Implementation and Dissemination

The Superintendent of Schools in consultation with the district medical inspector shall prepare regulations to implement this policy in compliance with law and code. All employees shall receive this policy and be made aware of all requirements for health examinations.

Adopted: November 20, 2003  
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 Readopted: March 2009

Key Words

Physical Examinations, Health Examinations, Employee Physicals, Nondiscrimination, Psychological Examinations, Bloodborne Pathogens

<b><u>Legal References:</u></b>	<u>N.J.S.A.</u> 2C:35-1 <u>et seq.</u>	Comprehensive Drug Reform Act of 1987
	<u>N.J.S.A.</u> 18A:16-2	Physical examinations; requirement
	<u>N.J.S.A.</u> 18A:16-3	Character of examinations
	<u>N.J.S.A.</u> 18A:16-4	Sick leave; dismissal
	<u>N.J.S.A.</u> 18A:16-5	Records of examinations
	<u>N.J.S.A.</u> 18A:40-10	Exclusion of teachers and pupils exposed to disease
	<u>N.J.S.A.</u> 18A:66-39	Disability retirement
	<u>N.J.S.A.</u> 26:4-1	"Communicable disease" defined
	<u>N.J.S.A.</u> 26:4-6	Prohibiting attendance of teachers or pupils
	<u>N.J.S.A.</u> 26:4-15	Reporting of communicable diseases by physicians
	<u>N.J.S.A.</u> 26:5c-1 <u>et seq.</u>	AIDS Assistance Act
	<u>N.J.A.C.</u> 6A:16-1.4 <u>et seq.</u>	District policies and procedures
	<u>N.J.A.C.</u> 6A:16-2.1	Health services policy and procedure requirements
	<u>N.J.A.C.</u> 6A:32-6.1 <u>et seq.</u>	School Employee Physical Examinations
	<u>N.J.A.C.</u> 8:61-1.1 <u>et seq.</u>	Participation and Attendance at School by Individuals with HIV Infection
	<u>N.J.A.C.</u> 12:100-4.2	Safety and Health Standards for Public Employees (Adoption by reference)

42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)

29 CFR 1910.1030 - Bloodborne Pathogen Standard

School Board of Nassau County v. Arline, 480 U.S. 273 (1987)

Elizabeth v. Elizabeth Fire Officers Association, 10 NJPER 15022

HIV Policy and Practice: Regulatory Requirements for New Jersey Public Schools, SDOE Division of Student Services, Sept. 1996, Doc. #P101400-31

EMPLOYEE HEALTH (continued)

**Possible**

- Cross References:** \*4111 Recruitment, selection and hiring  
\*4112.6 Personnel records  
4117.50 Standards for staff discipline  
4117.52 Dismissal/suspension  
\*4119.23 Employee substance abuse  
4150 Leaves

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

**Policy**

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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 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 of Schools 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 of Schools 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 of Schools 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 of Schools 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.

B. The personnel file is available for examination:

1. At any time, by the superintendent of schools 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

PERSONNEL RECORDS (continued)

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: 1994  
 NJSBA Review/Update: November 2008, February 2016  
 Readopted: March 2009, June 2016  
 Revised:

Key Words

Records, Personnel Records, Employee Records

<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 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)

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, 1974

Citizens for Better Education v. Camden Bd. of Ed., 124 N.J. Super. 523 (App. Div. 1973)

Trenton Times Corp. v. Trenton Bd. of Ed., 138 N.J. Super. 357 (App. Div. 1976)



PERSONNEL RECORDS (continued)

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 Employee health  
\*4115 Supervision  
\*4116 Evaluation  
\*5141.4 Child abuse and neglect

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

**Policy**

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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 of schools.

“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 of schools 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 of schools to any employment position in this district.

The superintendent of schools shall not recommend to the board for initial hire any relative of a board member or of the superintendent of schools, 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.

Exceptions Regarding Employment

NEPOTISM (continued)

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 of schools 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 of schools may recommend those employees for reemployment, transfer, promotion or removal.

A relative of a school board member or superintendent of schools 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 of schools, principal or any administrator or supervisor(s) in the chain of command between the employee and superintendent of schools.

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

B. Out-of-District Similar Statewide Bargaining Units

1. When a board member is a member of an out-of-district similar statewide union or when a board member or school administrator is in a conflicted relationship involving an immediate family member 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:

- a. Developing negotiation parameters;

NEPOTISM (continued)

- b. Being a member of the negotiating team;
- c. Receiving confidential negotiations information updates prior;
- d. Voting on the contract; and
- e. Grievance participation.

A school administrator may, however provide technical information that is necessary to the collective bargaining process when no one else in the district can provide that information.

2. When a board member or school administrator is in a conflicted relationship involving a relative who is a member of an out-of-district similar statewide union with which the board is negotiating, there is no conflict unless the relative has a union leadership position in the state-wide union or local union that has the ability to affect negotiations. Union leadership positions in the state-wide union or local union that have the ability to affect negotiations include but are not limited to:
  - a. Officer;
  - b. Grievance chairperson;
  - c. Building representative;
  - d. Negotiation committee member.

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: 1994  
NJSBA Review/Update: November 2008, February 2016  
Readopted: March 2009, June 2016  
Revised:

Key Words

Nepotism, Hiring Relatives, Relatives, Doctrine of Necessity

**Legal References:** N.J.S.A. 18A:11-1                      General mandatory powers and duties  
N.J.S.A. 18A:12-2                      Inconsistent interests or office prohibited

NEPOTISM (continued)

<u>N.J.S.A.</u> 18A:12-21 <u>et seq.</u>	School Ethics Act
<u>N.J.S.A.</u> 18A:16-1	Officers and employees in general
<u>N.J.S.A.</u> 18A:27-4.1	Appointment, transfer, removal or renewal of officers and employees; exceptions
<u>N.J.S.A.</u> 52:13D-13 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, A09-14

School Ethics Commission, Advisory Opinion, A10-14

NEPOTISM (continued)

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**

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ASSIGNMENT; TRANSFER

The Superintendent of Schools shall make certified staff assignments in the manner best calculated, in his/her judgment, to enhance the educational program.

Teaching, supervisory, administrative and support personnel are subject to assignment and transfer after recommendation of the Superintendent of Schools and approval by the Board of Education. Procedures for such transfers shall comply with provisions of current negotiated agreements and state and federal law. Disciplinary transfers are prohibited. Particular attention shall be paid to ensuring to the extent possible that there shall be equivalence of teachers and administrative staff among the schools. Discrimination in assignment, transfer and promotion shall not be tolerated (see 2224, 4111 and 4111.1).

Adopted: 1994  
NJSBA Review/Update: November 2008, February 2016  
Readopted: March 2009

Key Words

Personnel Assignment, Personnel Transfer, Assignment and Transfer, Assignment, Transfer

**Legal References:** N.J.S.A. 18A:25-1 Transfer of teaching staff members  
N.J.S.A. 18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment there under  
N.J.S.A. 18A:27-4.1 Appointment, transfer, removal, or renewal of officers and employees; exceptions  
N.J.S.A. 18A:59-1 through -3 Apportionment and distribution of federal funds; exceptions  
N.J.S.A. 34:13A-1 et seq. New Jersey Employer-Employee Relations Act  
See particularly:  
N.J.S.A. 34:13A-23, -25, -27, -29  
N.J.A.C. 6A:7-1.1 et seq. Managing for Equality and Equity in Education  
N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School Districts  
  
42 U.S.C.A. 2000d - 2000d4 - Title VI of the Civil Rights Act of 1964  
  
20 U.S.C.A. 1681 - Title IX of the Education Amendments 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  
  
Hawkins-Stafford Elementary and Secondary School Improvement Amendments of 1988 (P.L. 100-297)  
  
34 CFR 200.1 to 200.89 - Part 200  
  
34 CFR Part 204

ASSIGNMENT; TRANSFER (continued)

Ridgefield Park Education Association v. Ridgefield Park Board of Education, 78 N.J. 144 (1978)

The Comprehensive Equity Plan, New Jersey State Department of Education Division

**Possible**

<b><u>Cross References:</u></b>	*2224	Nondiscrimination/affirmative action
	*3220/3230	State funds; federal funds
	*4111	Recruitment, selection and hiring
	*4111.1	Nondiscrimination/affirmative action
	*4131/4131.1	Staff development; in-service education/visitations/conferences
	*5145.4	Equal educational opportunity
	*6121	Nondiscrimination/affirmative action
	*6141	Curriculum design/development
	*6145	Extracurricular activities
	*6160	Instructional services and resources
	*6171.3	At-risk and Title 1
	*6171.4	Special education

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



**Policy**

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SUPERVISION

The board acknowledges that the purpose of supervision is to improve teacher performance in the classroom so that all students have an opportunity to achieve the Core Curriculum Content Standards including the Common Core State Standards in mathematics and language arts and literacy.

Each teacher employed in this district as of the effective date specified in code shall be responsible for fulfilling requirements for continuing education and for making annual progress toward the goal of 20 hours annually of state-approved professional development annually. Each teacher's individual professional development plan (PDP) shall incorporate appropriate steps toward this goal and shall be designed to assist teachers in obtaining and maintaining the knowledge and skills essential to student achievement of the Core Curriculum Content Standards including the Common Core State Standards. The professional development plan shall describe specific activities designed to provide guidance for that teacher in improving his/her performance. Such activities may include, but are not limited to, seminars, course work, day-long workshops, and classes on certain instructional approaches. Although supervisors shall develop professional development plans in collaboration with teachers, the chief school administrator shall maintain final authority in determining their appropriate content. 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.

Supervisory assistance and support in achieving the 20 clock hours of state-approved continuing education annually shall be offered in the context of the district's evaluation process, negotiated agreements, other policies, student safety and well-being, continuity of instruction, and budgetary constraints.

The Superintendent of Schools shall develop procedures for supervision of the teaching and administrative staff in performance of their duties that shall not be limited to the observations required for evaluation. Such supervision may include, but need not be limited to, review of lesson plans and teacher-made examinations; regularly scheduled curriculum conferences; and brief, informal classroom observations. The supervisor shall note the teacher's satisfactory fulfillment or non-fulfillment of continuing education requirements identified in the professional development plan.

This policy shall be distributed to each teaching staff member at the beginning of his/her employment.

Adopted: 1994  
NJSBA Review/Update: November 2008, February 2016  
Readopted: March 2009, June 2016  
Revised:

Key Words

Continuing Education, Professional development Plans, Personnel Supervision, Supervision

<b>Legal References:</b>	<u>N.J.S.A.</u> 18A:4-15	General rule-making power
	<u>N.J.S.A.</u> 18A:4-16	Incidental powers conferred
	<u>N.J.S.A.</u> 18A:6-10 <u>et seq.</u>	Dismissal and reduction in compensation of persons under tenure in public school system...
	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:27-3.1 through -3.3	Non-tenured teaching staff; observation and evaluation;

SUPERVISION (continued)

	conference; purpose ...
<u>N.J.S.A.</u> 18A:28-5	Tenure of teaching staff members
<u>N.J.S.A.</u> 18A:29-14	Withholding increments; causes; notice of appeals
<u>N.J.A.C.</u> 6A:9C-3.1 <u>et seq.</u>	Professional development for teachers and school leaders
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6A:9C-3.9 (c-d)	
<u>N.J.A.C.</u> 6A:10-4.1 <u>et seq.</u>	Components of teacher evaluation

**Possible**

<b><u>Cross References:</u></b>	2130	Administrative staff
	*2131	Chief school administrator
	4000	Concepts and roles in personnel
	4010	Goals and objectives
	*4112.6	Personnel records
	*4116	Evaluation
	*4117.41	Nonrenewal
	*4131/4131.1	Staff development; in-service education/visitations/conferences
	*4215	Supervision
	*4216	Evaluation
	*6143.1	Lesson plans
	*6200	Adult/community education

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

EVALUATION OF TEACHING STAFF MEMBERS

The Paulsboro Board of Education believes that the effective evaluation of teaching staff is essential to the achievement of the educational goals of this district, including student achievement of the Common Core State Standards for mathematics and language arts and literacy and the Core Curriculum Content Standards. The purpose of this evaluation shall be to promote professional excellence and improve the skills of teaching staff members; improve pupil learning and growth; and provide a basis for the review of staff performance.

The board is committed to establishing educator evaluation rubrics for the evaluation of teaching staff members' effectiveness to further the development of a professional corps of State educators and to increase student achievement. The district evaluation system shall facilitate:

- A. Continual improvement of instruction;
- B. Meaningful differentiation of educator performance using four performance levels;
- C. Use of multiple valid measures in determining educator performance levels, including objective measures of student performance and measures of professional practice;
- D. Evaluation of educators on a regular basis;
- E. Delivery of clear, timely and useful feedback, including feedback that identifies areas for growth and guides professional development; and
- F. District personnel decisions.

Definitions

For the purpose of this board policy on teacher evaluation "teaching staff member" means a member of the professional staff of any district or regional board of education, or any county vocational school district board of education, holding office, position, or employment of such character that the qualifications for such office, position, or employment require him or her to hold a valid, effective, and appropriate standard, provisional, or emergency certificate issued by the State Board of Examiners. Teaching staff members include the positions of school nurse and school athletic trainer. There are three different types of certificates that teaching staff members work under:

- A. An instructional certificate (holders of this certificate are referred to in this chapter as "teachers");
- B. Administrative certificate; and
- C. Educational services certificate (N.J.A.C. 6A:10-1.2).

This definition of teaching staff member includes certified staff positions that have instructional responsibilities as well as certified staff positions that have no instructional responsibilities. Some examples of teaching staff member positions without instructional responsibilities include supervisor, director, school nurse, athletic trainer, principal, vice-principal, student assistance counselor, school psychologist, and guidance counselor.

It is important to note that there are different requirements in this policy and in the law for the training, observation and observation conferences of classroom teachers and the training, observation and observation

EVALUATION (continued)

conferences of certified staff members who have no instructional responsibilities. This also includes differences in the educational rubrics adopted by the board and approved by the commissioner. The requirements of this policy and law for other aspects of teacher evaluation apply to staff with and without instructional responsibilities (teaching staff members) including reports, personnel records, professional development plans and corrective action plans.

Board Responsibilities

The board shall:

- A. Establish a District Evaluation Advisory Committee to oversee and guide the planning and implementation of the board's evaluation policies and procedures;
- B. Annually adopt the evaluation rubrics and policies and procedures developed by the superintendent of schools that pertain to the evaluation of district staff;
- C. Annually adopt by June 1, Commissioner-approved educator practice instruments and notify the Department of Education which instruments will be used as part of the school district's evaluation rubrics.

The board shall ensure through the superintendent of schools or his or her designee(s) that the following requirements are met:

- A. The superintendent of schools directs the development of and oversees the district evaluation policies and procedures requiring the annual evaluation of all teaching staff members. The superintendent of schools may consult with the District Advisory Evaluation Committee or representatives from School Improvement Panels. The superintendent of schools shall direct the development and oversee:
  - 1. The implementation of board approved evaluation rubrics for all teaching staff members;
  - 2. The assignment of roles and responsibilities for implementation of evaluation policies and procedures;
  - 3. The development of job descriptions and evaluation criteria that are based upon school district goals, student achievement, instructional priorities, and the evaluation regulations promulgated by the Department of Education;
  - 4. The application of methods of data collection and reporting appropriate to each job description, including, but not limited to, the processes for observations for the purpose of evaluation and post-observation conference(s) by the teaching staff member's supervisor, or his or her designee;
  - 5. The preparation of individual professional development plans; and
  - 6. The preparation of an annual written performance report by the teaching staff member's supervisor, or his or her designee, and an annual summary conference between the teaching staff member and his or her supervisor, or the supervisor's designee.
- B. The superintendent of schools notifies all teaching staff members annually of the adopted evaluation policies and procedures no later than October 1. If a staff member is hired after October 1, he/she shall be notified of the policies at the beginning of his or her employment. All teaching staff members shall be notified of amendments to the policy within 10 working days of adoption;
- C. The principal of each school within the school district has established a School Improvement Panel. The panel shall be established annually by August 31;
- D. Data elements shall be collected from the implementation of the teaching and principal practice instruments and the data shall be stored in an accessible and usable format. Data elements shall include, but not be limited to, scores or evidence from observations for the purpose of evaluation; and
- E. Each principal in the district shall certify that any observer who conducts an observation of a teaching staff

EVALUATION (continued)

member meets the statutory observation requirements (N.J.S.A. 18A:6-119, 18A:6-123.b(8), and 18A:27-3.1) and certifies that the teacher member of the School Improvement Panel meets the requirements detailed below and according to law (N.J.A.C. 6A:10-3.2).

Training for Teaching Staff Members and Supervisors

The board of education shall ensure, through the superintendent of schools or his or her designee(s) that the following training procedures are observed when implementing the evaluation rubric for all teaching staff members and, when applicable, applying the Commissioner-approved educator practice instruments:

A. Teaching Staff Members

Annual training shall be provided on and descriptions provided of each component of the evaluation rubric for all teaching staff members who are being evaluated. More thorough training shall be provided for any teaching staff member who is being evaluated for the first time. Training shall include detailed descriptions of all evaluation rubric components, including, when applicable, detailed descriptions of student achievement measures and all aspects of the educator practice instruments;

B. Supervisors of Classroom Teachers

"Supervisor" means an appropriately certified teaching staff member, employed in the school district in a supervisory role and capacity, and possessing a school administrator, principal, or supervisor, endorsement as defined in N.J.A.C. 6A:9B-11.1 et seq.

1. Training on the teacher practice instruments shall be provided for any supervisor who will conduct observations for the purpose of evaluation of teachers. Training shall be provided before the observer conducts his or her first observation for the purpose of evaluation;
2. Any supervisor who will observe teaching practice for the purpose of increasing accuracy and consistency among observers shall be provided annual updates and refresher training on the teacher practice instruments;
3. Each supervisor who will conduct observations for the purpose of evaluation of a teacher shall complete two co-observations annually, during the academic year:
  - a. At least one co-observation shall be completed by December 1;
  - b. Co-observers shall use the double observation to calibrate teacher practice instruments, promote accuracy in scoring, and to continually train themselves on the instrument;
  - c. A co-observation shall count as a required observation as long as the observer meets the requirements of law and this policy (see Teacher Observation and Observation Conferences below). A co-observation shall count as one of the required teacher observations;

The superintendent of schools shall annually certify to the Department of Education that all supervisors of teaching staff members in the school district who are utilizing educator practice instruments have completed training on the instrument and its application and have demonstrated competency in applying the educator practice instruments.

District Evaluation Advisory Committee

The board of education shall establish a District Evaluation Advisory Committee to oversee and guide the planning and implementation of the district's evaluation policies and procedures. Members of the District Evaluation Advisory Committee shall include representation from the following groups:

- A. Teachers from each school level represented in the school district;

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- B. Central office administrators overseeing the teacher evaluation process;
- C. Supervisors involved in teacher evaluation, when available or appropriate; and
- D. Administrators conducting evaluations, including a minimum of one administrator conducting evaluations who participates on a School Improvement Panel.

Members also shall include the superintendent of schools, a special education administrator, a parent, and a member of the district board of education. The superintendent of schools may extend membership on the District Evaluation Advisory Committee to representatives of other groups (N.J.A.C. 6A:10-2.3). (Note: the District Evaluation Advisory Committee is not required after the beginning of the 2017-2018 school year but may be continued at the discretion of the district.)

School Improvement Panel

Each school shall convene a School Improvement Panel. The panel shall include the principal, or his or her designee, an assistant or vice-principal, and a teacher. The principal's designee shall be an individual employed in the district in a supervisory role and capacity who possesses a school administrator, principal, or supervisor endorsement. In the event that an assistant or vice-principal is not available to serve on the panel, the principal shall appoint an additional member to the panel, who is employed in the district in a supervisory role and capacity and who possesses a school administrator certificate, principal certificate, or supervisor certificate.

Any district that has entered a shared services agreement for the functions of the school improvement panel may provide services under that shared services agreement.

The superintendent of schools shall ensure that each school has established a School Improvement Panel that shall include the principal, a vice principal, and a teacher who is chosen by the building principal in consultation with the majority representative. The principal shall establish the panel annually by August 31. The principal may appoint additional members to the School Improvement Panel as long as all members meet the following criteria and the teacher(s) on the panel represents at least one-third of its total membership:

The building principal annually shall choose the teacher(s) on the School Improvement Panel through the following process:

- A. The teacher member shall be a person with a demonstrated record of success in the classroom and who has demonstrated (beginning in academic year 2015-2016) a record of success with an evaluation rating of effective or highly effective in the most recent available annual summative rating;
- B. The teacher member shall be selected in consultation with the majority representative. The majority representative may submit to the principal teacher member nominees for consideration;
- C. The principal shall have final decision making authority and is not bound by the majority representative's list of nominees.

The teacher member shall serve a full academic year, except in case of illness or authorized leave, but may not be appointed more than three consecutive years. All members of the School Improvement Panel shall be chosen by August 31 of each year.

Duties of the School Improvement Panel

The School Improvement Panel shall (N.J.A.C. 6A:10-3.2):

- A. Oversee the mentoring of teachers according to board policy 4112.2 Certification, the State requirements for

EVALUATION (continued)

instructional certification as detailed in N.J.A.C. 6A:9B-9, and support the implementation of the school district mentoring plan. Mentoring activities shall be developed in consultation with the school improvement panel;

- B. Conduct evaluations of teachers according to board policy and law (N.J.A.C. 6A:10-2.4 and 4.4);
- C. Ensure corrective action plans for teachers are created in accordance to N.J.A.C. 6A:10-2.5(j) and conduct the mid-year evaluations for teachers who are on a corrective action plan; and
- D. Identify professional development opportunities for all teaching staff members that are tailored to meet the unique needs of the students and staff of the school, and are based on the review of aggregate school-level data, including, but not limited to, educator evaluation and student performance data to support school-level professional development plans described in N.J.A.C. 6A:9C-3.5:
  - 1. The teacher member may participate in the conduct of observations for the purpose of evaluation. In order to participate, the teacher member shall have:
    - a. Agreement of the majority representative;
    - b. An appropriate supervisory certificate; and
    - c. Approval of the principal who supervises the teacher being observed.
  - 2. The teacher member who participates in the evaluation process shall not serve concurrently as a mentor under N.J.A.C. 6A:9B-8.4.

Components of Teacher Evaluation

The components of teacher evaluation shall include the following:

- A. Board approved evaluation rubrics that include:
  - 1. Student achievement components as described in N.J.A.C. 6A:10-4.2:
    - a. Medium student growth percentile;
    - b. Student growth objectives;
  - 2. Measures of teacher practice determined through a teacher practice instrument for the observation of teachers and other measures;
- B. A professional development plan (PDP);
- C. An annual summary conference between supervisors and teaching staff members shall be held before the written performance report is filed;
- D. An annual performance report that is a written appraisal of the teaching staff member's performance prepared by a supervisor based on the evaluation rubric for his or her position.

The teacher shall submit his or her written objections of the evaluation within 10 teaching staff member working days following the conference. The objections shall be attached to each party's copy of the annual written performance report.

Evaluation Rubrics for Teaching Staff Members

The board shall annually adopt evaluation rubrics approved by the commissioner for all teaching staff members.

EVALUATION (continued)

The evaluation rubrics shall have four defined annual ratings: ineffective, partially effective, effective, and highly effective. The evaluation rubric is a set of criteria, measures, and processes used to evaluate all teaching staff members in the district. Evaluation rubrics consist of measures of professional practice, based on educator practice instruments and student outcomes.

The board shall adopt an evaluation rubric specifically for teachers and evaluation rubrics for other categories of teaching staff members (N.J.A.C. 6A:10-2.1).

The board may adopt a model evaluation rubric that has been reviewed and accepted by the Commissioner. A model teaching or principal evaluation rubric includes a teacher or principal practice instrument that appears on the Department of Education's list of approved educator practice instruments.

The board may also select an educator evaluation rubric other than the model rubric that at a minimum includes the standards set forth in law (N.J.S.A. 18A:6-123) and has four defined annual ratings: ineffective, partially effective, effective, and highly effective.

All evaluation rubrics for teaching staff members shall be submitted to the Commissioner by June 1 for approval by August 1 of each year (N.J.A.C. 6A:10-2.1c).

The superintendent of schools shall develop, in consultation with teaching staff members, job descriptions for each teaching staff member position and evaluation criteria for said positions based directly upon the job description. The job description shall be concise, stating major responsibilities as briefly as possible. All job descriptions shall be presented to the board for approval.

Evaluation Rubric and Practice Instrument for Teachers

A. Teacher Evaluation Rubric

The evaluation rubrics for all classroom teachers shall include the requirements described in N.J.S.A. 18A:6-123, including, but not limited to:

1. Measures of student achievement:
  - a. Median student growth percentile for teachers who teach at least one course or group within a course that falls within a standardized-tested grade or subject; and
  - b. Student growth objectives for all teachers developed in consultation with their principal or his or her designee.
2. Measures of teacher practice determined through a teacher practice instrument and other measures including teacher practice components, observation and observation conferences and summary reports.

B. Teacher Practice Instrument

The teacher practice instrument shall be approved by the Commissioner and shall:

1. Include domains of professional practice that align to the New Jersey Professional Standards for Teachers (N.J.A.C. 6A:9-3);
2. Include scoring guides for assessing teacher practice that differentiate among a minimum of four levels of performance, and the differentiation has been shown in practice and/or research studies. Each scoring guide shall:
  - a. Clearly define the expectations for each rating category;
  - b. Provide a conversion to the four rating categories: highly effective, effective, partially effective, and



EVALUATION (continued)

- ineffective;
  - c. Be applicable to all grades and subjects; or to specific grades and/or subjects if designed explicitly for the grades and/or subjects; and
  - d. Use clear and precise language that facilitates common understanding among teachers and administrators;
3. Rely, to the extent possible, on specific, discrete, observable, and/or measurable behaviors of students and teachers in the classroom with direct evidence of student engagement and learning; and
  4. Include descriptions of specific training and implementation details required for the instrument to be effective.

For commissioner-approval of a teacher practice instrument in 2015 or any year thereafter, the instrument shall include a process to assess competency on the evaluation instrument which the district may choose to use as a measure of competency.

Observation: Tenured and Nontenured Classroom Teachers

Each teacher shall be observed at least three times during each school year but not less than once during each semester.

- A. "Long observation" means an observation for the purpose of evaluation that is conducted for a minimum duration of 40 minutes or one class period, whichever is shorter.
- B. "Short observation" means an observation for the purpose of evaluation that is conducted for at least 20 minutes.
- C. Each observation required for the purpose of evaluations shall be conducted for the minimum duration based on the following groups:
  1. A nontenured teacher who is in his or her first or second year of teaching in the school district shall receive at least two long observations and one short observation;
  2. A nontenured teacher who is in his or her third or fourth year of teaching in the school district shall receive at least one long observation and two short observations;
  3. A tenured teacher shall receive at least three short observations.
- D. Each teacher shall be observed at least three times during each school year but not less than once during each semester. For all teachers:
  1. At least one of the required observations shall be announced and preceded by a pre-conference;
  2. At least one of the required observations shall be unannounced;
  3. The superintendent of schools shall decide whether the third required observation is announced or unannounced;
  4. Observations for all other teachers shall occur prior to the annual summary conference, which shall occur prior to the end of the academic school year.
- E. For nontenured teachers specifically:

In addition to the requirements as stated above in "D" for all teachers, the following shall apply to nontenured teaching staff member observation (nontenured teaching staff members include all nontenured professional staff who possess a valid and effective standard or a provisional or emergency certification):

1. Non tenured teachers shall receive a minimum of three observations that are to take place before April 30 each year; and

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2. Non tenured teachers shall be observed during the course of the year by more than one appropriately certified supervisor, either simultaneously or separately, by multiple observers, with the following provisions:
  - a. A co-observation shall fulfill the requirement for multiple observers.
  - b. One co-observation shall count as one required observation as described in "A" above.

All teacher staff members assigned a corrective action plan shall receive a mid-year evaluation that will include a minimum of one additional observation and post-observation conference (as detailed below under Corrective Action Plans).

Observation Conferences for Teachers

The following procedures shall apply to teacher observation conferences:

- A. At least one of the required observations shall be announced and preceded by a pre-conference. The pre-conference shall occur within seven teaching staff member working days prior to the observation, not including the day of the observation;
- B. A post-observation conference shall be required for all observations, announced, unannounced, long, short, and/or required by a corrective action plan;
- C. The post-conference shall occur no more than 15 teaching staff member working days following each observation;
- D. A supervisor who was present at the observation shall conduct a post-observation conference with the teacher being observed;
- E. The post-observation conference shall be for the purpose of reviewing the data collected at the observation, connecting the data to the teacher practice instrument and the teacher's individual professional development plan, collecting additional information needed for the evaluation of the teacher, and offering areas to improve effectiveness; and
- F. If agreed to by the teacher, post-observation conferences for short observations of tenured teachers who are not on a corrective action plan may be conducted via written communication, including electronic.

Following each observation a post-observation conference shall be conducted and documented.

One post-observation conference may be combined with a teacher's annual summary conference as long as it occurs within the required 15 teaching staff member working days following the observation for the purpose of evaluation.

A written observation/evaluation report shall be signed by the supervisor who conducted the observation and post-observation and the teacher who was observed.

The teacher shall submit his or her written objection(s) of the evaluation within 10 teaching staff member working days following the conference. The objection(s) shall be attached to each party's copy of the annual written performance report.

Annual Written Performance Report for Teachers

The annual written performance report shall be prepared by the teaching staff members who participated in the evaluation of the teaching staff member. In the case of a teacher, the annual written performance report shall be

EVALUATION (continued)

prepared by the teacher's principal, or his or her designee, and shall include, but not be limited to:

- A. A summative rating based on the evaluation rubric, including, when applicable, a total score for each component as described in N.J.A.C. 6A:10-4 and 5 including the student achievement components (medium student growth percentile, student growth objectives), the teacher practice component, and teacher observation. The four summative performance ratings are:
  - 1. Highly effective;
  - 2. Effective;
  - 3. Partially effective;
  - 4. Ineffective.
- B. Performance area(s) of strength and area(s) needing improvement based upon the job description, observations for the purpose of evaluation and, when applicable, the educator practice instrument;
- C. An individual professional development plan developed by the supervisor and the teaching staff member or, when applicable, a corrective action plan from the evaluation year being reviewed in the report; and
- D. A summary of student achievement or growth indicators, when applicable.

The teaching staff member and the preparer of the annual written performance report shall sign the report within five working days of the review.

Annual Summary Conference for Teachers

The annual summary conference between supervisors and teaching staff members shall be held before the written performance report is filed. The conference shall include, but not be limited to, a review of the following:

- A. The performance of the teaching staff member based upon the job description and, when applicable, the scores or evidence compiled using the teaching staff member's evaluation rubric, including the education practice instrument;
- B. The progress of the teaching staff member toward meeting the objectives of the individual professional development plan or, when applicable, the corrective action plan;
- C. Available indicators or scores of student achievement or growth, when applicable, such as student growth objective scores and student growth percentile scores; and
- D. The preliminary annual written performance report.

If any scores for the teaching staff member's evaluation rubric are not available at the time of the annual summary conference due to pending assessment results, the annual summative evaluation rating shall be calculated once all component ratings are available.

Observation, Conference, Written Evaluation and Annual Performance Report: Teaching Staff Members

The superintendent of schools shall determine the duration of the observations required for other nontenured teaching staff members who hold a valid and effective standard, provisional or emergency certificate including the school nurse and athletic trainer. Observations for nontenured teaching staff members include, but are not limited to: observations of meetings, student instruction, parent conferences, and case-study analysis of a significant student issue. The observation shall:

- A. Be followed within 15 working days by a conference between the administrative or supervisory staff member

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who has made the observation and written evaluation, and the nontenured teaching staff member;

- B. Be followed by both parties to such a conference signing the written evaluation report and each retaining a copy for his or her records; and
- C. Allow the nontenured teaching staff member to submit his or her written objection(s) of the evaluation within 10 teaching staff member working days following the conference. The objection(s) shall be attached to each party's copy of the annual written performance report.

All teacher staff members assigned a corrective action plan shall receive a mid-year evaluation that will include a minimum of one additional observation and post-observation conference (as detailed below under Corrective Action Plans).

Personnel Records of Teaching Staff Members

The board shall add all written performance reports and supporting data, including, but not limited to, indicators of student progress and growth for a teaching staff member as part of his or her personnel file. The records shall be confidential and shall not be subject to public inspection or copying according to the Open Public Records Act and board policy 4112.6/4212.6 Personnel Records.

Teacher Professional Development Plans

To meet the state professional development requirements, each teacher whose position requires possession of the instructional or education services certificate 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:

- 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

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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.

Corrective Action Plans for Teaching Staff Members

When a teaching staff member is rated ineffective or partially effective on the annual summative evaluation, as measured by the evaluation rubrics, a corrective action plan shall be developed by the teaching staff member and the superintendent of schools or the teaching staff member's supervisor.

When the summative evaluation rating is calculated before the end of the school year, the teacher and supervisor shall meet to develop and discuss the corrective action plan prior to September 15 of the following school year. The conference to develop and discuss the corrective action plan may be combined with the teaching staff member's annual summary conference that occurs at the end of the year of evaluation.

When the ineffective or partially effective summative evaluation rating is received after the start of the school year following the year of evaluation, then the teacher and supervisor shall meet to develop and discuss the corrective action within 15 teaching staff member working days following the district's receipt of the summative rating.

The content of the corrective action plan shall replace the content of the individual professional development plan until the next annual summary conference.

The content of the corrective action plan shall:

- A. Address areas in need of improvement identified in the educator evaluation rubric;
- B. Include specific, demonstrable goals for improvement;
- C. Include responsibilities of the evaluated employee and the school district for the plan's implementation; and
- D. Include timelines for meeting the goal(s).

The teaching staff member's supervisor, or his or her designee, and the teaching staff member on a corrective action plan shall discuss the teaching staff member's progress toward the goals outlined in the corrective action plan during each post-observation conference that is required by the district evaluation policies and procedures.

Progress toward the teaching staff member's goals outlined in the corrective action plan, and data and evidence collected by the supervisor and/or the teaching staff member to determine progress between the time the corrective action plan began and the next annual summary conference, shall be documented in the teaching staff member's personnel file and reviewed at the annual summary conference or the mid-year evaluation, when applicable.

Progress toward the teaching staff member's goals outlined in the corrective action plan may be used as

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evidence in the teaching staff member's next annual summative evaluation; however, such progress shall not guarantee an effective rating on the next summative evaluation.

Responsibilities of the evaluated employee on a corrective action plan shall not be exclusionary of other plans for improvement determined to be necessary by the teaching staff member's supervisor.

Mid-Year Evaluation of the Corrective Action Plan

The School Improvement Panel shall conduct mid-year evaluations for teachers with a corrective action plan. If the corrective action plan was created on or prior to September 15 of the academic year, the mid-year evaluation shall occur before February 15. If the corrective action plan was created after September 15, the mid-year evaluation shall occur before the annual summary conference. In addition to the other annually required teacher observations and post-observation conferences, the mid-year evaluation of teachers on a corrective action plan, shall include, at a minimum:

- A. One observation, the length of which shall be determined by the superintendent of schools or the principal;
- B. One post-observation conference during which progress toward the teacher's goals outlined in the corrective action plan shall be reviewed.

Tenured teachers with a corrective action plan shall be observed by multiple observers.

Implementation

This policy and related procedures shall be reviewed at least yearly, and any necessary revisions made before readoption by the board.

Nothing in this policy shall override any conflicting provision of the collective bargaining agreement. No bargaining agreement entered into after July 2013 shall conflict with the education evaluation system established pursuant to administrative code.

The board shall ensure that the superintendent of schools notifies each teaching staff member of the board adopted evaluation policies and procedures no later than October 1. If a staff member is hired after October 1, the teaching staff member shall be notified of the evaluation policies and procedures at the beginning of his or her employment. All teaching staff members shall be notified of amendments to the policy within 10 working days of adoption.

Adopted: 1994  
NJSBA Review/Update: November 2008, February 2016  
Readopted: March 2009, June 2016  
Revised:

Key Words

Evaluation, Teacher Evaluation, Personnel Evaluation, Evaluation Advisory Committee, School Improvement Panel; Evaluation Rubric

**Legal References:** N.J.S.A. 18A:4-15 General rule-making power  
N.J.S.A. 18A:4-16 Incidental powers conferred  
N.J.S.A. 18A:6-10 et seq. Dismissal and reduction in compensation of persons under tenure in public school system  
N.J.S.A. 18A:6-117 et seq. Teacher Effectiveness and Accountability for the Children of New Jersey (TEACHNJ) ACT  
See particularly:

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<u>N.J.S.A.</u> 18A:6-119	Definitions relative to the TEACHNJ Act
<u>N.J.S.A.</u> 18A:6-120	School improvement panel
<u>N.J.S.A.</u> 18A:6-121	Evaluation of principal, assistant principal, vice-principal
<u>N.J.S.A.</u> 18A:6-122	Annual submission of evaluation rubrics
<u>N.J.S.A.</u> 18A:6-123	Review, approval of evaluation rubrics
<u>N.J.S.A.</u> 18A:27-3.1 through -3.3	Non-tenured teaching staff; observation and evaluation; conference; purpose
<u>N.J.S.A.</u> 18A:27-10 <u>et seq.</u>	Nontenured teaching staff member; offer of employment for next succeeding year or notice of termination before May 31
<u>N.J.S.A.</u> 18A:28-5	Tenure of teaching staff members
<u>N.J.S.A.</u> 18A:29-14	Withholding increments; causes; notice of appeals
<u>N.J.A.C.</u> 6:30-2.1(a)8	Purpose and program descriptions
<u>N.J.A.C.</u> 6A:9-1.1 <u>et seq.</u>	Professional standards for teachers
<u>N.J.A.C.</u> 6A:9B-2.1 <u>et seq.</u>	Stat Board of Examiners and certification
<u>N.J.A.C.</u> 6A:9C-2.1 <u>et seq.</u>	Professional development for teaching staff members and school leaders
<u>N.J.A.C.</u> 6A:10-1.1 <u>et seq.</u>	Educator effectiveness
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6A:10-1.2	Definitions
<u>N.J.A.C.</u> 6A:10-1.4	Educator evaluation data, information and written reports
<u>N.J.A.C.</u> 6A:10-2.2	Duties of the district board of education
<u>N.J.A.C.</u> 6A:10-2.3	District evaluation advisory committee
<u>N.J.A.C.</u> 6A:10-2.4	Evaluation procedures for all teaching staff members
<u>N.J.A.C.</u> 6A:10-3.1	School improvement panel
<u>N.J.A.C.</u> 6A:32-4.1(e) (f)	Employment of teaching staff
<u>N.J.A.C.</u> 6A:32-5.1 <u>et seq.</u>	Standards for determining seniority

Lacey Township Bd. of Ed. v. Lacey Township Education Association, 130 N.J. 312 (1992), aff'g 259 N.J. Super. 397 (App. Div. 1991)

**Possible**

<b><u>Cross References:</u></b> 2130	Administrative staff
*2131	Superintendent of schools
*4112.6/4212.6	Personnel records
*4115	Supervision
*4117.41	Nonrenewal
*4131/4131.1	Staff development; inservice education/visitations/conferences
*4215	Supervision
*4216	Evaluation
*6143.1	Lesson plans
*6200	Adult/community education

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

**Regulation**

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EVALUATION OF TEACHING STAFF MEMBERS

Teaching and Principal Evaluation Rubrics

The teaching and principal evaluation rubrics selected by the district shall meet the following minimum standards (N.J.S.A. 18A:6-123):

- A. Four defined annual ratings: ineffective, partially effective, effective, and highly effective;
- B. The evaluation rubric must be partially based on multiple objective measures of student learning that assess student growth over a period of time;
- C. The district may determine the methods for measuring student growth, in grades in which a state test is not required;
- D. Multiple measures of practice and student learning are used in conjunction with professional standards of practice using a comprehensive evaluation process in rating effectiveness with specific measures and implementation processes;
- E. Standardized assessments shall be used as a measure of student progress but shall not be the predominant factor in the overall evaluation of a teacher;
- F. The rubric is based on the professional standards for that employee;
- G. The performance measures used in the rubric are linked to student achievement;
- H. The employee receives multiple observations during the school year which shall be used in evaluating the employee;
- I. At each observation of a teacher, either the principal, his designee who is employed by the district in a supervisory role and capacity, and who possesses a school administrator certificate, principal certificate, or supervisor certificate, the vice-principal, or the assistant principal shall be present;
- J. The staff member who will be observing shall receive training on the use of the teaching practice instrument. This training shall be completed before the observer conducts his or her first observation for the purpose of evaluation;
- K. An opportunity for the employee to improve his effectiveness from evaluation feedback;
- L. Guidelines for staff training on the use of the educator practice evaluation instrument to support its implementation, and guidelines for the demonstration of competence in the use and implementation of the educator practice evaluation instrument;
- M. A process for ongoing monitoring and calibration of the observers to ensure that the observation protocols are being implemented correctly and consistently;
- N. A performance framework, associated evaluation tools, and observation protocols, including training and observer calibration resources; and
- O. A process for ensuring that the results of the evaluation help to inform instructional development.

As part of the teacher evaluation rubric and the principal evaluation rubric, the board shall approve and adopt both teacher and principal practice evaluation instruments that appear on an approved list provided by the



TEACHER EVALUATION (regulation continued)

Department of Education.

The board may select a rubric that is not on the approved list and submit the rubric to the Commissioner for approval. All evaluation rubrics for teaching staff members shall be submitted to the Commissioner by June 1 for approval by August 1 of each year (N.J.A.C. 6A:10-2.1c).

Measurements of the Teacher Evaluation Rubric

The measurements of the teacher evaluation rubric shall be used to calculate a summative rating for all teaching staff members. The summative rating is the overall evaluation score derived from the evaluation scores of the following measures:

- A. Measures of student achievement:
  - a. Median student growth percentile for teachers who teach at least one course or group within a course that falls within a standardized-tested grade or subject.; and
  - b. Student growth objectives for all teachers developed in consultation with their principal of his or her designee.
- B. Measures of teacher practice determined through a teacher practice instrument and based on the required observation, and other measures,

Student Growth Percentile

The student growth percentile (SGP) is specific metric for measuring individual student progress on Statewide assessments by tracking how much a student's test scores have changed relative to other students Statewide with similar scores in previous years.

An SGP score compares a student's academic growth on the New Jersey statewide assessment measure (NJASK and starting 2014 PARCC) from one year to the next to the growth made by that student's academic peers (students from around the state with similar test score histories).

Students receive a proficiency measure (partially proficient, proficient, advanced proficient). This measure compares the student to all students that have taken that grade level assessment in the state. The SGP is a subset of this group. It compares the student only with other students who share a similar performance record.

The SGP is able to distinguish high growth from low growth at any scale score. A student may be below proficiency in math or LAL, but he or she could earn a high SGP score showing that the student is achieving more academic growth compared to other students who share a similar proficiency rating history. The SGP combined with other evidence gathered as part of AchieveNJ, signals that the teacher's instruction and/or principal's leadership are helping that child catch up.

For more information go to [www.state.nj.us/education/AchieveNJ/teacher/percentile.shtml](http://www.state.nj.us/education/AchieveNJ/teacher/percentile.shtml)

Student Growth Objectives

Student growth objectives (SGO) shall be assigned to teaching staff members who teach at least one course or group within a course that falls within a standardized-tested grade or subject. Student growth objectives shall be specific and measurable, based on available student learning data, aligned to the Core Curriculum Content Standards and based on growth and/or achievement. For teachers who teach subjects or grades not covered by the Core Curriculum Content Standards, student growth objectives shall align to standards adopted or endorsed, by the State Board.

Student growth objectives shall be developed and measured according to the following procedures:

- A. The superintendent of schools shall determine the number of required student growth objectives for teachers, including teachers with a student growth percentile:

TEACHER EVALUATION (regulation continued)

1. A teacher with a student growth percentile shall have at least one and not more than four student growth objectives;
  2. A teacher without a student growth percentile shall have at least two and a maximum of four student growth objectives;
  3. By April 15, prior to the school year the evaluation rubric applies, the Department shall provide on its website the minimum and maximum number of required student growth objectives within this range;
- B. A teacher with a student growth percentile shall not use the standardized assessment used in determining the student growth percentile to measure progress toward a student growth objective;
- C. All teachers shall develop, in consultation with their principal or a teaching staff member appointed by the principal, each student growth objective;
- D. If the teacher does not agree with the student growth objectives, the principal shall make the final determination;
- E. Student growth objectives and the criteria for assessing teacher performance based on the objectives shall be determined and recorded in the teacher's personnel file by November 15, 2013, and by October 15 of subsequent school years;
- F. Adjustments to student growth objectives may be made by the teacher or his or her supervisor only when approved by the superintendent of schools or designee and shall be recorded in the teacher's personnel file on or before February 15.
- G. The teacher's supervisor and/or a member of the School Improvement Panel shall calculate each teacher's student growth objective score. The teacher's student growth objective score, if available, shall be discussed at the teacher's annual summary conference.

NJSBA Review/Update: February 2016  
Adopted:

**Policy**

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SEPARATION

A certified employee shall submit their resignation in writing to the Superintendent of Schools at least 60 days prior to the effective date of resignation. This date shall be approved unless the Board of Education desires to accept the resignation sooner.

The resignation becomes effective upon its formal approval by the Board of Education, and may be withdrawn by the employee at any time prior the Board action.

Any employee of the School District who terminates his/her employment of their own volition with exception of retirement, or if released by the Board, will forfeit Board granted benefits accrued during their employment.

If an employee returns to the district after having had a prior service, said employee will begin with the same benefits as any other new employee, except as covered by New Jersey State law and/or the current collective bargaining agreement.

Date: 1994  
NJSBA Review/Update: November 2008, February 2016  
Readopted: March 2009

Legal References: N.J.S.A. 18A:27-4      Power of boards of education to make rules governing employment of teacher, etc; employment there under  
N.J.S.A. 18A:27-9      Teaching after notice of termination of contract  
N.J.S.A. 18A:28-8      Notice of intention to resign required

**Policy**

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REDUCTION IN FORCE/ABOLISHING A POSITION

The Paulsboro Board of Education has the right under state law to abolish unilaterally any existing position in whole or in part and to reduce the number of employees in any category for reasons of economy, reduction in the number of pupils, change in the administrative or supervisory organization, change in the educational program or other good cause.

Should it become necessary to reduce the number of employees in the district, the laws and regulations of the state shall be the controlling guides. If, in the case of such reduction, candidates for termination are nontenured personnel only, the primary basis for selection for termination or reduction shall be the needs of the district's educational program and the individual's contribution toward achievement of that program based on properly completed observations and evaluations.

If, in the case of such reduction, candidates for termination or reduction in grade are tenured in this district, the state regulations regarding seniority shall be the primary basis for decision. In the event that there should be equal applicable seniority among staff members, the decision for reduction or termination shall be based on the needs of the district's educational program and the individual's contribution toward achievement of that program based on properly completed observations and evaluations.

In no case shall any choice be based on arbitrary, capricious or discriminatory reasons.

The Superintendent of Schools shall prepare guidelines for restructuring positions and for determining objectively which employees are to be dismissed as a result, and shall present his/her recommendations to the board for action.

Adopted: 1994  
NJSBA Review/Update: November 2008, February 2016  
Readopted: March 2009

Key Words

RIF, Reduction in Force, Abolishing a Position, Nontenured Teachers

**Legal References:** N.J.S.A. 18A:28-5 Tenure of teaching staff members  
N.J.S.A. 18A:28-9 Reduction of force; power to reduce and reasons for reduction  
N.J.S.A. 18A:28-10 Reasons for dismissals of persons under tenure on account of reduction  
N.J.S.A. 18A:28-11 Seniority; board to determine; notice and advisory opinion  
N.J.S.A. 18A:28-12 Dismissal of persons having tenure on reduction; reemployment  
N.J.A.C. 6A:9B-5.5 Assignment of titles  
N.J.A.C. 6A:32-5.1 Standards for determining seniority

Dennergy v. Passaic County Regional High School District Bd. of Ed., 131 N.J. 626 (1993)

Primka v. Edison, 93 NJAR 2d (EDU) 91 aff'd State Board 93 NJAR 2d (EDU) 94 aff'd App. Div. unpub. Op. Dkt. No. A-2427-92T3 Jan. 18, 1994

Impey v. Board of Education of Shrewsbury, 142 N.J. 388 (1995)

REDUCTION IN FORCE/ABOLISHING A POSITION

Taxman v. Piscataway Bd. of Ed., 91 F. 3d 1542 (3d Cir. 1996)

**Possible**

**Cross References:** \*2131 Chief school administrator  
\*4116 Evaluation  
\*4117.41 Nonrenewal

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

**Policy**

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NONRENEWAL

The Paulsboro Board of Education shall determine annually whether or not they wish to renew the employment contract of a nontenured teaching staff member by a recorded roll call majority vote of the full board only upon the recommendation of the Superintendent of Schools. A nontenured teaching staff member who is not recommended for renewal by the Superintendent of Schools shall be deemed nonrenewed. Written notice of nonrenewal of employment will be sent to the employee by the board secretary. This notice will be given by the date specified by law.

A written request from a nontenured teaching staff member for a written statement of reasons for nonreemployment will be honored by the board of education.

An informal appearance before the board may be requested in writing within 10 calendar days and shall be scheduled within 30 days of receipt of the board's statement of reasons.

It is the Board of Education's prerogative to determine the date, starting time and length of an informal appearance, the purpose of which shall be to permit the staff member a final opportunity to convince the board of education to offer reemployment. Written notice of date and time will be provided to the staff member at least five days prior to the informal appearance.

The nontenured teaching staff member may be represented by counsel or one individual of his/her choosing and may present witnesses on his/her behalf. Those witnesses are not subject to cross-examination by the board of education and will be excused from the hearing after making their statements.

Within three days following the informal appearance, the board of education or its designee will notify the teaching staff member, in writing, of the board's final decision.

Adopted: 1994  
NJSBA Review/Update: November 2008, February 2016  
Readopted: March 2009

Key Words

Nonrenewal, Nontenured Teachers

**Legal References:** N.J.S.A. 18A:27-3.1 Non-tenured teaching staff; observation and evaluation; conference; purpose  
N.J.S.A. 18A:27-3.2 Teaching staff member; notice of termination; statement of reasons; request; written answer  
N.J.S.A. 18A:27-4.1 Appointment, transfer, removal, or renewal of officers and employees; exceptions  
N.J.S.A. 18A:27-10 et seq. Non-tenure teaching staff member; offer of employment for next succeeding year or notice of termination before May 31  
N.J.A.C. 6A:32-4.1 et seq. Employment of teaching staff  
See particularly:  
N.J.A.C. 6A:32-4.1(c),-4.1(d)

NONRENEWAL (continued)

Donaldson v. North Wildwood Bd. of Ed., 65 N.J. 236 (1974)

Hicks v. Pemberton Township Board of Education, 1975 S.L.D. 332

Velasquez v. Brielle Board of Education, 97 N.J.A.R. 2d (EDU) (August 6), aff'g on different grounds Comm'r 96 N.J.A.R. 2d (EDU) (April 4)

**Possible**

**Cross References:** \*4115      Supervision  
\*4116      Evaluation  
\*4117.4    Reduction in force/abolishing a position

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

**Policy**

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GRIEVANCES

It is the policy of the board of education to discover and practice reasonable and effective means of resolving difficulties which may arise among employees; to reduce potential areas of grievances; and to establish and maintain recognized channels of communication between staff and administration. With the ultimate goal of serving the educational welfare of children, the informal grievance procedure following provides for the prompt and equitable adjustment of differences. It is essential that full cooperation be given by all employees to achieve these goals.

Each employee shall be assured the opportunity for an orderly presentation and review of concerns and grievances.

No employee shall suffer reprisals or reduction in status as a result of having presented a grievance or having represented an employee in a grievance.

It shall be the general practice to process grievance procedures during time which does not interfere with assigned duties.

An individual employee or his/her representative during the course of the processing of a grievance shall continue to follow administrative directives and board policy.

The board shall comply with grievance procedures set forth in any applicable collectively negotiated bargaining agreements.

Adopted: 1994  
NJSBA Review/Update: November 2008, February 2016  
Readopted: March 2009

Key Words

Grievance, Staff Grievance, Grievance Procedure, Negotiated, Bargaining Agreement

**Legal References:** N.J.S.A. 18A: 11-1 General Powers  
N.J.S.A. 18A:27-4 Power of the board to make rules governing the employment of teachers, etc.

**Possible**

**Cross References:** \*1120 Board of education meetings  
\*1312 Community complaints  
\*3570 District records and reports  
\*4112.6/4212.6 Personnel records  
\*5145.6 Student grievance procedure  
\*6144 Controversial issues  
\*6161.2 Complaints regarding instructional materials  
\*9020 Public statements  
9123 Appointment of board secretary

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



**Policy**

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CONFLICT OF INTEREST

An employee of the board 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: November 20, 2003  
NJSBA Review/Update: November 2008, February 2016  
Readopted: March 2009

Key Words

Royalties, Conflict of Interest, Political Activity of Staff

<b>Legal References:</b>	<u>N.J.S.A. 2C:27-1 et seq.</u>	Bribery and Corrupt Influence
	<u>See particularly:</u>	
	<u>N.J.S.A. 2C:27-5, -10, -11</u>	
	<u>N.J.S.A. 18A:6-8</u>	Interest of school officers, etc., in sale of textbooks or supplies; royalties
	<u>N.J.S.A. 18A:6-8.4</u>	Right to hold elective or appointive state, county or municipal office
	<u>N.J.S.A. 18A:11-1</u>	General mandatory powers and duties

CONFLICT OF INTEREST (continued)

<u>N.J.S.A.</u> 18A:12-21 <u>et seq.</u>	School Ethics Act
<u>See particularly:</u>	
<u>N.J.S.A.</u> 18A:12-24	
<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
<u>N.J.S.A.</u> 19:34-15	Electioneering within or about polling place; misdemeanor
<u>N.J.A.C.</u> 6A:4-1.1 <u>et seq.</u>	Appeals
<u>N.J.A.C.</u> 6A:28-1.1 <u>et seq.</u>	School Ethics Commission
 <u>Green Township Education Association v. Rowe, et al.</u> , 328 <u>N.J. Super</u> 525 (App. Div. 2000)	

**Possible**

**Cross References:**

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

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

**Policy**

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CONDUCT AND DRESS

The Board of Education expects all staff members to act and dress in a professional manner. Conduct should reflect the importance of the activities in which the pupils are engaged. Clothing must be clean and tidy and suited to the subject of instruction or work being performed.

The personal life of an employee is not an appropriate concern of the board except as it may directly prevent the employee from performing his/her properly assigned functions during the work day or affect his/her professional relationship with pupils.

Soliciting and Selling

No employee of the board may solicit or sell products for personal gain within the schools while under active contract.

Unbecoming Conduct

When an employee, either within the schools or outside normal duties, creates conditions under which the proper operation of the schools is affected, the board upon recommendation of the Superintendent of Schools and in accordance with statute shall determine whether such acts or lack of actions constitute conduct unbecoming a school employee, and if so, will proceed against the employee in accordance with law.

Unbecoming conduct sufficient to warrant board review may result from a single flagrant incident or from a series of incidents.

Adopted: November 20, 2003  
NJSBA Review/Update: November 2008, February 2016  
Readopted: March 2009

Key Words

Employee Conduct, Employee Dress

**Legal References:** N.J.S.A. 18A:6-10 Dismissal and reduction in compensation of persons under tenure in public school system  
N.J.S.A. 18A:11-1 General mandatory powers and duties  
N.J.S.A. 18A:27-4 Power of boards of education to make rules governing employment of teacher, etc., employment there under  
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

Hicks v. Pemberton Bd. of Ed., 1975 S.L.D. 332

Quiroli v. Linwood Bd. of Ed., 1974 S.L.D. 1035

Carlstadt Teachers Ass'n v. Carlstadt Bd. of Ed., App. Div., unreported decision (docket no. A-1469-80-T4, decided March 26, 1982), 1982 S.L.D. 1448

**Possible**

CONDUCT AND DRESS (continued)

<b><u>Cross References:</u></b>	4117.50	Standards for staff discipline
	4119.2	Responsibilities
	*4119.21	Conflict of interest
	*4119.23	Employee substance abuse
	4119.24	Staff/pupil relations
	*4138	Nonschool employment
	*4138.2	Private tutoring
	*6144	Controversial issues

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

**Policy**

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EMPLOYEE SUBSTANCE ABUSE

General - All Employees

The use of alcoholic beverages in school worksites is prohibited. Violations of this prohibition may subject an employee to disciplinary action which may include but is not limited to nonrenewal, suspension, or termination at the discretion of the board.

The unlawful manufacture, distribution, dispensing, possession of, use of or sale of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance on or in school worksites is prohibited. Any violation may subject an employee to participation in a drug rehabilitation program and disciplinary action including but not limited to nonrenewal, suspension, or termination at the discretion of the board of education.

For the purposes of this policy "worksite" shall include any school building, or any school premises and any school-owned vehicles or any other school-approved vehicle used to transport students to and from school or school activities. Worksite also includes off-school property during any school-sponsored or school-approved activity, event or function such as a field trip or athletic event, where students are under the jurisdiction of the school district.

The board of education, as a result of criminal convictions of any criminal drug statute violation by an employee occurring outside of the worksite, may discipline said employee. Disciplinary action may include, but is not limited to nonrenewal, suspension, or termination at the discretion of the board.

Illegal gambling is not permitted in or on the school worksite.

Smoking by employees in school buildings or on school grounds is prohibited.

The Superintendent of Schools shall establish a drug-free awareness program which includes notice of the dangers of drug abuse in the workplace and available drug counseling programs and shall distribute this policy to all employees annually. New employees shall be provided with a copy of this policy prior to beginning work assignments.

Work Performance in Connection with a Federal Grant

In order for the school district to qualify for any direct federal grant, the district must certify that it will provide a drug-free workplace and maintain a good faith effort to continue to maintain a drug-free workplace. To this end, employees engaged in school worksites as a result of federal grant moneys shall in addition to complying with requirements of the programs shall also be in strict compliance with this policy.

The Superintendent of Schools shall notify all employees whose work performance is done in connection with a federal grant that they are to notify their respective supervisors of convictions of any criminal drug statute violation occurring in the workplace. Employees must notify their supervisors no later than five days after such conviction. To be in compliance, the district must notify the federal grant program of such conviction within 10 days of receipt of said conviction.

Adopted:	1994
NJSBA Review/Update:	November 2008, February 2016
Readopted:	March 2009

EMPLOYEE SUBSTANCE ABUSE (continued)Key Words

Smoking; Drinking; Drugs; Smoking Prohibition; Employee Smoking, Drinking, Use of Drugs on School Premises

<u>Legal References:</u>	<u>N.J.S.A.</u> 2C:33-16	Alcoholic beverages; bringing or possession on school property by person of legal age; penalty
	<u>N.J.S.A.</u> 2C:35-1 <u>et seq.</u>	Comprehensive Drug Reform Act of 1987
	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:16-2	Physical examinations; requirement
	<u>N.J.S.A.</u> 18A:27-4	Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
	<u>N.J.S.A.</u> 18A:36-32	Cigarette coin-operated vending machines; operation, installation or maintenance on property used for school purposes; fine
	<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
	<u>N.J.S.A.</u> 26:3D-55 <u>et seq.</u>	New Jersey Smoke-Free Air Act
	<u>N.J.A.C.</u> 6A:16-6.3	Reporting students or staff members to law enforcement authorities
	<u>N.J.A.C.</u> 6A:16-6.5	Confidentiality of student or staff member involvement in substance abuse intervention and treatment programs
	<u>N.J.A.C.</u> 6A:26-12.2(a)4	Policies and procedures for school facility operation
	<u>New Jersey Constitution</u> , Art. IV, § VII, <u>par. 2</u>	
	Anti-Drug Abuse Act of 1988	
	Drug-Free Workplace Act of 1988	
	<u>A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials</u> (1999 Revisions)	
	<u>No Child Left Behind Act of 2001</u> , Pub. L. 107-110, <u>20 U.S.C.A.</u> 6301 <u>et seq.</u>	

Possible

<u>Cross References:</u>	*1330	Use of school facilities
	*1410	Local units
	*3220/3230	State funds; federal funds
	*3515	Smoking prohibition
	*4112.4	Employee health
	4117.50	Standards for staff discipline
	*4219.23	Employee substance abuse
	*5131.6	Drugs, alcohol, tobacco (substance abuse)

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

## **Policy**

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### STAFF USE OF INTERNET SOCIAL NETWORKS AND OTHER FORMS OF ELECTRONIC COMMUNICATION

#### Social Networking Websites

The Superintendent and the School Principals shall annually remind staff members and orient new staff members concerning the importance of maintaining proper decorum in the on-line, digital world as well as in person. Employees must conduct themselves in ways that do not distract from or disrupt the educational process. The orientation and reminders will give special emphasis to:

- A. Improper fraternization with students using social networking websites on the internet
  - 1. Teachers may not list current students as "friends" on networking sites.
  - 2. All e-contacts with students should be through the district's computer and telephone system.
  - 3. All contact by coaches with team members shall be sent to all team members.
  - 4. Teachers will not give out their private cell phone or home phone numbers without prior approval of the district.
  - 5. Inappropriate contact via e-mail or phone is prohibited.
- B. Inappropriateness of posting items with sexual content
- C. Inappropriateness of posting items exhibiting or advocating use of drugs and alcohol
- D. Examples of inappropriate behavior from other districts, as behavior to avoid
- E. Monitoring and penalties for improper use of district computers and technology
- F. The possibility of penalties, including dismissal from employment, for failure to exercise good judgment in on-line conduct.

The Superintendent or designees will periodically conduct internet searches to see if teachers have posted inappropriate materials on-line. When inappropriate use of computers and websites is discovered, the School Principals and Superintendent will download the offensive material and promptly bring that misconduct to the attention of the Board, after proper Rice Notice(s) is/are given to the employee(s), for review.

#### Cell Phones

Staff use of cell phones, during school time, should be limited. Personal calls should be made outside of school time.

School staff shall not contact parents'/guardians' or students' cell phones unless directed to do so by the parent/guardian or student. School district personnel shall limit cell phone interaction with students to contact that pertains to legitimate school business. Legitimate school business includes:

- A. Answering academic inquiries regarding homework, other classroom work or assignments;
- B. Scheduling appointments for school related conferences and/or extra help;
- C. Clarifying classroom expectations and/or assignments;
- D. Notifications related to classroom, club or sports schedules, events, trips, assignments; deadlines.

Cell phone contact with students shall be as brief and direct as possible. When brief contact is not sufficient and/or feasible to resolve the matter, teachers shall schedule face to face conferences during regular classroom and extra-help periods to confer with the student. No contact shall exceed three replies.

#### Text Messages

STAFF USE OF INTERNET SOCIAL NETWORKS AND  
OTHER FORMS ELECTRONIC COMMUNICATION

(continued)

No staff member, coach or volunteer shall text message any student individually. All text messages to students shall be sent to the class, team, club or organization.

Staff shall not send messages that contain material that may be defined by a reasonable person as profane or obscene; messages that are racist, sexist or promote illicit, illegal or unethical activity; or messages:

- A. That violate the district's affirmative action policy;
- B. That are personal in nature and not related to the business of the district;
- C. That can be interpreted as provocative, flirtatious or sexual in nature;
- D. That contain confidential information to persons not authorized to receive that information

Computer Communication

School district personnel shall adhere to the following guidelines when sending or receiving messages via internal or external E-mail:

- A. All messages shall pertain to legitimate school business
- B. Personnel shall not reveal passwords to others. If a staff member believes that a password has been lost or stolen, or that E-mail has been accessed by someone without authorization, he/she should contact the Superintendent, Principal, and Computer Systems Administrator immediately. E-mail windows should not be left open on the screen when the computer is unattended.
- C. Messages and E-mail files shall be deleted in a timely manner.
- D. To ensure that federal copyright laws are not violated, staff shall not send messages that contain text without the author's permission.
- E. Staff shall not send messages that contain material that may be defined by a reasonable person as obscene; messages that are racist, sexist or promote illegal or unethical activity; or messages:
  - 1. That violate the district's affirmative action policy;
  - 2. That are personal in nature and not related to the business of the district;
  - 3. That are broadcast to a large group of other personnel without supervisory permission;
  - 4. That contain confidential information to persons not authorized to receive that information.
- F. Personnel shall become familiar with the district's policies and regulation on staff and student access to networked information resources before initiating E-mail use.
- G. Employees learning of any misuse of the E-mail systems shall notify the superintendent immediately.

Implementation

This policy shall be distributed annually to all staff members.

Adopted: November 18, 2009  
NJSBA Review/Update: February 2016  
Readopted: June 2016

Key Words



**STAFF USE OF INTERNET SOCIAL NETWORKS AND  
OTHER FORMS ELECTRONIC COMMUNICATION**  
(continued)

Employee Conduct, Cell Phones, Text Messaging, E-Mail

<b><u>Legal References:</u></b>	<u>N.J.S.A.</u> 2A:38A-1 <u>et seq.</u> <u>N.J.S.A.</u> 18A:6-10	Computer System Dismissal and reduction in compensation of persons
	<u>N.J.S.A.</u> 18A:11-1	under tenure in public school system
	<u>N.J.S.A.</u> 18A:27-4	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:36-35	Power of boards of education to make rules governing employment of teacher, etc.
	<u>N.J.S.A.</u> 18A:36-40	Disclosure of certain student information on Internet prohibited without parental consent
	<u>N.J.S.A.</u> 18A:37-13 <u>et seq.</u>	Written policy concerning electronic communications between school employees and students
	<u>N.J.S.A.</u> 18A:54-20	Anti-Bullying Bill of Rights Act
	<u>N.J.S.A.</u> 47:3-15 <u>et seq.</u>	Powers of board (county vocational schools)
	<u>N.J.A.C.</u> 6A:9-3.3	Destruction of Public Records Law
	<u>N.J.A.C.</u> 6A:9B-4.7	Professional standards for teachers Grounds for revocation and suspension of certification

In the Matter of Certificate of Weidemoyer, Exam 2010 April 29.

In the Matter of Certificates of Stenz, Exam 2010: March 25.

In the Matter of the Certificates of Alan Chadrijan, Exam 2011: July 28.

In the Matter of Rhaney, Exam 2011: June 16.

In the Matter of Young, Exam: 2011: Sept 22.

In Re Cluggish, Exam 2011, Dec 16.

**Possible**

<b><u>Cross References:</u></b>	4117.50	Standards for staff discipline
	4119.2	Responsibilities
	*4119.21	Conflict of interest
	*4119.22	Conduct and Dress
	*4119.23	Employee substance abuse
	4119.24	Staff/pupil relations
	*4138	Nonschool employment
	*4138.2	Private tutoring
	*6144	Controversial issues

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

**Policy**

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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 board shall approve potential substitute personnel and the positions in which they may substitute. The employment of a substitute teacher prior to approval by the board is authorized only when such employment is required to maintain continuity in the educational program. Retroactive approval shall be asked from the board at the next regular meeting.

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.

A vacant teaching position shall not be filled in any school year by one or more individuals holding a substitute credential issued by the State Board of Education for a total amount of time exceeding 20 school days. The commissioner may grant an extension of up to an additional 20 school days upon written application from the district. The application shall demonstrate the district's inability to hire an appropriately certified teacher for the vacant position within the original 20-day time limit.

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

SUBSTITUTE TEACHERS (continued)

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.

Limits 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: 1994  
 NJSBA Review/Update: November 2008, February 2016  
 Readopted: March 2009  
 Readopted: October 2012

Key Words

Substitute Teachers, Vacant Position, Vacancy, Long Term Substitute

**Legal References:** 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 See Particularly:  
N.J.S.A. 18A:16-1.1a through -1.1d May appoint temporary officers and employees

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 Employee health

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

**Policy**

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STUDENT TEACHERS/INTERNS

The Paulsboro Board of Education encourages the Superintendent of Schools to cooperate with colleges and universities in the placement of student teachers/administrative interns in the district's schools. Student teachers/administrative interns shall be placed with experienced staff members who agree to perform the necessary training and supervision.

The Superintendent of Schools shall recommend and the board may approve the selection and placement of student teachers and administrative interns. Student teachers/interns shall comply with the requirements of law regarding health examinations and criminal history checks.

The supervising teacher and principal shall be responsible for the conduct of student teachers while serving in the schools of this district. The Superintendent of Schools shall be responsible for administrative interns.

Student teachers/interns shall be allowed to participate in school activities where their contributions would be appropriate to the educational program of the school.

The Superintendent of Schools shall endeavor to ensure the equitable distribution of student teachers/interns throughout the district.

No remuneration will be provided to student teachers or administrative interns.

Adopted: 1994  
NJSBA Review/Update: November 2008, February 2016  
Readopted: March 2009

Key Words

Student Teachers, Administrative Interns

**Legal References:** 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:11-1 General mandatory powers and duties  
N.J.S.A. 18A:16-2 through -5 Physical examinations; requirement ...  
N.J.S.A. 18A:16-6 Indemnity of officers and employees against civil actions  
N.J.S.A. 18A:16-6.1 Indemnity of officers and employees in certain criminal actions  
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)  
N.J.A.C. 6A:9A-3.2 Curriculum for teacher preparation programs  
N.J.A.C. 6A:9A-3.3 Supervision of practicum students  
N.J.A.C. 6A:32-4.1(d)(e) Employment of teaching staff  
See particularly:  
N.J.A.C. 6A:32-4.1(d), -4.1(e)  
N.J.A.C. 6A:32-6.1 et seq. School Employee Physical Examinations

STUDENT TEACHERS/INTERNS (continued)

**Possible**

- Cross References:** \*4111 Recruitment, selection and hiring  
\*4112.4 Employee health  
\*4121 Substitute teachers  
\*4123 Classroom aides  
\*6162.4 Community resources

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

**Policy**

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CLASSROOM AIDES

The Paulsboro Board of Education, within its financial means, may hire aides as recommended by the Superintendent of Schools.

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.

Classroom aides shall be under the supervision of the classroom teacher.

The superintendent of schools 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 of Schools shall establish procedures to release information, upon request, regarding the qualifications of classroom aides to parents/guardians for any classroom aide 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 In Title I Schools

All classroom aides paid in whole or in part with Title 1 funds shall be qualified in accord with federal law. All such classroom aides must have a high school diploma or its equivalent. All such classroom aides, 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.

Adopted: November 20, 2003  
NJSBA Review/Update: November 2008, February 2016  
Readopted: March 2009, June 2016  
Revised:

CLASSROOM AIDE (PARAPROFESSIONALS (continued)Key Words

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

<b><u>Legal References:</u></b>	<u>N.J.S.A.</u> 18A:6-7.1 through -7.5	Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception
	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:16-2 through -5	Physical examinations; requirement ...
	<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**

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

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



**Policy**

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STAFF DEVELOPMENT; INSERVICE EDUCATION/VISITATIONS/CONFERENCES

The 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 Common Core State Standards (CCSS) in mathematics and language arts and literacy and Core Curriculum Content Standards (CCCS).

The superintendent of schools 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 of schools, 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 of schools, 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 of schools

The board of education shall oversee and review the superintendent of school'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.

The board of education shall review the professional development plan. The superintendent of schools 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 of school's contract with the board of education.

STAFF DEVELOPMENT; INSERVICE EDUCATION/  
VISITATIONS/CONFERENCES (continued)

In cases where there is disagreement between a superintendent of schools and his or her board of education regarding plan contents or progress toward completion, the superintendent of schools 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 of schools 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 of schools, or designee holding a superintendent of schools endorsement. Leaders whose positions require a superintendent of school's endorsement but who do not serve as a superintendent of schools of the district shall have an annual plan developed in collaboration with the superintendent of schools, or designee holding a superintendent of schools endorsement.

The superintendent of schools, or designee holding a superintendent of schools 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 of schools, or designee holding a superintendent of schools 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:

- 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

STAFF DEVELOPMENT; INSERVICE EDUCATION/  
VISITATIONS/CONFERENCES (continued)

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.

District-Level Professional Development Plans

The superintendent of schools 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 of schools 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;

STAFF DEVELOPMENT; INSERVICE EDUCATION/  
VISITATIONS/CONFERENCES (continued)

- 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 of schools 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 of schools shall be responsible for the content and implementation of the district professional development plan. The superintendent of schools 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 Common Core State Standards or the Core Curriculum Content 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 of schools.

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.

Mandated Inservice Programs

The superintendent of schools 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: August 27, 1997  
NJSBA Review/Update: November 2008  
Readopted: March 2009, June 2016

Key Words

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

<b>Legal References:</b> <u>N.J.S.A. 18A:6-111</u> et seq.	Instruction in Suicide Prevention
<u>See particularly:</u>	
<u>N.J.S.A. 18A:6-112</u>	Instruction in suicide prevention for public school teaching staff
<u>N.J.S.A. 18A:7A-11</u>	Reports be school districts, commissioner; interim review

STAFF DEVELOPMENT; INSERVICE EDUCATION/ VISITATIONS/CONFERENCES (continued)

<u>N.J.S.A.</u> 18A:17-46	Act of violence; report by school employee; notice of action taken; annual report
<u>N.J.S.A.</u> 18A:26-8.2	School leader training on ethics and governance; collaborative training model
<u>N.J.S.A.</u> 18A:27-4	Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
<u>N.J.S.A.</u> 18A:30-7	Power of boards of education to pay salaries
<u>N.J.S.A.</u> 18A:31-2	Attendance at conventions of New Jersey Education Association
<u>N.J.S.A.</u> 18A:40A-3	Initial inservice training programs; curriculum; availability
<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	Retention of workplace surveys
<u>N.J.S.A.</u> 34:5A-13	Employee education and training program; certification of instructors
<u>N.J.A.C.</u> 6A:7-1.6	Professional development
<u>N.J.A.C.</u> 6A:9-1.1 <u>et seq.</u>	Professional standards
<u>N.J.A.C.</u> 6A:9B-8.4	Requirements for a district mentoring program
<u>N.J.A.C.</u> 6A:9C-2.1 <u>et seq.</u>	Required professional development for teachers and school leaders
<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>	
<u>N.J.A.C.</u> 6A:16-3.1(a)4, -5.1(d), -6.2(b)12	Inservice training, alcohol, tobacco, drug prevention: safety and security, cooperation with law enforcement
<u>N.J.A.C.</u> 6A:16-10.1	Reporting allegations of child abuse and neglect
<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the performance of school districts
<u>N.J.A.C.</u> 6A:32-4.1	Employment of teaching staff

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

The Comprehensive Equity Plan, New Jersey State Department of Education

**Possible**

**Cross References:**

*4115	Supervision
*4116	Evaluation
*4231/4231.1	Staff development; in-service 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.

STAFF DEVELOPMENT; INSERVICE EDUCATION/  
VISITATIONS/CONFERENCES (continued)

**Policy**

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WORK STOPPAGE/STRIKES

In the event of an emergency brought about by a job action, including a strike, by any employee group, it shall be the policy of the Paulsboro Board of Education to make every effort to keep schools open and to carry out its obligation under New Jersey State Law, Title 18A, to educate the children of the community.

Since there is no authorization in law for job actions, and since such actions are constitutionally prohibited, including strikes, by public employees, it shall be the policy of the board, in the event of any job action, including a strike or any other act that withholds employee services from the board, to take appropriate legal action to deal with such a matter.

In emergency situations under this policy, all usual policy adoption procedures shall be suspended for the duration of the emergency, and the board may adopt policies on first reading to enable the board to maintain operation of the schools and the safety and welfare of the community, pupils and employees.

The Superintendent or his/her designee shall have the authority to take such immediate emergency steps as he/she deems necessary to ensure that safety and well-being of pupils and employees and to protect the property of the district.

Adopted: 1994  
NJSBA Review/Update: November 2008, February 2016  
Readopted: March 2009

**Legal References:** N.J.S.A. 34:13A-3 Definitions  
N.J.S.A. 34:13A-5.3 Employee organizations; right to form or join; collective

**Cross References:** 1140 Distribution of materials by pupils and staff  
6144 Controversial issues

**Policy**

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NONSCHOOL EMPLOYMENT

School employees shall not engage in outside activities or perform any services other than those assigned by the district during the hours of the prescribed school day.

No outside work by a staff member shall prevent him/her from properly performing assigned functions during duty hours or be prejudicial to his/her work effectiveness.

Adopted: 1994  
NJSBA Review/Update: November 2008, February 2016  
Readopted: March 2009

Key Words

Nonschool Employment; Employee Outside Activities

<b>Legal References:</b>	<u>N.J.S.A.</u> 18A:6-8.1	Leave of certain employees to serve in legislature
	<u>N.J.S.A.</u> 18A:6-8.2	Leave of certain employees to serve on board of chosen freeholders
	<u>N.J.S.A.</u> 18A:6-8.4	Right to hold elective or appointive state, county or municipal office
	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:12-24	School officials; prohibited conduct
	<u>N.J.S.A.</u> 18A:17-18	Full time required of superintendents; when
	<u>N.J.S.A.</u> 18A:27-4	Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
	<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
	<u>N.J.S.A.</u> 52:13D-12 <u>et seq.</u>	New Jersey Conflicts of Interest Law
	<u>N.J.A.C.</u> 6A:28-1.1 <u>et seq.</u>	School Ethics Commission

**Possible**

<b><u>Cross References:</u></b>	*3514	Equipment
	*4119.21	Conflict of interest
	*4138.2	Private tutoring

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



**Policy**

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PRIVATE TUTORING

The board recognizes that the discharge of its responsibility to provide a thorough and efficient system of education for each child in the district may require special help for some pupils beyond the regular classroom program. Tutorial instruction shall be interpreted to mean individualized instruction additional to, and in support of, regular classroom instruction.

Wherever possible within the working day, each teaching staff member shall assist assigned pupils in the remediation of individual learning difficulties.

In certain cases where extra help is desirable and the parents/guardians request such assistance, a teacher or administrator may recommend that the parents/guardians secure tutorial services for the pupil.

To avoid placing a teacher in a position where he/she may have a conflict of interest, teachers shall not tutor, for a fee, pupils enrolled in their classes or upon whose evaluation or assignment they may be called upon to pass. Nor shall any employee of the board make a commitment to perform services for extra pay when he/she has been instrumental in recommending the need for those services.

Teachers shall not tutor any pupil for pay during regular working hours or on school premises.

Adopted: 1994  
NJSBA Review/Update: November 2008, February 2016  
Readopted: March 2009

Key Words

Tutoring, Conflict of Interest

**Legal References:** N.J.S.A. 18A:11-1 General mandatory powers and duties  
N.J.S.A. 18A:27-4 Power of boards of education to make rules governing employment of teachers, etc ;employment there under  
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

**Possible**

**Cross References:** \*4119.21 Conflict of interest  
\*4138 Nonschool employment  
\*4219.21 Conflict of interest  
\*4238 Nonschool employment  
6164.6 Tutoring  
\*6173 Home instruction

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

**Policy**

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PAYROLL AUTHORIZATION/SALARY CHECKS AND DEDUCTIONS

Payroll Authorization

Employment of all district personnel whether by the year, term, month, week, day or hour in contract, temporary, or substitute form must be approved by the Paulsboro Board of education. Authorization to pay follows there from.

Each motion of the board to employ or re-employ on a contractual basis (i.e., for a fixed period of time) shall include the name of the individual, the position title, the salary to be paid over the term of the contract and the period of employment. Each motion of the board to employ on a temporary basis (i.e., by the hour or day) shall include the name of the individual, the position title and the rate of pay. Motions regarding personnel actions noted in the board minutes, to include, but not be limited to, the appointment, promotion, resignation, retirement, death, discharge, compensation, or leave of absence for each employee. The minutes will also include effective dates for personnel action.

Approval for payment in the performance of special activities is required as follows: bedside instructors, as certified by the superintendent; coaches, as certified by the principal and superintendent; extracurricular advisors, as certified by the principal and superintendent.

Authorization is hereby given to withhold salary or wages for unapproved time off by action of the board secretary/business administrator.

The payroll journal shall be certified by the board secretary/business administrator and the president of the board, monthly. One warrant for the net amount of the payroll and a second warrant for all payroll deductions, together with district matching funds and administrative charges, shall be deposited to special accounts for disbursement by the treasurer upon receipt of the certified payroll.

Staff members shall be paid in accordance with the provisions in their collective bargaining agreement and/or in accordance with a schedule provided to all employees prior to the beginning of the contract or school year.

At least once every three years, between the months of September through May, the superintendent shall require each district employee to report to a central location(s) and produce picture identification and sign for release of his or her paycheck or direct deposit voucher (N.J.A.C. 6A:23A-5.7). The accepted picture identification shall be in the form of a district-issued identification card, valid drivers' license, official passport, or other picture identification issued by a State, county, or other local government agency.

The superintendent shall designate an appropriately qualified staff member to match the picture identification to the position control roster maintained by the office of personnel or human resources prior to release of the pay check or direct deposit voucher. If the district elects to conduct this payroll verification prior to the district's required implementation of the position control, the district may use similar and suitable office of personnel or human resources generated listing of employees (N.J.A.C. 6A:23A-6.8). Where no appropriate identification can be produced, the business administrator/board secretary shall withhold paychecks or stop direct deposits until such time the payee/district employee can produce appropriate identification or until an investigation and corrective action is concluded, as appropriate to the circumstances.

Upon completion of the payroll check distribution verification procedures, the superintendent shall submit a certification of compliance, in a form prescribed by the Department of Education, to the Executive County Superintendent. Verification of the district's compliance with the verification procedures will be required as part of the annual audit.

PAYROLL AUTHORIZATION  
CHECKS AND DEDUCTIONS (continued)

The payroll journal will be certified by the board secretary, the president of the board, and approved by the superintendent.

Payroll Deductions

The board may in its discretion act on behalf of individual employees to deduct a certain amount from the employees' paycheck and remit an equal amount to an agent designated by the employee. It is the purpose of this policy to designate those purposes not otherwise mandated by law for which the board is willing to act on behalf of an employee.

No deduction may be made from the wages of an employee except for federal income tax, social security, New Jersey Income Tax and New Jersey Unemployment Assistance without proper authorization. Pension deductions are authorized by the New Jersey Division of Pensions; all other deductions are authorized only by the employee.

The board has authorized in accordance with the below cited legislation that deductions may be made from an employee's paycheck upon proper authorization on the appropriate form, as prepared by the district, for the following purposes:

- A. The payment of premiums for group life, accidental death or dismemberment, hospitalization, medical, surgical, major medical, health and accident, and legal insurance plans (N.J.S.A. 18A:16-13).
- B. The purchase of United States Government bonds (N.J.S.A. 18A:16-8);
- C. The employee's participation in a summer payment plan for repayment to the employee in one payment in June or by payment upon the death or termination of the employee, if earlier (N.J.S.A. 18A:29-3);
- D. Tax sheltered annuities or custodial accounts (N.J.S.A. 18A:66-127);
- E. Payments to a credit union (N.J.S.A. 40A:9-17);
- F. An approved charitable fund raising campaign (N.J.S.A. 52:14-15.9c); and
- G. Bona fide organizational dues (N.J.S.A. 52:14-15.9e).

Contributions shall be made as soon as is reasonably possible after the funds have been deducted from an employee's salary. No contribution shall be made on behalf of an employee until the amount contributed has been deducted from the employee's salary.

The board will permit the remittance of funds for annuities and mutual funds only to those insurers and custodial accounts authorized by law and expressly approved by this board. The board will consider the approval of only those insurers and custodial accounts to which 25 or more employees of this district subscribe.

If the number of subscribers falls below that number, no new subscribers will be allowed and the account will be terminated when all remaining subscribers have closed their accounts.

No more than 3 accounts will be approved for remittance at any one time.

An employee who wishes to pay into a tax sheltered annuity or mutual fund offered by a firm not approved by this board for payroll deductions must make his or her payment individually.

The board wishes to provide members of the Teachers' Pension and Annuity Fund and the Public Employees' Retirement System the opportunity to make tax deferred contributions under the United States Internal Revenue Code. On the written approval of an employee, contributions deducted from the employee's wages and remitted directly to TPAF or PERS, as appropriate, will be designated as employer contributions, paid by the board on behalf of the employee. No employee may receive the contributed amount directly.

PAYROLL AUTHORIZATION  
CHECKS AND DEDUCTIONS (continued)

No board employee shall withhold or pay to another or purchase or have assigned, other than by court order, any compensation for services of any district employee.

Adopted: 1994  
 NJSBA Review/Update: November 2008, February 2016  
 Readopted: March 2009, June 2016  
 Revised:

Key Words

Payroll Authorization, Salary Checks, Deductions

<b><u>Legal References:</u></b>	<p><u>N.J.S.A.</u> 18A:16-8  <u>N.J.S.A.</u> 18A:16-9  <u>N.J.S.A.</u> 18A:16-13    <u>N.J.S.A.</u> 18A:29-3    <u>N.J.S.A.</u> 18A:66-30  <u>N.J.S.A.</u> 18A:66-32  <u>N.J.S.A.</u> 18A:66-78    <u>N.J.S.A.</u> 18A:66-127  <u>N.J.S.A.</u> 40A:9-17  <u>N.J.S.A.</u> 52:14-15.9 et seq.  <u>N.J.A.C.</u> 6A:23A-1 et seq.                  See Particularly:  <u>N.J.A.C.</u> 6A:23A-5.7  <u>N.J.A.C.</u> 6A:23A-6.8</p>	<p>Salary deduction for government bonds                  Responsibility of board                  Entering into group life, hospitalization, health and accident insurance contracts                  Summer payment plans; continuance of plan to raise funds                  Employee's consent to deductions                  Employer's duties                  Teacher's pension and annuity fund: additional death benefits; contributions; adjustment                  Tax sheltered annuities                  Payment to credit unions                  Public Employee Charitable Fund-raising Ac                  Accountability regulations</p>
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**Possible**

<b><u>Cross References:</u></b>	<p>*3100 Budget planning, preparation and adoption                  *3326 Payment for goods and services                  *3570 District records and reports                  3571 Financial reports                  *3571.4 Audit</p>
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\*Indicates policy is included in the Critical Policy Reference Manual.

**Policy**

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INSURANCE / WORKMENS COMPENSATION

It shall be the policy of the Paulsboro Board of Education to provide a health insurance program for full-time, permanent employees in all classifications who are not represented by recognized bargaining groups in accordance with the guidelines established by the Board of Education/Paulsboro Educational Association (P.E.A.) contract.

In addition, the Board will permit employees who are on leave of absence without pay to continue enrollment in the health benefits plan, provided that such employees pay the appropriate premiums.

Workers Compensation Physicians

The Paulsboro Board of Education seeks to provide the highest quality benefits while maintaining a sound fiscal policy.

The intention of the workers' compensation law is to provide the best possible medical care and rehabilitation services available to injured employees while in course of employment. In order to accomplish this, the first step is to get an accurate diagnosis and begin the proper treatment immediately; therefore, unless an emergency situation exists, each injured employee must be treated by the Board appointed physician.

- A. In the case of an emergency situation, medical attention should be sought from the nearest or most practical facility available;
- B. In nonemergency situations, the school doctor or nurse must evaluate the injury first. He/she will refer the patient to other approved panel physician specialists if necessary;
- C. Lost work time may be authorized only by the district's doctor or the referred specialist;
- D. Failure to go to the school doctor, nurse or assigned insurance carrier doctor will result in the insurance company's denial of payment of all disability and medical benefits an employee may be entitled to;
- E. Re-examination of the employee by the school doctor or from the workmen's compensation doctor prior to returning to school work is required.

Adopted: 1994  
NJSBA Review/Update: November 2008, February 2016  
Readopted: March 2009

Key Words

Insurance, Workmen's Compensation

Legal References: N.J.S.A. 18A:16-9                      Responsibility of the Board  
                                 N.J.S.A. 18A:16-12 through 22                      Group Insurance Program

**Policy**

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EMPLOYEE SAFETY

Through its overall safety program, the board of education shall seek to ensure the safety of employees during working hours.

The board shall be diligent in maintaining safe working conditions for employees. It shall provide an Exposure Control Plan for the occupational containment of bloodborne pathogens as described in file code 4112.4 Employee Health. The board shall also provide information on possible hazardous substances in the workplace, in accordance with law.

The board shall expect employees to follow all established safety rules and regulations, such as those pertaining to the use of safety equipment, the wearing of safety clothing and protective eye devices where appropriate, and the lifting or shifting of heavy weights.

Employees shall report all accidents to their supervisor or the nurse immediately. An accident investigation report must be submitted in-detail to the Superintendent's office by the following work day.

Adopted: 1994  
NJSBA Review/Update: November 2008, February 2016  
Readopted: March 2009

Key Words

Insurance Management, Accidents, Employee Safety

**Legal References:** N.J.S.A. 2C:7-1 et seq. Registration of sex offenders;definition;requirements  
N.J.S.A. 18A:16-2 Physical examinations; requirement  
N.J.S.A. 18A:40-12.1 Protective eye devices required for teachers, pupils and visitors in certain cases  
N.J.S.A. 18A:40-12.2 Rules prescribing kinds, types and quality of devices  
N.J.S.A. 34:5A-1 et seq. Worker and Community Right to Know Act  
N.J.S.A. 34:6A-25 et seq. New Jersey Public Employees' Occupational Safety and Health Act  
N.J.S.A. 34:19-1 et seq. Conscientious Employee Protection Act  
N.J.A.C. 6A:26-12.5 Eye protection in schools  
N.J.A.C. 12:100-4.2 Safety and Health Standards for Public Employees (Adoption by reference)

29 CFR 1910.1030 - Bloodborne Pathogen Standard

Possible

**Cross References:** \*3510 Operation and maintenance of plant  
\*3516 Safety  
\*4111.1 Nondiscrimination/affirmative action  
\*4112.4 Employee health  
\*5142 Pupil safety

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

**Policy**

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LEAVES- AUTHORIZED / UNAUTHORIZED

Authorized Leave

All leaves of absence, except as covered by statute or by association agreement, are at the approval of the Board of Education.

Unauthorized Leave

Unauthorized leave is defined as a non-approved absence resulting in non-performance of those duties and responsibilities assigned by the district and its representatives. This includes all duties and responsibilities as defined by statute, rules and regulations of the State Board of Education, policies of the Board and administrative regulations of this school district. Such unauthorized leave may include but is not limited to collective refusals to provide service, unauthorized use of sick leave, unauthorized use of other leave benefits, non-attendance at required meetings, failure to perform supervisory functions at school-sponsored activities and the unauthorized absence from school property during work hours.

An employee is deemed to be on unauthorized leave at such time and on such occasions as the employee may absent himself/herself from required duties and shall be subject to disciplinary action.

Adopted:	1994
NJSBA Review/Update:	November 2008, February 2016
Readopted:	March 2009

Legal Reference:

N.J.S.A. 18A:30-1 et seq.	Leaves of Absence
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**Policy**

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ATTENDANCE PATTERNS

The Paulsboro Board of Education believes that the regular presence of assigned personnel is vital to the success of the district's educational program. Consistent absenteeism or tardiness is unacceptable and subject to disciplinary action.

The Superintendent of Schools shall develop and the board shall adopt a plan to encourage all staff to strive for excellent attendance and punctuality records. These procedures should include a requirement that the staff member personally report all illnesses and request all leave at the earliest possible time. Procedures shall be in accordance with New Jersey statutes and district negotiated contracts.

Adopted: 1994  
NJSBA Review/Update: November 2008, February 2016  
Readopted: March 2009

Key Words

Employee Attendance, Attendance Patterns, Attendance

**Legal References:** N.J.S.A. 18A:11-1 General mandatory powers and duties  
N.J.S.A. 18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment there under  
N.J.S.A. 18A:29-14 Withholding increments; causes; notice of appeals  
N.J.S.A. 18A:30-1 et seq. Sick Leave  
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)  
N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School Districts

Montville Education Ass'n v. Montville Bd. of Ed., 1984 S.L.D. 550, rev'd St. Bd. 1984 S.L.D. 559, rev'd App. Div., unreported decision (docket no. A-1178-84T7, decided December 6, 1985) 1985 S.L.D. 1972, decision on remand, St. Bd., 1986 S.L.D. 3113

Burlington Educational Ass'n v. Burlington Bd. of Ed., 1985 S.L.D. 889, aff'd St. Bd. 1985 S.L.D. 912

Scotch Plains-Fanwood Board of Education v. Scotch Plains-Fanwood Education Association, 270 NJ Super 444 (App. Div. 1994); rev'd. 139 NJ 141 (1995)

**Possible**

**Cross References:** 4150 Leaves  
\*4151.1 Personal illness and injury/health and hardship  
4151.6 Religious observance  
4151.7 Emergency/personal  
\*4251 Attendance patterns

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



ATTENDANCE PATTERNS (continued)

**Policy**

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PERSONAL ILLNESS AND INJURY/HEALTH AND HARDSHIP

The Paulsboro Board of Education shall provide sick leave and personal leave to school district personnel. The purpose of such sick leave is to provide income protection to school personnel in the event of illness. The purpose of personal leave is to allow for absence from work, with pay, to take care of personal matters that must be done during the school day.

School personnel are expected to use sick leave and personal leave for the purpose that these benefits are provided.

Excessive absence from work for illness or other reasons may constitute good cause for withholding a salary increment or for dismissal proceedings under New Jersey statutes.

The Superintendent and administrative staff shall develop appropriate guidelines and plans for the implementation of this policy. Such guidelines and plans shall include, but not be limited to, the following:

- A. Plans to communicate to school district personnel the intent of sick leave and personal leave and the importance of regular attendance;
- B. A system of record keeping to account for sick leave and personal days, to include monthly and annual reports;
- C. A system for monitoring absence for sick leave and personal leave to prevent abuses;
- D. When appropriate to the circumstances, requesting school district staff to submit information concerning the cause of absence after three consecutive days of absence;
- E. When appropriate to the circumstances following an illness, to request a statement from a physician that the employee may return to work.

The Board will consider requests for extension of sick leave benefits on a case-by-case basis.

Adopted: 1994  
NJSBA Review/Update: November 2008, February 2016  
Readopted: March 2009

Key Words

Leaves, Sick Leave, Attendance, Attendance Patterns, Employee Attendance

**Legal References:** N.J.S.A. 18A:6-6 No sex discrimination  
N.J.S.A. 18A:6-66 Rights and benefits of personnel (educational services commission)  
N.J.S.A. 18A:16-2 through -5 Physical examinations; requirement ...  
N.J.S.A. 18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment there under  
N.J.S.A. 18A:30-1 Definition of sick leave  
N.J.S.A. 18A:30-2 Sick leave allowable

PERSONAL ILLNESS/INJURY, HEALTH AND HARDSHIP (continued)

N.J.S.A. 18A:30-6 Prolonged absence beyond sick leave period  
N.J.A.C. 6A:32-6.1 et seq. School Employee Physical Examinations

Ramsey Teachers Ass'n v. Ramsey Bd. of Ed., 1979 S.L.D. 862, St. Bd. rev'g 1978  
S.L.D. 518, aff'd App. Div., 1980 S.L.D. 1528

Cole v. Essex County Vocational School District Bd. of Ed., 1986 S.L.D. 1855

**Possible**

**Cross References:** 4150 Leaves  
\*4151 Attendance patterns

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

**Policy**

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RECRUITMENT, SELECTION AND HIRING

The Paulsboro Board of Education shall appoint all staff members only from nominations made by the Superintendent of Schools. All appointments shall be by recorded roll call majority vote of the full membership of the board. The Superintendent of Schools shall adhere to the following in recruiting and interviewing candidates:

- A. There will be no discrimination in the employment process in regard to 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, atypical hereditary cellular or blood trait of any individual, nationality, or because of genetic information or refusal to submit to or make available the results of a genetic test, or other conditions not related to the duties and responsibilities of the job.
- B. All candidates must have training and/or actual work experience in the vacant position, and an acceptable level of proficiency.
- C. It shall be the duty of the Superintendent of Schools to see that persons nominated for employment shall meet all qualifications established by state or federal law, including the completion of a criminal history check and proof of citizenship or eligible alien status.

The Superintendent of Schools is responsible for the preparation and maintenance of job descriptions that define the duties, responsibilities and qualifications required for each support position. The board shall adopt those job descriptions required by law or code and others as appropriate.

The employment of any candidate is not official until the contract is approved by the board of education and signed by the candidate. It shall be the responsibility of the Superintendent of Schools to communicate this fact to all candidates.

The Superintendent of Schools may make temporary appointments in emergency situations in accordance with law. These must be ratified by the board at the next regular meeting.

Residency Requirements

Every employee hired by the board shall have their principal residence with the State of New Jersey. For the purposes of this policy an employee may have only one principal residence which shall be defined as:

- A. Where the employee spends the majority of their nonworking time;
- B. Is most clearly the center of the employee's domestic life; and
- C. The employee's designated legal address and legal residence for voting.

The fact that an employee is either domiciled or owns a home or property in the State of New Jersey shall not by itself satisfy the requirement of principal residence.

Exemptions

- A. An employee hired on or after September 1, 2011 who is not a resident when hired shall receive one year to establish residency in New Jersey. If the employee fails to establish residency within that year,

RECRUITMENT, SELECTION AND HIRING (continued)

he/she shall be deemed unqualified for employment and shall be removed pursuant to N.J.S.A. 52:14-7(d);

- B. An existing employee who was not a resident of New Jersey on or prior to September 1, 2011 is exempted from this policy, if he/she has not had a break in public service for a period of time greater than seven days;
- C. An employee hired by the district who was a non-resident public employee prior to September 1, 2011 is exempted from this policy, unless he/she has not had a break in public service for a period of time greater than seven days;
- D. A break in public service shall be defined as an actual separation from employment for more than seven calendar days due to such causes as resignation, retirement, layoff, or disciplinary removal. But a leave of absence shall not be considered a break in public service.
- E. An employee may request an exemption to the State committee formed under N.J.S.A. 52:14-7 on a basis of critical need or hardship. The decision on whether to approve an application of the employee shall be made by a majority vote of this committee. If this committee fails to act within 30 days after receipt of the employee's application, no exemption shall be granted and the residency requirements set forth in this policy shall be in effect.

Reporting of Arrests, Charges and Indictments

All 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. 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 report arrests, charges and indictment may result in disciplinary action up to and including termination of employment.

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

Adopted: November 20, 2003  
 NJSBA Review/Update: November 2008, February 2016  
 Readopted: March 2009, June 2016  
 Revised:

Key Words

Recruitment, Selection and Hiring; Hiring; Nondiscrimination; Affirmative Action, Background Check, Personnel Background Check, Domestic Partnership Act

<u>Legal References:</u>	<u>N.J.S.A.</u> 10:5-1 <u>et seq.</u>	Law Against Discrimination
	<u>N.J.S.A.</u> 18A:3-15.2	Fraudulently issued, obtained, forged or altered degree or certification; use in connection with business or occupation
	<u>N.J.S.A.</u> 18A:6-5	Inquiry as to religion and religious tests prohibited
	<u>N.J.S.A.</u> 18A:6-6	No sex discrimination
	<u>N.J.S.A.</u> 18A:6-7.1, -7.5	Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception
	<u>N.J.S.A.</u> 18A:6-76.1	Deadline for notification to students of requirements of provisional certificate and induction program

RECRUITMENT, SELECTION AND HIRING (continued)

<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
<u>N.J.S.A.</u> 18A:13-40	General powers and duties of board of newly created regional districts
<u>N.J.S.A.</u> 18A:16-1	Officers and employees in general
<u>N.J.S.A.</u> 18A:26-1, -1.1, -2	Citizenship of teachers, etc.
<u>N.J.S.A.</u> 18A:27-1 <u>et seq.</u>	Employment and Contracts
<u>See particularly:</u>	
<u>N.J.S.A.</u> 18A:27-4.1	
<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
<u>N.J.S.A.</u> 26:8A-1 <u>et seq.</u>	<u>Domestic Partnership Act</u>
<u>N.J.S.A.</u> 52:14-7	Residency Requirements
<u>N.J.A.C.</u> 6A:7-1.1 <u>et seq.</u>	Managing for Equality and Equity in Education
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6A:7-1.4,-1.8	
<u>N.J.A.C.</u> 6A:9B-6.1 <u>et seq.</u>	Types of Certificates
<u>N.J.A.C.</u> 6A:9B-8.1 <u>et seq.</u>	Requirements for Instructional Certification
<u>N.J.A.C.</u> 6A:9B-10.1 <u>et seq.</u>	Exceptions for the Requirements for the Instructional Certificate
<u>N.J.A.C.</u> 6A:9B-11.1 <u>et seq.</u>	Requirements for Administrative Certification
<u>N.J.A.C.</u> 6A:10:1.1 <u>et seq.</u>	Educator effectiveness
<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>N.J.A.C.</u> 6A:32-5.1	Standards for determining seniority
42 <u>U.S.C.A.</u> 2000e <u>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.</u> 794 <u>et seq.</u> - Section 504 of the <u>Rehabilitation Act of 1973</u>	
8 <u>U.S.C.A.</u> 1100 <u>et seq.</u> - <u>Immigration Reform and Control Act of 1986</u>	
42 <u>U.S.C.A.</u> 12101 <u>et seq.</u> - <u>Americans with Disabilities Act (ADA)</u>	
<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>	
<u>Old Bridge Education Association v. Old Bridge Township Bd. of Ed.</u> , 1986 <u>S.L.D.</u> 1917	
<u>Taxman v. Piscataway Bd. of Ed.</u> , 91 <u>F. 3d</u> 1547 (3d Cir. 1996)	
The Comprehensive Equity Plan, New Jersey Department of Education	

**Possible****Cross References:**

*2131	Chief school administrator
*3000/3010	Concepts and roles in business and non-instructional operations; goals and objectives
4000	Concepts and roles in personnel
4010	Goals and objectives
*4123	Classroom aides/paraprofessionals
*4211.1	Nondiscrimination/affirmative action
*4212.4	Employee health
4212.5	Criminal history check
*4212.6	Personnel records

RECRUITMENT, SELECTION AND HIRING (continued)

*4212.8	Nepotism
*4219.23	Employee substance abuse
*4222	Non-instructional aides
*6010	Goals and objectives
9123	Appointment of board secretary
9124	Appointment of business official

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

**Policy**

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SUPERVISION

The Superintendent of Schools shall ensure development of procedures for observation and supervision of all employees so that optimum support is provided for the educational program.

Such observation and supervision shall not be limited to that which is required for effective performance evaluation.

This policy shall be distributed to each support staff member at the beginning of his/her employment.

Adopted: 1994  
NJSBA Review/Update: November 2008, February 2016  
Readopted: March 2009

Key Words

Support Staff Supervision, Supervision

Legal References: N.J.S.A. 18A:11-1 General mandatory powers and duties  
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

Possible

Cross References: \*4216 Evaluation  
\*4231/4231.1 Staff development; in-service education/visitations/conferences

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



**Policy**

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EVALUATION

The Superintendent of Schools shall maintain factual personnel records on all support employees and shall direct evaluation procedures.

Before increments for support staff members are approved for succeeding years, administrative and supervisory personnel in the schools shall submit to the Superintendent of Schools a report on the work and attitude of each employee under their jurisdiction.

The employee's supervisor has the responsibility for seeing that each employee knows the basis upon which he/she is to be evaluated in advance of the evaluation.

It shall be the policy of the Paulsboro Board of Education that all newly employed staff, in the classifications listed below, be employed for a probationary period of 60 calendar days, or less, at the discretion of the Board:

- A. Secretaries;
- B. Clerks;
- C. Aides;
- D. Maintenance and grounds personnel;
- E. Custodians;
- F. Cafeteria personnel;
- G. Bus drivers;
- H. Such other classifications as the Board may establish;
- I. During the probationary period such employees shall be considered "temporary".

Adopted: 1994  
NJSBA Review/Update: November 2008  
Readopted: March 2009

Key Words

Evaluation, Personnel Evaluation

**Legal References:** N.J.S.A. 18A:11-1 General mandatory powers and duties  
N.J.S.A. 18A:17-2 Tenure of secretaries, assistant secretaries, school business administrators, business managers and secretarial and clerical employees  
N.J.S.A. 18A:17-3 Tenure of janitorial employees  
N.J.S.A. 18A:38-33 Tenure of attendance officers in city districts

**Possible**

**Cross References:** \*3510 Operation and maintenance of plant

\*3541.33 Transportation safety  
\*4212.6 Personnel records  
4217.51 Withholding increment  
4217.52 Dismissal/suspension

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

**Policy**

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EMPLOYEE SUBSTANCE ABUSE

General - All Employees

The use of alcoholic beverages in school worksites is prohibited. Violations of this prohibition may subject an employee to disciplinary action which may include but is not limited to nonrenewal, suspension, or termination at the discretion of the board.

The unlawful manufacture, distribution, dispensing, possession of, use of or sale of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance on or in school worksites is prohibited. Any violation may subject an employee to participation in a drug rehabilitation program and disciplinary action including but not limited to nonrenewal, suspension, or termination at the discretion of the board of education.

For the purposes of this policy "worksite" shall include any school building, or any school premises and any school-owned vehicles or any other school-approved vehicle used to transport students to and from school or school activities. Worksite also includes off-school property during any school-sponsored or school-approved activity, event or function such as a field trip or athletic event, where students are under the jurisdiction of the school district.

The board of education, as a result of criminal convictions of any criminal drug statute violation by an employee occurring outside of the worksite, may discipline said employee. Disciplinary action may include, but is not limited to nonrenewal, suspension, or termination at the discretion of the board.

Illegal gambling is not permitted in or on the school worksite.

Smoking by employees in school buildings or on school grounds is prohibited.

The Superintendent of Schools shall establish a drug-free awareness program which includes notice of the dangers of drug abuse in the workplace and available drug counseling programs and shall distribute this policy to all employees annually. New employees shall be provided with a copy of this policy prior to beginning work assignments.

Work Performance in Connection with a Federal Grant

In order for the school district to qualify for any direct federal grant, the district must certify that it will provide a drug-free workplace and maintain a good faith effort to continue to maintain a drug-free workplace. To this end, employees engaged in school worksites as a result of federal grant moneys shall in addition to complying with requirements of the programs shall also be in strict compliance with this policy.

The Superintendent of Schools shall notify all employees whose work performance is done in connection with a federal grant that they are to notify their respective supervisors of convictions

of any criminal drug statute violation occurring in the workplace. Employees must notify their supervisors no later than five days after such conviction. To be in compliance, the district must notify the federal grant program of such conviction within 10 days of receipt of said conviction.

EMPLOYEE SUBSTANCE ABUSE (continued)

Drug and Alcohol Testing

The Paulsboro School District is committed to the establishment of a drug and alcohol misuse prevention program among school bus drivers that meets all applicable requirements of the Omnibus Transportation Employee Testing Act of 1991. The purpose of the testing program shall be to help prevent accidents and injuries resulting from the misuse of alcohol and controlled substances by employees performing safety-sensitive functions.

In addition to all prohibitions in the first sections of this policy, all employees with commercial drivers' licenses shall be prohibited from:

- A. The use of any controlled substance on or off duty, unless a written prescription from a licensed doctor or osteopath is provided along with a written statement from the doctor or osteopath that the substance does not adversely affect the employee's ability to safely operate a motor vehicle or perform other safety-sensitive functions;
- B. The misuse of alcohol that could affect performance on the job including use on the job, use during the four hours before performing a safety-sensitive function, having prohibited concentrations of alcohol in their systems while performing a safety-sensitive function and use during eight hours following an accident.

"Controlled substance" in this policy refers to those covered by the Omnibus Act, including, but not limited to, marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP).

All covered applicants and employees shall be subjected to pre-employment or pre-duty, reasonable suspicion, random, post-accident, return-to-duty and follow-up alcohol and drug testing pursuant to procedures set out in the federal regulations. These procedures use an evidential breath testing device for alcohol testing. For controlled substances testing, urine specimen collection and testing by a laboratory certified by the U.S. Department of Health and Human Services shall be required.

Pre-employment testing shall be administered to an applicant offered a position in the district prior to the first time the employee performs any safety-sensitive function for the district. An applicant who tests positive will not be hired for any safety-sensitive position.

Random alcohol testing shall be limited to the time period surrounding the performance of safety-related functions which includes just before or just after the employee performs the safety-related function. Controlled substances testing may be performed at anytime while the employee is at work.

An employee covered by the federal regulations may not refuse to take a required test. Consequences for an employee's refusal shall be the same as for a positive result of the test.

If the testing confirms prohibited alcohol concentration levels or the presence of a controlled substance, the employee shall be removed immediately from safety-related functions in accordance with the federal regulations. Before an employee is reinstated, if at all, the employee shall undergo an evaluation by a substance abuse professional, comply with any required rehabilitation and undergo a return-to-duty test with verified test results.

The board retains the authority consistent with federal law to discipline or discharge any employee who is an alcoholic or chemically dependent and whose current use of alcohol or drugs affects the employee's qualifications for and performance of the job.

The district is not required under federal law requiring drug and alcohol testing to provide rehabilitation, pay for substance abuse treatment or to reinstate the employee. All employment decisions involving

EMPLOYEE SUBSTANCE ABUSE (continued)

reinstatement, termination or dismissal shall be made in accordance with applicable state law, board policies and negotiated agreements.

The district shall maintain records in compliance with the federal regulations in a secure location with controlled access. With the employee's consent, the district may obtain any of the information concerning drug and alcohol testing from the employee's previous employer. An employee shall be entitled upon written request to obtain copies of any records pertaining to the employee's use of alcohol or controlled substances including information pertaining to alcohol or drug tests. Statistical records and reports shall be maintained and made available to the Federal Highway Administration for inspection or audit in accordance with federal regulations.

Records shall be made available to a subsequent employer upon receipt of a written request from an employee, and only on the expressly authorized terms of the employee.

The Superintendent of Schools shall ensure that supervisors receive proper training to administer the drug and alcohol testing program and those employees receive the notifications required by federal regulations.

Transportation contracts approved by the board shall contain assurance that the contractor will establish a drug and alcohol testing program that meets the requirements of federal regulations and this policy and will actively enforce the regulations of this policy as well as federal requirements.

Adopted: 1994  
 NJSBA Review/Update: November 2008, February 2016  
 Readopted: March 2009

Key Words

Smoking; Drinking; Drugs; Smoking Prohibition; Employee Smoking, Drinking, Use of Drugs on School Premises; Drug Testing; Alcohol Testing

**Legal References:** N.J.S.A. 2C:33-16 Alcoholic beverages; bringing or possession on school property by person of legal age; penalty  
N.J.S.A. 2C:35-1 et seq. Comprehensive Drug Reform Act 1987  
N.J.S.A. 18A:11-1 General mandatory powers and duties  
N.J.S.A. 18A:16-2 Physical examinations; requirement  
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:36-32 Cigarette coin-operated vending machines; operation, installation or maintenance on property used for school purposes; fine  
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)  
N.J.S.A. 26:3D-55 et seq. New Jersey Smoke-Free Air Act  
N.J.A.C. 6A:16-6.3 Reporting students or staff members to law enforcement authorities  
N.J.A.C. 6A:16-6.5 Confidentiality of student or staff member involvement in substance abuse intervention and treatment programs  
N.J.A.C. 6A:26-12.2(a)4 Policies and procedures for school facility operation  
Owner-Operator Indep. Drivers Assoc., Inc. v. Pena, 996 F. 2d 338 (D.C. Cir. 1993)  
New Jersey Constitution, Article. IV, Section VII, Paragraph 2  
Anti-Drug Abuse Act of 1988

EMPLOYEE SUBSTANCE ABUSE (continued)

Drug-Free Workplace Act of 1988

34 CFR Part 85.100, Governmentwide Debarment and Suspension (nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)

42 U.S.C.A. § 31306 et seq. - Alcohol and Controlled Substances Testing

49 C.F.R. Part 40 - Procedures for Transportation Workplace Drug and Alcohol Testing Programs

49 C.F.R. Part 382 - Controlled Substance and Alcohol Use and Testing

49 C.F.R. Part 391 - Qualification of drivers

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

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

**Possible**

<b><u>Cross References:</u></b>	*1330	Use of school facilities
	*1410	Local units
	*3220/3230	State funds; federal funds
	*3515	Smoking prohibition
	*3541.33	Transportation safety
	*4119.23	Employee substance abuse
	*4212.4	Employee health
	*4212.6	Personnel records
	4217.50	Standards for staff discipline
	*5131.6	Drugs, alcohol, tobacco (substance abuse)

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

**Policy**

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NONINSTRUCTIONAL SUBSTITUTES

Substitutes in any of the below listed classifications shall be considered "temporary" employees and shall not be eligible for benefits afforded to permanent employees. Substitutes shall be paid on an hourly or per diem basis only.

- A. Secretaries and clerks;
- B. Aides;
- C. Maintenance and grounds personnel;
- D. Custodians;
- E. Cafeteria personnel;
- F. Bus drivers;
- G. Such other classifications as the Board may establish.

This policy shall apply to employees hired under special projects whose salaries are paid by other than local school district funds (such as federal, state or foundation funds). Such employees shall be placed into one of the job classifications approved by the Board and shall receive the same benefits as other employees in such classifications, provided that such benefits are in accordance with state law. The cost of such benefits shall be borne by the project funds.

Adopted: 1994  
NJSBA Review/Update: November 2008, February 2016  
Readopted: March 2009

Key Words

Substitutes, Temporary Employees

**Legal References:** N.J.S.A. 18A:11-1 General mandatory powers and duties  
N.J.S.A. 18A:17-2 Tenure of secretaries, assistant secretaries, school business administrators, business managers and secretarial and clerical employees  
N.J.S.A. 18A:17-3 Tenure of janitorial employees  
N.J.S.A. 18A:38-33 Tenure of attendance officers in city districts

**Possible**

**Cross References:** \*3510 Operation and maintenance of plant  
\*3541.33 Transportation safety  
\*4212.6 Personnel records  
4217.51 Withholding increment  
4217.52 Dismissal/suspension

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

**Policy**

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NONINSTRUCTIONAL AIDES

The board, within its financial means, may hire aides as recommended by the Superintendent of Schools.

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 of schools 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: 1994  
NJSBA Review/Update: November 2008, February 2016  
Readopted: March 2009, June 2016  
Revised:

Key Words

Aides, Noninstructional Aides, Background Check, Personnel Background Check

**Legal References:** 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:11-1 General mandatory powers and duties  
N.J.S.A. 18A:16-2 through -5 Physical examinations; requirement  
N.J.S.A. 18A:27-4.1 Appointment, transfer, removal, or renewal of officers and employees; exceptions  
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)  
N.J.A.C. 6A:32-4.2 Approval of paraprofessional staff  
N.J.A.C. 6A:32-6.1 et seq. School Employee Physical Examinations  
8 U.S.C.A. 1100 et seq. - Immigration Reform and Control Act of 1986

**Possible**



NONINSTRUCTIONAL AIDES (continued)

<b><u>Cross References:</u></b>	*3541.1	Transportation routes and services
	*3542	Food service
	*4212.4	Employee health
	*4215	Supervision
	*4216	Evaluation
	4221	Non-instructional substitutes
	*6162.4	Community resources

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

**Policy**

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STAFF DEVELOPMENT; INSERVICE EDUCATION/VISITATIONS/CONFERENCES

The Board recognizes that the skills required of support staff members change with changing technology. In order to ensure both optimum efficiency in district operations, and the continued growth in expertise of the staff, the Superintendent of Schools shall ensure that appropriate programs of inservice training shall be developed for support staff as necessary.

The Superintendent of Schools may recommend to the board the granting of leave for attendance of personnel at state, regional, and national job-related meetings without pay deduction and with expenses paid by the school system according to established allowances.

Mandated Inservice Programs

The Superintendent of Schools 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.

Adopted: 1994  
NJSBA Review/Update: November 2008  
Readopted: March 2009

Key Words

Staff Development; Inservice; Visitations; Conferences

<b>Legal References:</b>	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:17-46	Act of violence; report by school employee; notice of action taken; annual report
	<u>N.J.S.A.</u> 18A:30-7	Power of boards of education to pay salaries
	<u>N.J.S.A.</u> 18A:31-2	Attendance at conventions of New Jersey Education Association
	<u>N.J.S.A.</u> 18A:40A-3	Initial inservice training programs; curriculum; availability
	See particularly:	
	<u>N.J.S.A.</u> 18A:40A-3a, -18c	
	<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
	<u>N.J.S.A.</u> 34:5A-10	Retention or workplace surveys
	<u>N.J.S.A.</u> 34:5A-13	Employee education and training program; certification of instructors
	<u>N.J.A.C.</u> 6A:7-1.6	Professional development
	<u>N.J.A.C.</u> 6A:16-1.1 <u>et seq.</u>	Programs to Support Student Development
	See particularly:	
	<u>N.J.A.C.</u> 6A:16-3.1(a)4, -5.1(d), -6.2(b)12	
	<u>N.J.A.C.</u> 6A:16-11.1 <u>et seq.</u>	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

Comprehensive Equity Plan, New Jersey State Department of Education

**Possible**

STAFF DEVELOPMENT; INSERVICE EDUCATION/  
VISITATIONS/CONFERENCES (continued)

<b><u>Cross References:</u></b>	*2224	Nondiscrimination/affirmative action
	*4215	Supervision
	*4216	Evaluation
	4233	Travel/reimbursement
	*5141	Health
	*5141.4	Child abuse and neglect

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